

Review of 2004 Water Sharing Plans

November 2012

Water sharing plans establish rules for allocating water to balance the needs of all water users and apply for a period of ten years from their commencement. The first water sharing plans commenced in 2004, and are due to be replaced or extended¹ in 2014.

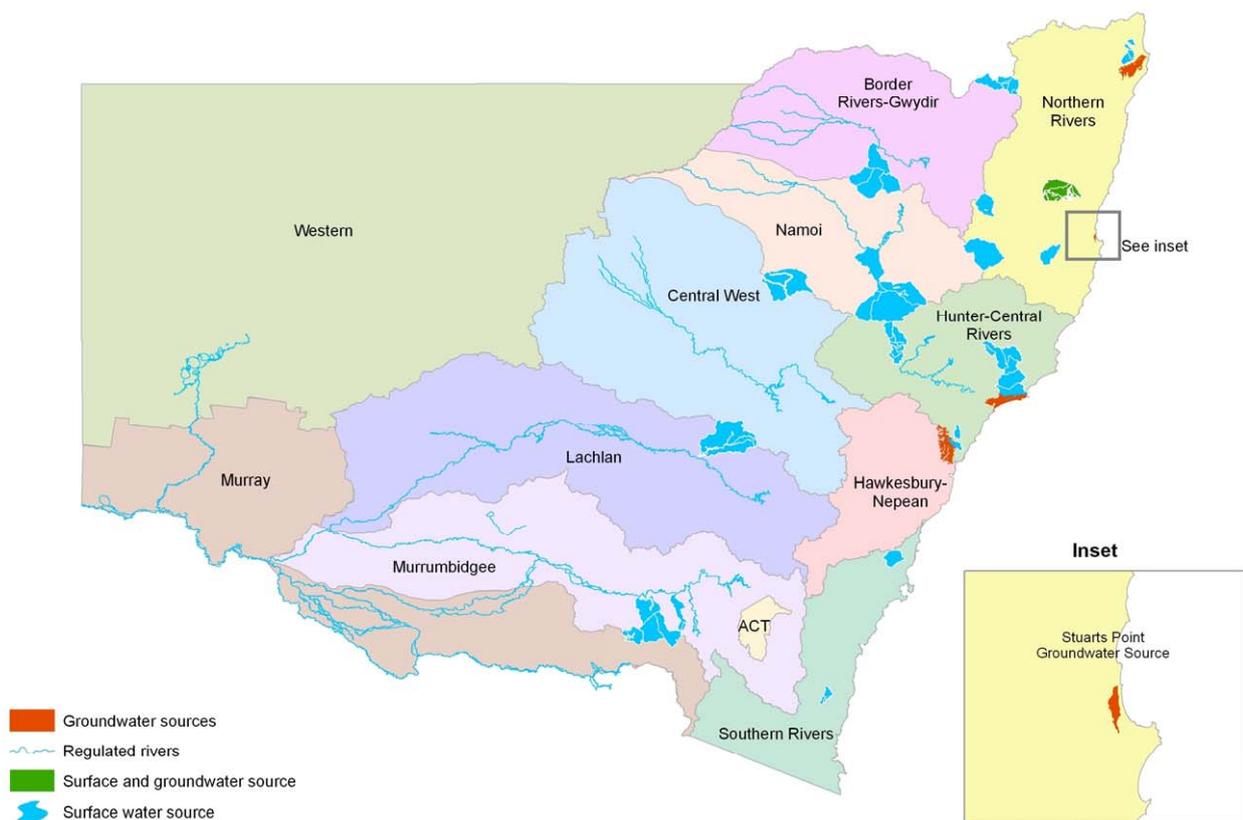
What water sharing plans are due to expire?

There are 31 plans across the state that are due to expire in 2014. Of these 31 plans, 14 fall within the Murray-Darling Basin and the remainder are in coastal regions.

To make it easy to identify plans within your region, the plans are mapped in **Figure 1** below and listed according to Catchment Management Authority region in **Table 1**.

If you are not sure what plan area you are in, refer to your water access licence or contact 1800 353 104.

Figure 1 Map of Water Sharing Plans that are due to expire in 2014



¹ Extension refers to the extension of plans for a further 10 year term without change. Replacement refers to replacement of the plan with a new plan where changes to the existing plan are proposed

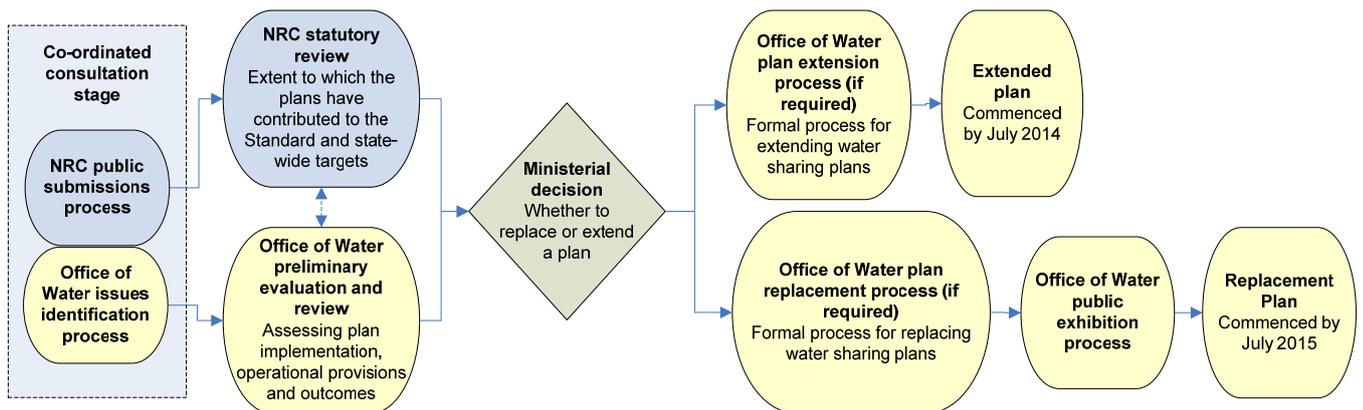
Table 1 List of water sharing plans due to expire in 2014

CMA Region	Water sharing plans due to expire in 2014
Border Rivers – Gwydir	Gwydir Regulated River Water Source Rocky Creek, Cobbadah, Upper Horton and Lower Horton Water Sources Tenterfield Creek Water Source
Central West	Castlereagh River above Binnaway Water Source Macquarie and Cudgegong Regulated Rivers Water Source
Hunter Central Rivers	Hunter Regulated River Water Source Jiliby Jiliby Creek Water Source Karuah River Water Source Ourimbah Creek Water Source Tomago Tomaree Stockton Groundwater Sources Wybong Creek Water Source
Hawkesbury Nepean	Kulnura Mangrove Mountain Groundwater Sources
Lachlan	Lachlan Regulated River Water Source Mandagery Creek Water Source
Murrumbidgee	Adelong Creek Water Source Murrumbidgee Regulated River Water Source Tarcutta Creek Water Source
Murray	New South Wales Murray and Lower Darling Regulated Rivers Water Sources Upper Billabong Water Source
Namoi	Phillips Creek, Mooki River, Quirindi Creek and Warrah Creek Water Sources Upper Namoi and Lower Namoi Regulated River Water Sources
Northern Rivers	Alstonville Plateau Groundwater Sources Apsley River Water Source Commissioners Waters Water Source Coopers Creek Water Source Dorrigo Plateau Surface Water Source and Dorrigo Basalt Groundwater Source Stuarts Point Groundwater Source Toorumbree Creek Water Source Upper Brunswick River Water Source
Southern Rivers	Kangaroo River Water Source Wandella Creek Water Source

What needs to happen before these plans expire?

Water sharing plans apply for a period of ten years from their commencement. At the end of the ten years the Minister for Primary Industries (the Minister) will determine if the water sharing plan is to be replaced or, on the recommendation of the Natural Resources Commission (NRC) under Section 43A of the *Water Management Act 2000* (the Act), extended for a further ten years. Extension does not allow changes to be made to the water sharing plan. If changes are required or proposed then a replacement water sharing plan will need to be made. The steps that support this process are shown in **Figure 2**.

Figure 2 Process for extending or replacing water sharing plans



Before making the decision to extend or replace a plan, the Minister is to consider a report by the NRC. The NRC's review will focus on progress towards state-wide Standard and targets as well as alignment with Catchment Action Plans.

The NSW Office of Water is undertaking an evaluation and a review of the water sharing plans in parallel with the NRC's review. The Office of Water's review will focus on whether plan rules are appropriate, practical to implement and if there are any ways to improve the plan outcomes. The Office of Water's review will also inform the Minister about whether changes to the plans are desirable. Should the Minister determine changes are appropriate and a replacement plan is necessary, the Office of Water will be responsible for all work required to formulate the new plan.

The focus of each review is slightly different reflecting the different roles of the respective agencies. Both the NRC and the Office of Water are keen to engage stakeholders to inform their work and will be taking a coordinated approach where appropriate to maximise efficiency and avoid duplication.

More information about the NRC's review

Under the Act, the NRC has a role in advising the Minister for Primary Industries as to whether individual plans should be replaced or extended. Specifically, the NRC is to determine the extent to which the plans have contributed to the *Standard for Quality Natural Resource Management* (the Standard) and natural resource management targets in the relevant catchment management area, and whether any changes to the plan rules are warranted¹.

The NRC's review will be guided by three key principles:

- better regional outcomes
- integrated and efficient governance; and
- evidence-based decision making.

As part of its review, the NRC is seeking feedback from licence holders, the community, the Office of Water and other relevant stakeholders.

In particular, the NRC is interested in your views on:

- whether the implementation of water sharing plans has contributed to better social, economic, cultural and environmental outcomes in your region; and
- how water sharing plans can be improved to better contribute to regional objectives in the future.

If you are keen to find out more, the NRC has posted an Issues Paper on its website that provides additional information on the NRC's review process and more detailed questions to guide submissions:

<http://nrc.nsw.gov.au/Workwedo/Watersharingplanreviews.aspx>

Alternatively, please contact the NRC on (02) 8227 4300 to arrange access to this information.

¹ For more information on the Standard and state-wide targets, please refer to the 'Standards and targets' page on the NRC's website: <http://nrc.nsw.gov.au/Workwedo/Standardandtargets.aspx>

More information about the Office of Water's review and evaluation

The Office of Water is responsible for the management of the State's surface water and groundwater resources and for the administration of key water management legislation, including the Act.

Given its legislative role in the making and implementation of water sharing plans, the Office of Water will be undertaking a parallel and complementary process to the NRC. The Office of Water's processes will help inform the Minister's decision regarding extension or replacement of water sharing plans, and prepare for plan replacement if required.

The Office of Water will assess any issues raised through the following criteria:

- Is there any updated information available?
- Has there been a policy change or a change to the way water sharing plans are drafted?
- What rules have not been able to be implemented and why?
- What rules could be written so that they could be implemented more simply?
- What rules should be rewritten to reduce ambiguity?
- Have any rules not had the intended environmental effect and why?
- What new information is available to inform high priority Aboriginal cultural water requirements?
- Are there changes that should occur as a result of an amendment provision specified in the original plan?
- Have any rules had unintended socio-economic impacts?

The Office of Water will assess if any proposed plan amendments, as a result of the above criteria, would result in a significant impact on water users security or environmental protection before proceeding with recommendations to the Minister.

In line with the current approach to water sharing plan development, the Office of Water will use Interagency Regional Panels to consider the outcomes of the plan reviews and make recommendations to the Minister. These panels have government representatives from the Office of Water, the NSW Office of Environment and Heritage and the NSW Department of Primary Industries. Additionally, Catchment Management Authorities and (for regulated rivers) State Water are engaged in observer roles.

A Murray Darling Basin Plan is currently being developed by the Murray Darling Basin Authority under Commonwealth legislation (Water Act 2007). If a Basin Plan is commenced and NSW agrees to implement it, NSW will be required to develop accredited water resource plans, which will include water sharing rules. The current review does not incorporate the requirements of the water resource plans accreditation process.

To find out more about the Office of Water's work on water sharing plans, visit the website www.water.nsw.gov.au/Water-management/Water-sharing-plans/Plans-review

or contact 1800 353 104.

How to make a submission

The NRC and the Office of Water are currently seeking your comments on issues that should be considered during the plan review process. We are interested in how the water sharing plans have been functioning in the past ten years, so that we can identify changes that may provide for better outcomes for water users and the environment.

Submissions on this process can be:

- Submitted online at: www.haveyoursay.nsw.gov.au/watersharingplans
- Posted to: Water Sharing Plan Review, NRC, GPO Box 4206, Sydney, NSW 2000

All submissions will be made available to both the NRC and the Office of Water. The organisations will specifically be seeking comment on the following:

- **NRC:** how water sharing plans are contributing to social, economic, cultural and environmental outcomes in your region, and how this can be improved.
- **Office of Water:** water sharing plan rules, implementation of the plans and ways to improve water sharing plan outcomes.

When making a submission, you will be asked to fill in the following fields:

- Your contact details in case we require further information or clarification.
- The name of the water sharing plan relevant to you so we know which plans your comments relate to.
- Whether you are a member of a group or organisation; for example, a water users group, community group or industry group.

If you are a member of a group or organisation, we encourage you to provide your feedback via your group or organisation's submission.

Please ensure all submissions are received by no later than **31 January 2013**.

As outlined in **Figure 2**, this is the first opportunity for community members and government agencies to provide input on the review of water sharing plans. If the Minister decides to replace the plans, you will have a further opportunity to comment during the Office of Water's formal public exhibition period as the process progresses. During public exhibition all licence holders and key stakeholders will be sent another letter inviting comments and informing the dates and times for public information sessions.

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (November 2012). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

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