

Department of Climate Change, Energy, the Environment and Water

# What we heard report

## Water Sharing Plan Prescribed Wetlands

February 2026



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# Acknowledgement of Country



Department of Climate Change, Energy, the Environment and Water acknowledges the traditional custodians of the land and pays respect to Elders past, present and future.

We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.

Artist and designer Nikita Ridgeway from Aboriginal design agency – Boss Lady Creative Designs, created the People and Community symbol.

What we heard report

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# Executive Summary

## About this document

Between November 2024 and March 2025, the Department of Climate Change, Energy, the Environment and Water (the department) publicly exhibited an approach to improve the protection of significant wetlands as part of the water sharing plan (WSP) replacement process for 6 inland unregulated WSPs in the following areas:

- Barwon-Darling Unregulated River Water Source
- Gwydir Unregulated River Water Sources
- Lachlan Unregulated River Water Sources
- Macquarie/Wambuil Bogan Unregulated Rivers Water Sources
- Murrumbidgee Unregulated River Water Sources
- Namoi and Peel Unregulated Rivers Water Sources

The public exhibition period provided an opportunity for water users, broader stakeholders and other interested parties to learn more about the method used to identify wetlands proposed to receive additional protection, and which specific wetlands were proposed to be protected. Stakeholders were given the opportunity to make submissions and comment on the proposed WSP Prescribed Wetlands and the proposed rules to protect them.

This report summarises how we engaged with communities, the key issues we heard specifically in relation to wetlands and the next steps in finalising our approach to protecting WSP Prescribed Wetlands.

Reports summarising what we heard in relation to the general WSP replacements can be found [here](#).


### Engagement at a glance

 **10,739**  
website visits

 **7,160**  
Electronic direct mail  
(email) sent over two  
occasions

 **183**  
Submissions about WSP  
Prescribed Wetlands

 **127 + 82**  
Webinar #1 + #2 attendees

 **5**  
Small group Teams video  
or face to face meetings

## Background

The department is responsible for surface and groundwater management, including ensuring water security for NSW. We also ensure equitable sharing of surface and groundwater resources, and that water entitlements and allocations are secure and tradeable.

Water sharing plans (WSPs) are the primary legal framework for managing and sharing water in NSW. They are made under the NSW Water Management Act 2000 (WM Act) and are valid for 10 years. The rules in the plans allow equitable sharing of water for all water users, including the environment.

They do this by:

- providing water for the environment by protecting a proportion of the water available for fundamental ecosystem health
- setting limits on the total volume water extracted to ensure security for the environment and water users
- protecting the water needed to meet basic landholder rights
- providing water users with a clear picture of when and how water will be available for extraction
- providing flexibility for licence holders in the way they can manage their water accounts
- specifying rules to minimise the impacts of extraction on groundwater users, groundwater-dependent ecosystems, culturally significant sites, water quality and the integrity of aquifers
- specifying the rules for water trading, that is, the buying and selling water licences and water allocations
- setting the mandatory conditions that apply to licence holders.

Under the WM Act water sharing plans are subject to review every 10 years and may be replaced to deliver better outcomes for all water users, including the environment.

In its formal review of the inland unregulated WSPs, the Natural Resources Commission (NRC) recommended inland unregulated replacement WSPs include rules to protect significant wetlands within their WSP area. The department responded to this recommendation by identifying internationally (Ramsar), nationally and regionally significant wetlands on viewable PDF, WSP Prescribed Wetland Maps for each draft replacement WSP along with proposed new rules to restrict new works and water trades to improve the protection of these wetlands.

The proposed approach considered the selection criteria and rules to protect significant wetlands in the WSPs recently replaced in 2024 for the Castlereagh Unregulated River Water Sources, NSW Border Rivers Unregulated Water Sources, Intersection Streams Water Sources, Lower Murray-Darling Unregulated River Water Source, Murray Unregulated River Water Sources and the North Western Unregulated and Fractured Rock Water Sources.

The department's Water Group and Conservation Programs, Heritage and Regulations Group collaborated in identifying the proposed wetlands and rules proposed to protect them.

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## Consultation

Consultation is an essential part of developing draft replacement WSPs and the public exhibition process enabled the community and stakeholders to provide feedback on the proposed identification of wetlands and associated rules to protect them.

Public exhibition on the draft WSP Prescribed Wetlands initially ran in conjunction with broader WSP replacement consultation from early November 2024 to 10 January 2025. Fact sheets about the wetland identification method were made available on the department's website and a webinar was held on 9 December 2024 to explain the method and how it was applied. The public exhibition period for WSP Prescribed Wetlands was extended to 2 February 2025 to provide stakeholders with additional time to comment on proposed WSP Prescribed Wetlands.

Following significant feedback about draft WSP Prescribed Wetlands received during public exhibition, the department released a revised approach for protecting WSP Prescribed Wetlands and updated the draft maps and proposed rules. The department provided an opportunity for comment on the revised approach over an additional 3-week period between 4 and 23 March 2025. More fact sheets were made available on the department's website, and a second webinar was held on 12 March to explain the revised approach.

We encouraged stakeholders to give feedback through written submissions. Our website included a 'Have your say' section that gave people different ways to make a submission, including via email and a downloadable feedback form.

In addition to the feedback received from those who attended face-to-face and webinar sessions, we received a total of 358 written submissions about WSP Prescribed Wetlands. Some submissions included comments about other aspects of the draft replacement WSPs.

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## The department's response to submissions

On 9 April 2025, the department announced the final WSP Prescribed Wetlands Maps would be limited to internationally significant Ramsar listed sites, persistent areas registered in the Directory of Important Wetlands of Australia, and any wetlands already receiving specific protections in the current (2012) WSPs. The department committed to consult with landholders on the wetlands identified in the previous drafts of the WSP Prescribed Wetland maps. The department also committed to revise the wetland maps in the 6 unregulated WSPs that came into effect in July 2024, and to consult with affected landholders and communities in the second half of 2025<sup>1</sup>. Those WSPs are the Intersecting Streams, Border Rivers, Castlereagh, Murray, Lower Murray Darling and the North-Western unregulated water sharing plans. For more information on this announcement [go to the department's website here](#) and the [department's website here](#) for more information on the WSP Prescribed Wetlands.

The department wrote to all individuals who made a submission during consultation about specific wetlands on the draft WSP Prescribed Wetlands Maps. The department's responses included whether the wetland(s) identified by the stakeholder were still proposed as a WSP Prescribed Wetland or whether they had been removed from the draft map under the final approach. Where applicable, the letter also highlighted cases where a wetland(s) in a Floodplain Management Zone D or SP and had been removed from the draft map but remained subject to further investigation and consultation within the next 12 months, as they could be subsequently identified for protection and added to the map.

The valuable feedback received during the public exhibition period and through submissions has helped the department finalise its approach to identify and protect wetlands that are of international, national and regional significance.

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<sup>1</sup> Timing of additional consultation and potential additions was subsequently delayed and is currently expected by December 2026.

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## How did we consult?

Between 4 November 2024 and 10 January 2025, the department consulted with stakeholders and sought their views on the proposed changes to the draft replacement WSPs. This included the draft WSP Prescribed Wetlands identified for the WSPs and associated proposed works and trade rules. We identified stakeholders with a potential interest in the WSPs. These included WaterNSW customers (holders of water access licences), environmental interest groups, Local Aboriginal Land Councils, community groups, farming groups and local councils/water utilities. It was not possible to contact every landholder owning or occupying land on/within the proposed WSP prescribed wetlands if they did not have a water licence or water supply work approval, and had not registered to the department's Water Engagement Roundup list.

Across the 6 plan areas, the department contacted WaterNSW customers via mail (6,099 letters) and other groups and individuals by email (7,160 recipients). These communications informed recipients about the WSP replacements including the proposed approach to protecting proposed WSP Prescribed Wetlands. The letters outlined where to access information about the draft replacement WSPs and the proposed approach to protect WSP Prescribed Wetlands in each WSP area. They also provided instructions on how to make a submission and invited recipients to attend public information sessions on the draft WSP replacements and the proposed approach to protect WSP Prescribed Wetlands.

### Wetland webinar sessions

The department held 2 wetland-specific webinar sessions using a virtual meeting platform. We presented information about the proposed approach to identify and protect WSP Prescribed Wetlands and provided links to an online interactive mapping tool showing the location of the wetlands. During webinars, attendees could post questions in the live chat. We allocated time at the end of the presentation for clarification, questions and discussion.

Table 1 summarises the attendance at the webinars.

Table 1. Attendance at webinars

Location	Date	Registered to Attend	Attended
<u>Online Webinar</u> – Improving protection for wetlands	9 December 2024	17	127
<u>Online Webinar</u> – Works and trade rules in prescribed wetlands – Revised approach 2025	12 March 2025	100	82

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## What we asked during public exhibition – November 2024 to February 2025

The online submission form asked stakeholders to comment on the proposed:

- wetlands to be protected as displayed on the relevant WSP, 'WSP Prescribed Wetlands Map'. These wetlands were identified by using spatial data from:
  - the Long-Term Water Plan for relevant water sharing plans
  - Ramsar (internationally important) wetland listings
  - existing lists of wetlands already in WSPs
  - endangered Ecological Communities that are wetlands
  - regionally significant cultural wetlands (if known)
  - Directory of Important Wetlands of Australia (DIWA)
  - ecological assets listed in floodplain management plan (FMP) Zone D and SP
  - satellite imagery to analyse water persistence in DIWA and FMP Zone D and SP areas in both dry and wet times.
- rules to protect those wetlands by:
  - prohibiting new or amended works, unless there will be no more than minimal harm to the wetland concerned, within the proposed WSP prescribed wetlands, and within, or within 3 km upstream of a Ramsar wetland
  - prohibiting trade into those wetlands.

The following information was available on the department's [website](#):

- Improving protection of wetlands in inland NSW fact sheet.
- Identifying wetlands for inclusion in water sharing plans fact sheet.
- Answers to Frequently Asked Questions.
- PDF maps and interactive online maps showing the wetlands proposed to be protected for each of the draft replacement WSPs on public exhibition.
- A recording of the wetlands webinar held on 9 December 2024.

The approach to nominating wetlands for inclusion in the draft WSPs for public exhibition was assessed against the above criteria and had been discussed with the department's Water Group and Conservation Programs, Heritage and Regulations Group, the Department of Primary Industries & Regional Development (DPIRD) Fisheries, DPIRD Agriculture, before publishing the draft WSP Prescribed Wetland maps.

The intention of the improved protection is to ensure that no further water supply demand is placed on those identified wetlands beyond current levels.

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## Revised approach and period of comment – March 2025

After listening to the feedback received during the public exhibition of the WSPs between November 2024 and January 2025, the department revised the draft WSP Prescribed Wetlands Maps, refined its data sources and proposed a revised approach to protect the wetlands.

The revised maps and approach were open for a period of comment from 4 – 23 March 2025.

The department sent emails to all stakeholders listed in its engagement database, including to anyone who had made a wetland-related submission during public exhibition, to inform them of the revised approach and the additional information available on the department’s website. The additional information included updated fact sheets, revised interactive online maps and updated PDF maps. The email (EDM) also invited stakeholders to register to attend a webinar about the revised approach for protecting wetlands held on 12 March 2025.

The revised approach included:

- updated WSP Prescribed Wetland Maps to only include:
  - Ramsar (internationally significant) wetlands
  - wetland areas identified on the Directory of Important Wetlands of Australia (DIWA) that also met the department’s water persistence criteria
  - wetlands already identified in existing WSPs
  - wetlands identified within a relevant Floodplain Management Plan Zone D or SP that met the department’s water persistence criteria.
- rules to prohibit new works and trades into off-river pools in WSP areas that didn’t already have these rules
- an exemption from trade rules where proposed prescribed wetlands were also used as approved water storages
- rules to prohibit new works on off-river pools and WSP prescribed wetlands, unless the works result in no more than minimal harm.

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## Final approach to WSP Prescribed Wetland Maps April 2025

On 9 April 2025, the department announced that the final maps of WSP Prescribed Wetlands for plan commencement would not include FMP wetlands. The department committed to consult directly with relevant landholders on wetlands identified in a relevant Floodplain Management Plan Zone D or SP, which were identified in the initial wetland maps released in November 2024. The department advised it intended to add suitable new WSP Prescribed Wetlands to the replacement WSPs by 30 June 2026<sup>2</sup>.

The department committed to preparing Minimal Harm guidelines to help assess applications for new work approvals. The guidelines are anticipated to be developed by June 2026.

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<sup>2</sup> Timing of additional consultation and potential additions was subsequently delayed and is currently expected by December 2026

## Key issues

The feedback received on WSP Prescribed Wetlands is summarised in Table 2 and has been considered as part of finalising the draft replacement plan.

Table 2. Summary of submissions about the proposed WSP Prescribed Wetlands

Issue	Comments	Department response
<p><b>Identification of WSP Prescribed Wetlands</b></p>	<p>Most of the submissions objected to the method used to identify the wetlands.</p> <p>Numerous submissions identified that the proposed wetlands on their property were not wetlands, or were areas used as part of the stakeholders' productive land-use practices including dry land cropping. Several proposed wetlands were used as in-river or off-river storages for water legally acquired in accordance with relevant WSP rules.</p> <p>Some proposed wetlands were on-farm storages currently used to store water for domestic and stock purposes.</p> <p>Some of the proposed wetlands were not recognised as wetlands at all and were located in the middle of paddocks or parcels of land under cultivation.</p> <p>Some of the proposed wetlands were observed to be dry most of the time.</p> <p>Stakeholders concerned for the protection of the environment proposed wetlands that they felt should have been included as a WSP</p>	<p>Announced a final approach for identification of WSP Prescribed Wetlands:</p> <p>Removed all but Ramsar listed, DIWA wetlands that met water persistence criteria, and wetlands already receiving specific protections under existing WSPs.</p> <p>Committed to targeted consultation about inclusion of FMP management zone D and SP wetlands over the coming 12 months.</p>

Issue	Comments	Department response
	<p>Prescribed Wetland that were not identified.</p> <p>Some wetlands adjacent to proposed WSP Prescribed Wetlands were not identified as proposed WSP Prescribed Wetlands.</p>	
<p><b>Access rules for natural off-river pools, including no drawdown below full capacity</b></p>	<p>Environmental organisations were in favour of the rule change.</p> <p>Most submissions objected to the change, saying that it reduces property rights and sought for the current rule to be kept.</p> <p>“This (change) represents a significant reduction in water property rights, introducing a new restriction that didn’t previously exist. Furthermore, there is no provision for compensation to mitigate the loss of these rights. Additionally, there is no active plan for how license holders can apply for exemptions.”</p> <p>“The change in access...in ‘off river pools’...will significantly impact licence holders. Essentially it may limit access to irrigation water to times when it may not be required, as it has rained!”</p> <p>Stakeholders concerned for the protection of the environment supported proposed access rules that were more restrictive than current access rules for off-river pools. They also objected to access rules for off-river</p>	<p>A number of licenced water users wrote to the department and were granted approval to retain their existing access conditions.</p>

Issue	Comments	Department response
	<p>pools that allowed drawdown, such as for existing users on specified lakes.</p>	
<p><b>Concerns about implications of identifying WSP Prescribed Wetlands on a map</b></p>	<p>Numerous submissions objected to the mapping of proposed wetlands and raised concerns that this mapping would result in future restrictions from other government departments on what activities could occur on the protected wetlands, such as dry land cropping, grazing, or for water storage.</p> <p>Several submissions raised concerns that the monetary value of their land would decrease because of restrictions being placed on what practices could or could not be conducted in these wetland areas.</p>	<p>WSP Prescribed Wetlands have been identified only for the purpose of implementing WSP rules under the <i>Water Management Act 2000</i>. A note has been included in the replacement plans stating, “The WSP Prescribed Wetlands Map is to be used in accordance with this plan only”. The department has no control over what decisions other departments make in the future.</p>
<p><b>Lack of consultation</b></p>	<p>Numerous submissions opposed the method of consultation, noting that if a landowner did not have a water licence or work approval, they would not have been notified that the wetland on their property was proposed to be a WSP Prescribed Wetland.</p> <p>Numerous submissions requested site visits from departmental staff to the properties to verify the wetlands were a wetland, and worthy of increased protection.</p>	<p>The department extended the WSP Public Exhibition period for comments on wetlands by 3 weeks to the beginning of February 2025 and then provided another period of comment on a revised approach to wetland protections for 3 weeks in March 2025.</p> <p>The department will undertake further targeted consultation about wetland areas identified in relevant FMP mapping and is working on methods to contact affected landholders who do not have a water access licence.</p>

Issue	Comments	Department response
<b>Time frame of the new approach to protecting wetlands</b>	Submissions from peak water user organisations sought a longer timeframe for consultation and suggested the proposed new approach to protect wetlands should be rolled out over 3-5 years.	The department does not have the resources to extend consultation on this matter over a number of years.

## Out-of-scope issues

Table 3 summarises issues raised during consultation on proposed WSP Prescribed Wetlands rules that fall outside of the scope of this report. Reports summarising what we heard in relation to the other WSP replacement issues will be made available [here](#) and include the department's responses to other plan related issues.

Table 3. Summary of out-of-scope issues

Issue	Comments
<b>Access rules for natural in-river pools</b>	Stakeholders concerned for the protection of the environment supported proposed access rules that were more restrictive than current access rules for in-river pools. They also objected to access rules for in-river pools that allowed drawdown by maintaining current access.

## Next steps

*The Water Sharing Plan for the Murrumbidgee Unregulated River Water Sources 2025* includes rules to protect the identified WSP Prescribed Wetlands. It was approved by the Minister for Water, received concurrence from the Minister for the Environment and then commenced on 12 December 2025. As at February 2026, the remaining 5 plans have not yet commenced.

Over the next 12 months, the department will consult landholders on the wetlands identified in Management Zones D or SP of relevant Floodplain Management Plans, as shown on the revised wetlands maps released in March 2025. The Gwydir, Namoi-Peel, Macquarie/Wambuul-Bogan, Lachlan, Murrumbidgee and Barwon-Darling unregulated water sharing plans will be amended before 31 December 2026 to add wetlands from these Floodplain Management Plan zones to the relevant wetland maps. That is, wetlands that, after a closer look, are considered appropriate to protect using the new wetland related water supply work approval and trade rules.

We will be revisiting the wetland maps in the 6 unregulated plans that came into effect in July 2024 with further consultation scheduled during 2026. These are the Intersecting Streams, Border Rivers, Castlereagh, Murray, Lower Murray Darling, and North-Western unregulated water sharing plans.

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## More information

When the new WSPs have commenced, supporting factsheets will be available on the department's website [here](#).