

Summary of changes to the Water Sharing Plan for the Lachlan Unregulated River Water Sources

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The Minister for Water, with the agreement of the Minister for the Environment, made a replacement *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2026*, which replaced the previous 2012 plan. The table below outlines the substantive changes from the previous 2012 plan. In drafting the replacement plan, the plan was also updated to simplify and modernise its drafting, clarify the intent of the provisions, and improve its legal robustness.

Table 1. Summary of changes for the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2026*

Clause in 2012 plan	Change in 2026 plan	Basis for change
Part 1 Introduction	The commencement date has been replaced with upon publication on the NSW legislation website.	<p>The commencement date is changed to 2026 to reflect that the plan has been remade rather than amended.</p> <p>This means that the 2012 plan has been repealed, and in line with the <i>Water Management Act 2000</i> (WM Act), section 43, the new plan is in place until the end of June 2036.</p> <p>It should be noted that the plan can be amended, if necessary, within the 10-year term.</p>
Part 1 Introduction	Recognition that part of the plan area occurs within the Murrumbidgee Water Management Area.	Most of the Plan area lies within the Lachlan Water Management Area, however, a small part of the Plan area lies within the Murrumbidgee Water Management Area.

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<p>Part 1</p> <p>Introduction</p>	<p>Updated management zones to which the plan applies by adding new management zones.</p> <p>In the Lachlan River above Reids Flat Water Source, the 2 new management zones are:</p> <ul style="list-style-type: none"> • Reids Flat Management Zone • Narrawa Management Zone. <p>In the Boorowa River and Hovells Creek Water Source, the 2 new management zones are:</p> <ul style="list-style-type: none"> • Lower Boorowa River Management Zone • Upper Boorowa River and Hovells Creek Management Zone <p>In the Mandagery Creek Water Source, 5 management zones were combined into the Other Tributaries Management Zone.</p>	<p>Management zones have been established to allow different management of areas within some water sources. Different access and trade rules may apply to different management zones within the same water source.</p> <p>Management zones were established in the Lachlan River above Reids Flat and Boorowa River and Hovells Creek water sources to better manage access using available suitable gauges.</p> <p>The Mandagery Creek Water Source was previously divided into 6 management zones. To simplify the rules for this water source, 5 of these management zones were combined into the ‘Other Tributaries Management Zone’. The Lower Mandagery Creek Management Zone remains unchanged.</p>
<p>Part 2</p> <p>Vision, objectives, strategies and performance indicators</p>	<p>Updated the vision, objectives, strategies and performance indicators to reflect changes to the water sharing plan templates.</p>	<p>The Natural Resources Commission (NRC) recommended review of the plan objectives to strengthen monitoring, evaluation and reporting (MER) of the plan outcomes.</p> <p>Parliamentary Counsels Office advised that the water sharing plan can only contain high level statements.</p> <p>The new vision, objectives, strategies and performance indicators deal with similar matters to the 2012 plan objectives but are changed to more clearly distinguish between the environmental, economic, social and Aboriginal cultural objectives of the water sharing plan.</p>

Clause in 2012 plan	Change in 2026 plan	Basis for change
<p>Part 2</p> <p>Vision, objectives, strategies and performance indicators</p>	<p>Additional requirement for monitoring and evaluation of performance indicators included.</p>	<p>These changes arose from concurrence approval of the 2024 inland unregulated water sharing plans.</p> <p>A monitoring, evaluation and reporting (MER) plan for the plan is to be published by December 2026. The implementation of the plan, including progress against the MER plan, will be publicly reported each year. In year 9 of the plan, the Minister will publicly report on the results of the monitoring and evaluation undertaken.</p>
<p>Part 3</p> <p>Bulk access regime</p>	<p>This section was removed as it did not provide additional information than that which already exists in the <i>Water Management Act 2000</i> or elsewhere in the plan.</p>	<p>Parliamentary Counsel’s Office have simplified the drafting of water sharing plans.</p>
<p>Part 4</p> <p>Planned environmental water provisions</p>	<p>The environmental water provisions remain in the plan but not in their own part. They have been distributed throughout the plan into Part 4 – Limits to the availability of water and Part 6 – Operation of water allocation accounts and managing access licences.</p> <p>The planned environmental water provisions are identified by clauses at the commencement of the relevant section.</p>	<p>Parliamentary Counsel’s Office have simplified the drafting of water sharing plans.</p>
<p>Part 5</p> <p>Requirements for water</p> <p>Division 1</p> <p>General</p>	<p>This division was removed as it did not provide additional information than that which already exists in the <i>Water Management Act 2000</i> or elsewhere in the plan.</p>	<p>Parliamentary Counsel’s Office have simplified the drafting of water sharing plans.</p>

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<p>Part 5</p> <p>Requirements for water</p>	<p>This part is now set out in Part 3.</p> <p>Updated basic landholder rights estimates and licenced water requirements.</p>	<p>The new basic landholder rights estimates reflect updated land use since the 2012 plan commenced.</p> <p>Estimates for licensed water entitlement have been updated based on Water Licensing System data.</p> <p>Recognises the Native Title determination for Ngemba Ngiyampaa, Wangaaypuwan and Wayilwan People.</p>
<p>Part 6</p> <p>Limits to the availability of water</p> <p>Division 1</p>	<p>Drafting has been updated but no material changes have occurred to this Part.</p> <p>This is now set out in Part 4.</p>	<p>Parliamentary Counsel’s Office have simplified the drafting of water sharing plans.</p>
<p>Part 6</p> <p>Limits to the availability of water</p> <p>Division 2</p> <p>Long-term average annual extraction limit</p>	<p>Provisions have been included to:</p> <ul style="list-style-type: none"> determine and publish a numeric long-term average annual extraction limit (LTAAEL) by December 2026 review the LTAAEL by 1 July 2030, considering a sustainable level of take. This work will be undertaken with advice from NRC and consider the outcomes of the Basin Plan review (if completed) review the LTAAEL by 1 July 2030 to consider and adapt to climate change allow the plan to be amended to give effect to changes to rules because of the reviews allow for reduced available water determinations if an assessment of 	<p>These changes arose from concurrence approval of the 2024 inland unregulated water sharing plans.</p> <p>Template changes apply to all 2025 and 2026 inland unregulated replacement water sharing plans and will specify a review of extraction limits having regard to a sustainable level of take and consider climate change to protect the water sources and their dependent ecosystems. The review will also consider cultural, social and economic implications of any extraction limit change.</p> <p>These changes arose from concurrence approval of the plan.</p>

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	<p>compliance against the LTAAEL has not been completed</p> <ul style="list-style-type: none"> require a public statement to be made on why reduced available water determinations have or have not been made. <p>This is now set out in Part 4, Division 2.</p>	
<p>Part 6 Limits to the availability of water Division 3 Long-term average sustainable diversion limit</p>	<p>We updated drafting of the sustainable diversion limit (SDL) provisions.</p>	<p>We have simplified the drafting of SDL provisions, removed unnecessary detail and included references to appropriate sections of the <i>Basin Plan 2012</i> and the <i>Water Act 2007</i> (Commonwealth).</p>
<p>Part 6 Limits to the availability of water Division 5 Available water determinations (AWDs)</p>	<p>The 2012 plan required the Minister to make certain available water determinations (AWDs) at a certain time. The WSP now requires the Minister to consider making AWDs as set out in this Part.</p> <p>This is now set out in Part 4, Division 1.</p>	<p>A provision cannot require the Minister to make certain AWDs at a certain time, as that is fettering the Minister’s broad power in section 59 of the <i>Water Management Act 2000</i>.</p>
<p>Part 7 Rules for granting access licences</p>	<p>This part is now set out in Part 5.</p> <p>Drafting has been updated but no material changes have occurred to this Part.</p> <p>We have made changes to the Aboriginal cultural specific purpose access licence provisions.</p>	<p>Parliamentary Counsel’s Office have simplified the drafting of water sharing plans.</p> <p>The changes clarify that any secondary or incidental benefit gained from take under an Aboriginal cultural access licences is permitted.</p>

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<p>Part 8</p> <p>Rules for managing access licences</p> <p>Division 1</p> <p>Water allocation account management rules</p>	<p>This part is now set out in Part 6.</p>	<p>Parliamentary Counsel’s Office have simplified the drafting of water sharing plans.</p>
<p>Part 8</p> <p>Rules for managing access licences</p> <p>Division 2</p> <p>Flow classes and daily access rules</p>	<p>Removed provisions for total daily extraction limits and individual daily extraction limits and included an amendment provision.</p> <p>This part is now set out in Part 6 and Schedule 1.</p>	<p>These rules could serve as effective management tools for certain water sources. Therefore, they may be implemented in the future, provided there is adequate infrastructure and metering in place.</p>
<p>Access rules for Boorowa River and Hovells Creek Water Source</p>	<p>Established 2 management zones and change/establish cease-to-pump (CtP) access rules in Boorowa River and Hovells Creek Water Source.</p> <ul style="list-style-type: none"> • Lower Boorowa River Management Zone - increased the CtP 6 ML/day at the Boorowa River at Prossers Crossing gauge (412029). • Upper Boorowa River and Hovells Creek Management Zone – retained the existing rule of 0 ML/day at Prossers Crossing gauge (412029) 	<p>There are high ecological values, including known populations of endangered and threatened water dependent species in the Boorowa River and Hovells Water Source and the risk assessment identified a high (potential) risk to base and low flows.</p> <p>Splitting the water source into 2 management zones and raising the CtP in the Lower Boorowa River section aims to mitigate the risk and protect the very high environmental values in the water source.</p>
<p>Access rules for Crookwell River Water Source</p>	<p>Increased the CtP to 4 ML/day at Crookwell River at Narrawa North gauge (412050).</p>	<p>There are high ecological values, including known populations of endangered and threatened water dependent species in the Crookwell River</p>

Clause in 2012 plan	Change in 2026 plan	Basis for change
		<p>Water Source and the risk assessment identified a high (potential) risk to base and low flows.</p> <p>The new access rule aims to mitigate the risk to base and low flows and protect the high environmental values in the water source</p>
<p>Access rules for Lachlan River above Reids Flat Water Source</p>	<p>Established 2 management zones and change/establish access rules in the Lachlan River above Reids Flat Water Source:</p> <ul style="list-style-type: none"> • Narrawa Management Zone – increased the CtP to 5 ML/day at the current flow reference point - Lachlan River at Narrawa gauge (412065) • Reids Flat Management Zone – established flow reference point, Lachlan River at Reids Flat gauge (412027), with a CtP of 10 ML/day (equivalent to the 5 ML/day at the Narrawa gauge). 	<p>There are very high ecological values, including good numbers of 4 threatened fish species in the Lachlan River above Reids Flat Water Source.</p> <p>Splitting the water source into 2 management zones above the confluence with the Crookwell River and raising the CtP aims to mitigate the risk to low flows and protect the very high environmental values in the water source.</p> <p>Following correlation analysis, it was determined that the proposed 10 ML/day CtP at the Reids Flat gauge in the Reids Flat Management Zone is equivalent to the 5 ML/d CtP at the Lachlan River at Narrawa gauge in the Narrawa Management Zone. Using the Lachlan River at Reids Flat gauge to manage access in the downstream management zone allows greater flexibility and takes into account flows from Crookwell River.</p>
<p>Access rules for Mandagery Creek Water Source</p>	<p>Established a new flow reference point for Lower Mandagery Creek Management Zone at Mandagery Creek upstream Eugowra gauge (412030), with a CtP of 10 ML/day.</p>	<p>There are high ecological values including known populations of endangered and threatened water dependent species within the Mandagery Creek Water Source.</p>

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	<p>Established a first flush rule which restricts access until flows exceed 10 ML/day (on average for 2 days), following a period during which flows were in the very low flow class.</p> <p>Established a new Other Tributaries Management Zone, for the area not covered by the Lower Mandagery Creek Management Zone and applied the existing default ‘visible flow at the pump’ access rule.</p>	<p>The Lower Mandagery Creek Management Zone has a suitable, telemetered gauge available. The new rules reduce the high risk to zero and base flows as a result of extraction and better protect instream values..</p>
<p>Access rules for Lake Waljeers</p>	<p>Changed access rule for Lake Waljeers permitting drawdown to 80% of full capacity to no drawdown below 100% full capacity – the default rule for off-river pools.</p> <p>Established a new Schedule in the plan to specify a water access licence in Lake Waljeers that is exempt from the no drawdown below 100% full capacity rule.</p>	<p>Existing water users were given the opportunity to make a submission to retain access to 80% capacity because the impact of the change was unknown.</p> <p>During public exhibition, a licensee contacted the Department to explain this would significantly affect their business and sought to retain their existing access level.</p>
<p>Part 9 Rules for water supply works approvals Division 1 Rules applying to the granting or amending of water supply work approvals</p>	<p>Prohibits new water supply works within or within 3 km upstream of a declared Ramsar wetland or within WSP prescribed wetlands unless no more than minimal harm can be determined in accordance with the published minimal harm guidelines.</p> <p>The rule will not apply to replacement works, works constructed or administered by WaterNSW or works that are part of a government program.</p> <p>WSP prescribed wetlands are displayed on a map.</p>	<p>This rule aims to protect internationally, nationally and WSP Prescribed Wetlands from the impacts of increased surface water extraction by restricting new development and extraction in and near these important environmental assets.</p>

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	<p>Prohibits new water supply works used to take water from a ‘WSP prescribed wetland from prior WSP’ – a new term applied to specific areas already subject to this prohibition. This rule does not apply to a replacement water supply work.</p> <p>This part is now set out in Part 7.</p>	
<p>In-river dams</p>	<p>Prohibits the granting and amending of water supply work approvals for in-river dams on third order or higher streams in one additional water source; Mid Lachlan Unregulated Water Source.</p> <p>An exemption for town water supply purposes and replacement water supply works will apply to all specified water sources.</p>	<p>The Mid Lachlan Unregulated Water Source was identified as having high instream values in the Lachlan Water Resource Plan’s Risk Assessment and has been added to the other water sources listed in the plan where in-river dams are prohibited.</p> <p>The exemption for town water supply will give towns the flexibility to improve their water security and reliability, if required, and it recognises the priority actions in the NSW Water Strategy relating to town water supply.</p>
<p>Works in off-river pools</p>	<p>Prohibits the granting or amending of a water supply work approval in off-river pools unless no more than minimal harm can be determined in accordance with the published minimal harm guidelines.</p> <p>The rule will not apply to replacement water supply works.</p>	<p>This provision is intended to protect the environmental values associated with off-river pools and ensure consistency across all inland unregulated river water sharing plans.</p>
<p>Part 10 Access licence dealing rules</p>	<p>This part is now set out in Part 8.</p> <p>Permits limited trade into the following 4 water sources:</p> <ul style="list-style-type: none"> • Gunningbland and Yarrabandai Water Source, an additional 35 ML 	<p>The Risk Assessment for the Lachlan Water Resource Plan identified these water sources as having a low-risk rating due to low-medium instream values and low-medium hydrological stress. The plan allows limited trade into these water</p>

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	<ul style="list-style-type: none"> • Humbug Creek Water Source, an additional 10 ML • Lake Forbes and Back Yamma Creek Water Source, an additional 26 ML <p>Mount Hope Area Water Source, an additional 10 ML.</p>	<p>sources to provide licence holders with additional flexibility and potentially reduce hydrologic stress in other water sources.</p> <p>The minimum of 10 ML was applied for the Humbug Creek and Mount Hope Area water sources due to low levels in entitlement.</p>
<p>Part 10</p> <p>Access licence dealing rules</p> <p>Trades in wetlands</p>	<p>This part is now set out in Part 8</p> <p>Prohibits trades into or within 3 km upstream of a Ramsar listed wetland.</p> <p>Prohibits trades into WSP prescribed wetlands.</p> <p>Prohibits the nomination of works located within a WSP prescribed wetland or Ramsar wetland unless no more than minimal harm can be determined in accordance with the published minimal harm guidelines.</p> <p>Allows for trade within the same Ramsar wetland, or within the same WSP prescribed wetland.</p> <p>An exemption related to the assignment of allocations is provided for access licences listed in Schedule 6 of the plan.</p>	<p>This rule aims to protect internationally significant wetlands and WSP prescribed wetlands from the impacts of increased surface water extraction by restricting new development and extraction in and near these important environmental assets.</p> <p>These rules are consistent with not allowing new works in or near internationally significant wetlands or within WSP prescribed wetlands.</p> <p>An exemption is provided for the assignment of allocations (temporary trade) to licence holders that have multiple works nominated by a licence and those works are located both within and outside a relevant wetland.</p>
<p>Trades in off-river pools</p>	<p>Prohibits trades into and between off-river pools.</p> <p>An exemption related to the assignment of allocations is provided for access licences where history of prior trade can be demonstrated.</p> <p>Prohibits the nomination of works located in off-river pools unless no more</p>	<p>This provision is intended to protect the environmental values associated with off-river pools and ensure consistency across all inland unregulated river water sharing plans.</p>

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	<p>than minimal harm can be determined in accordance with the published minimal harm guidelines.</p>	
<p>Part 11 Mandatory conditions</p>	<p>Updated in line with the current water sharing plan template.</p> <p>This is now set out in Part 9.</p>	<p>The work approval conditions have been updated to align with the Non-Urban Water Metering Framework and the water sharing plan template drafted by Parliamentary Counsel’s Office. The non-urban metering policy commenced in the inland southern region on 1 June 2023.</p>
<p>Part 12 Amendment of this Plan</p>	<p>Simplifies amendment provisions.</p> <p>This is now set out in Part 10.</p>	<p>Amendment rules have been limited to those that are possible under the WM Act, where there is a policy being developed that is well advanced that will require a change to the water sharing plan, or where an administrative change is required.</p> <p>This does not prohibit amending the plan if it is in the public interest to do so in accordance with section 45 of the Act.</p>
<p>Part 12 Amendment of this Plan</p>	<p>Establishes additional amendments to review access rules in the following water sources following review of new information:</p> <ul style="list-style-type: none"> • Bogandillon and Manna Creeks Water Source • Crowther Creek Water Source • Goobang and Billabong Creeks Water Source • Unregulated Effluent Creeks Water Source • Waugoola Creek Water Source 	<p>Additional amendments are time based and/or dependant on further investigations, such as where changes were not made to access rules based on insufficient gauge data and/or gauge reliability at this point in time.</p>

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	<ul style="list-style-type: none"> Western Bland Creek Water Source. <p>We have also clarified that the access rules listed in Schedule 3 can be modified.</p>	
Dictionary	This is now set out in Schedule 7.	<p>We have added any new terms consistent with the water sharing plan template and removed unnecessary terms.</p> <p>Definitions of WSP Prescribed Wetland and WSP Prescribed Wetland from prior WSP have been added to cater for the new rules included in the plan for protection of wetlands.</p> <p>A definition of minimal harm guideline has been added to cater for the new rules included in the plan for the protection of wetlands and off-river pools.</p> <p>Definitions that refer directly to the <i>Basin Plan 2012</i> definitions such as annual actual take and annual permitted take have been removed.</p>
Schedule 1	<p>Schedule 1 now contains a flow class table with access rules.</p> <p>Licences within Booberoi Creek and the Unregulated Effluent Water Source, previously listed in Schedule 1 are now listed in Schedule 4.</p>	<p>Drafting has been updated to reflect the current template.</p> <p>Relates to changes in access rules in some water sources, including from no visible flow to gauge based low flow access rules.</p> <p>The table details the relevant water source, management zone, flow class, flow threshold and flow reference point.</p>
Schedule 2	Table A lists licences other than for town water supply.	Drafting has been updated to reflect the current template.

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<p>Licences used to take surface water exempt from cease to pump rules</p>	<p>Table B lists local water utility access licences and access licences of subcategory town water supply.</p> <p>Domestic and Stock licences were removed from Table A.</p>	<p>Updated <i>Water Act 1912</i> licence numbers with WM Act licence numbers.</p> <p>Exemptions are not required for Domestic and Stock licences.</p>
<p>Schedule 3 Office</p>	<p>List of office locations removed.</p>	<p>The list of offices to send notifications to is no longer relevant or required.</p>
<p>Appendix 1 Overview of the Plan map</p>	<p>This is now shown on the plan map.</p> <p>Updated the plan map including to:</p> <ul style="list-style-type: none"> • Add Lower Boorowa River Management Zone and Upper Boorowa River and Hovells Creek Management Zone in the Boorowa River and Hovells Creek Water Source • Add Narrawa Management Zone and Reids Flat Management Zone in Lachlan River above Reids Flat Water Source • Add flow reference points 412027 and 412065 in the Lachlan River above Reids Flat Water Source • Remove the Bourimbla Creek Management Zone, Lower Boree Creek Management Zone, Upper Boree Creek Management Zone and other Tributaries of the Mandagery Creek Water Source • Add Other Tributaries Management Zone in the Mandagery Creek Water Source • Add Lake Cowal, Lake Waljeers and Lake Forbes 	<p>Aligns with new management zones and reference points.</p>

Clause in 2012 plan	Change in 2026 plan	Basis for change
	<ul style="list-style-type: none"> Add gauge 41219 in the Mid Lachlan Unregulated Water Source Remove gauge 412080 in the Belubula Tributaries below Carcoar Water Source. 	
<p>Appendix 3</p> <p>Access licences subject to the cease to take condition specified in clause 47 (4) of this Plan</p>	<p>These are now located in Schedule 3 and relate to section 34 (2).</p>	<p>Drafting has been updated to reflect the current template.</p> <p>Updated <i>Water Act 1912</i> licence numbers with WM Act licence numbers.</p> <p>Cancelled licences (if any) have been removed.</p> <p>New licences (if any) have been added.</p> <p>Water supply work approval number added (where relevant).</p>
<p>Not applicable</p>	<p>Add WSP Prescribed Wetlands Map</p> <p>Include a new map to show internationally important (Ramsar) and WSP prescribed wetlands that are subject to new protections under the Plan, and to show the location of WSP Prescribed Wetlands from prior WSP.</p>	<p>The mapping and associated rules aim to protect Ramsar, nationally and regionally significant wetlands, from the impacts of surface water extraction by restricting new development and extraction in or upstream of these key assets.</p>

Why we have made these changes

The *Water Sharing Plan for Lachlan Unregulated River Water Sources 2012* was due to expire on 30 June 2023. The plan was extended for a period of up to 2 years to give the Department time to replace it. This was in line with the recommendation of the Natural Resources Commission’s review of the 2012 plan.

The process for changing water sharing plans

As well as the approval of the Minister for Water, replacing a plan requires the agreement of the NSW Minister for Environment (this is known as ‘concurrence’). Consistent with section 9 of the *Water Management Act 2000* (the WM Act), when replacing a water sharing plan the ministers must:

- take all reasonable steps to promote the water management principles of the WM Act, and
- give priority to the principles relating to water sharing according to the order they are set out in under section 5 (3) of the WM Act.

The water sharing management principles under s5(3) of the WM Act are (in their order of priority):

- a. sharing water from a water source must protect the water source and its dependent ecosystems
- b. sharing water from a water source must protect basic landholder rights
- c. sharing or extraction of water under any other right must not prejudice the principles set out in points a) and b).

A draft plan was placed on public exhibition from 11 November 2024 to 10 January 2025. During public exhibition, 2 face-to-face public information sessions and a webinar were held. There were 73 submissions received on the draft replacement plan.

Additional targeted consultation was conducted for the Boorowa River and Hovells Creek and the Mandagery Creek water sources between 4 September and 15 October 2025 where different access rules were proposed and discussed. During this period, 2 face to face public information sessions in the Lachlan plan area and a webinar were held. Changes were made to some aspects of the proposed access rules in these water sources as a result of the consultation.

The Department's Water Group worked with colleagues in the Department's Conservation Programs, Heritage and Regulation Group to develop the replacement plan before submitting the plan for the agreement and approval of the ministers.

More information

To read the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2026* and supporting information, visit the Department's [water sharing plans status](#) website.