Department of Climate Change, Energy, the Environment and Water

What we heard report

Draft Water Sharing Plan for the Barwon-Darling Unregulated River Water Sources 2026

June 2026

NSW GOVERNMENT

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

The Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012 expired on 30 June 2025.

The Department of Climate Change, Energy, the Environment and Water (the department) publicly exhibited a draft replacement water sharing plan. This provided an opportunity for water users, broader stakeholders and other interested parties to learn more about proposed changes, to make submissions and comment on the draft plan.

This report summarises how we engaged with communities, the key issues we heard and the next steps taken to finalise the Water Sharing Plan for the Barwon-Darling Unregulated River Water Sources 2026.

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 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

Engagement at a glance

3
phone consultation

95
unique website visits

29
formal submissions

4
public information session attendees

1
Aboriginal community sessions

17
live webinar attendees

- 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.

Consultation

Consultation is an essential part of developing the draft replacement Water Sharing Plan for the Barwon-Darling Unregulated River Water Sources 2026 (the replacement plan).

From 11 November 2024 to 10 January 2025 the replacement the plan was exhibited publicly and dated as a draft Water Sharing Plan for the Barwon-Darling Unregulated Water Source 2025.

We encouraged stakeholders to give feedback directly and 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 provided by those who attended face-to-face and webinar sessions, we received 29 written submissions during public exhibition.

The valuable feedback received during the public exhibition period and through submissions has helped the department finalise the draft replacement plan.

How did we consult?

The initial consultation period was held between 11 November 2024 and 20 December 2024 during which the department consulted with stakeholders and sought their views on the proposed changes to the draft replacement plan. In response to public feedback, the consultation period was extended to 10 January 2025 for comments on the plan and 2 February 2025 for comments specific to proposed wetlands in the plan.

We identified stakeholders with a potential interest in the plan. These included water access licence holders and water supply work approval holders (WaterNSW customers), environmental interest groups, Local Aboriginal Land Councils, community groups, farming groups and local councils/water utilities.

WaterNSW customers were contacted via mail (395 letters) and other groups and individuals were contacted via email (278 recipients). These communications informed recipients of the plan replacement, ways to access information and invited them to attend the public information sessions.

Public information sessions were held over the 85-day exhibition period, including webinars: two face-to-face meetings with a plan-specific presentation and communication materials available. Surface water planning staff were in attendance to speak with stakeholders and answer questions.

Face-to-face information sessions

We held one face-to-face meeting during the exhibition period in a convenient location for the majority of stakeholders likely to be impacted by proposed changes to the plan. We used a presentation and discussion approach for the meeting at which departmental staff were available to discuss the plan changes and answer questions. Stakeholders could watch the presentation, gather printed information, inspect maps and discuss any questions or concerns one-on-one with staff.

Table 1 summarises participation at each meeting.

Table 1. Stakeholder attendance at face-to-face meetings

Location	Date	Registered to attend	Attended
Bourke	25 November 2024	7	4

Webinar sessions

The department held a live webinar session using a virtual meeting platform. We presented the proposed changes to the plan and attendees could post questions in the live chat. We allocated time at the end of the presentation for clarification, questions and discussion.

Table 2 summarises the attendance at the webinar.

Table 2. Attendance at webinar

Location	Date	Registered to attend	Attended
Online webinar – Proposed changes to the draft Water Sharing Plan for the Barwon-Darling Unregulated River Water Sources 2025	28 November 2024	19	17

Phone consultations

We held phone consultations with 3 stakeholders during the public exhibition period.

What we asked

The online submission form focused on the following key proposed changes between the 2012 plan and the draft replacement plan:

- Access rules for the Collarenebri to Upstream Walgett Weir Pool Management Zone in River Section 1.
- Access rules for floodplain harvesting
- Account management rules
- Prohibiting in-river dams, except for town water supply
- Proposed water sharing plan (WSP)-prescribed wetlands and rules
- Proposed WSP prescribed wetlands and rules

Although these were the key issues, comments, and discussion on all aspects of the plan were welcomed and encouraged.

How we assessed submissions

Stakeholders raised issues in consultation sessions, through formal submissions and correspondence. When determining whether the issues raised were in or out of the scope of this consultation the department considered the following:

- Is the issue within the scope of the water sharing plan?
- Is the suggestion consistent with the WM Act?
- Are existing programs/processes or other departments addressing the issue?
- Does the issue relate to water charges, costs, operational activities or licensing matters that are outside of the scope of the water sharing plan?
- Is the issue likely to affect water availability for basic landholder right users and licence holders, and if so, how?
- Can current legal mechanisms enable the change, or is legislative change required?
- Is the issue consistent with current policy settings, and if not, can we develop robust, alternative policies within the timeframe for developing the water sharing plan?
- Are there additional costs for the NSW Government?
- Can we investigate the issue within the timeframe for developing the water sharing plan?

Issues raised during public consultation that were deemed out of scope of the draft replacement plan, are summarised in Appendix 1. These issues will not be explored further as part of the replacement plan.

Key issues

We received feedback on the proposed changes during the consultation sessions and through submissions about the proposed rule changes. The feedback is summarised in Table 3 and is being considered as part of finalising the draft replacement plan.

Table 3. Summary of submissions about the proposed rule changes

Issue	Comments
Access rules	Environment groups requested increases to A Class flow thresholds. Two submissions raised concerns about specific conditions for licences listed in schedules. We received no comments on the proposed change of flow reference point for the Collarenebri to Upstream Walgett Weir Pool Management Zone.
Account management rules and carryover	Significant concern was raised regarding carryover, with requests for it to be removed or capped for all licence holders. One submission requested revision of the 300% annual take provision. The Nature Conservation Council of NSW (NCC) suggested replacing unlimited carryover with a capped carryover provision to align with sustainable flow targets and reduce the risk of over-extraction during vulnerable periods and that no carryover of floodplain harvesting should be allowed. One submission noted that extending the exemption from annual take limit for water access licences listed in Schedule 1 and allowing these licences to trade out their 'excess' entitlement is unworkable and unviable.
Protection of planned and held environmental water	A few submissions noted concern that the process of defining and allocating water for the environment was inadequate in protecting planned environmental water (PEW). 'The draft plan should clearly outline enforceable provisions to ensure PEW is not reallocated to consumptive uses, especially during periods of water scarcity or drought.' Concern was raised that the rules for protecting PEW were inconsistent with the long-term water plan objectives, and it was suggested reviewing the proposed cease-to-pump rules to ensure 'ecological requirements, connectivity, and climate change projections are considered'.
Active management	Submissions from environmental and irrigator stakeholders supported active management. It was noted that floodplain harvesting, upstream management of held environmental water in Queensland, and insufficient gauging and metering may impact effectiveness. Two submissions suggested that the definition of active environmental water be expanded to include PEW. Several submissions believed active management would be more effective with improvement or expansion to monitoring.

Issue	Comments
Long-term average annual extraction limit	Concern was raised for the proposed numeric long-term average annual extraction limit (LTAAEL). One submission was 'strongly supportive of LTAAEL review by year 5 of the plan' while most concerns focused on the sustainability of the proposed LTAAEL of 204 GL/yr and greater transparency on the methodology used to calculate the proposed limit. One submission noted that setting LTAAEL at 204.4 GL is worse than 'business as usual' in a system where business as usual has destroyed the river and the associated communities. Concern was raised about the transparency of methodology and data used to determine the LTAAEL and suggested resolving the methodology before making any changes to the water sharing plan.
Construction of in-river dams	Environment groups noted concern about the proposed exemption for in-river dams that are constructed in third or higher order streams for town water supply because it 'undermines the environmental protections intended by the WSP'. They suggested building any existing or new storages for town water supply off-river.
Access rules for in-river and off-river pools	One submission requested protecting in-river pools from extraction when there is no visible flow in the vicinity. This would ensure protection of low flows and connectivity, and subsequently protect lotic habitats. Environmental stakeholders anticipate that cease-to-pump conditions on pools that are at capacity and have inflow will allow flow downstream of the pool for environmental purposes.
Individual daily extraction components and total daily extraction components	General support for individual daily extraction components and total daily extraction components as part of the Active Management scheme. Environmental stakeholders support an expansion of the system to environmental water. Some concerns about how the IDECs are determined, that is, to move away from using allocations to pump capacity. One submission suggested treating the Barwon-Darling as a single management zone.

Issue	Comments
Floodplain harvesting	Environmental groups expressed concerns and suggested the need to: • assess the risks of floodplain harvesting on the hydrology and environmental assets of this WSP area, emphasising the need to include the rule changes recommended in the connectivity expert panel report in this WSP • change floodplain harvesting access rules to bring them in line with supplementary water access rules. One submission supported that floodplain harvesting cannot take place until there is 250 GL of active water stored in Menindee Lakes but suggested also applying this provision to B and C Class licences. One submission suggested the access to floodplain harvesting should occur only once 800 GL are stored in Menindee Lakes.
Monitoring, evaluation and reporting (MER)	Environmental stakeholders and the Commonwealth Environmental Water Holder identified MER as an issue for the water sharing plan. NCC suggested a need for data on baseline ecological condition of the water source. This is necessary to assess the effectiveness of environmental water as well as socio-economic impacts and the cumulative impacts of extractions on water quality and ecosystem health. NCC also suggested a need to develop monitoring frameworks based on the Connectivity Report's adaptive management strategies for transparent compliance and enforcement.
Amendment provision	The NCC suggested that the plan should allow for share components of an access licence to decrease following recalibration of the hydrological computer model, not just increase.
Basic Landholder Rights (BLR)	Two submissions were concerned that the estimate of BLR in the plan had been reduced to 541 ML/year.
Protection of cultural flows and values	Concern was raised on the plan's efficacy in protecting cultural flows and values. One submission raised concern about the impact of in-river dams, stating they 'can threaten cultural sites and values associated with rivers, particularly for Aboriginal communities'. Other submissions called for greater recognition of Aboriginal and cultural water values in the water sharing plan.
Water trading	Two submissions commented on the current trading system. One submission suggested it is unworkable to deal with historical account water and another suggested there be no trades in or out of the WSP area.

Issue	Comments
Metering	Five submissions highlighted a need for better metering. Multiple submissions requested 'more metering to improve water quality benefits' and measure/monitor large-scale extraction. Lack of metering (or ability to measure) take through floodplain harvesting was noted in one submission as being the 'nail in the coffin' for the Barwon-Darling.

New wetland rules

New wetland protections were proposed by introducing WSP prescribed wetlands in response to Natural Resources Commission recommendations from its reviews of inland unregulated water sharing plans (WSPs). As this is an evolving policy area, the department was keen to get feedback from stakeholders. Similar protections were included in 6 inland WSPs that were replaced in 2024.

The draft 2025-2026 replacement water sharing plans proposed to introduce new rules that prohibit the installation of new water supply works, such as pumps and impounding structures, and to prevent additional water from being extracted from identified wetlands beyond what is currently permitted by prohibiting trade into those wetlands. It was not proposed to reduce existing activities on these wetlands. New works could be permitted only if they are assessed to cause no more than minimal harm.

The department developed a desktop method of identifying important wetlands suitable for protection based on set criteria and existing data, including wetlands listed in international, national and/or existing planning documents.

An interactive mapping tool was provided to enable landholders (and other stakeholders) to zoom in to see whether any WSP prescribed wetlands had been proposed on their property.

What we heard about proposed WSP prescribed wetland protections

The department received considerable feedback about the proposed protection of WSP prescribed wetlands. Environmental groups and some individuals concerned about environmental protection supported protecting wetlands, but other feedback included:

- lack of communication or contact with landholders with WSP prescribed wetlands identified on their property who do not have a water licence
- need a clear definition of what are WSP prescribed wetlands, as some areas identified are dry most of the time,
- need justification as to why some wetlands adjacent to WSP prescribed wetlands have not been identified as WSP prescribed wetlands
- inaccurate mapping of wetlands boundaries
- justification for including areas under cultivation and riverbeds as WSP prescribed wetlands
- requests to ground truth the data by onsite assessments and staff visits
- concern that having a WSP prescribed wetland on one's property will lead to a reduction in land value and affect opportunities to develop the land in the future,

- what is a practical application of a 3 km buffer upstream of Ramsar wetlands
- the proposed changes should be rolled out over the next 3 to 5 years.

During public exhibition, the department undertook to review the draft WSP prescribed wetlands protection and released revised draft WSP prescribed wetland maps for further public comment by early March 2025. The department prepared a separate What we heard report about feedback received during the period of comment on the revised wetlands approach available on the department's 'Outcomes of public exhibition' webpage.

Other issues

During the consultation period additional issues were raised. Some of the other issues raised that are within scope of the draft replacement plan are:

- Environmental groups seeking to improve hydrological connectivity and include specific flow targets.
- Industry groups expressing concern with a reduction in basic landholder rights estimates.
- Request for greater protection and recognition of Aboriginal and cultural water values.
- Request for a more adaptive and precautionary approach for setting AWDs.
- Request for better metering.
- Request to establish new gauging stations.
- Suggestion to prohibit all trading.
- Concerns about the difficulties in comparing draft replacement plan rules with existing rules.

Next steps

Feedback and issues raised within the scope of draft replacement plan are considered by the department before recommending a replacement water sharing plan to the Minister for Water.

Before deciding to replace the plan, the minister must seek agreement from the Minister for Environment. The plan was approved to commence on 27 February 2026.

The department will publish a background document on the plan. This will include a summary of the changes made because of public consultation.

More information

The draft replacement plan and supporting factsheets are available on the departments website until the new plan commences. After that date, the new plan and supporting information will be available here.

Appendix 1: Out-of-scope issues

Assessing out-of-scope issues

Managing water resources in New South Wales relies on a range of legislation, initiatives and cooperative arrangements with other agencies. Many issues that are out of scope of a water sharing plan are managed by other agencies, including some issues relating to:

- complying to plan rules
- assessing development applications
- the costs and processes of obtaining water licences and works approvals
- pollution and contamination of water sources.

Feedback on out-of-scope issues may be passed on to responsible agencies, where appropriate.

Table 4 outlines the criteria for and examples of out-of-scope issues.

Table 4. Assessment criteria for identifying whether an issue it out of scope

Assessment criteria	Comment/Example
Does the issue relate to water charges, costs, infrastructure proposals, operational activities or licensing?	These are issues with the implementation and operation of water management that a water sharing plan cannot address
Is the issue about including descriptions or explanations within the Plan?	The water sharing plan is a legal document that states the rules relevant to water sharing. Other documents provide supporting information that describe how water is managed and how decisions have been made.
Is another program or process addressing the issue, or is it the responsibility of another department?	Proposed or current land development activities such as mine approvals, road tunnel developments or water pollution are managed under other legislation by other departments. The *Access Licence Dealing Principles Order 2004* is the basis for assessing the local impacts of water extraction, when an applicant seeks approval to trade water or construct a new water supply work.
Does the issue require time and resources beyond the time frame to review the water sharing plan?	For example, a study on the effects of climate change in a particular groundwater source.
Is the issue consistent with the current legislative and policy framework?	A water licence is required for any activities that intercept or extract surface or groundwater unless a valid exemption applies.

Out-of-scope issues heard

Table 5 summarises issues raised during public consultation that are outside of scope of the water sharing plan.

Table 5. Summary of submissions on out-of-scope issues

Issue	Comments
Water quality	Four submissions identified concern with water quality – either for consumptive uses or ecosystem health.
Water Management Act 2000 **priorities**	Four submissions included references to the WM Act and reiterated the objects and hierarchy of priorities it expresses.
Basin plan	One submission raised concerns that tinkering with CAP compliance whilst endeavouring to preserve long-term Basin commitments creates unwarranted inequities for some licence holders and their respective communities. Environmental interests expressed concern over the increasing levels of extractions and CAP limits.
Metering recalibration project	Some irrigators support the metering recalibration project currently in train. The results will not be available to be included in the draft remake plan.
Groundwater-surface water connectivity	Request that the WSP should be able to address groundwater-surface water connectivity.
Surface water connectivity	Several submissions supported the protection of the existing level of connectivity or enhanced connectivity through various measures. Changes to the water sharing plan following evaluation of the Connectivity Panels' recommendation may be the subject of future amendments.
Gauging	New gauging stations should be established across the water source to enable appropriate flow-management rules to protect low flows in all management zones.
Return to pre-2012 conditions	Suggestion that all extraction revert to pre-2012 regime.