Department of Climate Change, Energy, the Environment and Water

What we heard report

Draft Water Sharing Plan for the Lachlan Unregulated River Water Sources 2026

July 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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More information

Cover image: Courtesy of (Paul Packard), Lachlan River and Narran Lake, part of Cumbung Swamp

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Executive summary

About this document

The Water Sharing Plan for the Lachlan Unregulated River Water Sources 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 Lachlan 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

2
phone consultation

78
unique website visits

73
formal submissions

5
public information session attendees

17
live webinar attendees

1
Aboriginal community sessions

- 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 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 Lachlan River Water Sources 2026 (the replacement plan).

From 11 November 2024 to 10 January 2025 the replacement the plan was exhibited publicly dated as the draft Water Sharing Plan for the Lachlan River Water Sources 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 73 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 (834 letters) and other groups and individuals were contacted via email (695 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 2 face-to-face meetings during the exhibition period in convenient locations for the majority of stakeholders likely to be impacted by proposed changes to the plan. We used a presentation and discussion approach for the meetings 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
Crookwell	3 December 2024	2	2
Cowra	4 December 2024	3	3

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 replacement Water Sharing Plan for the Lachlan Unregulated River Water Source 2025	28 November 2024	15	17, including staff

Phone consultations

We held phone consultations with 2 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 in the Crookwell River Water Source, the Lachlan River above Reids Flat Water Source, and the Mandagery Creek Water Source
- prohibiting access to pools when there is no visible flow at the pump or if pool level is below full capacity
- amendment provisions to review high-risk water sources by year 5 of the plan

- trading rules in the Gunningbland and Yarrabandai Water Source, the Humbug Creek Water Source, the Lake Forbes and Back Yamma Creek Water Source, and the Mount Hope Area Water Source
- prohibiting in-river dams in the Mid Lachlan Unregulated Water Source, except for town water supply
- proposed water sharing plan (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	Five submissions from industry and environmental groups supported proposed access rule changes to Lachlan River above Reids Flat, Crookwell River, and Mandagery Creek water sources. Lachlan Valley Water (LVW) objected to the proposed flow reference point (FRP) for the Lower Mandagery Creek Management Zone and suggested instead locating the FRP further downstream.
Improved protection for Lake Waljeers	Two submissions from environmental groups supported the proposed no-drawdown rules for Lake Waljeers. The single licence holder on Lake Waljeers submitted a case for continuing their existing access at the current 80% drawdown rule to maintain viable irrigated cropping on the property.
Pool access rules	LVW sought confirmation that the proposed pool rules will not impact basic landholder rights. Three submissions from environmental groups to improve environmental protection recommended prohibiting access once inflows to a pool cease.
Amendment provisions to review high-risk water sources	Two submissions from environmental groups recommended a review for all at-risk water sources, and that the reviews should commence before year 5 of the plan.
Basic landholder rights	Inland Rivers Network (IRN) supported the updated estimates for basic landholder rights. NSW Farmers expressed concerns about a reduction of water available for basic landholder rights and licensed water.
Trading rules	LVW supported the proposed trade rules. The IRN and the Commonwealth Environmental Water Holder (CEWH) objected to allowing increased trade into Gunningbland and Yarrabandai, Humbug Creek, and Mount Hope Area water sources. Submissions expressed concern that the draft plan should align with the long-term water plan and should protect the downstream wetlands, Yarnell Lagoon, and Banar Lake. Both submissions also expressed concern at the lack of gauges to protect low flows within these water sources and the plan area.
Environmental water provisions	IRN objected to the removal of Part 4 definition of planned environmental water (PEW). The submission noted clear enforceable rules for the protection of PEW are essential to avoid reallocation to consumptive use during dry times. The submission also noted that the Murray-Darling Basin Plan (the Basin Plan) requires protection of PEW, and this should not be reduced.

Issue	Comments
Total and individual daily extraction limits	CEWH objected to the removal of total and individual daily extraction limits.
In-river dams	Three submissions from environmental groups objected to allowing the construction of new in-river dams. One submission explained that storing water in off-river dams, with protection to reduce evaporation, will have less impact on the health of the rivers. CEWH noted that any new town water supply infrastructure should be consistent with the Basin Plan.
Objectives, strategies, and indicators	IRN expressed concerns that by not protecting flows in all high-risk water sources, the draft plan fails to meet its objective: (a) to protect and, where possible, enhance and restore the condition of the water sources and their water-dependent ecosystems.
Long-term average annual extraction limit (LTAAEL)	Four submissions from industry groups expressed concerns on the LTAAEL methodology, citing a lack of consultation and calling on the department to delay the numerical LTAAEL project. Four submissions from environmental groups supported a numerical LTAAEL.
Monitoring and evaluation	IRN expressed support for a monitoring and evaluation program. One submission sought confirmation that the monitoring reports will be made available to the public. One submission sought clarification about the monitoring, evaluation, and reporting (MER) program and commented that landholders are unreliable at self-monitoring.

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 release 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:

- the Inland Rivers Network (IRN) sought improved protection of low flows and commented that rules must be improved from 'no visible flow'. The IRN suggested the department consider applying a higher cease-to-take access rule for larger pumps, and where there is no telemetered gauge, develop rules that refer to a landmark at an accessible location
- lack of consultation for the proposed changes, with one submission suggesting prioritisation of WSP to reduce the department's workload
- one submission requested targeted consultation to assess the impacts of rule changes, and that the department should make information and data available when reviewing WSPs

- a verbal response from an Aboriginal organisation representative during a one-on-one phone call stated the organisation does not support the draft replacement plan's objectives, performance indicators, and monitoring and evaluation. The representative commented that the draft replacement plan fails to consider, identify, and protect water-dependent Aboriginal cultural assets and values and fails to establish an appropriate monitoring and reporting framework
- NSW Irrigators Council raised concerns that any water recovery for Aboriginal people should be part of a complete works program and should not affect existing licence holders. This submission noted that the Closing the Gap Target 15c has not been formally included in the Closing the Gap commitments and has no formal standing
- the IRN sought improvements to granting water for Native Title rights
- NSW Farmers raised concerns that the rule changes advance environmental values ahead of agricultural values
- one submission noted that WSPs have become too complex, with over-regulation, metering, and compliance negatively impacting agriculture
- three submissions from environmental groups sought stronger rules to actively manage environmental water provided by the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016* (the Lachlan regulated plan)
- the submission from CEWH encouraged improvements to end-of-system flow rules for Willandra, Merrowie and Merrimajeel creeks as part of the Lachlan regulated plan remake in 2026
- the IRN sought stronger rules to protect replenishment flows
- one submission stated that, where possible, connectivity must be maintained along the full length of the river to make sure the lower Lachlan wetlands receive water.
- CEWH supported the reinstatement of discretionary conditions on water supply work approvals in the Unregulated Effluent Creeks Water Source
- IRN suggested applying a more conservative available water determination (AWD) until achieving LTAAEL compliance
- CEWH supported the future development of WSP provisions to manage take of floodplain harvesting
- Four submissions from environmental groups emphasised giving priority to establishing new gauging stations or other simpler measurement tools across the water source to enable appropriate flow management rules
- NSW Irrigation Council raised concerns that specific purpose access licences (SPALs) will be granted and overshadow general security (GS) licences
- IRN raised concern that metering exemptions result in inaccurate data and failure to meet the WM Act PEW objectives
- one submission expressed concern that rules of extraction from farm dams are too complex

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 department's 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

There were no issues raised during public consultation that are outside of the scope of the water sharing plan.