

Changes to the Gwydir unregulated water sharing plan

A summary of the changes made to the *Water Sharing Plan for the Gwydir Unregulated River Water Sources 2012*

The NSW Government has amended the *Water Sharing Plan for the Gwydir Unregulated River Water Sources 2012* to include rules for floodplain harvesting (unregulated river) access licences that are to be issued in the water source. A further amendment to the plan addresses an error identified at Table B of Clause 42 to ensure that the intent of the rules and licence conditions are aligned.

Table 1 summarises the substantive changes from the 2012 plan to include floodplain harvesting provisions.

Table 1. Summary of changes to the *Water Sharing Plan for the Gwydir Unregulated River Water Sources 2012*

Clause	Plan as submitted for accreditation by the MDBA in June 2020	2022 Amendments as made	Basis for change
23A	New clause	We included a provision (legal condition) to facilitate floodplain harvesting licence share components.	Licensing of floodplain harvesting take

Clause	Plan as submitted for accreditation by the MDBA in June 2020	2022 Amendments as made	Basis for change
31B	New subclause	We included a provision to facilitate floodplain harvesting reduction in the case of non-compliance with extraction limits.	Licensing of floodplain harvesting take
34A	New clause	We included a provision to facilitate floodplain harvesting licence available water determinations.	Licensing of floodplain harvesting take
39	New subclause	We included a provision to facilitate floodplain harvesting licence water allocation accounts.	Licensing of floodplain harvesting take
42	Change	We updated the flow class table.	Correct functioning of rules
43	New subclause	We included a provision to exclude floodplain harvesting licences from access rules.	Licensing of floodplain harvesting take
47	New subclauses	We included a provision to manage water supply work approvals for floodplain harvesting.	Licensing of floodplain harvesting take
57, 60, 62	New subclauses	We included a provision to facilitate dealings for floodplain harvesting licences.	Licensing of floodplain harvesting take

Clause	Plan as submitted for accreditation by the MDBA in June 2020	2022 Amendments as made	Basis for change
64, 65	New subclauses	We included a provision to facilitate mandatory conditions for floodplain harvesting licences and water supply work approvals.	Licensing of floodplain harvesting take
77	New subclause	We included a provision to allow us to make changes in the future for floodplain harvesting licences.	Licensing of floodplain harvesting take
Appendix 3A	New appendix	We included a map to facilitate floodplain harvesting licences and water supply works.	New map
Appendix 3B	New appendix	We included a map to facilitate floodplain harvesting licences and water supply works.	New map

The process for changing water sharing plans

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

- take all reasonable steps to promote the water management principles of the 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 Act.

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

- 1) Sharing water from a water source must protect the water source and its dependent ecosystems.
- 2) Sharing water from a water source must protect basic landholder rights.

3) Sharing or extraction of water under any other right must not prejudice the principles set out in points 1 and 2.

The NSW Department of Planning and Environment's Water group worked with colleagues in the department's Environment and Heritage group to develop the amendments before submitting the plan for the agreement and approval of the ministers.

More information

To read the water sharing plan and supporting fact sheets, visit

www.industry.nsw.gov.au/water/plans-programs/water-sharing-plans/status/gwydir-region.

To read the water sharing plan amendment protocol, visit

https://www.industry.nsw.gov.au/_data/assets/pdf_file/0004/509863/water-sharing-plan-amendment-protocol.pdf.