

# Improving protection of wetlands in inland New South Wales

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This document explains how the NSW Government is providing improved protection to significant wetlands as part of the replacement of inland unregulated water sharing plans.

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Water sharing plans are the primary legal framework for managing water access and sharing in NSW. The plans are valid for 10 years from their start date.

The Natural Resources Commission formally reviews a plan near the end of its 10-year term. The review identifies any changes necessary to deliver better outcomes for all water users, including the environment. In their review of the inland unregulated water sharing plans, the Natural Resources Commission recommended all replacement plans include rules which protect significant wetlands within their plan areas.

There are 11 inland unregulated water sharing plans due to be replaced by 2026. The Department of Planning and Environment (Water) has committed to improving the protection of significant wetlands as these unregulated water sharing plans are replaced.

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## Improving protection for significant wetlands

In their review of the inland unregulated water sharing plans (WSPs), the Natural Resources Commission (NRC) recommended that the protection for significant wetlands be improved when plans are replaced. Significant wetlands may include internationally (RAMSAR), nationally and in some cases regionally, significant wetlands within the plan area. For some plans this recommendation has been broadened to include culturally significant wetlands.

Wetlands are dynamic living entities and are an important part of the natural environment. All wetlands are integral to landscape processes such as nutrient cycling, detention and slow release of flood water, and trapping of sediments. Wetlands form a vital component of regional and national biodiversity by providing habitat for a wide range of animals and plants.

DPE Water in its response to the NRC recommendation, has committed to consider options to improve protection of significant wetlands during the plan replacement process. The department is developing a policy which will include a method for identifying significant wetlands within a plan area and outline new restrictions that will apply. The objective of this policy is to identify significant wetlands within each water sharing plan area based on an agreed set of criteria and apply restrictions which limit extraction and development at current levels to ensure no further impact on the wetlands.

To protect significant wetlands and lagoons the draft policy has considered the existing rules for protecting wetlands in the Border Rivers and Gwydir unregulated WSPs. The department is collaborating with DPE (Environment and Heritage Group) to further refine the policy. Feedback

received during the public exhibition of inland water sharing plans will be considered before the policy is finalised.

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## What protection is being proposed

The installation of pumps and impounding structures as well as the volume of entitlement that can be taken from wetlands, pose risks to maintaining the ecological character of significant wetlands. Water sharing plans will include rules to manage the impacts of these activities for those wetlands identified in the plan.

It is proposed that inland unregulated water sharing plans will prohibit new or amended surface water supply works being constructed in significant wetlands. These wetlands are identified in a schedule in the water sharing plan and in a digital wetland map produced by the department. In addition, for identified Ramsar wetlands, no new or amended works can be constructed within 3km upstream of that wetland. This rule will not apply to replacement surface water supply works.

New water supply works approvals may still be granted in an identified wetland, if it can be demonstrated that the work will cause no more than minimal harm. This assessment will be undertaken by WaterNSW as part of the works approval application process.

Trade into significant wetlands listed in the schedule in the water sharing plan will also be prohibited. This reflects the intent of limiting extraction to current levels of development within high environmental value areas.

It should be noted that inland unregulated water sharing plans already include rules which provide protection for in-river and off-river pools (lagoons, wetlands, billabongs etc). In most plans this is a standard rule which specifies “no drawdown” of pools is permitted. There are some circumstances where a limited drawdown is permitted consistent with the [Macro water sharing plans-the approach for unregulated rivers, Access and trading rules for pools\(August 2011\)](#).

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## Identifying wetlands

There are multiple data sets available that could be used to identify wetlands for inclusion in the water sharing plans. The department has developed a method that can be used for all inland unregulated water sharing plans using the most relevant data sets. The proposed list of wetlands is reviewed by an Interagency Regional Working Group and was refined where other information is available to support the change.

DPE Water has created a list and accompanying maps of regionally significant wetlands for inclusion in the water sharing plan by using spatial data from:

- the Long Term Water Plan for the relevant water sharing plan area,
- Ramsar (internationally important) wetlands listing,
- the Directory of Important Wetlands of Australia,
- existing lists of wetlands already in water sharing plans,
- ecological assets listed in floodplain management plans in management zone D, and
- Endangered Ecological Communities of the plan area that are wetlands.

- regionally significant cultural wetlands (if known)

Wetlands that are nominated for inclusion in the water sharing plan are assessed against the identifying criteria and discussed with Environment and Heritage Group, Department of Primary Industries (DPI) Fisheries, DPI Agriculture and scientists from within the department, before a final decision is made about their inclusion in the schedule of the water sharing plan being remade.

Every 10 years, when the water sharing plan is replaced, a review of wetlands included in the plan will be undertaken.

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## Feedback on the wetlands identified

Public exhibition of the water sharing plan enables the community and stakeholders to provide feedback on the wetlands and the proposed rules to protect these areas. It is also providing an opportunity to provide further information on wetlands which are culturally or environmentally significant which have not been identified by the planning process. All feedback received will be consider by the department during the finalisation of the replacement plan.

Importantly the feedback received will also be considered as the department finalises the policy on the Protection of Significant Wetlands.

To provide feedback on the proposed protection of wetlands a submission form is available on the department's website.

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## More information

To read the draft water sharing plan, background document and other fact sheets, including the report cards for the plan area, visit [the department's website](#).