

# Department response to the NRC Review of the Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010

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This document outlines how the Department has responded to the independent review of the Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010 under S43A of the *Water Management Act 2000*.

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## May 2022

Water sharing plans are statutory instruments under the *Water Management Act 2000* (the Act). They prescribe how water is managed to support sustainable environmental, social, cultural and economic outcomes. They intend to provide certainty regarding rules for water sharing for water users over the life of the water sharing plan, which is typically 10 years, unless it is extended.

The plan commenced on 1 July 2010 and was due to expire on 30 June 2020.

The Natural Resources Commission (NRC) has a role under Section 43A of the Act to review water sharing plans within five years of expiry and report to the Minister on:

- the extent that the plan's water sharing provisions have materially contributed to the achievement of, or failure to achieve, environmental, social and economic outcomes
- if changes to plan provisions are warranted.

The [final review report](#) is available on the NRC website.

The NRC may recommend extending or replacing the Plans depending on its review findings. In this instance the NRC recommended the replacement of the plan. This replacement must be done by no later than 30 June 2022.

Tables 1 and 2 below outline the recommendation and suggested actions arising from the NRC review and the status of the Departments response to these actions.

Table 1. Department response to NRC Review Recommendations

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<b>Overall</b>	
<p><b>1</b></p> <p>DPE-Water should:</p> <p>a) by 1 July 2020, address priority issues carried over from the current Plan to the draft Water Sharing Plan for the Peel Regulated River 2020 (recommendations 3, 10, 11 and 19)</p> <p>b) by July 2022, address other issues identified in this review that are carried across from the current Plan to the four replacement water sharing plans. This will provide adequate time for additional studies and consultation, alignment with the Namoi Regional Water Strategy to be released in 2021 and replacement of the Water Sharing Plan for the Namoi and Peel Unregulated Water Sources 2012 in 2023</p>	<p><b>Ongoing</b></p> <p>Work on the NRC actions will continue and be incorporated into work anticipated as part of the Dungowan Dam and Chaffey to Dungowan pipeline - EIS and draft rules development for the package</p>
<b>Managing available water determinations, extraction and variability</b>	
<p><b>2</b></p> <p>By 1 July 2020, commit to commissioning an independent review of the Peel eWater Source model, and complete and publish the findings by 1 July 2022 to improve transparency and build community trust.</p>	<p><b>Ongoing</b></p> <p>The independent review and eWater-source model for the Peel are completed. A report including findings is currently under development and is due to be published by December 2022.</p>
<p><b>3</b></p> <p>By 1 July 2020, include an enabling provision to bring the Peel Regulated River Water Source LTAAEL assessment process in line with other NSW Murray-Darling Basin water sharing plans by removing the 10-year rolling average comparison from the LTAAEL assessment measures.</p>	<p><b>Closed</b></p> <p>An amendment clause was included in the amended Peel Regulated River WSP in 2020.</p>

The Commission recommends that DPE-Water: (May 20)		Action taken against NRC recommendation (May 22)
<p>4</p>	<p>By 1 July 2020, commit to reviewing the historic licence conversion surveys at the water source scale and compile a follow up survey and risk assessment by 1 July 2022 to:</p> <p>a) estimate historic and current extraction at a water source scale and therefore potential for activation of sleeper licences</p> <p>b) examine and engage with stakeholders, and publish the benefits and impacts of having a separate numeric LTAAEL for the Peel unregulated rivers</p> <p>c) enable transparent management with annual LTAAEL compliance reports.</p>	<p><b>Ongoing</b></p> <p>(a)-(b) Consideration of this recommendation will be undertaken as part of the Departmental review of the Namoi and Peel Unregulated Water Sharing Plan commencing in 2023.</p> <p>(c) An annual LTAAEL compliance assessment report for the Peel Regulated River Water Source was completed for 2021/22. The report describes the methods used to assess compliance and can be found on the DPE Water website at <a href="https://www.industry.nsw.gov.au/water/allocations-availability/tracking-surface-water/ltaa-el-compliance-results">https://www.industry.nsw.gov.au/water/allocations-availability/tracking-surface-water/ltaa-el-compliance-results</a></p>
<p>5</p>	<p>By 1 July 2022, publish and implement a method of assessing extraction and LTAAEL compliance in unregulated water sources.</p>	<p><b>Ongoing</b></p> <p>This recommendation will be considered further, pending access to metering data post the NSW Metering Regulations rollout and the review of the Namoi and Peel Unregulated water sharing plan commencing in 2023.</p>

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p><b>6</b></p> <p>By 1 July 2022, complete the following actions, incorporating stakeholder engagement, and amend the Water Sharing Plan for the NSW Murray Darling Basin Fractured Rock Groundwater Sources 2020 to accommodate potential changes due to recommendations (b) to (d):</p> <ul style="list-style-type: none"> <li>a) review bore logs to determine if any licences in the Peel Fractured Rock Water Source are extracting from an alluvial aquifer rather than fractured rock</li> <li>b) assess the potential volumes of alluvial extraction relative to fractured rock extraction</li> <li>c) publish the results and, if extraction potential from alluvial aquifers under the Peel Fractured Rock Water Source is significant, outline and consult on steps to manage risks</li> <li>d) if (a)-(c) are addressed, include carryover provisions for the Peel Fractured Rock Water Source under the amendment clause.</li> </ul>	<p><b>Closed</b></p> <p>An amendment provision is not required to be included in the water sharing plan.</p> <p>Ensuring data integrity regarding locations of works within the correct water source is a business-as-usual activity for the Department and remedial actions both on ground and with respect to licensing are undertaken as required and in accordance with appropriate legislation and regulation.</p> <p>No further action required</p>

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p>7</p> <p>By 1 July 2020, commit to undertaking the following actions over the following two years:</p> <ul style="list-style-type: none"> <li>a) model the potential for LTAAEL exceedance for all water sources under various scenarios, including full activation of sleeper licences. This modelling should be publicly reported and accompanied by a description of the potential environmental, social and economic risks, and mitigation strategies for those risks</li> <li>b) proactively and transparently manage the risk of sleeper licences activating and report publicly on this management</li> <li>c) as part of the Namoi Regional Water Strategy, investigate licence activation risks, consider economic scenarios (over the 30- to 50-year timeframe) and propose options to manage risks using Plan amendments or broader structural adjustment (such as buybacks or retiring licences as occurred in the major inland groundwater systems)</li> <li>d) engage with water users and the wider community on actions (a)-(c) and make any recommended plan amendments by 1 July 2022.</li> </ul>	<p><b>Ongoing</b></p> <p>.</p> <p>Work is progressing as part of Regional Water Strategy work program.</p>
<p>8</p> <p>By 1 July 2022:</p> <ul style="list-style-type: none"> <li>a) support any provisions in water sharing plans that distribute impacts to other water sources or water sharing plans with clear objectives</li> <li>b) publish targeted, local mechanisms to address LTAAEL exceedance and resulting local impacts</li> <li>c) to complement this, by 31 December 2020, publish measures to manage and report on all relevant LTAAELs at a water source or Peel Valley scale.</li> </ul>	<p><b>Closed</b></p> <p>LTAAEL compliance is undertaken as part of business as usual for the Department.</p> <p>An annual LTAAEL compliance assessment report for the Peel Regulated River Water Source was completed for 2021/22. The report describes the methods used to assess compliance and can be found on the DPE Water website at</p> <p><a href="https://www.industry.nsw.gov.au/water/allocations-availability/tracking-surface-water/ltaael-compliance-results">https://www.industry.nsw.gov.au/water/allocations-availability/tracking-surface-water/ltaael-compliance-results</a></p>

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p>9</p> <p>By 1 July 2022, incorporate the results of the following actions into the water sharing plans:</p> <ul style="list-style-type: none"> <li>a) transparently model and publish the Peel Valley’s reliability of supply for each licence category and the volumes of water remaining in-stream in a range of climatic conditions at a time-scale appropriate to show short- and long-term effects of variability and various needs of licensees and the environment</li> <li>b) consult with stakeholders and develop Plan provisions and incident response plans to reduce the risks to environmental requirements, town water supply, basic landholder rights and domestic and stock needs, and provide greater certainty to licensees to support economic outcomes</li> <li>c) if results from (a) show reliability is inadequate, use inputs from (b) to propose mechanisms to resolve this through the Namoi Regional Water Strategy, considering mechanisms within and external to the Plan</li> <li>d) document rules for setting AWDs to allow for proactive and transparent management of water shortages under a greater range of scenarios and climatic conditions modelled as part of the Namoi Regional Water Strategy.</li> </ul>	<p><b>Ongoing</b></p> <p>DPE Water Planning is liaising with Regional Water Strategies team on long term climate modelling and use for the water sharing plan replacements/amendments as this work is progressed.</p> <ul style="list-style-type: none"> <li>a) – c) Not completed and being considered as part of the Regional Water Strategy program</li> <li>d) DPE-Water has a comprehensive summary of the allocation process on its website at: <a href="https://www.industry.nsw.gov.au/water/allocations-availability/allocations">https://www.industry.nsw.gov.au/water/allocations-availability/allocations</a></li> </ul>

**Deliver environmental outcomes**

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p>10</p> <p>By 1 July 2020, recognise the need to align environmental water provisions in the Water Sharing Plan for the Peel Regulated River Water Source 2020 and Water Sharing Plan for the Namoi and Peel Unregulated River Water Sources 2012 with the recently finalised Namoi Long Term Water Plan. Include amendment provisions in these plans that enable alignment to occur and set a timeframe for alignment by 1 July 2022.</p>	<p><b>Complete</b></p> <p>While an amendment clause was included in the amended Peel regulated river water sharing plan in 2020 DPE Water does not agree with this recommendation.</p> <p>The Long Term Water Plans are in place to guide the use of planned environmental water accounts and held environmental water.</p> <p>Aligning rules with the Long Term Water Plans reduces the flexibility of environmental water managers and may lead to unintended consequences.</p>

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p>11</p> <p>By 1 July 2020:</p> <p>a) update the draft Water Sharing Plan for the Peel Regulated River Water Source 2020 to include an amendment clause that allows for changes to planned environmental water provisions (for example, based on environmental water requirements in the Namoi Long Term Water Plan or potential for carryover of the ECA).</p> <p>By 1 July 2022:</p> <p>b) transition from shared channel capacity arrangement to prioritise release of the ECA. The Namoi-Peel Environmental Water Advisory Group should engage with stakeholders in planning for environmental releases. By 1 July 2022, ideally as part of development and consultation on the Namoi Regional Water Strategy, conduct studies into:</p> <p>c) removal of clauses 41(4) and 41(5) from the Water Sharing Plan for the Peel Regulated River Water Source 2020 (Clause 62 in the current Plan), with changes to plan provisions within one year of completion of the study</p> <p>d) the potential for carryover of the environmental water allowance (currently known as the ECA) to provide for more strategic use of environmental water over multiple years and amend the plan within one year of completion of this study, if warranted.</p>	<p><b>Ongoing</b></p> <p>(a) While an amendment clause was included in the amended Peel regulated river water sharing plan in 2020 DPE – Water does not agree with this recommendation. The Long Term Water Plans are in place to guide the use of planned environmental water accounts and held environmental water.</p> <p>Aligning rules with the Long Term Water Plans reduced the flexibility of environmental water managers and may lead to unintended consequences.</p> <p>(b) Completed. Channel sharing arrangement provision in proposed for inclusion in the amendments to regulated water sharing plans for inland NSW to make environmental water allowance priority clearer.</p> <p>(c) In progress, modelling has been completed with an options paper to be presented to the interagency working group.</p> <p>(d) In progress, due to be completed by July 2024.</p>



The Commission recommends that DPE-Water: (May 20)		Action taken against NRC recommendation (May 22)
12	<p>By 1 July 2022, review access rules (commence and cease to pump thresholds) in the Water Sharing Plan for the Namoi and Peel Unregulated River Water Sources 2012 based on:</p> <ul style="list-style-type: none"> <li>a) improved understanding of environmental water requirements from the development of the Namoi Long Term Water Plan</li> <li>b) mapping of instream values based on the High Ecological Value Aquatic Ecosystem framework</li> <li>c) local knowledge of the water needs of landholders. Note: the review of access rules, including social and economic impacts and consultation with water users could occur as part of the development of the Namoi Regional Water Strategy and must be completed in time to inform replacement of the Water Sharing Plan for the Namoi and Peel Unregulated Water Sources 2012.</li> </ul>	<p><b>Ongoing</b></p> <p>Consideration of this recommendation will be undertaken as part of the Departmental review of the Namoi and Peel unregulated water sharing plan commencing in 2023.</p>
13	<p>By 1 July 2022, address knowledge gaps regarding the location, needs and values of water dependent ecosystems (instream and groundwater dependent ecosystems) that the new water sharing plans seek to protect. This should include mapping of key habitat features, where practical. DPE-Water should also include mapping of instream values developed from application of the High Ecological Value Aquatic Ecosystem framework as schedules in the water sharing plans. This would improve transparency and clarity about the values that the plan seeks to maintain and protect.</p>	<p><b>Closed</b></p> <p>High Ecological Values Aquatic Ecosystems (HEVAE) mapping and for all inland valleys including the Peel is available from DPE Water Science GIS web portal.  <a href="https://water.dpie.nsw.gov.au/science-data-and-modelling/surface-water/monitoring-changes/environmental-value-of-nsw-rivers-hevae">https://water.dpie.nsw.gov.au/science-data-and-modelling/surface-water/monitoring-changes/environmental-value-of-nsw-rivers-hevae</a></p>

**Meet the needs of water users**

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p><b>14*</b></p> <p>By 1 July 2022:</p> <ul style="list-style-type: none"> <li>a) include provisions to better protect stock and domestic basic landholder rights throughout the Plan area</li> <li>b) set aside a defined volume of water to maintain ongoing supply for basic landholder rights, domestic and stock, and local water utility licences, considering the findings of the Namoi Regional Water Strategy.</li> </ul>	<p><b>Ongoing</b></p> <ul style="list-style-type: none"> <li>a) The 2020 amended Peel water sharing plan includes greater clarity to ensure BLR volumes are met before other water is allocated</li> <li>b) Work is progressing as part of Regional Water Strategy work program.</li> </ul> <p>Under the current WSP rules a volume of water is ‘set aside’ as part of the resource assessment for the available water determinations to meet basic landholder rights, domestic and stock, and local water utility licences.</p>

15\*

By 1 July 2020, amend the replacement plans to include a provision to amend native title rights, with a timeframe of three months to undertake initial amendments of the new plans following native title determinations and other land or water use agreements, and enough time to undertake the detailed engagement, final amendment and entitlement process

**Closed**

No further action required

The water sharing plan has been updated in regard to Native Title Rights. This change enables the plans to automatically include Native Title Rights when a relevant determination is made.

Native Title determinations are completed outside the water sharing plan. DPE Water may be part of the Indigenous Land Use Agreements with Native Title Determinants.

DPE Water have recently updated water sharing plan templates so that Aboriginal, cultural and heritage values, uses and objectives are protected, preserved, maintained or enhanced. DPE will ensure ongoing engagement with Traditional Owners, communities and relevant stakeholders for the best possible outcomes on Country.

The NSW Government is working with peak Aboriginal bodies on a framework for engagement with an intention to consult with the peak bodies on a range of water related issues including Regional Water Strategies and water sharing plans. It is anticipated that consultation will also occur with local Traditional Owners, Local Aboriginal Land Councils and other local Aboriginal Groups. This consultation will include knowledge sharing on water sharing plans and identification of opportunities to improve Aboriginal involvement of water management in NSW.

DPE Water would not recommend placing a timeframe on detailed stakeholder engagement, particularly when concerning native title and ILUA. It would not be wise to place a timeframe on engagement and not be able to meet our own milestones when engagement is simultaneously productive and ongoing.

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p><b>16</b></p> <p>Complete the following actions, incorporating stakeholder engagement, by 1 July 2022:</p> <ul style="list-style-type: none"> <li>a) as part of the Namoi Regional Water Strategy, model how Plan provisions function under a range of modelled climate scenarios, drawing upon paleoclimatic studies, assessment of risks from the current drought period, and projected changes to inflows and groundwater recharge under climate change</li> <li>b) based on the results from (a), develop mechanisms to ensure water will be managed to protect the water source, its dependent ecosystems and basic landholder rights, and be shared equitably among all other users, in that order, if scarcity and demand increases</li> <li>c) amend the Plan to address Plan-related risks to town water supply identified in (a), noting that amendments should allow Tamworth Regional Council to proactively manage its risks</li> <li>d) expand rules for setting AWDs, allowing for more certainty and proactive management of water shortages based on results from (a) (see also Recommendation 26 on clear, defined triggers)</li> <li>e) use AWDs in conjunction with cease to pump thresholds to manage extraction during drought, including under predicted climate change.</li> </ul>	<p><b>Ongoing</b></p> <p>DPE Water progressing actions through Regional Water Strategy development.</p>

The Commission recommends that DPE-Water: (May 20)		Action taken against NRC recommendation (May 22)
17*	By 1 July 2020 amend the draft plans to include Aboriginal values and uses, clearly linked objectives and outcomes, and flow entitlement in the Plan area, using a strengthened NSW Aboriginal Water Framework (see Suggested action B).	<p><b>Ongoing</b></p> <p>First Nations engagement work continues to be aligned where possible across the agency.</p> <p>Development of Aboriginal Water Strategy is progressing in consultation. Timeframes for development have been extended to accommodate co-design. We are establishing an integrated framework for reviewing and reporting against the NSW Water Strategy at least every five years.</p> <p>DPE Water progressing collation and consideration of information to date from First Nation consultation in inland plan areas regarding the best mechanisms to progress.</p>
18*	Co-design licences or other water access options with Aboriginal stakeholders that meet identified needs (for a range of cultural, environmental, social and economic uses) and include these in the new plans by 1 July 2022, using a strengthened NSW Aboriginal Water framework (see Suggested action B).	<p><b>Ongoing</b></p> <p>See above (17)</p>
19	By 1 July 2020, ensure relevant settings are cross-referenced in the water sharing plans and there is ongoing monitoring of these connected water sources to determine if provisions to provide for and protect connectivity are effective.	<p><b>Ongoing</b></p> <p>Where appropriate, connectivity will be reflected in WSP access rules (unregulated and alluvial WSPs).</p> <p>The study to better understand the interaction between groundwater extraction and the effects on surface water pools in the Cockburn River has been completed.</p> <p>Findings of the study have been published on the Departments website at</p> <p>Findings will be used with modelling information for the area to inform proposed access rules. Finalisation of the Peel groundwater model is progressing.</p>

The Commission recommends that DPE-Water: (May 20)		Action taken against NRC recommendation (May 22)
20	By 1 July 2022 amend the water sharing plans to: include definitions for groundwater terms, including connectivity, ecological value, potential and type. Connectivity should include both discharge of groundwater to surface water and surface water to groundwater systems. provide greater clarity regarding variability in surface water-groundwater interactions in the plans by including schedules and maps and acknowledge this in any trading rules. Make these publicly available to improve transparency.	<p><b>Ongoing</b></p> <p>A groundwater model for the Peel alluvium is being developed and will link to the surface water model and is expected to be delivered in 22/23.</p>
21	By 1 July 2022: undertake targeted monitoring to assess the adequacy of access rules that link groundwater access in the Cockburn River Alluvium Management Zone and Goonoo Goonoo Creek Alluvium Management Zone to associated unregulated streams map areas of surface water recharge and discharge to alluvial and other shallow groundwater systems, dependent on climatic conditions and improve knowledge on the degree of groundwater – surface connections in the Plan area where applicable, link AWDs between surface water and alluvium to reflect connectivity of these water sources	<p><b>Ongoing</b></p> <p>Refer to response for Recommendation 19.</p>
22	Complete the current study of connectivity in the Cockburn River and report findings to stakeholders as soon as practical. Amend access rules based on the findings of this study and identify any areas that require further research or community consultation.	<p><b>Ongoing</b></p> <p>Refer to response for Recommendation 19.</p>

The Commission recommends that DPE-Water: (May 20)		Action taken against NRC recommendation (May 22)
23	<p>Commission studies to provide for lateral and longitudinal connectivity between the Peel and Namoi rivers and improve environmental outcomes: a) investigate end-of-system flow options and scenario modelling to improve connectivity with the Namoi River, implementing any plan amendments by 1 July 2022 b) identify complementary actions outside of the Plan (see Suggested action G) to facilitate connectivity by 1 July 2021, including improving fish passage through removal of barriers</p>	<p><b>Closed</b></p> <p>The DPE Water is currently developing a NSW Water sharing plan Evaluation Program. It program includes;</p> <ul style="list-style-type: none"> <li>- Monitoring, evaluation, reporting &amp; improvement (MERI) framework</li> <li>- prioritisation tool</li> <li>- transferability study</li> <li>- evaluation and monitoring plans</li> </ul> <p>DPE Water will work with NSW agencies to ensure an agreed approach to WSP MER Implementation &amp; Reporting.</p> <p>Complementary action are outside the scope of WSP MER activities. DPE Water will work with other agencies on future work where relevant.</p>

**Provide economic outcomes and trade opportunities**

24	<p>By 1 July 2020, publish guidance that the provision in the draft Water Sharing Plan for the Peel Regulated River Water Source 2020 would only be implemented based on detailed modelling and assessment of environmental, social and economic impacts and benefits of proposed changes, and with broad stakeholder consultation.</p>	<p><b>Closed</b></p> <p>Noted in relation to potential mitigation of impacts downstream of storages.</p>
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The Commission recommends that DPE-Water: (May 20)		Action taken against NRC recommendation (May 22)
25	As part of the Namoi Regional Water Strategy and the environmental assessment, design and operation of the replacement Dungowan Dam, assess the full range of economic benefits and impacts of both the extraction of water and presence in-stream, including: a) benefits and impacts of secure water supply and time on water restrictions for town water supplies including residential and industrial uses b) benefits and impacts of flow and water quality on industries and water uses such as tourism, recreational fisheries, ecosystem services and community activities.	<p><b>Closed</b></p> <p>No further action required. Future consideration of issues is part of the development of Dungowan Dam project.</p>

**Improve Plan development and implementation**

26	By 1 July 2020, commit to: a) investigate significant plan amendments due to the current drought works, proposed expansion of Dungowan Dam and recommendations from the Namoi Regional Water Strategy, by 1 July 2022 b) include triggers and rules for water sharing in a wider range of conditions, relating to water availability (in both Chaffey and Dungowan dams) using findings from the Namoi Regional Water Strategy by 1 July 2022. To complement this, by 31 December 2020, publish the current method for the AWD calculations and basis of recommendations, and update this as required	<p><b>Closed (as above)</b></p> <p>No further action required. Future consideration of issues is part of the development of Dungowan Dam project.</p>
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**Increase monitoring, evaluation and reporting**



The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p><b>26</b></p> <p>Define a MER framework for the replacement water sharing plans, supported by adequate resources and building on the following actions: a) strengthen, finalise and implement the Namoi Surface Water Monitoring, Evaluation and Reporting Plan and NSW Groundwater Environmental Water Monitoring, Evaluation and Reporting Plan following accreditation of water resource plans.</p> <p>b) by 31 December 2020, establish an interagency group to identify resourcing requirements, opportunities for collaboration across government agencies and use of technology to efficiently implement the MER plans</p> <p>c) develop NSW Murray-Darling Basin-wide cultural, social and economic MER plans by 1 July 2022</p> <p>d) identify and address critical knowledge gaps including, but not limited to: i) river blackfish distribution and abundance, and population trends ii) drought refugia persistence and condition iii) impacts of cold water pollution.</p> <p>e) allow for periodic assessment of knowledge gaps for adaptive management and inclusion in future water sharing plans reviews.</p>	<p><b>Ongoing</b></p> <p>(a) – (e) The DPE Water is currently developing a NSW Water sharing plan Evaluation Program. It includes;</p> <ul style="list-style-type: none"> <li>- Monitoring, evaluation, reporting &amp; improvement (MERI) framework</li> <li>- prioritisation tool</li> <li>- transferability study</li> <li>- evaluation and monitoring plans</li> </ul> <p>DPE Water will work with NSW agencies to ensure an agreed approach to WSP MER Implementation &amp; Reporting is published, when finalised.</p> <p>The WSP Evaluation Program will commence implementation in 2022/23. Implementation will be reported annually through the Water Sharing Plan Implementation Program commencing in 2022/23. This will clarify the roles and responsibilities, reporting requirements, governance arrangements and timeframes associated with the program.</p>

The Commission recommends that DPE-Water: (May 20)	Action taken against NRC recommendation (May 22)
<p>By 1 July 2021 consider listing the Peel Unregulated River water sources as at-risk water sources, requiring metering of all licenced extraction. It will also be important to monitor active use and any growth during Plan implementation.</p>	<p><b>Closed</b></p> <p>Risk assessment of surface and groundwater sources was undertaken as part of the water resource planning process based on the best available information.</p> <p>The non-urban water metering policy is being rolled out on a risk basis. Inland systems were included in the third roll out delivered in December 2021. This will provide some relevant information to inform future risk assessments.</p>

Table 2. Department response to NRC Review supporting actions

NRC supporting actions for DPE Water for replacement Plan	Action taken on recommendation March 2022
<p><b>A*</b></p> <p>Suggested action: Recommence processes to develop the Reasonable Use Guidelines for basic landholder rights by 31 December 2020. The agreed standards should be reflected in amendments to the replacement water sharing plans.</p>	<p><b>Ongoing</b></p> <p>State- wide issue. Work is being progressed by the Department.</p>

NRC supporting actions for DPE Water for replacement Plan		Action taken on recommendation March 2022
<p><b>B*</b></p>	<p>Suggested action: Continue development of a NSW Aboriginal Water Framework by 31 December 2020 to provide consistent and transparent guidelines and resourcing for Aboriginal involvement in water planning and management. At a minimum, the framework should consider: a) relevant guidelines and legislation, including any need for legislative reforms b) Aboriginal water values and its uses c) processes for allocating water for Aboriginal interests including cultural, environmental, social and economic purposes d) processes for improving Aboriginal water access and use, through simplified licencing or other identified mechanisms e) clear requirements for including native title determinations and proactive processes for undertaking other land/water use agreements f) strengthened Aboriginal engagement processes across the state to expand on the Murray-Darling Basin engagement process, broaden the stakeholder base (to include Traditional Owners, Nations, Local Aboriginal Land Councils and other relevant groups), and increase Aboriginal staff with capacity to lead and maintain engagement g) appropriate Aboriginal-led governance and decision-making arrangements, such as an Aboriginal Water Holder h) adequate resources including dedicated Aboriginal staff with capability in water planning and management, and funding, such as an Aboriginal Water Trust.</p>	<p><b>Closed</b></p> <p>Development of the Aboriginal Water Strategy is progressing.</p> <p>Timeframes for development have been extended to accommodate co-design with Aboriginal groups.</p> <p>We are establishing an integrated framework for reviewing and reporting against the NSW Water Strategy at least every five years.</p>

NRC supporting actions for DPE Water for replacement Plan		Action taken on recommendation March 2022
<b>C*</b>	Suggested action: By 1 July 2022, examine the most effective way of protecting environmental water between regulated rivers (including Peel and Namoi) – expanding Prerequisite Policy Measures from the Southern Basin or the draft Active Management Policy.	<p><b>Closed</b></p> <p>Amendment provision included in the Peel regulated river water sharing plan to protect held environmental water (HEW) into the Namoi.</p> <p>Action also included in Namoi WSP review commencing in 2026.</p>
<b>Provide economic outcomes and trade opportunities</b>		
<b>D</b>	Suggested action: By 31 December 2020, engage with Peel Valley stakeholders to outline the reasons behind the removal of temporary intervalley trading between the Peel Valley and the Lower Namoi, with findings made publicly available.	<p><b>Closed</b></p> <p>The Peel valley stakeholders were previously engaged through the Namoi/Peel Water Resource Plan Stakeholder Advisory Panel (SAP) on the issue of the removal of temporary intervalley trading the Peel Valley and the Lower Namoi.</p> <p>A further review, including engagement with water users was completed in 2021.</p>
<b>Improve plan development and implementation</b>		
<b>E*</b>	<p>Ongoing engagement will occur with stakeholders and the broader community. This is anticipated to be a longer term project than the timeframe specified.</p> <p>Consultation with stakeholders will occur on material amendments to the water sharing plans.</p> <p>The department is planning to develop explanatory material to improve understanding of Plan provisions and their implementation</p>	<p><b>Closed</b></p> <p>DPE Water will continue to engage with NSW communities. This will be achieved by ensuring that all engagement is purposeful, inclusive, timely, transparent and respectful, consistent with the principles within the Department’s Community Engagement Policy.</p>

NRC supporting actions for DPE Water for replacement Plan		Action taken on recommendation March 2022
F*	<p>Noted</p> <p>This will be addressed as part of a broader state wide process.</p>	<p><b>Closed</b></p> <p>The DPE Water is currently developing a NSW Water sharing plan Evaluation Program. It includes;</p> <ul style="list-style-type: none"> <li>- Monitoring, evaluation, reporting &amp; improvement (MERI) framework</li> <li>- prioritisation tool</li> <li>- transferability study</li> <li>- evaluation and monitoring plans</li> </ul> <p>DPE Water will work with NSW agencies to ensure an agreed approach to WSP MER Implementation &amp; Reporting is published, when finalised.</p> <p>The WSP Evaluation Program will commence implementation in 2022/23. Implementation will be reported annually through the Water Sharing Plan Implementation Program commencing in 2022/23. This will clarify the roles and responsibilities, reporting requirements, governance arrangements and timeframes associated with the program.</p>
G*	<p>Suggested action: By 1 July 2021, use the principles of integrated catchment management to consider risks and identify complementary measures in addition to Plan provisions that will help to meet Plan objectives and outcomes. Identify areas for collaboration or additional funding.</p>	<p><b>Closed</b></p> <p><b>No further action</b></p> <p>Outside scope of the water sharing plan</p>

\* Shows strategic initiatives which the Commission believes DPE-Water should undertake across NSW to support all water sharing plans outcomes