

Compliance with sustainable diversion limits for groundwater

The *Basin Plan 2012* was developed by the Commonwealth Government to provide the framework for water take within the Murray–Darling Basin. This includes establishing sustainable diversion limits for the amount of water that can be taken from a groundwater source or a group of groundwater sources throughout the Murray–Darling Basin. Volumetric sustainable diversion limits are specified in Schedule 4 of the *Basin Plan 2012*.

Compliance with the sustainable diversion limits uses the process outlined in Division 3 of Part 4 of Chapter 6 of the *Basin Plan 2012*. This involves calculating the maximum volume of water permitted to be taken and the volume actually taken each year. The difference between these two volumes is then recorded on a register of take as a debit (where actual take is greater than permitted take) or a credit (where actual take is less than permitted take).

A cumulative balance is established that varies according to each year's credit or debit. Non-compliance with a sustainable diversion limit is considered to have occurred when the cumulative balance is in debit by an amount that is equal to 20% (or more) of the sustainable diversion limits for that groundwater source.

Water sharing plans

Current New South Wales water sharing plans limit the amount of water that can be taken from a groundwater source by establishing a long-term average annual extraction limit. For the majority of groundwater sources in the Murray–Darling Basin, the long-term average annual extraction limit is equal to the sustainable diversion limit. Where the long-term average annual extraction limit is currently greater than the sustainable diversion limits, it will be amended to reflect the sustainable diversion limit. In some cases (for example the Upper Namoi groundwater sources), a single sustainable diversion limit applies to a number of groundwater sources that, under the water sharing plan, have individual and disaggregated long-term average annual extraction limits.

Compliance with the long-term average annual extraction limit will be assessed in accordance with the rules specified in the relevant water sharing plan. This involves calculating the average annual extraction each year over the previous five-year period. Non-compliance occurs when this calculated average annual extraction exceeds the long-term average annual extraction limit by either 5% or 10% (depending on water sharing plan).

Incorporating sustainable diversion limits into water sharing plans

Where an existing long-term average annual extraction limit is equal to the sustainable diversion limit, no change to the existing limit will be required. Where an existing long-term average annual extraction limit is greater than the sustainable diversion limit, the water sharing plan will be amended to bring the two into alignment. The sustainable diversion limit compliance assessment and the long-term average annual extraction limit compliance assessment outlined above will be incorporated into the relevant water sharing plans.

Compliance with the limits

If non-compliance with a sustainable diversion limit or a long-term average annual extraction limit has occurred under either of the two assessment processes described above, future extraction from the groundwater source will be restricted by one or both of the following methods to achieve compliance:

- restricting the water allocations that can be taken, assigned (transferred) under section 71T of the *Water Management Act 2000*, or otherwise debited or withdrawn from a water allocation account in the following water year
- announcing available water determinations of less than 100% (or 1 ML/unit share) for lower-priority access licences in the following year.

The extent of any extraction restrictions will be that necessary to return average annual extractions in the relevant groundwater source to the long-term average annual extraction limit specified in its water sharing plan, or to meet the requirements of Division 3 of Part 4 of Chapter 6 of the Basin Plan.

More information

See the following fact sheets on the NSW Department of Industry's website, industry.nsw.gov.au/water-resource-plan-consultation:

- *Water resource plans in NSW*
- *Groundwater available water determinations*
- *Groundwater-dependent ecosystems*