

Lachlan Alluvium Water Resource Plan—outcomes of public exhibition

The NSW Government has agreed to develop water resource plans as part of the implementation of the Murray–Darling Basin Plan 2012 (the Basin Plan).

Water resource plans demonstrate how the Basin States (New South Wales, Australian Capital Territory, Queensland and Victoria) coordinate their water management with the federal government’s Basin Plan, including how the sustainable diversion limits (SDLs) set out in the plan will be met.

As part of the planning process, the draft Lachlan Alluvium Water Resource Plan and a new water sharing plan for the Lachlan alluvial groundwater resources were publicly exhibited from 25 September 2018 to 6 November 2018.

The public exhibition period provided valuable feedback that helped to develop and inform the changes proposed for the Lachlan Alluvium Water Resource Plan and water sharing plan. This fact sheet outlines the main changes since public exhibition of the draft plans.

Submissions

We received eight submissions on the draft Lachlan Alluvium Water Resource Plan and associated documents. The submissions raised 17 issues for consideration. Submissions that have the author’s permission for publication can be viewed on the department’s website at <https://www.industry.nsw.gov.au/water/plans-programs/water-resource-plans>. Note that not all authors elected to have their submissions published.

The issues raised in each submission were sorted into three broad categories—plan specific, statewide or out of scope and then aligned with the corresponding themes in the water resource plan.

How issues were considered

The NSW Department of Planning, Industry and Environment examined the nature of each issue raised or suggestion made in the submission and then considered the:

- scope of water resource planning
- principles outlined in the Basin Plan
- principles set by the NSW Government for water resource planning, and any statutory, technical or administrative constraints.

We considered the following questions for each issue or suggestion:

- Is it likely to have an effect on water availability for licence holders, and, if so, how?
- Is it likely to alter how water is distributed to access licences of different categories or within a category, and, if so, how?
- Is it likely to result in a net reduction in planned environmental water?
- Can current statutory mechanisms enable the change or is legislative change required?
- Is it consistent with current policy settings, and, if not, is development of robust alternative policies feasible within the timeframe to develop the water resource plan?
- Are there additional costs for the NSW Government?
- Will there be costs for NSW licence holders?

- Does it relate to water charges, costs, operational activities or licensing matters outside of the scope of the water resource plan?
- Are existing programs/processes or other departments addressing the issue?
- Is its full investigation feasible within the timeframe of developing the water resource plan?
- Is it consistent with the Basin Plan requirements?
- Does it set a precedent for other water resource plans?

Changes resulting from public consultation

Based on the considerations outlined above, the NSW Department of Planning, Industry and Environment completed an assessment of all the issues raised in submissions. The outcomes of this assessment resulted in changes being made in the following areas:

- The water resource plan and water sharing plan to **ensure consistency with the new NSW Non-Urban Water Metering Framework** that commenced on 1 December 2018 as follows:
 - The NSW Government has committed to a new framework to improve the standard and coverage of non-urban water meters under its December 2017 Water Reform Action Plan. The new framework includes the NSW Non-Urban Water Metering Policy, the metering-related provisions of the *Water Management (General) Regulation 2018* and the *Water Management Act 2000*.
- The water resource plan to provide **greater clarity on the roles and responsibilities** of the various NSW water management agencies for metering and compliance.
- The water resource plan, water sharing plan and incident response guide to **ensure consistency of information** between the documents in relation to licensed entitlements.
- Commitment to prepare a fact sheet to accompany the final water sharing plan that will **provide further information on how the department will ensure compliance with the long-term annual average extraction limits (LTAAELs) and SDLs**.
- The water sharing plan to remove the **details of the calculation of annual permitted take**, and include this detail in the water resource plan and associated fact sheets.
- The water sharing plan to include **'take limits'** providing an **option for actions that can be taken to comply with LTAAEL/SDLs** at a management zone level in the Upper Lachlan.
- The water sharing plan to clarify that the **high-priority terrestrial vegetation groundwater-dependent ecosystems identified are 'potential'**.
- The water sharing plan to provide **supplementary information on groundwater-dependent ecosystems**, along with clarifying notes and additions to the dictionary.
- Commitment to work with WaterNSW to coordinate the **assessment process for groundwater-dependent ecosystems** and provide an updated fact sheet as work progresses.
- The water sharing plan to remove the mandatory condition sub clause relating to State Significant Developments and Infrastructure under the Environmental Planning and Assessment Act 1979 (EP & A Act). This sub clause was inconsistent with the NSW Aquifer Interference Policy. The Department of Planning, Industry and Environment - Water assesses the potential impacts of an aquifer interference activity against the minimal impact considerations set out in the policy as well as any specific rules in a relevant water sharing plan, based on the information provided in the proponent's environmental assessment and provides subsequent advice and proposed conditions of approval to the EP & A Act planning process for each project.
- The water sharing plan to include **additional amendment provisions** that allow for:

- Staged reduction of carryover provisions (to not less than 1 ML per unit share) and the reduction of the maximum water account debit in a water year for aquifer access licences and aquifer (high-security access licences).
- Setting different maximum water account debits by management zone in the Upper Lachlan Alluvial Groundwater Source.
- Consideration and inclusion of any rules recognising surface and groundwater connectivity as part of the 10-year term review of the Belubula Regulated River Water Sharing Plan.

Note: *The above amendments may be progressed in the future subject to further stakeholder consultation.*

- Amendments to Part 6 of the Plan to allow for a **section 7.25 adjustment** under the Basin Plan. This will **allow the SDL and LTAAEL to be adjusted** in accordance with any review of the Basin Plan SDL.

Note: *Section 7.25 of Basin Plan 2012 allows the Murray–Darling Basin Authority to propose ‘an adjustment of the SDL for a groundwater SDL resource unit if better information becomes available about the groundwater resources of the unit and the factors relevant to setting the SDL, in particular, information about:*

- (a) recharge rates; or*
- (b) connectivity with surface water; or*
- (c) usage patterns; or*
- (d) Basin State policy and planning settings.’*

The Basin Plan 2012 (s.7.26) limits the scope for adjusting the SDL, and any resultant SDL must represent an environmentally sustainable level of take.

- The water resource plan to **clarify that local water utilities are required to hold water supply work approvals** in addition to water access licences, and that local water utilities in this plan area include local government authorities.
- Schedule D (the risk assessment) of the water resource plan to clarify that **local water utilities can apply for additional shares** if they don't have an integrated water cycle management plan, as long as they can demonstrate the share and extraction components of the licence are the minimum required for the proposed use of the water.

Outcomes of preliminary Murray–Darling Basin Authority review

The Murray–Darling Basin Authority (MDBA) assesses the draft water resource plans as part of the plan development. This assessment informs the federal minister's decision whether to accredit the water resource plan. Once accredited by the minister, the water resource plan is operational.

The formal assessment of the water resource plan occurs once NSW formally submits it to the MDBA. Once submitted to the MDBA the draft plan can be found on the MDBA's website.

The MDBA has undertaken a preliminary review of the public exhibition version of the water resource plan. This early feedback has been valuable for informing additional changes to the documents, primarily the water resource plan, water-quality management plan and risk assessment.

These changes generally related to clarifying and justifying matters to ensure Basin Plan requirements are met. This included providing further detail on the processes and criteria for

assessing new bore applications and applications for trades (dealings). These specific provisions for accreditation are included in Schedule I of the water resource plan.

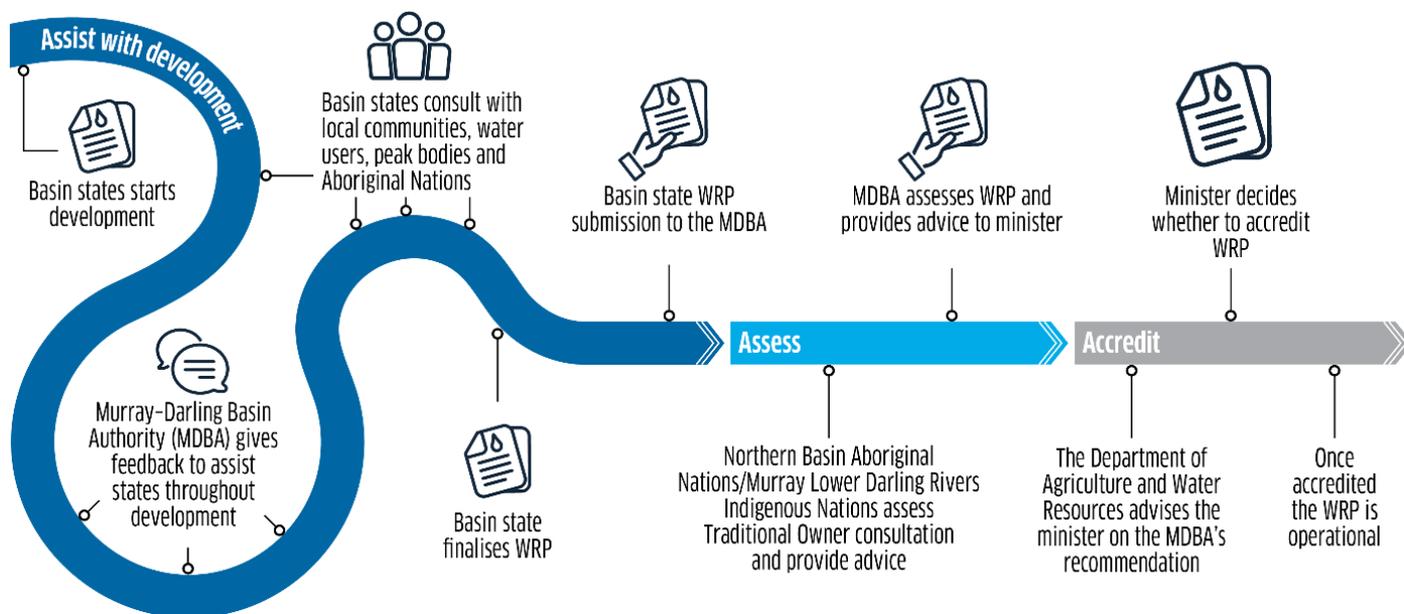


Figure 1. Water resource plan accreditation timeline (<https://www.mdba.gov.au/basin-plan-roll-out/water-resource-plans>, accessed 12 June 2020)

More information

A copy of the submitted water resource plan and the schedules and appendices is available on the MDBA website <https://www.mdba.gov.au/basin-plan-roll-out/water-resource-plans>

The draft Lachlan Alluvium Water Resource Plan that was on public exhibition and supporting fact sheets are available on the department's website <https://www.industry.nsw.gov.au/water/plans-programs/water-resource-plans>

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