

## Outcomes from the public exhibition of the plan

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

Water resource plans demonstrate how the Basin states of NSW, the ACT, Queensland and Victoria coordinate their water management with the federal government's Basin Plan, including how the sustainable diversion limits set in the Basin Plan will be met.

As part of the planning process, the draft Barwon-Darling Surface Water Resource Plan, and proposed amendments to the existing water sharing plans, were publically exhibited from 26 September 2019 to 29 October 2019

We held public meetings in Walgett on the 15 October 2019 with 21 attendees, Bourke on the 16 October 2019 with 22 attendees, Wilcannia on the 17 October 2019 with 16 attendees and Menindee on the 18 October 2019 with 25 attendees.

Stakeholders provided valuable feedback that helped us develop the final versions of water resource plan and water sharing plans. This factsheet outlines the main changes since public exhibition.

## Submissions

We received a total of 29 submissions on the draft Barwon-Darling Surface Water Resource Plan 2019 and associated documents, with 82 separate issues for consideration.

### How submissions were considered

The NSW Government examined the nature of the issues raised, or suggestions made in the submission, and considered them in relation to the:

- scope of water resource planning
- principles outlined in the Basin Plan and their consistency with the plan's requirements
- principles set by the NSW Government for water resource planning and any statutory, technical or administrative constraints.

In particular, we considered the following questions for each issue or suggestion:

- Is it likely to have an impact on water availability or 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?
- Is it cost neutral for NSW water licence holders and if not, what is the cost implication?
- Does it relate to water charges, costs, operational activities or licensing matters outside of the scope of the water resource plan?
- Are there existing programs/processes or other departments addressing the issue?
- Is its full investigation feasible within the timeframe of developing the water resource plan?

- Does it set a precedent for other water resource plans?

### Changes since public consultation

- The water resource plan, water sharing plan, and other supporting documents have been aligned to ensure consistency between the documents, in particular licensed entitlements.
- A fact sheet will be prepared to accompany the amended unregulated water sharing plan, in mid-2020, to provide information on the principles applied to ensure compliance with the long-term annual average extraction limits and sustainable diversion limits.

### General changes to the water sharing plans

- The objectives of the water sharing plans were revised to address comments raised in submissions and to better align with strategies and performance indicators. This included the removal of references to the Long Term Water Plan in the notes to the plan objectives.
- Provisions relating to sustainable diversion limit compliance have been amended to clarify that the compliance process will follow the requirements of the Basin Plan.

### Changes to Barwon-Darling Unregulated River Water Source Water Sharing Plan

- The economic objectives for the plan have been updated to include the objective “maintain, and where possible improve, access to water up to the long-term average sustainable diversion limit for agriculture, surface water-dependant businesses and landholders”.
- An amendment provision has been included to facilitate total extractions reaching the long-term average annual extraction limit, or the long-term average sustainable diversion limit, when total extractions are significantly less than these, over the long term.
- Minor wording changes to improve clarity and reduce ambiguity.
- The term ‘Individual Daily Extraction Limit (IDEL)’ was used for discussions with stakeholders in the consultation period leading up to the Public Exhibition. The correct legal term according to the WMA 2000 is Individual Daily Extraction Component (IDEC) and the water sharing plan uses this term. This change was explained in the public exhibition fact sheet and could still require explaining to stakeholders. Other than the name change, an IDEL and an IDEC are exactly the same.
- A typographical error in Clause 64(3) was corrected in the water sharing plan since public exhibition.
- The following changes have been made to provisions that support active management.
  - The definition of Active Environmental Water has been revised to include only water arising from 1) held environmental water from an upstream water source, 2) a notification by a licence holder to protect water from extraction under Clause 43 of the Plan. This change provides greater clarity on the environmental water to be protected from extraction and minimises the risk of unintended impacts on unregulated river access licence reliability that may arise if Planned Environmental Water from upstream water sources was protected when previously not protected by the Barwon-Darling water sharing plan.
  - Changes have been made to Clause 49 so that the flow class announcement can now apply for longer than 24 hours and a default provision has been added to

allow the flow class previously announced to continue to apply for 24 hours if a flow class announcement is not made. These changes allow for a more efficient process where there is sufficient confidence to predict access for more than 24 hours and minimises the risks of no announcements. Defaulting to the previous announcement improves the likelihood that in the event that no announcement is made or is delayed, access is correctly assigned by default minimising unintended impacts on either licence holders or environmental water.

- During public exhibition comment was sought on how to distribute the volume available among licences. Comment was mixed. Subclauses have been added to Clause 42A and 45A to require the Minister to invite expressions of interest to take water and to prohibit take if an expression of interest is not submitted for the relevant period in accordance with the Active Management Procedures Manual. Distributing the volume available to those who have expressed interest based on their Individual Daily Extraction Component is the most effective way of sharing the water available amongst those who want access while still protecting the Active Environmental Water present. Details on how an expression of interest process will operate will be addressed in the Active Management Procedures Manual.
- Clause 42A (4) allowed announcements of less than 1 ML per daily flow share to protect Active Environmental Water only. In response to support from stakeholders to share flows during times of low supply (and not just when Active Environmental Water is present), the revised plan also allows announcements of less than 1 ML per daily flow share to protect water below the flow class thresholds specified in Table B in the plan. The details will be set out in the Active Management Procedures Manuals.
- Wording of Clause 43 has changed to improve clarity

## Outcomes of preliminary MDBA review

The Murray–Darling Basin Authority (MDBA) assesses the draft water resource plans as part of the plan development. The assessment informs the federal minister’s decision on whether to accredit the water resource plan.

While the official assessment won’t happen until we formally submit the water resource plan to the MDBA, the MDBA has undertaken a preliminary review of the public exhibition version of the 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. Changes generally relate to clarifying and justifying matters to ensure Basin Plan requirements are met.

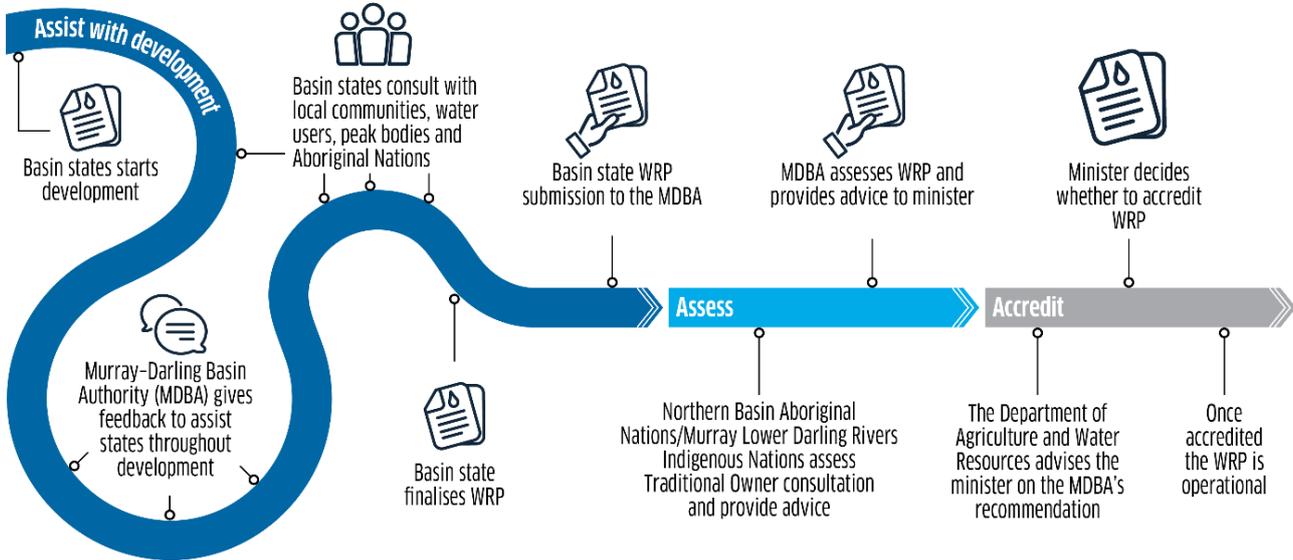
Following the official assessment by the MDBA, the federal minister responsible for water will review the plan and determine whether it meets the Basin Plan objectives and can be accredited.

Once accredited, the final Barwon-Darling Surface Water Resource Plan is uploaded to the MDBA’s website. The draft plans can be found on the MDBA’s website

# Barwon-Darling Surface Water Resource Plan

## Fact sheet

Figure 1. Water resource plan accreditation process



## More information

The draft Barwon-Darling Surface Water Resource Plan and fact sheets are available from the department's 'website at ([www.water.nsw.gov.au](http://www.water.nsw.gov.au))

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