

Specifying planned environmental water

Planned environmental water is water committed for fundamental ecosystem health or other specified environmental purposes. Planned environmental water cannot be taken or used for any other purpose.

Section 10.28 of the *Basin Plan 2012* states that ‘a water resource plan must ensure that there is no net reduction in the protection of planned environmental water from the protection provided for under state water management law immediately before the commencement of the Basin Plan’.

To establish that there is no net reduction in the protection of planned environmental water, New South Wales must provide the Murray–Darling Basin Authority (MDBA) with an understanding of any changes from previous arrangements and an assessment of the effect of those changes.

Planned environmental water in NSW

The NSW *Water Management Act 2000* requires environmental water rules be established for all water sources. Planned environmental water rules are established in water sharing plans (WSPs).

In many current groundwater water sharing plans, planned environmental water is specified as a commitment of a volume equivalent to a proportion of the long-term average annual ‘recharge’ to the groundwater source. Although there will be no changes to the actual volume of planned environmental water or the timing of its availability to the environment, the way it is specified in the WSP will change. It will be specified in the following two ways.

Firstly, the rules in groundwater water sharing plans ensure that there will be water remaining in the groundwater sources over the long-term by **maintaining compliance with the long-term average annual extraction limits and the Basin Plan sustainable diversion limits**. Groundwater sources generally store large volumes of water that may be accumulated over thousands of years. This stored water is also replenished from time to time by rainfall, river and flood flows, and throughflow from other groundwater sources. The long-term average annual extraction limits and Basin Plan sustainable diversion limits specified in groundwater water sharing plans represent a small fraction of the water in our groundwater sources. The remaining water is planned environmental water.

Secondly, the rules in groundwater water sharing plans limit the amount of water allocation in a water allocation account for an access licence that can be taken from a groundwater sources in any one water year and, if so permitted, that can be carried over between one water year and the next. The water sharing plans commit any unused water allocations that cannot be ‘carried over’ for use in subsequent water years as planned environmental water.

The effect of this proposed change

Specifying planned environmental water in these two ways will **not change** the amount of water that is physically committed as planned environmental water or the timing of its availability to meet environmental needs in any way.

Monitoring and compliance in NSW

The NSW Government and water users both have a role in protecting planned environmental water by ensuring compliance with water sharing plan rules.

Water available for extraction is managed to ensure that the volume of water taken does not exceed the water sharing plan’s extraction limits over the long-term. Water sharing plans include provisions that describe how compliance with the extraction limits is monitored and assessed. When extraction exceeds an extraction limit, the total volume available for extraction can be reduced through mechanisms such as available water

determinations and restricting the water allocations that can be taken, assigned under section 71T of the Act, or otherwise debited or withdrawn, from a water allocation account.

Commonwealth Government definition of planned environmental water

The Commonwealth Government definition of planned environmental water is consistent with the NSW Government definition in the sense that planned environmental water is protected through water sharing plan environmental water rules. However, the Commonwealth Government definition also captures any additional rule in a water sharing plan that is linked to environmental outcomes. The inclusion of high-priority, groundwater-dependent ecosystems in the water resource plan and as a schedule to the water sharing plan, and the rules for managing the construction and use of works in the vicinity of these groundwater-dependent ecosystems, falls within the Commonwealth Government definition.

MDBA requirements

The MDBA's Position Statement 6A states that it will assess 'no net reduction in the protection of planned environmental water' using three parameters (volume protection, legal protection and maintaining effectiveness) to ensure that environmental outcomes assumed under the *Basin Plan 2012* are protected. In assessing a water resource plan, the MDBA will compare any proposed change to the planned environmental water rules with the objectives or outcomes associated with the original planned environmental water rules.

It is expected that the proposed new definition of planned environmental water in water sharing plans will meet MDBA requirements because it has no physical effect on the amount of water committed as planned environmental water or the timing of its availability to meet environmental needs. Additionally, and based on best available scientific information, a greater number of high-priority, groundwater-dependent ecosystems have been included in schedules to the groundwater water sharing plans, together with rules to protect these.

More information

More information is provided in the following fact sheets at industry.nsw.gov.au/water-resource-plan-consultation:

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

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