

What is a water resource plan?

Water resource plans are a key requirement of the Commonwealth Government's *Basin Plan 2012*. These plans outline how to manage a particular area of the Murray–Darling Basin's water resources to be consistent with the Basin Plan.

The Department of Industry is currently developing nine water resource plans for surface water and 11 for groundwater to meet NSW's commitment to the Basin Plan.

Refer to the fact sheet *Water resource plans in NSW* available from industry.nsw.gov.au/water-resource-plan-consultation for further detail.

How will the water resource plan affect me?

The entire NSW portion of the Murray–Darling Basin is already covered by a number of statutory water sharing plans. These water sharing plans, made under NSW legislation, will remain the primary mechanism for defining water sharing arrangements in NSW. Water resource plans are being developed to meet requirements set out by the Commonwealth's Basin Plan. These will reference, and in some case modify, the existing water sharing plans.

Are water sharing plans being remade?

Water sharing plans are statutory plans made under the NSW *Water Management Act 2000*. In NSW, combined unregulated river and alluvial groundwater sharing plans cover both surface water and groundwater resources within an area. The water resource plans under the Basin Plan cover surface water resources separately to groundwater resources.

To reduce the complexity and align with the Basin Plan areas, NSW will split the unregulated and alluvial water sharing plans, resulting in a water sharing plan for groundwater and a water sharing plan for unregulated surface water. This process will also involve the merging of some groundwater water sharing plans.

Will a water resource plan change my access to water?

There will be very few changes to current rules for accessing water. The development of the water resource plans is required under the Commonwealth's *Basin Plan 2012* and is not a driver for major access changes. Water sharing plans produced under the *Water Management Act 2000* will be the statutory instrument in NSW that establishes water sharing arrangements. As part of the planning process there may be some changes to access rules within the water sharing plan, but any proposed change will be identified during consultation activities.

What is the water resource plan consultation process?

Stakeholder consultation is an essential part of the development of the NSW water resource plans. The Department of Industry is consulting stakeholders through:

- a stakeholder advisory panel covering all groundwater water resource plan areas
- targeted consultation on valley-specific issues
- First Nation, Land Council and other Aboriginal organisations consultation to identify issues of importance to Aboriginal peoples
- public consultation sessions.

Stakeholders will have the opportunity to provide detailed comments on the draft plans during a 40-day public exhibition period. Stakeholders can have their say by way of a submissions form available on the Department of Industry's website (industry.nsw.gov.au/water-resource-plan-consultation).

What's the difference between long-term average annual extraction limits and sustainable diversion limits?

The 'long-term average annual extraction limit' (LTAAEL) is a term used in NSW water sharing plans to define the limit of water that can be taken for all purposes (including domestic and stock, urban, industrial and agricultural use) from each water source. The water sharing plan sets out assessment methodology and rules to ensure compliance with these limits.

The 'sustainable diversion limit' (SDL) is a term used in the Commonwealth's Basin Plan to define limits on total extractions for human uses from a groundwater source or a group of groundwater sources in the Basin.

For the Lachlan Alluvium, SDLs are the same as the LTAAELs in the Lachlan Alluvium Water Sharing Plan, which remain unchanged from current limits.

How will NSW manage compliance to the long-term average annual extraction limits?

Current NSW 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 (LTAAEL). For the majority of groundwater sources in the Murray Darling Basin, the LTAAEL is equal to the sustainable diversion limit (SDL). Where the LTAAEL is currently greater than the SDL, it will be amended to be the same as the SDL.

The relevant water sharing plan sets out the rules for ensuring compliance with each LTAAEL. This involves calculating the average annual extraction over a specified period. This period currently varies between three and five years, but the Department of Industry is proposing that LTAAEL compliance be standardised to a five-year rolling average period in all Murray–Darling Basin water sharing plans.

If there is non-compliance with an LTAAEL, the Minister for Regional Water will do either, or both, of the following:

- limit the take of water from water allocation accounts of lower-priority access licences
- limit the amount of water credited to lower-priority access licences (available water determinations).

How is NSW managing compliance to the sustainable diversion limits?

The Basin Plan requires NSW to manage extractions to sustainable diversion limits (SDLs). Compliance to the SDL is based on the concepts of 'actual take' and 'permitted take'. The volume of water extracted during a water year from a SDL resource unit is the annual actual take, and the volume that is allowed to be extracted during a water year is the annual permitted take. The difference between these two volumes is recorded on a register of take as a debit (when actual take is greater than permitted take) or a credit (when actual take is less than permitted take).

Over time, a cumulative balance is created that varies according to each year's credit or debit. If the cumulative balance reaches a debit of 20% or more of the SDL for that groundwater source, then there it is non-compliant.

If there is non-compliance with an SDL, the Minister for Regional Water will do either, or both, of the following:

- limit the take of water from water allocation accounts of lower-priority access licences
- limit to amount of water credited to lower-priority access licences (available water determinations)

For further information refer to the fact sheet *Compliance with sustainable diversion limits for groundwater* available from industry.nsw.gov.au/water-resource-plan-consultation.

How will NSW address annual permitted take?

NSW proposes to implement a variable annual permitted take for sustainable diversion limit (SDL) resource units (groundwater sources) that have historically extracted more than 80% of the SDL. The proposed method is based on annual rainfall, where the volume permitted to be taken would increase in a dry year and decrease in a wet year.

It is proposed to adopt this method for the Lower Gwydir, Lower Murray Deep, Upper and Lower Namoi, Lower Murrumbidgee Deep, Mid Murrumbidgee, Lower Lachlan, Peel, Cudgegong and Upper Macquarie SDL (groundwater) resource units.

Annual permitted take will simply be aligned with the SDL in groundwater systems where current use is less than 80% of the SDL.

How will groundwater-dependent ecosystems be managed?

Groundwater-dependent ecosystems (GDEs) are those that require access to groundwater to meet all or some of their water requirements to maintain their plant and animal communities and ecological processes. Water sharing plans for groundwater identify high-priority GDEs in a schedule and include rules for protecting these, such as distance restrictions from bores and other extractive works.

The proposed changes to the water sharing plans to effectively manage GDEs include:

- adding the recently identified high-priority groundwater dependent ecosystems into the water sharing plan schedule
- applying setback distance rules for new water supply works (including bores) as follows:
 - 100 metres if the work will take water for basic landholder rights only
 - 200 metres for all other groundwater works, unless the Minister for Regional Water is satisfied that allowing the work to be located at a lesser distance will have no more than minimal impact.

For more information see the fact sheet *Groundwater-dependent ecosystems* refer to the factsheet *Groundwater Dependent Ecosystems* available from industry.nsw.gov.au/water-resource-plan-consultation.

How does the department assess dealing applications in relation to groundwater impacts?

The potential impacts of groundwater extraction are managed through an assessment process applied to all applications for groundwater dealings (trade) and water supply works approvals (extractive works such as bores). These applications are received by either WaterNSW or the Natural Resource Access Regulator and then referred, as required, to the Department of Industry for hydrogeological assessment.

The fact sheet *Assessing groundwater applications* provides details on the groundwater impact assessment criteria to be applied across the state. No significant changes to the existing impact assessment criteria are proposed. The fact sheet is available from industry.nsw.gov.au/water-resource-plan-consultation.

Can the sustainable diversion limit be changed?

A sustainable diversion limit volume has been set for each groundwater resource unit. The sustainable diversion limits cannot be altered until the Basin Plan review in 2026.

Are there changes to where I can locate a new bore?

The distance rules in relation to setbacks from groundwater-dependent ecosystems and contamination sources will be standard across water sharing plans.

Setback distance rules for new water supply works from groundwater-dependent ecosystems will be:

- 100 metres if the work will only take water to meet basic landholder rights
- 200 metres for all other groundwater works, unless the Minister for Regional Water is satisfied that allowing the work to be located at a lesser distance will have no more than minimal on a groundwater-dependent ecosystem.

To reduce risks to public health and safety from contaminated groundwater it is proposed to include:

- a rule prohibiting the location of a new or replacement work within 250 metres of an onsite sewage disposal system (e.g. a septic tank) unless the work is constructed in such a way and depth that would make it unlikely to extract water contaminated by sewage
- conditions that place the onus on the approval holder to ensure that the quality of water extracted is fit for the intended purpose.

What is happening with planned environmental water for groundwater sources?

Planned environmental water (PEW) is water committed for fundamental ecosystem health or other specified environmental purposes that cannot be taken or used for any other purpose. PEW rules are established in water sharing plans.

The *Basin Plan 2012* states a water resource plan must ensure that there is no net reduction in the protection of planned environmental water from that which was provided under state water management law immediately prior to the commencement of the Basin Plan.

In many existing groundwater water sharing plans, PEW 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 PEW, the timing of its availability to the environment or to the way it is calculated, the way PEW is specified in the water sharing plan will change.

Refer to the factsheet *Maintaining the protection of planned environmental water* available from industry.nsw.gov.au/water-resource-plan-consultation for further detail.

Are there any proposed changes to the water sharing plan rules that may affect me?

Yes, there are proposed changes to the water sharing plan rules that may affect you. The proposed changes are:

- increase the time period over which compliance to the long term-average annual extraction limit (LTAAEL) is assessed from three years to five years in the Lower Lachlan Groundwater source to provide consistency across water sources
- additional rules that mirror the assessment process specified in the *Basin Plan 2012* for assessing compliance with the sustainable diversion limit (SDL)
- additional rules that allow annual limits on the take of water in accounts to be implemented if a compliance response is required to meet the LTAAEL or SDL
- inclusion of additional identified high-priority groundwater-dependent ecosystems (GDES) into the water sharing plan schedule
- new standard setback rules for water supply works located near high-priority GDES
- additional rules to reduce risks to groundwater from contamination sources.

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