

Proposed Lachlan Alluvium Water Resource Plan

Planned environmental water: Assessment of no net reduction (s10.28) in the level of protection

Executive Summary

Section 10.28 of the *Basin Plan 2012* (Cth) (Basin Plan) requires that there is no net reduction in the protection of planned environmental water (PEW) from the protection provided under state law immediately before the commencement of the Basin Plan in 2012.

New South Wales (NSW) has identified that the proposed water resource plan (WRP) for the Lachlan Alluvium WRP area introduces changes to the state instruments and the arrangements that establish and maintain PEW.

The Murray-Darling Basin Authority (the Authority) has undertaken an assessment using multiple lines of evidence to analyse changes to the protection of PEW that would arise from the proposed WRP. The assessment found the proposed WRP will not result in a reduction in the protection of PEW in the Lachlan Alluvium WRP area when compared with the protection in place immediately before the commencement of the Basin Plan.

PEW in the groundwater context

Planned environmental water is explicitly defined in s. 6 of the *Water Act 2007* (Cth) (the Act), and s. 21(5) of that Act requires the Basin Plan to:

ensure that there is no net reduction in the protection of planned environmental water from the protection provided for under the State water management law of a Basin State immediately before the Basin Plan first takes effect.

Basin Plan s. 10.28 states:

a water resource plan must ensure that there is no net reduction in the protection of planned environmental water from the protection provided under State water management law immediately before the commencement of the Basin Plan.

WRP Position Statement 6A – Change in PEW protection, provides further guidance for Basin States on how a WRP can comply with Basin Plan s. 10.28:

Where there are change(s) in PEW arrangements, supporting documentation will need to demonstrate:

- a) that the level of legal protection given to PEW is at least maintained by the net effect of the WRP; and
- b) that the quantity and effectiveness of PEW are at least maintained by the net effect of the WRP, including in terms of the range and frequency of different flow components.

The net protection of PEW must be determined based on the characteristics of the PEW, including what environmental outcomes it provides for. This may not include other matters such as offset(s) provided by non-flow-based measures.

As set out at s. 6 of the Act, PEW is water which meets the following criteria:

1. the water is committed by a plan made under a State water management law or any other instrument made under a law of a State, or is preserved by a law of a state or an instrument made under a law of a State; and
2. the water is committed or preserved for the purposes of achieving environmental outcomes or, in the case of committed water, other environmental purposes specified in the plan or instrument; and
3. the water cannot, to the extent to which it is committed or preserved for such purposes, be taken or used for any other purpose.

PEW can take many forms, such as flows released from storages, dam spills and inflows from tributaries or water in a river or groundwater source that is protected from extraction. The purpose of PEW is identified in the environmental objectives of the water sharing plans and may include specific environmental outcomes such as protecting or restoring part of a natural flow pattern in rivers and streams, taking into account the timing, frequency and variability of flows, and also to protect the health of groundwater systems and ecosystems that have a level of dependence on groundwater.

Groundwater and surface water are connected and must be jointly managed for river and Basin health. Some rivers and river ecosystems in the Murray–Darling Basin fully or partly rely on groundwater to survive. Some communities in the Basin rely on groundwater reserves for drinking water. Groundwater is often used to maintain water supply and keep fish and aquatic animals alive in times of drought.

PEW in groundwater systems may be specified as a proportion of the estimated groundwater recharge that has been reserved for the environment, or as rules that restrict groundwater take to achieve specified environmental outcomes. For water to be recognised as PEW there needs to be some formal acknowledgement that the water is reserved for environmental purposes.

Establishment and maintenance of groundwater PEW is important for minimising the risks associated with groundwater use. However, other rules and arrangements not directly related to PEW also contribute to environmental objectives and the management of associated risks. For groundwater, such rules include prohibitions on trade when needed to manage water levels, rules relating to the construction and placement of works (including setback distances), rules that manage significant hydrological connections between surface and groundwater and triggers for temporary restrictions when needed to protect water levels. These rules generally contribute to a range of objectives within NSW water management law.

Given the integrated nature of the WRP, the combined effect of PEW rules and these other rules included for accreditation in the proposed WRP is to provide comprehensive on-ground management that seeks to minimise adverse environmental impacts on groundwater resources and groundwater

dependent eco-systems. Including these rules for accreditation means that they are recognised under the Basin Plan and the Act, this helps preserve the environmental benefits provided by their implementation.

Assessment overview

The Authority has undertaken an assessment of the changes to the PEW protection arrangements in accordance with the requirements set out in s. 10.28 of the Basin Plan. The assessment examines whether the protection of PEW is at least maintained compared to the level of protection in place under state water management law just prior to the commencement of the Basin Plan (ie that the WRP ensures there is no net reduction in the protection of PEW). The assessment includes a direct comparison of the protection of PEW provided under state water management law on 23 November 2012 with the protection of PEW in the proposed WRP, assisted by the criteria set out in Position Statement 6A.

This document is structured into a three-part test, described in Position Statement 6A, and seeks to answer the following questions:

1. What are the changes to the level of legal protection of PEW and does the net effect of the changes in the WRP at least maintain the level of legal protection?
2. Is the long-term average volume of PEW maintained?
3. Is the net effect of the new rules at least as effective at meeting the original outcomes?

Multiple lines of evidence have been used to consider the net effect of changes to the protection of PEW. This includes consideration of matters such as:

- the level of environmental significance of groundwater dependent ecosystems that are dependent on the PEW established and protected under the baseline (protection provided under state law immediately before the commencement of the Basin Plan in 2012) and proposed PEW rules. This includes consideration of relevant threatened species/ecological communities listings, Ramsar and Directory of Important Wetlands of Australia listings
- the area scale of any changes where this is relevant.

The Authority has drawn on the following material to assist in the assessment:

- *Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012* (version for 23 November 2012)
- *Water Sharing Plan for the Lower Lachlan Groundwater Source 2003* (version for 23 November 2012)
- Proposed Lachlan Alluvium Water Resource Plan (WRP) submitted to the Authority on 19 October 2022
- Proposed Lachlan Alluvium WRP Schedule D (Risk assessment)
- Proposed Lachlan Alluvium WRP Schedule A (*Water Sharing Plan for the Lachlan Alluvial Groundwater Sources 2020*).

Summary of PEW rule changes

The baseline WSPs that were in place for the Lachlan Alluvium WRP area on 23 November 2012 were:

- *Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012* (version for 23 November 2012) – (Lachlan Alluvial November 2012 WSP)
- *Water Sharing Plan for the Lower Lachlan Groundwater Source 2003* (version for 23 November 2012) – (Lower Lachlan Groundwater 2003 WSP)

The proposed Lachlan Alluvium WRP incorporates for accreditation relevant clauses from WRP Schedule A *Water Sharing Plan for the Lachlan Alluvial Groundwater Sources 2020* (Schedule A).

There are changes to PEW rules and provisions detailed in s. 4.1.2 of the Lachlan Alluvium WRP; these are summarised below. Appendix A provides a comparison of the wording of baseline and equivalent WSP provisions.

Changes to *Water Management Act 2000 (NSW)*

The *Water Management Act 2000* (NSW) (the WMA) was in force before the commencement of the Basin Plan and has been amended on a number of occasions between then and the date the proposed WRP was submitted to the Authority for assessment. For the purposes of this assessment against s. 10.28 of the Basin Plan, the Authority notes that s. 8 of the WMA defines PEW and requires that NSW water sharing plans commit PEW in at least two ways and must contain provisions for the identification, establishment and maintenance of PEW. In addition, s. 8A provides that access licences held by the NSW Minister may be cancelled providing for an equivalent volume to be committed as PEW in accordance with the relevant water sharing plan. There has been a minor change to these provisions to broaden the types of water access licence (held by the NSW Minister) which may be cancelled and committed in this way.

The above amendments have been determined not to have a material impact on the protection of PEW. This assessment therefore focuses on:

1. changes to PEW rules and arrangements in the WSP
2. whether or not those rules and arrangements are properly incorporated into the proposed WRP
3. how those arrangements affect the net impact on the protection of PEW.

Summary of water sharing plan rule changes

Rule Change 1 - Provisions relating to the way PEW is committed under the baseline WSPs have been changed from the 'physical presence' to the 'long-term commitment' in Schedule A and Schedule A no longer includes a reference to the long-term average annual rainfall recharge.

Text for accreditation at s. 4.1.2 in the proposed WRP states:

Clauses 16 and 17 no longer commit water as PEW by reference to the 'physical presence of water'.

The baseline WSPs also established the physical presence of water in the Lachlan Alluvium WRP area as equal to a specified percentage of the long-term average annual rainfall recharge in each groundwater source. The information relating to rainfall recharge was used as the basis for determining the long-term average extraction limit at the commencement of Schedule A. Schedule A does not establish PEW with reference to the long-term average annual rainfall recharge but continues to commit and maintain PEW through the application of the limits on take for consumptive use.

Appendix A provides textual details, including the specified percentage of the long-term average annual rainfall recharge for the groundwater sources within the baseline WSPs.

Rule Change 2 - Provisions that describe how assessment against the long-term average annual extraction limits is calculated have changed between the baseline WSPs and Schedule A and there are new provisions relating to actions following non-compliance in Schedule A.

The supporting material at s. 4.1.2 explains that the rules in Part 6 of Schedule A provide equivalent legal protection to the baseline WSPs, noting that the LTAAELs have either stayed the same or have been reduced and that the volume in excess of the LTAAEL is still protected. However, there have been changes to the description of how the assessment of compliance with the LTAAEL limits is calculated. One of these changes is the assessment of compliance with LTAAELs which has changed for one groundwater resource from a 3-year rolling average to a 5-year rolling average. In addition, a new clause has been included (cl 29) that allows the NSW Minister to reduce the maximum water account debit and to make further available water determinations if assessment demonstrated non-compliance with limits.

Rule change 3 – Reduction to LTAAELs

Text for accreditation at s. 4.1.2 of the proposed WRP indicates that the LTAAEL for the Lower Lachlan groundwater source no longer includes allocations for supplementary water access licences.

Rule change 4 – Changes to water allocation account rules

The supporting information at s. 4.1.2 of the proposed WRP indicates that the account rules have been rewritten to provide more clarity but that there is no change to the way the rules operate.

Assessment

The sections below set out the assessment of the protection of PEW following the three tests in Position Statement 6A.

Legal Protection

ASSESSMENT TEST 1: What are the changes to the level of legal protection of PEW and does the net effect of the changes in the WRP at least maintain the level of legal protection?

This test assesses whether the character or wording of the rule has changed and whether this (or other relevant considerations) reduces the likelihood of the rule being applied and observed, or whether the change in rule, or location of that rule in state instruments, introduces additional discretion.

Rule change 1 - Changed definition of planned environmental water

Text for accreditation at s. 4.1.2 of the proposed WRP indicates that the definition of PEW in Schedule A has been changed from the definition in place on 23 November 2012. It explains that cls 16 and 17 no longer commit PEW by reference to the physical presence of water as it did in the baseline WSPs but instead maintains the physical presence through the provisions in Division 1 of Part 6 and Part 8 of Schedule A. Additionally, the relevant clauses of the baseline WSPs protected PEW by reference to the estimated recharge in the groundwater sources and this approach no longer applies.

Compared to the baseline WSPs, the removal of text referring to ‘the commitment of the physical presence of water in the water source’ does not reduce protection because the ‘physical presence’ is included in the other parts of the definition and appropriate rules are included. Therefore, there is no reduction in physical protection as a result of this change.

The baseline WSPs also established the physical presence of water in the WRP area as equal to a specified percentage of the long-term average annual rainfall recharge for each groundwater source. This information was used as the basis for determining the long-term average extraction limit at the commencement of the relevant baseline WSPs. Schedule A does not commit PEW in this way. This commitment has been replaced by a commitment to a fixed long-term average determined by reference to the limits to the availability of water in Part 6 of Schedule A.

The Authority notes that, as of 2021-22 the long-term rainfall average has not changed from 2010-11 or 2002-3 (which was the time at which the long-term rainfall average would have been considered for the baseline WSPs if the same approach to the commitment of PEW had been applied). Therefore, there is no scenario in which the use of the long-term average rainfall would have resulted in a greater level of protection for PEW.

Rule change 2 – Changes relating to LTAAEL compliance

Additional rules have been added to Division 1 of Part 6 of Schedule A to incorporate the SDL compliance obligations under the Basin Plan. The Authority considers that this results in equivalent or improved protection of PEW by including an additional mechanism to identify any potential growth in consumptive use.

The assessment of compliance has changed for one groundwater resource in the WRP area. In one region, the Lower Lachlan Groundwater 2003 WSP assessed non-compliance if the 3 year average of extraction exceeded the extraction limit, while other regions assessed non-compliance if the 5 year average of extraction exceeded the extraction limit. Schedule A, however, assesses all groundwater sources over a 5 year average.

There are some circumstances in which the move from a 3 year rolling average to a 5 year rolling average may represent a temporary reduction in protection for the relevant water sources. However, this must be balanced against the fact that Schedule A now incorporates a compliance regime for the SDL. As such, the proposed WRP, through incorporation of relevant clauses of Schedule A, provides that the NSW Minister with responsibility for water must also undertake an assessment of compliance with the SDL in accordance with the compliance regime set out in Chapter 6 of the Basin Plan. On balance, the Authority considers that any reduction in protection would be outweighed by the improvements and in detail and accountability included in the proposed WRP.

Section 4.1.2 of the proposed WRP notes that there has also been a provision added to cl 29 of Schedule A allowing the NSW Minister to reduce the maximum water account debit and to enact available water determinations more than once within a water year if an assessment shows non-compliance with the LTAAEL. The proposed WRP states that this rule change clarifies previous practice and allows for consideration of data that would not have been available at the time of the original determination. This provides greater certainty for all water users while retaining the protection of PEW.

Rule change 3 – Reduction to LTAAELs

Section 4.1.2 of the proposed WRP notes that prior to 23 November 2012, in the Lower Lachlan Groundwater 2003 WSP, there were supplementary water access licences in the Lower Lachlan Groundwater source. These licences have now been cancelled and the LTAAEL in this area has been reduced to align with the SDL. This change to the LTAAEL has brought the amount of water that can be extracted to within a sustainable limit.

Rule change 4 – Changes to water allocation account rules

The expression of the water allocation account rules in Part 8 of Schedule A has changed from the way it was written in the baseline WSPs. However, the change does not result in any difference in how the rules work, with the maximum available water determinations and carryover limits remaining the same in the baseline WSPs and Schedule A.

The Authority is satisfied that the rules in Part 8 have not changed in any material way between the baseline WSP and Schedule A.

Given these matters, the Authority considers that there has been no reduction in the level of legal protection introduced by the change in state instruments.

Quantity of PEW

ASSESSMENT TEST 2: Is the long-term average volume of PEW maintained?

This test assesses whether the quantity of PEW will be maintained over the long-term by the WRP.

Rule change 1 - Changed definition of planned environmental water

Text for accreditation at s. 4.1.2 of the proposed WRP states that the physical presence of water is maintained by provisions in Division 1 of Part 6, and Part 8. The supporting text in the proposed WRP indicates that the rules in Part 6 of Schedule A provide for equivalent protection to the baseline WSPs by protecting the volume in excess of the LTAAEL as PEW that cannot be used for any other purpose.

Rule change 2 – Changes relating to LTAEEL compliance

Additional rules have been added to Division 1 of Part 6 of Schedule A to incorporate the SDL compliance obligations under the Basin Plan. The Authority considers that this results in equivalent or improved protection of PEW by including an additional mechanism to identify any potential growth in consumptive use.

Section 4.1.2 of the proposed WRP notes that there has also been a provision added to cl. 29 of Schedule A allowing the NSW Minister to enact available water determinations more than once within a water year if an assessment shows non-compliance with the LTAAEL. This provision also allows the NSW Minister to enact available water determinations more than once within a water year if an assessment shows non-compliance with the LTAAEL. The proposed WRP states that this rule change clarifies previous practice and is therefore not expected to change the level of protection of PEW. Confirming the use of additional available water determinations provides flexibility to consider new data and helps to ensure that the LTAAEL is not exceeded and as such, the Authority is satisfied that this rule will not decrease the quantity of PEW in the WRP area.

Rule change 3 – Reduction to LTAAELs

Section 4.1.2 of the proposed WRP notes that prior to 23 November 2012, in the Lower Lachlan Groundwater 2003 WSP, there were supplementary water access licences in the Lower Lachlan Groundwater source. These licences have now been cancelled and the LTAAEL in this area has been reduced to align with the SDL. This change to the LTAAEL has not affected the level of extraction so as such, any change to the PEW volume because of this change is negligible.

Rule change 4 – Changes to water allocation account rules

Section 4.1.2 of the proposed WRP notes that the water allocation account rules in Part 8 have changed, however, the calculation of allocations has not changed. Therefore, this will not affect the quantity of PEW.

The Authority is satisfied that the rules in Part 8 have not changed in any material way between the baseline WSPs and Schedule A.

Given these matters, the Authority considers that the long-term average volume of PEW should at least be maintained.

Effectiveness of PEW

ASSESSMENT TEST 3: Is the new rule as effective at meeting the original outcome?

This test assesses that the effectiveness of PEW is at least maintained by the net effect of the proposed WRP.

As noted in Assessment Tests 1 and 2, changes to the rules which establish and maintain PEW at least maintain the legal protection of PEW and the quantity of PEW. None of the changes are considered to impact the effectiveness of PEW.

Overall, the rules and provisions providing for PEW remain largely unchanged from those that were in place under state water management arrangements on 23 November 2012, other than the rule changes identified.

Conclusion

The Authority has undertaken an assessment of the change in arrangements for PEW protection, quantities and effectiveness in the Lachlan Alluvium WRP area, supported by information provided by New South Wales on the operation of these rules.

On the basis of the Authority's assessment and the material provided by NSW, the Authority has determined that the proposed WRP ensures that there is no net reduction in the protection of PEW.

Appendix A

Rule Change 1: Change to definition of PEW

Table 1. Provisions relating to the way planned environmental water is committed under the baseline WSPs have been changed from the ‘physical presence’ to the ‘long-term commitment’ in Schedule A

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
<i>Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012</i> , cl 16-17	<p>16 Commitment and identification of planned environmental water</p> <p>(1) Water is committed and identified as planned environmental water in the Lachlan Unregulated Water Sources and Upper Lachlan Alluvial Groundwater Source in the following ways:</p> <ul style="list-style-type: none"> (a) by reference to the commitment of the physical presence of water in the water source, (b) by reference to the long-term average annual commitment of water as planned environmental water, and (c) by reference to the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met. <p>(2) Water is committed and identified as planned environmental water in the Belubula Valley Alluvial Groundwater Source in the following ways:</p>	<i>Water Sharing Plan for the Lachlan Alluvial Groundwater Sources 2020</i> , cl 16-17	<p>16 Commitment and identification of planned environmental water</p> <p>Water is committed and identified as planned environmental water by reference to the following:</p> <ul style="list-style-type: none"> (a) the long-term average annual commitment of water as planned environmental water, (b) the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met. <p>17 Establishment and maintenance of planned environmental water</p> <p>(1) Planned environmental water is established in each of the groundwater sources as follows:</p> <ul style="list-style-type: none"> (a) the long-term average annual commitment of water as planned environmental water, resulting from compliance with the limits to the availability of water in accordance with the provisions specified in in Part 6,

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>(a) by reference to the commitment of the physical presence of water in the water source, and</p> <p>(b) by reference to the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met.</p> <p>(3) Water is committed and identified as planned environmental water in the Upper Lachlan Alluvial Groundwater Source in the following ways:</p> <p>(a) by reference to the commitment of the physical presence of water in the water source,</p> <p>(b) by reference to the long-term average annual commitment of water as planned environmental water, and</p> <p>(c) by reference to the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met</p> <p>17 Establishment and maintenance of planned environmental water</p> <p>(1) Planned environmental water is established and maintained in these water sources as follows:</p> <p>(a) it is the physical presence of water:</p> <p>(i) in the Lachlan Unregulated Water Sources that results from the access rules specified in Division 2 of Part 8 of this Plan,</p> <p>Note.</p> <p>The rules in Division 2 of Part 8 of this Plan for the Lachlan Unregulated Water Sources set flow rates or flow</p>		<p>Note.</p> <p>Groundwater sources generally store large volumes of water that may have 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 provisions in Part 6 ensure that there will be water remaining in the groundwater sources over the long term by maintaining compliance with the long-term extraction limits. The long-term extraction limits specified in Part 6 represent a small fraction of the water in the groundwater sources. The remaining water is planned environmental water.</p> <p>(b) the water remaining after water has been taken under basic landholder rights, access licences and any other rights under the Act, and the water cannot be carried over from one water year to the next in accordance with the provisions specified in Part 6 and Part 8.</p> <p>Note.</p> <p>The provisions in Part 8 limit the amount of water allocation in a water allocation account for an access licence that can be taken from the groundwater sources in any one water year and, if permitted by Part 8, that can be carried over from one water year to the next water year. In addition to the water referred to in subclause (1) (a), subclause (1) (b) commits any unused water allocations that cannot be carried over for use in subsequent water years as planned environmental water.</p> <p>(2) The planned environmental water established under subclause (1) is maintained by the provisions specified in Part 6 and Part 8.</p> <p>Note.</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>levels below which the taking of water is not permitted. Some limited exemptions apply.</p> <p>(ii) in the Upper Lachlan Alluvial Groundwater Source that is equal to 30% of the long-term average annual rainfall recharge, and</p> <p>Notes.</p> <p>1 At the commencement of this Plan the long-term average annual rainfall recharge for the Upper Lachlan Alluvial Groundwater Source is estimated to be 133,972 megalitres per year (hereafter ML/year).</p> <p>2 Recharge is defined in the Dictionary.</p> <p>(iii) in the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source that is within the groundwater storage of the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source over the long-term,</p> <p>Note.</p> <p>Groundwater sources generally store large volumes of water, often accumulated over thousands or even tens of thousands of years. The amount of annual recharge is often very small compared to this stored volume. The limits on the average annual volume of water permitted to be extracted under the rules in this Plan over the long term ensure that water within the groundwater storage of the Belubula Valley Alluvial Groundwater Source and Upper Lachlan Alluvial Groundwater Source is protected from extraction.</p> <p>(b) it is the long-term average annual commitment of water as planned environmental water in:</p> <p>(i) the Lachlan Unregulated Water Sources that results from the application of the longterm</p>		<p>The rules in Part 9 also provide mechanisms to ensure that no more than minimal harm will be done to high priority groundwater-dependent ecosystems, groundwater-dependent culturally significant areas, groundwater quality and groundwater levels and pressures at a local scale as a result of the granting or amendment of a water supply work approval.</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>average annual extraction limit and compliance rules as specified in Division 1 of Part 6 of this Plan, and the available water determination rules as specified in Division 2 of Part 6 of this Plan,</p> <p>(ii) the Upper Lachlan Alluvial Groundwater Source that is equal to 30% of the long-term average annual rainfall recharge, and</p> <p>(iii) the Upper Lachlan Alluvial Groundwater Source and the Belubula Valley Alluvial Groundwater Source that is within the groundwater storage of the Upper Lachlan Alluvial Groundwater Source and the Belubula Valley Alluvial Groundwater Source over the long term,</p> <p>(c) it is the water remaining in these water sources after water has been taken pursuant to basic landholder rights and access licences in accordance with the rules specified in Parts 6 and 8 of this Plan.</p> <p>Note.</p> <p>The water remaining in the Belubula Valley Alluvial Groundwater Source and Upper Lachlan Alluvial Groundwater Source over the long term after water has been taken pursuant to basic landholder rights and access licences is equal to the water within the groundwater storage plus all recharge in excess of the long-term average annual extraction limit in the respective groundwater source.</p> <p>(2) The planned environmental water established under subclause (1) (a) is maintained in:</p> <p>(a) the Lachlan Unregulated Water Sources by the rules specified in Division 2 of Part 8 of this Plan, and</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>(b) the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source by the rules specified in Part 6 and Part 8 of this Plan.</p> <p>(3) The planned environmental water established under subclause (1) (b) is maintained in these water sources by the application of the long-term average annual extraction limit and compliance rules as specified in Division 1 of Part 6 of this Plan and the available water determination rules as specified in Division 2 of Part 6 of this Plan.</p> <p>(4) The planned environmental water established under subclause (1) (c) is maintained in these water sources by the rules specified in Parts 6 and 8 of this Plan.</p> <p>Note. The rules in Part 6 of this Plan ensure that there will be water remaining in these water sources over the long-term by maintaining compliance with the long-term average annual extraction limits. The rules in Part 6 provide for a reduction in available water determinations when the long-term average annual extraction limits have been assessed to have been exceeded.</p>		
<i>Water Sharing Plan for the Lower Lachlan Groundwater Source 2003, cl 18</i>	<p>18 Planned environmental water</p> <p>Note. It is anticipated that the planned environmental water provisions in this Part and management of local impact provisions in Part 10 of this Plan will also protect heritage sites and cultural values associated with groundwater (see clause 11 (d)).</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>(1) Subject to Part 10 Division 2 of this Plan, the physical water contained in the storage component of this groundwater source, minus the amount required for supplementary water access permitted under clause 25D, as varied by clause 29, will be reserved for the environment.</p> <p>Note. Access to water under supplementary water access licences in this water source will not be permitted after 30 June 2017 and from that date the physical water contained in the storage component of this groundwater source will be reserved for the environment.</p> <p>(2) The Minister may under section 45 (1) (b) of the Act amend subclause (1) after 30 June 2010 to include a portion of the average annual recharge to this groundwater source as planned environmental water, based on further studies of groundwater ecosystem dependency undertaken by the Minister.</p> <p>Note. The Minister should undertake further studies of the groundwater dependency of ecosystems within this Groundwater Source, as recommended by the Natural Resources Commission, including any potential groundwater ecosystem located beyond this Groundwater Source that may be affected by the management of this Groundwater Source.</p> <p>Note. The extent to which this change may impact on access licence holders is limited by clause 28.</p> <p>Note.</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>The studies may recommend management options other than reservation of a portion of recharge to protect groundwater dependant ecosystems.</p> <p>(3) The results of the studies undertaken in subclause (2) must be independently reviewed.</p> <p>(4) A water management committee, or in its absence an advisory committee established by the Minister to include representatives of domestic and stock rights groundwater users, water utilities, irrigation, industry, Aboriginal people, environmental groups and others, should:</p> <p>(a) advise the Minister on the terms of reference and selection of consultants for the independent review established in subclause (3), and</p> <p>(b) advise the Minister by 31 March 2010 on any changes to planned environmental water based on the study and the outcomes of the independent review.</p> <p>(5) The Minister should take into account the review in subclause (4), and the advice provided in accordance with subclause (3), before making a variation under subclause (2).</p>		

Rule Changes 2 and 3: Limits to the availability of water

Table 2. Provisions that set out the long-term average annual extraction limits and describes how assessment against the long-term average annual extraction limits is calculated

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
<i>Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012</i> , cl 27, 28(3), 28(4), 28(5), 32, 33	<p>27 General</p> <p>The availability of water for extraction in these water sources on a long-term basis is to be managed in accordance with this Part.</p> <p>28 Volume of the long-term average annual extraction limits</p> <p>(3) Subject to any variation under subclause (5), the long-term average annual extraction limit for Belubula Valley Alluvial Groundwater Source is 2,883 ML/year.</p> <p>Note. The long-term average annual extraction limit for the Belubula Valley Alluvial Groundwater Source is as follows:</p> <ul style="list-style-type: none"> (a) the sum of the maximum five-year average of annual extractions for each individual entitlement issued under Part 5 of the Water Act 1912 in this water source in the period 1998/1999 to 2009/2010 that were metered, plus (b) an estimate of annual extractions of water for those entitlements issued under Part 5 of the Water Act 1912 in this water source that were not metered, plus (c) an estimate of annual water requirements for domestic and stock rights and native title rights in this water source at the commencement of this Plan: <p>(4) Subject to any variation under subclause (5), the long-term average annual extraction limit for Upper Lachlan Alluvial Groundwater Source is 94,168 ML/year.</p> <p>Note.</p>	<i>Water Sharing Plan for the Lachlan Alluvial Groundwater Sources 2020</i> cls 25, 26, 27, 28, 29	<p>25 Long-term average annual extraction limits</p> <p>(1) The long-term average annual extraction limit for the Belubula Valley Alluvial Groundwater Source is 2,883 ML/year.</p> <p>(2) The long-term average annual extraction limit for the Lower Lachlan Groundwater Source is 117,000 ML/year.</p> <p>(3) The long-term average annual extraction limit for the Upper Lachlan Alluvial Groundwater Source is 94,168 ML/year.</p> <p>Note. The long-term average annual extraction limits for the groundwater sources equate to the long-term average sustainable diversion limits for the respective groundwater SDL resource units specified in Schedule 4 to the Basin Plan. These are the Belubula Alluvium (GS12), Lower Lachlan Alluvium (GS25) and Upper Lachlan Alluvium (GS44) SDL resource units.</p> <p>26 Calculation of annual extraction</p> <p>The Minister is to determine the volume of water taken during a water year for each of the groundwater sources under the following entitlements (the annual extraction):</p> <ul style="list-style-type: none"> (a) all categories of access licences, (b) basic landholder rights. <p>Note. The volume of water taken in any water year under basic landholder rights is assumed to be the volumes specified in Part 5.</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>The long-term average annual extraction limit for the Upper Lachlan Alluvial Groundwater Source is as follows:</p> <ul style="list-style-type: none"> (a) the sum of the maximum five-year average of annual extractions for each individual entitlement issued under Part 5 of the Water Act 1912 in this water source in the period 1998/1999 to 2009/2010 that were metered, plus (b) an estimate of annual extractions of water for those entitlements issued under Part 5 of the Water Act 1912 in this water source that were not metered, plus (c) an estimate of annual water requirements for domestic and stock rights and native title rights in this water source at the commencement of this Plan. <p>(5) Following the surrender under section 77 of the Act of an access licence and then the cancellation under section 77A (6) of the Act of an access licence in one of these water sources, the Minister may vary the respective long-term average annual extraction limit that applies to the EMU or that water source.</p> <p>Notes.</p> <p>1 An example of where the Minister may vary the long-term average annual extraction limit under subclause (5) is where water is surrendered and cancelled to benefit the environment.</p> <p>2 Under Section 8F of the Act the long-term average annual extraction limit is taken to be varied by the amount of any change to the amount of water committed as licensed environmental water, excluding water committed under section 8C of the Act. Water committed as licensed environmental water is not to be</p>		<p>27 Assessment of compliance with long-term average annual extraction limits</p> <p>(1) The Minister is to undertake an assessment under this clause comparing the long-term average annual extraction limit for each of the groundwater sources against the average of annual extraction for the preceding five water years for the respective groundwater source.</p> <p>(2) There is non-compliance with a long-term average annual extraction limit if the average of annual extraction for a groundwater source in the preceding five water years exceeds the long-term average annual extraction limit for that groundwater source by the following:</p> <ul style="list-style-type: none"> (a) 10% or more for the Belubula Valley Alluvial Groundwater Source, (b) 5% or more for the Lower Lachlan Groundwater Source, (c) 10% or more for the Upper Lachlan Alluvial Groundwater Source. <p>28 Assessment of compliance with Basin Plan long-term average sustainable diversion limits</p> <p>The Minister is to undertake an assessment of compliance with the Basin Plan long-term average sustainable diversion limits for the groundwater SDL resource units in accordance with the processes set out in Divisions 1 and 3 of Part 4 of Chapter 6 of the Basin Plan.</p> <p>Notes.</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>accounted for as extraction. The variation in the long-term average annual extraction limit is to be determined in accordance with a methodology approved by the Minister and published in the Gazette.</p> <p>32 Compliance with the long-term average annual extraction limit for the Belubula Valley Alluvial Groundwater Source</p> <p>(1) Compliance with the long-term average annual extraction limit established for the Belubula Valley Alluvial Groundwater Source is to be managed in accordance with this clause.</p> <p>(2) Commencing in the second water year in which this Plan has effect, if, in the Minister's opinion the assessment under clause 30 demonstrates that the average of the annual extractions in the Belubula Valley Alluvial Groundwater Source in the preceding five water years (including years prior to the commencement of this Plan) have exceeded the long-term average annual extraction limit established under clause 28 (3) for the Belubula Valley Alluvial Groundwater Source by 10% or more, then the available water determinations for aquifer (high security) access licences for the Belubula Valley Alluvial Groundwater Source are to be reduced for the following water year in accordance with subclause (3).</p> <p>(3) The reduction under subclause (2) is to be of an amount that is, in the Minister's opinion necessary to return average annual extractions in the Belubula Valley</p>		<p>1 Groundwater SDL resource unit is defined in the Dictionary. The note to clause 25 outlines relationship between the groundwater SDL resource units and groundwater sources to which this Plan applies.</p> <p>2 Long-term average sustainable diversion limit is defined in the Dictionary.</p> <p>29 Compliance with limits</p> <p>(1) If an assessment for a groundwater source under clause 27 demonstrates noncompliance with the long-term average annual extraction limit, or an assessment for a groundwater SDL resource unit under clause 28 demonstrates non-compliance with the long-term average sustainable diversion limit, the Minister is to take any one or more of the following actions in the respective groundwater source:</p> <p>(a) reduce the maximum water account debit for aquifer access licences or aquifer (high security) access licences under clause 36,</p> <p>Note. Water account debit has the meaning set out in clause 36.</p> <p>(b) make an available water determination for aquifer access licences in accordance with clause 33 of less than 1 megalitre (ML) per unit share of access licence share component,</p> <p>(c) make an available water determination for aquifer (high security) access licences in accordance with clause 34 of less than:</p> <p>(i) 0.3 ML per unit share of access licence share component for aquifer (high security) access licences,</p> <p>(ii) plus 70% of the available water determination made for regulated river (high security) access licences in the</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>Alluvial Groundwater Source to the long-term average annual extraction limit for that water source established in this Part.</p> <p>33 Compliance with the long-term average annual extraction limit for the Upper Lachlan Alluvial Groundwater Source</p> <p>(1) Compliance with the long-term average annual extraction limit established for the Upper Lachlan Alluvial Groundwater Source is to be managed in accordance with this clause.</p> <p>(2) Commencing in the second water year in which this Plan has effect, if, in the Minister's opinion the assessment under clause 30 demonstrates that the average annual extractions in the Upper Lachlan Alluvial Groundwater Source in the preceding five water years (including years prior to the commencement of this Plan) have exceeded the long-term average annual extraction limit established under clause 28 (4) for the Upper Lachlan Alluvial Groundwater Source by 10% or more, then the available water determinations for aquifer access licences in that water source are to be reduced for the following water year in accordance with subclause (3).</p> <p>(3) The reduction under subclause (2) is to be of an amount that is, in the Minister's opinion, necessary to return average annual extractions in the Upper Lachlan Alluvial Groundwater Source to the long-term average</p>		<p>Belubula Regulated River Water Source to which the Water Sharing Plan for the Belubula Regulated River Water Source 2012 (or any relevant replacement plan) applies.</p> <p>(2) The Minister may take one or more of the actions under subclause (1) (a), (1) (b) or (1) (c) if an assessment under clause 28 would have demonstrated non-compliance with the long-term average sustainable diversion limit but for there being a reasonable excuse, as provided for in Division 3 of Part 4 of Chapter 6 of the Basin Plan.</p> <p>(3) In taking action under subclause (1) (a) in the Upper Lachlan Alluvial Groundwater Source, the Minister may reduce the maximum water account debit for aquifer access licences by a different amount in each management zone.</p> <p>(4) Any action under subclauses (1) or (2) is to be taken to the extent the Minister considers the following is necessary:</p> <p>(a) in the case of non-compliance with the long-term average annual extraction limit to return average annual extractions in the relevant groundwater source to the long-term average annual extraction limit,</p> <p>(b) in the case of non-compliance with the long-term average sustainable diversion limit to meet the requirements of Division 3 of Part 4 of Chapter 6 of the Basin Plan.</p> <p>(c) in the case where non-compliance with the long-term average sustainable diversion limit would have occurred but for there being a reasonable excuse to meet the requirements of Division 3 of Part 4 of Chapter 6 of the Basin Plan.</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	annual extraction limit for that water source established in this Part.		<p>(5) If the Minister reduces a maximum water account debit under subclause (1) (a) or subclause (2), the Minister may increase the maximum water account debit later in the water year, up to the following limits:</p> <ul style="list-style-type: none"> (a) for aquifer (high security) access licences in the Belubula Valley Alluvial Groundwater Source: <ul style="list-style-type: none"> (i) 1.25 ML per unit share of the access licence share component, (ii) plus any water allocations assigned to the water allocation account for the aquifer (high security) access licence under section 71T of the Act in that water year, (iii) plus any water allocations re-credited to the water allocation account for the aquifer (high security) access licence in accordance with section 76 of the Act in that water year, (b) for aquifer access licences in the Lower Lachlan Groundwater Source: <ul style="list-style-type: none"> (i) 1.5 ML per unit share of the access licence share component, (ii) plus any water allocations assigned to the water allocation account for the aquifer access licence under section 71T of the Act in that water year, (iii) plus any water allocations re-credited to the water allocation account for the aquifer access licence in accordance with section 76 of the Act in that water year, (c) for aquifer access licences in the Upper Lachlan Alluvial Groundwater Source: <ul style="list-style-type: none"> (i) 1.2 ML per unit share of the access licence share component,

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
			<p>(ii) plus any water allocations assigned to the water allocation account for the aquifer access licence under section 71T of the Act in that water year,</p> <p>(iii) plus any water allocations re-credited to the water allocation account for the aquifer access licence in accordance with section 76 of the Act in that water year.</p> <p>(6) If the Minister makes a reduced available water determination pursuant to subclause (1) (b) or (1) (c) or subclause (2), the Minister may make further available water determinations in the water year subject to clause 30 (2).</p>
<p><i>Water Sharing Plan for the Lower Lachlan Groundwater Source 2003, cls 25, 25D, 27, 28, 28A, 29(9)</i></p>	<p>25 Requirements for water for extraction under access licences</p> <p>This Part is made in accordance with section 20 (1) (c) of the Act.</p> <p>Note.</p> <p>The amount of water specified in this Part represents the total volumes or total shares specified in the share components on access licences in this groundwater source. The actual volume of water available at any time will depend on climate, access licence priority and the rules in this Plan.</p> <p>25D Share components of supplementary water access licences</p> <p>(1) Those Water Act entitlements that are to be converted to an aquifer access licence in this groundwater source under clause 25C may also receive a supplementary water access licence where history of</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>extraction (as defined in subclause 25C (5)) is greater than the share component determined in clause 25C.</p> <p>(2) The share component of a supplementary water access licence created under subclause (1) will be established for those licenses in accordance with the following formula:</p> <p>Share component (SWAL) = HoE - SCAAL</p> <p>Where:</p> <ul style="list-style-type: none"> (a) HoE is the history of extraction for each Water Act property entitlement defined in subclause (5), (b) SCAAL is the share component of the aquifer access licence established under subclauses 25C. <p>(3) It is estimated that at the time of commencement of this Plan the sum of the share components of supplementary water access licences established under subclause (2) will total 21,252 megalitres.</p> <p>Note. Not all aquifer access licences will receive a supplementary water access licence. Only those licences that have a HoE as defined in subclauses 25C (5) which is greater than their new Aquifer Access Licence Share component will receive supplementary water access licences</p> <p>27 Extraction limit</p> <p>(1) This Division is made in accordance with section 20 (2) (a) of the Act.</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>(2) The extraction limit for this groundwater source is initially 108,000 ML/yr, plus total water allocations made to supplementary water access licences under clause 29, plus the total requirements for basic landholder rights at the commencement of this Plan.</p> <p>28 Variation of extraction limits</p> <p>(1) The Minister may under section 45 (1) (b) of the Act amend clause 27 after 30 June 2010 of this Plan to vary the extraction limit in accordance with:</p> <ul style="list-style-type: none"> (a) any change to the average annual recharge arising from clause 16 (2), and (b) any change to the planned environmental water arising from clause 18 (2). <p>(2) If there is any change to the extraction limit arising from subclause (1) then:</p> <ul style="list-style-type: none"> (a) the extraction limit will not be greater than 215,393 ML/yr, plus the total requirements for basic landholder rights at the commencement of this Plan and, (b) the extraction limit will not be less than 73,500 ML/yr, plus total water allocations made to supplementary water access licences under clause 29, plus the total requirements for landholder basic landholder rights. <p>28A Compliance with the extraction limit</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>(1) Water extraction in this groundwater source will be monitored each water year to determine if there is any growth in volume extracted above the extraction limit specified in clause 27, based on a comparison of the extraction limit against the extraction within this groundwater source over that year and the preceding 2 years.</p> <p>(2) For the purposes of auditing compliance with the extraction limit, if water that:</p> <ul style="list-style-type: none"> (a) pursuant to an access licence is committed as adaptive environmental water to be left in the aquifer for environmental purposes, then extraction will be assumed to be equal to the available water determination made under clause 29, or (b) pursuant to an access licence is committed as adaptive environmental water to be extracted for environmental purposes, then extraction will be that measured through the approved water supply work (bore). <p>(3) If the 3 year average of extraction in this groundwater source exceeds the extraction limit established in clause 27 (2) by 5% or greater, then the available water determination made for aquifer access licences under clause 29 (6) for the following water year, should be reduced by an amount that is assessed as necessary by the Minister to return subsequent total water extraction to the extraction limit.</p> <p>29 Available water determinations</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	(9) The available water determination for supplementary water access licences will be reduced to 0 ML per unit of share component at the commencement of the 2017/18 water year.		

Rule Change 4: Allocation account rules

Table 3. The water account allocation rules have changed between the baseline WSP and WSP

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
<i>Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012</i> , cls 43-44	<p>43 Individual access licence account management rules for the Belubula Valley Alluvial Groundwater Source</p> <p>(1) The rules in this clause apply to the taking of water under an access licences with a share component that specifies the Belubula Valley Alluvial Groundwater Source.</p> <p>(2) In any water year in which this Plan has effect, water taken under an aquifer (high security) access licence must not exceed a volume equal to:</p> <ul style="list-style-type: none"> (a) the sum of water allocations accrued to the water allocation account for the aquifer (high security) access licence from available water determinations in that water year, plus (b) the sum of the water allocation carried over in the water allocation account for the aquifer (high security) access licence from the water year prior to that water year under subclause (4), plus (c) the net amount of any water allocations assigned to or from the water allocation account for the aquifer (high security) access licence under section 71T of the Act in that water year, plus (d) any water allocations recredited to the water allocation account for the aquifer (high security) 	<i>Water Sharing Plan for the Lachlan Alluvial Groundwater Sources 2020</i> , cls 36-37	<p>36 Water allocation account debiting</p> <p>(1) A water account debit means any water allocation that is taken, assigned under section 71T of the Act, or otherwise debited or withdrawn from a water allocation account.</p> <p>(2) For domestic and stock access licences and local water utility access licences, the maximum water account debit in a water year must not exceed the following:</p> <ul style="list-style-type: none"> (a) the sum of water allocations credited to the water allocation account for the access licence from available water determinations in that water year, (b) plus any water allocations assigned to the water allocation account for the access licence under section 71T of the Act in that water year, (c) plus any water allocations re-credited to the water allocation account for the access licence in accordance with section 76 of the Act in that water year. <p>(3) For aquifer (high security) access licences in the Belubula Valley Alluvial Groundwater Source, the maximum water account debit in a water year must not exceed the following:</p> <ul style="list-style-type: none"> (a) 1.25 ML per unit share of the access licence share component or, if applicable, the lower amount made in accordance with clause 29,

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>access licence in accordance with section 76 of the Act in that water year.</p> <p>(3) In any water year that this plan has effect, water taken under a domestic and stock access licence or a local water utility access licence to which this clause applies must not exceed a volume equal to:</p> <p>(a) the sum of water allocations accrued to the water allocation account for the access licence from available water determinations in that water year, plus</p> <p>(b) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in that water year, plus</p> <p>(c) any water allocations recredited to the water allocation account for the access licence in accordance with section 76 of the Act in that water year.</p> <p>(4) The maximum water allocation that can be carried over in the water allocation account for an aquifer (high security) access licence with a share component that specifies the Belubula Valley Alluvial Groundwater Source, from one water year to the next is equal to 0.25 ML per unit share of the aquifer (high security) access license share component.</p> <p>(5) Water allocations remaining in the water allocation account for a domestic and stock access licence or a local water utility access licence cannot be carried over from one water year to the next.</p>		<p>(b) plus any water allocations assigned to the water allocation account for the aquifer (high security) access licence under section 71T of the Act in that water year, (c) plus any water allocations re-credited to the water allocation account for the aquifer (high security) access licence in accordance with section 76 of the Act in that water year.</p> <p>(4) For aquifer access licences in the Lower Lachlan Groundwater Source, the maximum water account debit in a water year must not exceed the following:</p> <p>(a) 1.5 ML per unit share of the access licence share component or, if applicable, the lower amount made in accordance with clause 29,</p> <p>(b) plus any water allocations assigned to the water allocation account for the aquifer access licence under section 71T of the Act in that water year,</p> <p>(c) plus any water allocations re-credited to the water allocation account for the aquifer access licence in accordance with section 76 of the Act in that water year.</p> <p>(5) For aquifer access licences in the Upper Lachlan Alluvial Groundwater Source, the maximum water account debit in a water year must not exceed the following:</p> <p>(a) 1.2 ML per unit share of the access licence share component or, if applicable, the lower amount made in accordance with clause 29,</p> <p>(b) plus any water allocations assigned to the water allocation account for the aquifer access licence under section 71T of the Act in that water year,</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>44 Individual access licence account management rules for the Upper Lachlan Alluvial Groundwater Source</p> <p>(1) The rules in this clause apply to the taking of water under an access licence with a share component that specifies the Upper Lachlan Alluvial Groundwater Source.</p> <p>(2) In any water year in which this Plan has effect, water taken under an aquifer access licence must not exceed a volume equal to:</p> <ul style="list-style-type: none"> (a) the sum of water allocations accrued to the water allocation account for the aquifer access licence from available water determinations in that water year, plus (b) the sum of the water allocation carried over in the water allocation account for the aquifer access licence from the water year prior to that water year under subclause (4), plus (c) the net amount of any water allocations assigned to or from the water allocation account for the aquifer access licence under section 71T of the Act, in that water year, plus (d) any water allocations recredited to the water allocation account for the aquifer access licence in accordance with section 76 of the Act, in that water year. <p>(3) In any water year that this plan has effect, water taken under a domestic and stock access licence or a local water utility access licence to which this clause applies must not exceed a volume equal to:</p>		<p>(c) plus any water allocations re-credited to the water allocation account for the aquifer access licence in accordance with section 76 of the Act in that water year.</p> <p>37 Limits on carryover</p> <p>(1) For a domestic and stock access licence or a local water utility access licence, water allocations remaining in the water allocation account cannot be carried over from one water year to the next water year.</p> <p>(2) For an aquifer (high security) access licence in the Belubula Valley Alluvial Groundwater Source, water allocations remaining in the water allocation account are to be carried over from one water year to the next water year, up to a maximum of 0.25 ML per unit of access licence share component.</p> <p>(3) For an aquifer access licence in the Lower Lachlan Groundwater Source, water allocations remaining in the water allocation account are to be carried over from one water year to the next water year, up to a maximum of 1 ML per unit share of the access licence share component.</p> <p>(4) For an aquifer access licence in the Upper Lachlan Alluvial Groundwater Source, water allocations remaining in the water allocation account are to be carried over from one water year to the next water year, up to a maximum of 0.2 ML per unit share of the access licence share component.</p>

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>(a) the sum of water allocations accrued to the water allocation account for the access licence from available water determinations in that water year, plus</p> <p>(b) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in that water year, plus</p> <p>(c) any water allocations reccredited to the water allocation account for the access licence in accordance with section 76 of the Act in that water year.</p> <p>(4) The maximum water allocation that can be carried over from one water year to the next in the water allocation account for an aquifer access licence is equal to 0.20 ML per unit share of the access licence share component.</p> <p>(5) Water allocations remaining in the water allocation account for a domestic and stock access licence or a local water utility access licence cannot be carried over from one water year to the next.</p>		
<i>Water Sharing Plan for the Lower Lachlan Groundwater Source 2003, cls 31, 32, 33, 34</i>	<p>31 Water allocation account management</p> <p>This Division is made in accordance with sections 20 (2) (b) and 21 (c) of the Act.</p> <p>32 Water allocation accounts</p> <p>In accordance with section 85 of the Act, a water allocation account shall be established for each access licence in this groundwater source.</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>Note. Water allocation may be assigned to, or from, these accounts by a water allocation assignment made under section 71T of the Act, where these are allowed under rules specified in Part 11 of this Plan.</p> <p>33 Accrual of water allocations</p> <p>Water allocations will be accrued into water allocation accounts each water accounting year in accordance with the Minister's available water determinations as specified in clause 29.</p> <p>34 Annual accounting for water extraction</p> <p>(1) Water taken from this groundwater source will be accounted for at least annually.</p> <p>(2) Water taken by a water supply work (bore) nominated by an access licence will be periodically debited against the access licence water allocation account.</p> <p>(3) A water allocation account shall remain at or above zero at all times.</p> <p>(4) Unused water allocations in the water allocation account of a domestic and stock access licence or of local water utility access licence, cannot be carried over from one water year to the next.</p> <p>(5) In any water year, subject to local impact management restrictions arising from Part 10, Division 3</p>		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>of this Plan, water taken from this groundwater source under a local water utility access licence or a domestic and stock access licence may not exceed a volume equal to:</p> <ul style="list-style-type: none"> (a) 100% of the share component of the access licence, (b) plus any water allocations assigned from another access licence water allocation account under section 71T of the Act in that year, (c) plus any water allocations re-credited in accordance with section 76 of the Act in that year, and (d) minus any water allocations assigned to another licence water allocation account under section 71T of the Act in that year. <p>(6) Unused water allocations in an access licence water allocation accounts may be carried over from one water year to the next.</p> <p>(7) In any water year, subject to local impact management restrictions arising from Part 10, Division 3 of this Plan, water taken from this groundwater source under an aquifer access licence may not exceed a volume that is equal to:</p> <ul style="list-style-type: none"> (a) 1.5 ML per unit of access licence share component, (b) plus any water allocations assigned from another access licence water allocation account under section 71T of the Act in that year, and (c) minus any water allocations assigned to another access licence water allocation account under section 71T of the Act in that year. 		

Baseline Text Reference	Baseline text	Proposed WRP Text Reference	Proposed WRP Text
	<p>(8) The maximum water allocation that can be carried over in the water allocation account for an aquifer access licence in these water sources from one water year to the next is 1 ML per unit share of access licence share component.</p> <p>(9) Unused water allocations in a supplementary water access licences water allocation account cannot be carried over from one water year to the next.</p> <p>(10) In any water year, subject to local impact management restrictions arising from Part 10, Division 3 of this Plan, water taken from this groundwater source under a supplementary water access licence, may not exceed the allocation resulting from the available water determination.</p> <p>(11) Where both an aquifer access licence and a supplementary water access licence nominate the same water supply works and use approvals, water taken will be debited from a supplementary water access licence water allocation account before water is debited from an aquifer access licence water allocation account.</p>		