

| No | Plan Name   | Consideration process            | Accreditation day                      | Effect of replacement   | Status             |
|----|---|----------------------------------|--|---|--------------------|
| 1  | Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2015 | Replacement of transitional plan | The day the plan is made under NSW law | <p>Numerous changes have been made to the replacement water sharing plan (WSP) for this area. The majority of these changes are minor and relate to using a new template, with the order of the plan restructured, changes to drafting for the clearer expression of the plan's provisions, reducing duplication in different parts of the plan, removing provisions that were only applicable for the first version of the WSP, and inclusion of explanatory provisions that set out how particular parts of the plan apply.</p> <p>A number of the amendments are more substantial in their effect, but do not result in the replacement plan being any less consistent with the Basin Plan. These matters are outlined below:</p> <ul style="list-style-type: none"> <li>• The new plan explicitly includes water taken under floodplain harvesting (regulated river) access licences and in the Lowbidgee in the definition of the water sources, which provides for all forms of take in the WSP to be accounted for.</li> <li>• The vision statement, objectives, strategies and performance indicators have been expanded, and now provide greater consideration of downstream water sources and a more holistic recognition of the economic, social and cultural implications of the plan. This is better aligned with the objectives and outcome set out in Chapter 5 of the Basin Plan.</li> <li>• The planned environmental water provisions have been clarified to identify the presence of water resulting from limitations imposed by the plan as PEW, and to set out the way the PEW established by the plan is maintained. This provides a clearer basis for the arrangements relating to PEW as per 10.09(1) of the Basin Plan, and is no less consistent with the Basin Plan.</li> <li>• A new clause has been included to describe how the plan recognises the effect of climatic variability.</li> <li>• Estimated share components for different kinds of access licences have changed. Changes to the share of the water resources provided for a particular purpose do not affect the level of Basin Plan consistency so long as the total resource is managed within the extraction limit.</li> <li>• For a number of matters there are new requirements for the Minister to consult with water user representatives before making particular decisions. The consultation requirements do not change the overall effect of the clauses they apply to, and so do not introduce any further inconsistency with the Basin Plan.</li> <li>• Changes to the arrangements for available water determinations (AWDs) provide more explicitly for AWDs to particular subcategories of high security access licences, and more explicitly sets out the hierarchy of AWDs in the WSP. The Basin Plan does not have particular requirements about how AWDs to different entitlement classes should be managed, so these changes do not affect the level of Basin Plan consistency.</li> <li>• AWD rules for regulated river (conveyance) access licences have been introduced to reflect the increase in conveyance losses experienced as allocations to general security access licences increase. Explicitly accounting for these conveyance losses may assist in keeping overall take within the extraction limit.</li> <li>• Amendments to the circumstances in which the Minister will apply a discretionary condition in determining the volume of water taken under an access licence will help water users understand the conditions associated with their rights, and ensure that take remains within the long-term extraction limits.</li> <li>• Amendments to the priority of extractions has changed the method used to share remaining supply capability set from a pre-defined proportional method, to a method approved by the Minister. The amendment also provides that advice from water user representative should be sought prior to the approval of the method. This amendment will allow for more flexible sharing of supply capability, and does not introduce any inconsistency with the Basin Plan.</li> <li>• Amendments to the rules for taking water during supplementary events strengthen the links between access to supplementary events and the other rules of the plan (which will help protect environmental water and manage use within the extraction limit), and provide for a clear method for sharing opportunities to access to take to be established.</li> <li>• New requirements for mandatory conditions on licences relate to notifying the Minister of breaches of licence conditions and keeping logbooks. These changes will assist in maintaining compliance with the conditions on access licences, and determining the actual take as per s10.15 of the Basin Plan.</li> <li>• The mandatory conditions on water supply works approvals have been expanded to include more specific requirements for metering equipment, the decommissioning of water supply works, notification of a breach of conditions, keeping logbooks for certain works. These amendments provide a clearer set of mandatory conditions for works that will ultimately assist in determining actual take as per s10.15 of the Basin Plan.</li> <li>• Changes have been made to the clauses that provide for amendment to be made to the WSP through a streamlined process. These changes do not by themselves introduce any inconsistency, and any amendments made to the WSP using these clauses will need to be no less consistent with the Basin Plan in order to be recognised under the <i>Water Act 2007</i>.</li> </ul> <p>Overall, the replacement WSP for the Murrumbidgee Regulated River Water Source is no less consistent with the Basin Plan.</p> | No less consistent |

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| 2A | Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2015, (except for the amendments to the Barmah-Millewa Allowance at cl 27(3) and 48(9)) | Replacement of transitional plan | The day the plan is made under NSW law | <p>Numerous changes have been made to the replacement water sharing plan (WSP) for this area. The majority of these changes are minor and relate to using a new template, with the order of the plan restructured, changes to drafting for the clearer expression of the plan's provisions, reducing duplication in different parts of the plan, removing provisions that were only applicable for the first version of the WSP, and inclusion of explanatory provisions that set out how particular parts of the plan apply.</p> <p>A number of the amendments were more substantial in their effect, but did not result in the replacement plan being any less consistent with the Basin Plan. These matters are outlined below:</p> <ul style="list-style-type: none"> <li>• The new plan explicitly includes water taken under floodplain harvesting (regulated river) access licences in the definition of the water sources, which provides for all forms of take in the WSP to be accounted for.</li> <li>• The vision statement, objectives, strategies and performance indicators have been expanded, and now provide greater consideration of downstream water sources and a more holistic recognition of the economic, social and cultural implications of the plan. This is better aligned with the objectives and outcome set out in Chapter 5 of the Basin Plan.</li> <li>• The planned environmental water provisions have been clarified to identify the presence of water resulting from limitations imposed by the plan as PEW, and to set out the way the PEW established by the plan is maintained. This provides a clearer basis for the arrangements relating to PEW as per 10.09(1) of the Basin Plan, and is no less consistent with the Basin Plan.</li> <li>• A new clause has been included to describe how the plan recognises the effect of climatic variability.</li> <li>• Estimated share components for different kinds of access licences have changed. Changes to the share of the water resources provided for a particular purpose do not affect the level of Basin Plan consistency so long as the total resource is managed within the extraction limit.</li> <li>• For a number of matters there are new requirements for the Minister to consult with water user representatives before making particular decisions. The consultation requirements do not change the overall effect of the clauses they apply to, and so do not introduce any further inconsistency with the Basin Plan.</li> <li>• Changes to the arrangements for available water determinations (AWDs) provide more explicitly for AWDs to particular subcategories of high security access licences, and more explicitly sets out the hierarchy of AWDs in the WSP. The Basin Plan does not have particular requirements about how AWDs to different entitlement classes should be managed, so these changes do not affect the level of Basin Plan consistency.</li> <li>• Amendments to the circumstances in which the Minister will apply a discretionary condition in determining the volume of water taken under an access licence will help water users understand the conditions associated with their rights, and ensure that take remains within the long-term extraction limits.</li> <li>• Amendments to the priority of extractions has changed the method used to share remaining supply capability set from a pre-defined proportional method, to a method approved by the Minister. The amendment also provides that advice from water user representative should be sought prior to the approval of the method. This amendment will allow for more flexible sharing of supply capability, and does not introduce any inconsistency with the Basin Plan.</li> <li>• Amendments to the rules for taking water during supplementary events strengthen the links between access to supplementary events and the other rules of the plan (which will help protect environmental water and manage use within the extraction limit), and provide for a clear method for sharing opportunities to access to take to be established.</li> <li>• New requirements for mandatory conditions on licences relate to notifying the Minister of breaches of licence conditions and keeping logbooks. These changes will assist in maintaining compliance with the conditions on access licences, and determining the actual take as per s10.15 of the Basin Plan.</li> <li>• The mandatory conditions on water supply works approvals have been expanded to include more specific requirements for metering equipment, the decommissioning of water supply works, notification of a breach of conditions, keeping logbooks for certain works. These amendments provide a clearer set of mandatory conditions for works that will ultimately assist in determining actual take as per s10.15 of the Basin Plan.</li> <li>• Changes have been made to the clauses that provide for amendment to be made to the WSP through a streamlined process. These changes do not by themselves introduce any inconsistency, and any amendments made to the WSP using these clauses will need to be no less consistent with the Basin Plan in order to be recognised under the Water Act 2007.</li> </ul> <p>Overall, the replacement WSP for the Murray and Lower Darling Regulated Rivers Water Sources (except for the amendments to the Barmah-Millewa Allowance at cl 27(3), 27(4) and 48(9)) is no less consistent with the Basin Plan.</p> | No less consistent    |
| 2B | Amendments to the Barmah-Millewa   | Replacement of transitional plan | The day the plan is made               | The replacement water sharing plan includes changes to the way the target water availability for borrow and payback from the Barmah-Millewa Allowance is determined. The effect of these changes is outlined below.   | Acceptable to include |

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|    | Allowance at cl 27(3) and 48(9) of the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2015 |                                  | under NSW law                          | <ul style="list-style-type: none"> <li>• Subclause 27(3) has been amended to remove consideration of carryover when determining whether the target water availability has been achieved for borrow and payback from the Barmah-Millewa Allowance to regulated river (general security) access licences. A similar amendment has also been made to subclause 48(9), which deals with payback to the Barmah-Millewa Allowance.</li> <li>• These changes brings the provisions in the water sharing plan back into line with the Barmah-Millewa Forest Environmental Water Allocation Operating Rules that were agreed to by the Murray–Darling Basin Ministerial Council at Meeting 42, 25 May 2007. The change also aligns with the modelling for the Barmah-Millewa Allowance rules, and the BDL modelling.</li> <li>• A strict reading of these amendments would imply changes to the timing or frequency of flows into the Barmah-Millewa Allowance (although not the overall volume). This could result in an assessment of the amended plan being less consistent with the Basin Plan with respect to the protection of planned environmental water.</li> <li>• However, the inclusion of carryover in the calculation of target water availability, which was initially introduced in February 2012, appears to be an error rather than an intended change to the operation of the Barmah-Millewa Allowance.</li> <li>• Given the amendment to the rule restores consistency with the Ministerial Council–agreed rules for the Barmah-Millewa Allowance and the BDL modelling, the MDBA considers it would be appropriate to recognise the amendments to the Barmah-Millewa Allowance.</li> </ul>  |                    |
| 3  | Water Sharing Plan for the Lachlan Regulated River Water Source 2015   | Replacement of transitional plan | The day the plan is made under NSW law | <p>Numerous changes have been made to the replacement water sharing plan (WSP) for this area. The majority of these changes are minor and relate to using a new template, with the order of the plan restructured, changes to drafting for the clearer expression of the plan’s provisions, reducing duplication in different parts of the plan, removing provisions that were only applicable for the first version of the WSP, and inclusion of explanatory provisions that set out how particular parts of the plan apply.</p> <p>A number of the amendments were more substantial in their effect, but did not result in the replacement plan being any less consistent with the Basin Plan. These matters are outlined below:</p> <ul style="list-style-type: none"> <li>• The vision statement, objectives, strategies and performance indicators have been expanded, and now provide greater consideration of the economic, social and cultural implications of the plan. This is better aligned with the objectives and outcome set out in Chapter 5 of the Basin Plan.</li> <li>• The planned environmental water provisions have been clarified to identify the presence of water resulting from limitations imposed by the plan as PEW, and to set out the way the PEW established by the plan is maintained. This provides a clearer basis for the arrangements relating to PEW as per 10.09(1) of the Basin Plan, and is no less consistent with the Basin Plan.</li> <li>• A new clause has been included to describe how the plan recognises the effect of climatic variability.</li> <li>• Changes to the kinds of access licences that may be granted under the plan do not affect the level of Basin Plan consistency.</li> <li>• Two sub-accounts for high security water access licences (AWD and Spillable subaccounts) have been created to receive available water determinations and traded allocations. The operating rules associated with the new subaccounts may be subject to the Basin Plan water trading rules, but are no less consistent with other Basin Plan requirements. If the operation of the subaccounts raises any potential matters of inconsistency with the Basin Plan Water Trading Rules, the MDBA will be working with NSW to address these inconsistencies.</li> <li>• Estimated share components for different kinds of access licences have changed. Changes to the share of the water resources provided for a particular purpose do not affect the level of Basin Plan consistency so long as the total resource is managed within the extraction limit.</li> <li>• Changes to the arrangements for available water determinations (AWDs) more explicitly set out the hierarchy of AWDs in the WSP. The Basin Plan does not have particular requirements about how AWDs to different entitlement classes should be managed, so these changes to not affect the level of Basin Plan consistency.</li> <li>• AWD rules for regulated river (conveyance) access licences have been introduced to reflect the increase in conveyance losses experienced as allocations to general security access licences increase. Explicitly accounting for these conveyance losses may assist in keeping overall take within the extraction limit.</li> <li>• Amendments to the circumstances in which the Minister will apply a discretionary condition in determining the volume of water taken under an access licence will help water users understand the conditions associated with their rights, and ensure that take remains within the long-term extraction limits.</li> <li>• Amendments to the priority of extractions has changed the method used to share remaining supply capability set from a pre-defined proportional method, to a method approved by the Minister. The amendment also provides that advice from water user representative should be sought prior to the approval of the method. This amendment will allow for more flexible sharing of supply capability, and does not introduce any inconsistency with the Basin Plan.</li> </ul> | No less consistent |

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|    |           |                       |                   | <ul style="list-style-type: none"> <li>• New requirements for mandatory conditions on licences relate to notifying the Minister of breaches of licence conditions and keeping logbooks. These changes will assist in maintaining compliance with the conditions on access licences, and determining the actual take as per s10.15 of the Basin Plan.</li> <li>• The mandatory conditions on water supply works approvals have been expanded to include more specific requirements for metering equipment, the decommissioning of water supply works, notification of a breach of conditions, keeping logbooks for certain works. These amendments provide a clearer set of mandatory conditions for works that will ultimately assist in determining actual take as per s10.15 of the Basin Plan.</li> <li>• Changes have been made to the clauses that provide for amendment to be made to the WSP through a streamlined process. These changes do not by themselves introduce any inconsistency, and any amendments made to the WSP using these clauses will need to be no less consistent with the Basin Plan in order to be recognised under the <i>Water Act 2007</i>.</li> </ul> <p>Overall, the replacement WSP for the Lachlan Regulated River Water Source is no less consistent with the Basin Plan.</p> |        |