

Attachment D: Provision of material relevant to S71 reporting where Water Resource Plans have been withdrawn before 30 June 2021

NSW – MDBA Bilateral Agreement Action 2 Report

30 June 2021

NSW reporting requirement

- 2.1 For each WRP area, for each water accounting period in which there is not a proposed WRP, or a proposed WRP has been submitted but withdrawn before 30 June in that period, NSW must submit to the Authority **material** which addresses:
- 2.1.1 all matters set out in sections 10.10, 10.11, 10.12, 10.13 and 10.15 of the Basin Plan; and
 - 2.1.2 where interception has been assessed as having a significant impact in any WRP area, all matters set out in sections 10.23, 10.24 and 10.25 of the Basin Plan; and
 - 2.1.3 any proposed amended estimates of the surface water BDL (as currently specified in Column 2 of Schedule 3 of the Basin Plan) for SDL resource units in the WRP area as at 30 June in that period, based on best available information supported by documented evidence; and
 - 2.1.4 supporting documented evidence of the basis for the proposed amended estimates.
- 2.2 For each WRP area, for a water accounting period in respect of which the MDBA and NSW **agree** that new or improved information, methods or models relating to any matter specified in paragraph 2.1 should be applied to or contained in a proposed WRP for that area (whether the proposed WRP has been withdrawn or not), NSW will submit to the Authority such **additional or alternative material** as required to address such matter or matters.
- 2.3 If an agreement has been made for the purposes of paragraph 2.2, NSW must include in the material submitted for paragraph 2.1 for that WRP area a statement, identifying the matter or matters to which the agreement relates, and that further material will be provided to the Authority before 30 September following the end of the water accounting period to which the agreement applies.

NSW Report

Despite the withdrawal of a number of submitted WRPs, NSW will submit the 2020-21 s71 reports as required under s71 (1) of the *Water Act 2007* (Cth). SDL reporting and compliance methodologies for 2020-21 will be in accordance with the methodologies in the respective WRPs (Chapter 5 and associated schedules) submitted for accreditation (26 June 2020 – Murrumbidgee and 29 June 2020 – Murray Lower Darling), whether or not a WRP has been withdrawn at 1 July 2021, unless amended as specified in the Table below. That is, unless otherwise specified, the methodologies adopted for reporting in the 2019-20 water year, unless updated methodologies are finalised and agreed.

The 2020-21 s71 reporting process will satisfy the reporting requirements in Basin Plan:

Basin Plan

- Section 10.10
 - Annual permitted take (modelled and unmodelled) for consumptive purposes will be determined and will include all forms of take in the water resource plan area/SDL resource unit.
- Section 10.11
 - Annual actual take (metered and estimated) for consumptive purposes for all forms of take will be compared to annual permitted take to determine compliance in the water resource plan area/SDL resource unit.

- Section 10.12
 - All matters applicable to respective NSW SDL resource units under s10.12 will be accounted for, including but not limited to, all forms of take and class of access rights, water allocations, trade, etc.
- Section 10.13
 - For basic landholder rights, runoff dams and net take by commercial plantations, estimates will be used to determine annual permitted take and annual actual take for these interception activities.
- Section 10.15
 - Water actually taken in NSW SDL resource units will be determined both from recorded metered take data and estimated take data where applicable. It will include water that was HEW which was temporary traded (disposed of) and used for consumptive purposes - see BP s10.15(4)(a).
- Sections 10.23, 10.24 and 10.25
 - Interception activities are listed in the respective draft WRPs.
 - Unless better information becomes available, interception activities relevant to the respect water resource plan area/SDL resource unit will be managed and accounted for in line with the respective current water sharing plans, draft WRPs and methodologies used for the previous 2019-20 s71 reporting.

For the 2020-21 water accounting period onward, NSW has agreed with the MDBA to provide updated, new or improved methods in relation to Baseline Diversion Limits, section 10.10 and section 10.15, as outlined below.

Water resource plan area	WRP status at 21 June 2021 (30 June)	Agreed methods to be updated under the bilateral agreement amendment
Barwon–Darling Watercourse	Notice of grounds issued by Authority to NSW (could be withdrawn from assessment by 30 June)	<p>Baseline Diversion Limit (BDL)</p> <ul style="list-style-type: none"> - Use the BDL model version mentioned in the annual permitted take (APT) report as the agreed revised BDL model – such that the floodplain harvesting (FPH) long term average BDL is 14.3 GL/y (rather than 16.5 GL/y in the BDL report). <p>S 10.10 (APT)</p> <ul style="list-style-type: none"> - Modify the APT model to reflect section 324 restrictions (remove old representation of embargo) - Revise scaling factors to separate FPH and watercourse take. - APT FPH estimate for 2020-21 from APT model clunk run i.e. annual model result <p>s 10.15 annual actual take (AAT)</p> <ul style="list-style-type: none"> - if MDBA decides that a suitable replacement current conditions model is available on 30 September then it will be used for FPH AAT, otherwise the method as per set out in proposed (June 2020) WRP text should be used (set to 0 GL if no event or long-term average if an event occurs). - If there is a metered estimate for the Macquarie unregulated pump site then it should be applied in the Barwon-Darling as AAT, but not in the Macquarie AAT (this is to be consistent with APT methods). <p>Basic rights</p>

Water resource plan area	WRP status at 21 June 2021 (30 June)	Agreed methods to be updated under the bilateral agreement amendment
		<ul style="list-style-type: none"> - Report the long-term average basic right estimate for both AAT and APT. The scaling factor for watercourse APT will need to be adjusted accordingly to demonstrate total use meet the SDL.¹ <p>Reporting notes</p> <ul style="list-style-type: none"> - NSW to provide a copy of report from consultant comparing metering data. - FPH AAT is agreed to have occurred in 2020-21
<p>NSW Border Rivers</p> <p>Gwydir</p> <p>Macquarie – Castlereagh</p>	<p>NSW withdrawn from assessment</p> <p>NSW withdrawn from assessment</p> <p>With MDBA for assessment</p>	<p>BDL</p> <ul style="list-style-type: none"> - Use the BDL model version mentioned in the APT report as the agreed revised BDL model. <p>S 10.10 (APT)</p> <ul style="list-style-type: none"> - Revise scaling factors to separate FPH and watercourse take. - Use APT FPH estimate from APT model clunk run i.e. annual model result <p>s 10.15 (AAT)</p> <ul style="list-style-type: none"> - Use annual output from recently published current conditions model for FPH AAT. <p>Reporting notes</p> <ul style="list-style-type: none"> - Incorporate the latest FPH modelling work by reporting on up to date LTAAEL compliance
<p>Namoi</p>	<p>NSW withdrawn from assessment</p>	<p>BDL</p> <ul style="list-style-type: none"> - continue to use BP 2012 estimate for FPH BDL (i.e. 14.0 GL/y) (noting improved model not yet available) <p>S 10.10 (APT)</p> <ul style="list-style-type: none"> - Modify the APT model for watercourse take to reflect section 324 restrictions - Revise scaling factors to separate FPH and watercourse take - continue to use long term average estimate for FPH APT (i.e. 14.0 GL/y) (noting improved model not yet available). <p>s 10.15 (AAT)</p> <ul style="list-style-type: none"> - continue to use long term average estimate for FPH AAT (i.e. 14.0 GL/y).
<p>Lachlan</p>	<p>NSW withdrawn from assessment</p>	<p>S 10.10 (APT)</p> <ul style="list-style-type: none"> - NSW to use the candidate APT method that incorporates unmodelled Held Environmental Water, the corrected scaling factor and various other fixes.

¹ These changes will be used in any re-submitted WRP and can be further updated.