

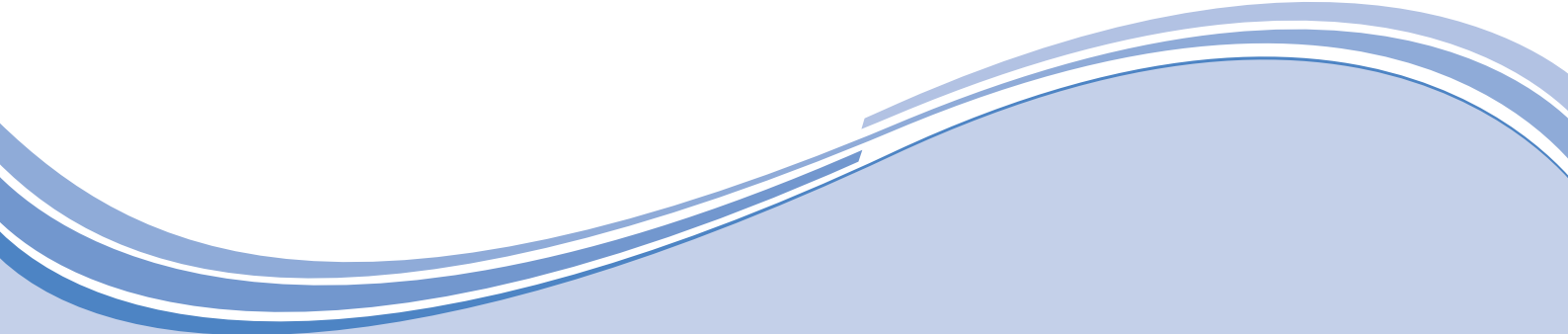


Australian Government



Proposed Basin Plan
Authority's views and consultation
on the matters raised by the
Murray–Darling Basin
Ministerial Council
— *Volume 1*

August 2012



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A report prepared under s. 43(11) of the *Water Act 2007* (Cwlth) — a document that outlines the views of the Murray–Darling Basin Authority on the matters raised by the Murray–Darling Basin Ministerial Council under s43A(4)(b), and which summarises submissions received in response to the consultations undertaken by the Murray–Darling Basin Authority in relation to the matters raised by the Murray–Darling Basin Ministerial Council, how those submissions were addressed by the Authority, and the extent to which consideration of those submissions has affected the version of the proposed Basin Plan and the views given to the members of the Murray–Darling Basin Ministerial Council.

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VOLUME 2

Matters specified by individual members of the Murray–Darling Basin Ministerial Council

INTRODUCTION

On 28 May 2012, the Murray–Darling Basin Authority provided each member of the Murray–Darling Basin Ministerial Council (the Council) with a copy of the *Proposed Basin Plan — A revised draft May 2012*¹, pursuant to s43A(2) of the *Water Act 2007* (Cwlth) (the Act).

On 9 July 2012, the Council gave a notice under subsection 43A(4)(b) of the Act setting out comments in relation to the proposed Basin Plan from the Council as a whole and each of its members. The notice from the Council and the written notices of individual Council members have been published on the MDBA website.²

The Authority wishes to thank the participating governments, and especially acknowledge the members of the Ministerial Council, for their efforts to work together and to find as much common ground as they have.

The Australian community and those who care for the future of the Murray–Darling Basin can be confident that a Basin Plan can proceed. Improving our knowledge of the Basin's river system and improving how effective and efficient we are with the Basin's water resources will be an essential component of our future work program. This work will build on the Basin Plan's framework, as should be the case in an adaptive management process, and should not prevent us from taking the next step towards a better way of managing the Basin as an integrated system—that step is to make the Basin Plan law.

The Authority considered the matters raised by Ministers and undertook consultations it considered necessary or appropriate under subsection 43A(6) including meetings with key stakeholder groups representing affected interests.

This report includes a summary of matters raised by the Council, the Authority's views on those matters, and any changes made to the proposed Basin Plan.

It also includes, where relevant, a summary of further consultation undertaken on the matters raised by the Council and the submissions the Authority received in response to those consultations, how the Authority addressed those submissions and the extent to which consideration of submissions affected the Authority's views or the proposed Basin Plan.

All changes made to the proposed Basin Plan since 28 May 2012 are included in Appendix A.

Summary of consultation process

Under the Act, the Authority has the discretion to decide whether it is necessary or appropriate to consult on the matters raised by Ministerial Council. On receipt of the Council's comments on Monday 9 July 2012, the Authority considered the matters raised and determined further consultation would be beneficial.

¹ Available on the MDBA website at <http://www.mdba.gov.au/proposed-basin-plan/consultation-report>

² Available on the MDBA website at <http://www.mdba.gov.au/about/governance/legislative-and-governance-forum/ministers-comments>

The Authority consulted with national peak bodies and key stakeholders representing those most likely to be affected by the issues raised by Ministerial Council. The Authority developed its views presented in this report after considering those stakeholder comments and written submissions.

CONSULTATION MEETINGS

To assist the Authority to form its views on the matters raised from Ministerial Council, the Authority sought advice from:

- the Basin Community Committee
- national peak bodies for farming, the irrigation sector and conservation
- key scientists and technical experts
- indigenous representatives; and
- local government representatives from areas most likely to be affected by the Ministers' propositions.

Meetings and teleconferences were arranged for the week commencing 16 July 2012. Those groups and individuals identified were notified of the process, given an explanation of the material to be considered and the timeframes for consultation.

Each meeting was tailored according to those matters which the group agreed were the key issues contained in the Ministers' comments. The Authority staff introduced each issue, and stakeholders were invited to ask questions for clarification or to identify their concerns.

Key issues raised in each meeting or teleconference were recorded, verified with the participants and passed on to relevant Authority technical staff for consideration. Summaries of the issues raised are included in the relevant sections of this report.

The Authority thanks those people who made their time available at short notice to participate in this process and provide their advice.

SUBMISSIONS

Those groups involved in the meetings were also invited to make a written submission to the Authority if they wished.

Ten submissions were received. Submissions were analysed to ensure any additional issues not previously raised in the consultation meetings were considered by technical teams.

The Proposed Basin Plan — Authority's views and consultation on the matters raised by the Murray–Darling Basin Ministerial Council satisfies the requirements under the Act to summarise the consultations held, the submissions received and the extent to which these consultations have affected the views of the Authority and any subsequent version of the Plan.

MATTERS SPECIFIED BY THE MURRAY–DARLING BASIN MINISTERIAL COUNCIL AS A WHOLE

This section considers the comments and matters specified by the Murray–Darling Ministerial Council (the Council) as a whole, which were set out in Attachment A of the notice from the Council. All Ministers agreed to the specific advice contained in this Attachment.

1. SDL adjustment mechanism

MATTERS RAISED BY MINISTERS

Some jurisdictions believe the environmental outcomes envisaged within the Proposed Basin Plan are not sufficiently ambitious. There is some support for the outcomes at the outer limits of those contemplated by the Authority within the Chair’s letter of transmission. Consensus on a mechanism of the type detailed below may be possible if the environmental objectives were sufficiently ambitious and the mechanism were used to deliver equivalent or improved outcomes as in the Basin Plan.

Council considers that the environmental and socio-economic outcomes anticipated under the Basin Plan could be achieved more efficiently or enhanced through initiatives that remove constraints on the use of environmental water; implement environmental works and measures that achieve given environmental outcome with less water; or improve the efficiency of river operations by changes to rules and procedures, or enable growth in water availability for environmental purposes without further adverse socio-economic impact.

Accordingly, Council requests that the Authority work with Basin States to develop a proposed ‘SDL Adjustment Mechanism’ for its consideration that recognises the effect of such initiatives. It would be essential that the Adjustment Mechanism operates on a transparent and legally sound basis using the best available science, and a methodology developed in consultation with jurisdictions.

The SDL adjustment mechanism could operate to:

- a. reduce the need to recover consumptive water for environmental uses (increase the SDL) where equivalent environmental outcomes can be achieved with less water through initiatives including environmental works and measures, rules changes and improved river operations; and
- b. increase the recovery of consumptive water for environmental use (reduce the SDL) where improved environmental outcomes can be achieved without worsening socio-economic outcomes as a result of initiatives, particularly:
 - i. removing certain constraints which create the scope for additional efficient and effective use of environmental water; and
 - ii. recovering that additional water through water use efficiency improvements and other measures which neutralise any adverse socio-economic impacts.

Council considers that the proposed mechanism should determine the quantum of SDL adjustment via the application of an objective scoring method. The objective method should be included in the SDL Adjustment Guidelines, a copy of which must be available on the Authority website. These guidelines should also contain additional detail on applying the method, and should be available at the time the Plan is tabled in Parliament. Council requests that the Authority’s 2,750GL benchmark modelling run as outlined in the Authority report ‘Hydrologic modelling to inform the proposed

Basin Plan, February 2012' be used in the first instance, noting that the water recovery target set out in the final Basin Plan may be different, in which case, a new agreed baseline run may be required. Further possible details on the adjustment methodology, which require further development, are in the Annex.

Council requests the Authority work with Basin jurisdictions to further develop the Adjustment Mechanism methodology, benchmark modelling and relevant draft Basin Plan provisions and advise the results to Ministers by the end of July 2012.

Council envisages the SDL Adjustment Mechanism operating at least within the range of 2400-3200GL as indicated in the Authority Chair's transmittal letter, and potentially further.

Council notes the Commonwealth envisages that, in the first instance, it would align its water recovery strategy to reflect the possibility that up to 650GL would be achieved through environmental works and measures. The water recovery strategy would be reviewed when any SDL adjustments have been made in 2016, and again in 2019. Ministers envisage that the SDL adjustment mechanism would operate by 30 June 2015, based on proposed initiatives, and be recalculated in mid 2019, in light of progress with the initiatives. The results would be announced on both occasions. Adjustments attributable to initiatives that are already in operation by mid 2019 would have immediate effect. Adjustments attributable to initiatives that will come into operation between 2019 and 2022 would have effect once they have commenced operation.

To support the operation of the mechanism, Council proposes to develop a Work Program of SDL Adjustment Initiatives, and an inter-jurisdictional governance procedure that would identify, assess and agree on proposals that may activate the SDL adjustment process included in the Basin Plan. It is envisaged that the Basin Plan Implementation Intergovernment Agreement (IGA) will set out the inter-relationship between these mechanisms. It is also envisaged that the Commonwealth Water Recovery Strategy and the Environmental Watering Plan would take into account the SDL Adjustment Mechanism.

Council envisages that upon receipt of a request from the Basin Officials Committee (BOC) that the SDL adjustment mechanism be applied to initiatives identified by the BOC, the Authority would apply the mechanism to these initiatives. The BOC would endeavour to finalise its request by 30 June 2015. An estimate of the SDL adjustment would be notified by the Authority immediately following the operation of the mechanism. This timing would ensure clarity over the remaining 'gap' that must be bridged by Commonwealth water recovery efforts before mid 2019.

Annex on SDL Adjustment Methodology

The proposed adjustment mechanism should operate through an objective method which will determine the quantum of SDL adjustment and include consideration of the following matters:

Scoring the predicted ecological outcomes by assessing the flood frequency, duration and length of dry spells generated from model runs taking into account the area of inundated land, a measure of environmental significance, water quality and in-channel health and any other relevant matters, and

Applying the method to score and compare the benchmark modelling run and a modelling run with the agreed suite of eligible initiatives which would be processed collectively.

CONSULTATION OUTCOMES

Most, but not all, stakeholders agreed in principle with the proposal for an SDL adjustment mechanism.

All emphasised that community confidence in the work program to implement the adjustment mechanism was critical and that confidence can only exist if the development of the process is consultative, and the process itself robust, transparent, accountable and objective. It was proposed that the Basin Officials Committee (BOC) was the appropriate entity to manage the process.

Stakeholders expressed the view that localism must have an important place in the development and identification of projects considered for the work program.

Stakeholders raised a range of issues about the scope of the mechanism. There were significant differences among stakeholders about the volume of water to which the mechanism should apply, and even if it should apply to a volume of water, rather than, for example, environmental outcomes.

A starting point scope issue discussed by stakeholders was the benchmark from which the adjustment mechanism should apply. Some stakeholders strongly believed that the environmental benefits and water savings generated from The Living Murray (TLM) works and measures should be accredited. As to the volume of water itself, some believed that the range proposed by the Council (2400–3200 GL/y) should be the absolute maximum within which the mechanism should operate. Others argued that the range should be narrower to give communities more certainty about future water recovery volumes. Some thought that 2750 GL/y should be the upper limit, and that adjustments should only decrease the volume to be recovered from consumptive use, while others argued the converse: that the mechanism should be used to decrease SDLs in order to enable all targets for Key Environmental Assets to be met.

No matter what their perspective on these scope issues, all stakeholders emphasised the importance of there being clear, objective tests for assessing environmental as well as social and economic outcomes, while noting it would be difficult to develop such tests for social and economic outcomes because there was no benchmark for the 2750 GL/y reduction in the proposed Basin Plan.

A number of stakeholders expressed the view that in order to mitigate the social and economic impacts of water recovery, investment in works and measures should be prioritised before any further water buybacks occur.

Some stakeholders noted that a key limitation of the proposed mechanism is that new knowledge, such as better understanding of the risks of climate change, groundwater connectivity and cultural flows, cannot be considered in adjusting SDLs, and for this reason a formal review of the Basin Plan at some time is still important.

AUTHORITY RESPONSE

The Authority supports the inclusion of a workable SDL adjustment mechanism in the Basin Plan.

The proposed Basin Plan identifies 2750 GL/y as the amount of water that is to be recovered from surface water systems for environmental use. The Authority recognises that the environmental, social and economic outcomes that this starting point would achieve could be improved by initiatives to implement environmental works and measures or improve the efficiency of river operations by changes to rules and procedures or improve the efficiency of the consumptive use of water. Further, those initiatives may enable an adjustment of SDLs.

To this end the Authority has developed a set of SDL adjustment provisions and included them in Chapter 6 of the proposed Basin Plan and an associated Schedule. These provisions will allow for SDLs to be adjusted without recourse to the Parliament, provided suitable measures are brought forward and assessed as warranting an SDL adjustment using the method included in the provisions.

The SDL adjustment mechanism will come into effect once the Authority has been notified of works and measures which have been recommended by the BOC. The Authority expects that the BOC will provide this notification by 30 June 2015.

In their separate notices to the Authority, New South Wales and Victoria argued that the mechanism should assume that the SDL reduction amount could be as low as 2100 GL/y but should go no higher than 2750 GL/y, and that adjustments should primarily decrease the volume to be recovered from consumptive use. Conversely South Australia argued that the SDL adjustment mechanism should be used to decrease SDLs (i.e. deliver a larger reduction amount) in order to enable all targets for Key Environmental Assets to be met. South Australia further argued for the SDL adjustment benchmark to be based on the environmental outcomes that would be achievable with a higher reduction than 2750 GL/y, and that the benchmark should assume that constraints on environmental water delivery will be addressed, in order to ensure that all targets for Key Environmental Assets are met before any increases to SDLs are permitted. New South Wales and Victoria did not hold this view.

The Authority considered all of these points of view and has developed provisions to reduce or increase the recovery of consumptive water where:

- equivalent environmental outcomes can be achieved with less water through new initiatives including environmental works and measures, rules changes and improved river operations; and
- improved environmental outcomes can be achieved without reducing social and economic outcomes as a result of new initiatives supported by changes to key constraints to realise the benefits from additional environmental water.

The Authority considers that the SDL adjustment mechanism should ensure that SDL adjustment initiatives achieve equivalent or improved environmental outcomes when compared with those to be achieved under baseline operating conditions with a 2750 GL/y. The Authority has included an SDL adjustment mechanism that will operate in the net range of plus or minus 5% of the total SDL for the Basin of 10873 GL/y. This method will allow the adjustment to occur as requested by Ministers, that

is, operating at least within the range of 2400 GL/y to 3200 GL/y reduction, and potentially further, and as envisaged in the s43A notice can enable the possibility of up to 650 GL of offsets to be achieved through environmental works and measures.

The Authority's intention is that the SDL adjustment method will, under certain specific circumstances, enable SDLs to be adjusted through the operation of the relevant provisions of the Basin Plan and that an amendment to the Basin Plan is not required.

As it is the provisions themselves that will give effect to the adjustment, it is not possible to make discretionary judgements about the modification of an SDL through this method. Accordingly, a revision to a judgement on the appropriate level of an SDL due to 'new knowledge', either environmental or social and economic, cannot be accommodated in the method given it is effectively a procedural approach. Such a change would require a formal amendment to the Basin Plan, including consideration by Parliament.

The Authority supports the view of the Council that the SDL adjustment mechanism should be supported by an administrative process managed by the BOC that allows Basin jurisdictions, including the Commonwealth, to agree on the projects, or package of projects, to be submitted for assessment through the SDL adjustment mechanism. This may include interactions with the Australian Government's water recovery strategy, at the Australian Government's discretion.

The Authority recommends that the development of project proposals by jurisdictions should be transparent and make specific provision for stakeholder engagement, so as to take advantage of local knowledge and expertise.

In addition to the SDL adjustment mechanism, the Authority has retained the potential for further work to inform future reviews of the Basin Plan. This work may include research and investigations into aspects of the work underpinning sustainable diversion limits or other aspects of the Basin Plan. This will allow the Authority to address so-called 'new knowledge' issues that are not covered by the SDL adjustment mechanism in order to address the concerns raised by Queensland and other stakeholders.

Status of The Living Murray (TLM) Works and Measures

New South Wales and Victoria believe that the environmental benefits and water savings generated from TLM works and measures should be available for crediting as SDL adjustments. Conversely, South Australia maintains that, as TLM works were already included in the baseline, no further SDL adjustment should be permitted for these works as this would constitute double counting.

Water recovery and environmental works commissioned through TLM program were factored into the modelling baseline for the purposes of determining the 2750 GL/y SDL reduction and as such will be included in the benchmark used for the SDL adjustment mechanism. However, the Authority is keen to work with jurisdictions to systematically assess the potential for the existing TLM works to offer more by way of efficiencies, which could potentially lead to an SDL adjustment without double counting the benefits of these works. This will be a high priority project in the forward work program leading up to the operation of the SDL adjustment mechanism in 2015.

In response to Council's consensus position, the Authority has made the following changes in Chapter 6 of the proposed Basin Plan:

- A new Part 3 has been added to Chapter 6, and a new Schedule 5 included, outlining a mechanism for adjusting SDLs.

2. *Constraints Management Strategy*

MATTERS RAISED BY MINISTERS

To assist in the preparation of that part of the Work Program of SDL Adjustment Initiatives dealing with constraints, Council suggests the Basin Plan require the preparation within 12 months of the Basin Plan being made, of an initial version of a 'Constraints Management Strategy' which would:

- a. identify and describe the physical, operational and management constraints that are affecting, or have the potential to affect, environmental water delivery;
- b. evaluate options, opportunities and risks associated with relaxing or removing key constraints and improving the effective and efficient delivery of environmental water; and
- c. assess the impacts on environmental water delivery and third parties as well as downstream impacts and assess options to address the impacts.

Council requests that the Constraints Management Strategy, and any updates, be prepared by the Authority in consultation with the Basin governments and that the Authority report to Council annually on progress with the Strategy.

CONSULTATION OUTCOMES

Stakeholders supported the proposed constraints management strategy.

Comments related to the scope of the strategy and issues that its successful implementation will have to tackle. On scope, some stakeholders suggested that the strategy address water delivery generally, not just the delivery of environmental water. The same stakeholders tended to emphasise the importance of identifying and avoiding third party impacts.

While it was agreed that the Authority was best placed to lead development of the strategy, stakeholders emphasised that most actions would be matters for states, and subsequently outside the remit of the Authority. The strategy would not of itself be a mechanism capable of removing constraints. Successful implementation would require incentives, a budget and the prioritisation of activities.

AUTHORITY RESPONSE

The Authority supports the inclusion of a provision in the Basin Plan requiring the Authority to prepare a constraints management strategy.

A new provision in Chapter 6 will require the Authority to prepare an initial constraints management strategy within 12 months of the Plan coming into effect. The strategy will be updated as the Authority will annually update the Strategy and report to the Council on progress with the strategy. The Authority will be required to consult with Basin states and the community in both preparing and updating the constraints management strategy.

In acknowledgement of concerns raised by Victoria, New South Wales and other stakeholders, the Authority proposes that the strategy should assess the impacts of modifications of constraints on third parties, and how any impacts can be addressed.

The Authority notes that, of itself, the strategy will not remove constraints – this will require a conscious decision by relevant governments in consultation with affected stakeholders. In practice, the strategy should provide important information as a first step to addressing constraints, and should inform the wider work program on possible SDL adjustment initiatives.

It will be important that the strategy is developed in consultation with stakeholders, and is available on the MDBA website.

In response to Council’s consensus position, the Authority has added a new section at section 6.07 of the proposed Basin Plan:

“Constraints management strategy

- 1. *Within 12 months after the commencement of the Basin Plan, the Authority must prepare a constraints management strategy that:***
 - a. identifies and describes the physical, operational and management constraints that are affecting, or have the potential to affect, environmental water delivery; and***
 - b. evaluates options, opportunities and risks to water users, communities and the environment, associated with relaxing or removing key constraints and improving environmental benefits through the effective and efficient delivery of environmental water; and***
 - c. assesses the impacts of modifications of constraints on environmental water delivery and third parties, as well as downstream impacts, and assesses options to address those impacts; and***
 - d. identifies mechanisms by which impacts on third parties can be addressed.***
- 2. *The strategy, and any substantive amendments to the strategy, must be prepared in consultation with the Basin States and the public.***
- 3. *The Authority must annually give a report to the Murray–Darling Basin Ministerial Council on progress on the matters covered by the strategy.***
- 4. *The Authority must publish the strategy on its website.”***

3. Apportionment

MATTERS RAISED BY MINISTERS

Council has considered whether and how the SDL resource unit shared reduction amounts ('downstream SDL reduction') in the Proposed Basin Plan should be expressed at the jurisdiction level in the final Basin Plan. Council has concluded, on balance, it would support the inclusion in the Plan of apportionment between jurisdictions provided the principles for such apportionment and consistent, equitable and transparent.

In the case of the downstream SDL reduction for surface water in the southern Basin zone ('southern shared SDL'), Council considers there is benefit in apportionment of any downstream SDL reduction apportioned to each State in the Basin Plan, and that States would determine the apportionment of the State share to catchments within their jurisdictions. Each State will advise preliminary catchment apportionments for the period up to 2016 by the time of commencement of the Basin Plan, which will then be incorporated into the Water Recovery Strategy for that period. Following the operation of any SDL Adjustment Mechanism, the States will advise final within-catchment apportionments for the purposes of preparation of Water Resource Plans according to the requirements of the Basin Plan, which would incorporate this apportionment. The Water Recovery Strategy would then be revised accordingly.

Council acknowledges there are different approaches that may be taken to determining apportionment shares. Council has considered options for apportionment of the southern shared SDL based on surface water diversions less water for Critical Human Water Needs, on surface water diversions less urban water use and on all surface water diversions. Council will give further consideration to this matter, noting that, if agreed, this could be incorporated into the Basin Plan prior to it being made. At this stage, subject to resolution of matters concerning the sourcing of apportioned water in each state, Council would give consideration to the proposal that apportionment be based on surface diversions less urban water use or surface diversions less critical human water needs.

In the case of the downstream SDL reduction for surface water in the northern Basin zone ('northern shared SDL'), Council recommends an active program of work to be completed by the end of 2015 to establish the basis for the northern shared SDL and its equitable apportionment. This work may include consideration of any impacts on southern connected Basin water resources and environmental outcomes. This work will be undertaken by the Authority, in consultation with the Commonwealth, New South Wales and Queensland, resulting in a report to Council. If Council finds that this program of work reveals significant new knowledge about the scientific and hydrological basis for the northern shared SDL and its apportionment, Council may request the Authority to undertake a review of the SDL based on the issues that are raised and for any apportionment to be considered following that review. On the basis of that review, Authority may seek an amendment to the Basin Plan to reflect the new SDL. Council may also advise the Authority of its proposed apportionment between Queensland and New South Wales following this consideration, after which New South Wales and Queensland may advise the Authority of the proposed apportionment at the catchment level to be incorporated into the revision of the Plan. Pending the outcome of this review, Council understands the Commonwealth intends to arrange its water recovery in the northern zone so as to focus largely on 'in-catchment' requirements.

Following the provision of the report envisaged in above, irrespective of whether Council calls for a review of the SDL, NSW and Queensland will advise final within-catchment apportionments for the purposes of preparation of Water Resource Plans according to the requirements of the Basin Plan,

which would incorporate this apportionment. The Water Recovery Strategy would then be revised accordingly.

For both the northern and southern Basins, Council is concerned to ensure that changes to the SDL due to the application of any proposed SDL adjustment mechanism not have disproportionate impacts in any catchment. Changes to apportionment between the preliminary and final apportionments advised by the States would be consistent with the results from the SDL adjustment mechanism.

CONSULTATION OUTCOMES

Most stakeholders agreed in principle with the benefit of apportioning the shared component of the SDL reduction.

While understanding the sensitivity of the issue, stakeholders were generally disappointed to note that Ministers had not yet agreed on an apportionment. There was acceptance that at this stage, there was no firm proposal for the Authority to consider, and that therefore the Plan would not change in this regard.

A number of stakeholders raised concerns with the market-based approach to achieving the downstream reduction that has been supported by the Authority to date, due to their concern about the adverse impacts on regions already facing economic pressures. They noted the importance of apportionment to the development of a comprehensive water recovery strategy, and that failure to reach agreement on apportionment perpetuates uncertainty among Basin communities.

Some argued that all states should be part of the process of determining apportionment of the northern shared SDL, because it would have Basin-wide implications. Others noted that much of the water in Queensland does not reach downstream states, and as such this was an issue only for NSW and Queensland.

AUTHORITY RESPONSE

The Authority will be able to draft provisions on apportionment to be included in the Basin Plan should Ministers agree to the apportionment before the Basin Plan is finalised. The Authority proposes no changes to the proposed Basin Plan to address the apportionment issue until Ministers reach agreement.

The Authority indicated to the Council in its transmission letter of 28 May 2012 that it welcomed the Council's views on a workable approach to apportionment of the shared component of the SDL reductions. In its response, the Council indicated its support for the inclusion in the Plan of apportionment between jurisdictions provided the principles for such apportionment were consistent, equitable and transparent. The Council also indicated it would give consideration to the proposal that apportionment be based on surface diversions less urban water use or surface diversions less critical human water needs.

As the Council has not yet settled on a final apportionment, the Authority will proceed at this point with the existing approach of not specifying any particular apportionment. This effectively puts a renewed focus on information about the Commonwealth's water recovery strategy going forward.

The Authority can draft provisions on apportionment that could readily be included in the Plan should Ministers reach an agreement before the Plan is finalised. The Authority would like to emphasise that, in accord with the principles underpinning the 2004 National Water Initiative, a properly functioning water market assists in achieving a flexible, equitable and economically efficient foundation for water recovery. The fewer artificial restrictions on trade, the better for Basin communities, productivity and effectiveness of water use. The Authority recognises the commitments already made and underway by jurisdictions to remove artificial state based barriers to trade. Ultimately these changes will provide a more robust market base which will inevitably diminish the reliance on an apportionment model.

The Authority supports the Ministers' recommendation that an active program of work be completed by the end of 2015 to establish the basis for the northern Basin shared SDL reduction amount and its equitable apportionment. The Authority is moving to establish a Northern Basin Advisory Committee to advise the Authority on such a work program, which will be developed in consultation with Basin states and the Commonwealth. The Authority notes that if this work program provides the basis for an SDL adjustment in 2015, this would require an amendment to the Plan – rather than using the proposed SDL adjustment mechanism within the Plan – as the proposed mechanism cannot address adjustments arising from judgements made on the basis of 'new knowledge'. The issue of the handling of judgements made on the basis of 'new knowledge' is also discussed in the response to consensus matter 1.

4. 2015 Review

MATTERS RAISED BY MINISTERS

Council does not see any need to proceed with the substantive 2015 Review as provided for in the Proposed Basin Plan, subject to the processes outlined above. Council recognises that reviews and amendments to the Basin Plan may be proposed consistent with the provisions of the Water Act

CONSULTATION OUTCOMES

Stakeholders expressed differing views on whether the 2015 review ought to be retained. The strongest supporters of the SDL adjustment mechanism tended to support not retaining the 2015 review.

Most stakeholders, however, believed that there needed to be a scheduled review of the Plan. Most of those who supported having a review emphasised the need for a means to examine such things as new knowledge and cultural flows. It was generally thought that a review need not necessarily occur in 2015 and that the scope of a review could be defined to complement the SDL adjustment mechanism. Without such a review, concerns were expressed about whether matters outside the scope of the SDL adjustment mechanism, such as groundwater SDLs, would be addressed by the Basin Plan.

AUTHORITY RESPONSE

Consistent with its adaptive management approach, the Authority will include provisions in the proposed Basin Plan that provide for the Authority to conduct research and investigations into aspects of the work underpinning SDLs or other aspects of the Basin Plan. This work may inform

future reviews of the Basin Plan and will allow the Authority to address so-called ‘new knowledge’ issues that are not covered by the SDL adjustment mechanism.

The Authority notes there were divergent views on retaining the SDL review. The Ministerial Council’s view is that the substantive 2015 review may not be necessary in light of the inclusion of an SDL adjustment mechanism and review of northern Basin SDL and apportionment in the Plan.

Alternatively, a number of stakeholders supported the retention of the review as it builds in an adaptive management framework which would complement a procedural SDL adjustment mechanism. The latter mechanism is unable to address so-called ‘new knowledge’ issues including, for example, the work program on northern Basin SDLs, groundwater SDLs and new information about climate change.

After careful consideration of these issues, the Authority has decided to remove the formal 2015 review of SDLs but to allow for new work to inform future reviews of the Basin Plan that may lead to changes in the SDLs; apportionment of the reduction target between Basin states or SDL resource units; or any other matter addressed in the Basin Plan. This new work may include research and investigations the Authority may conduct into aspects of the work underpinning sustainable diversion limits or other aspects of the Basin Plan. This approach encapsulates the Authority’s commitment to an adaptive management approach, but does not include the specific time frame of 2015 or limit any future review to only considering changes to SDLs.

It has been further recommended by Council that an active work program be undertaken to further examine the basis of the northern Basin shared SDL reduction amount and its equitable apportionment. The Authority supports the undertaking of such a work program.

In response to Council’s consensus position, the Authority has made the following changes in Chapter 6 of the proposed Basin Plan:

- **6.06 has been revised to the following:**

“Informing future reviews of the Basin Plan

- 1. The Authority may conduct, in consultation with Basin States and other interested persons, research and investigations into the long-term average sustainable diversion limits or any other aspects of the Basin Plan, for the purpose of informing any reviews of the Basin Plan or aspects of the Basin Plan including in relation to:***
 - a. whether there should be changes to the long-term average sustainable diversion limits; or***
 - b. whether there should be changes to the basis for working out the SDL resource unit shared reduction amounts under section 6.05.***

Note: For example, the Authority intends to conduct research and investigations by 2015 into aspects of the Basin Plan in the northern Basin.

- 2. A review may be undertaken at the request of the Murray–Darling Basin Ministerial Council.***

Note: See also subsection 50(2) of the Act.

- 3. The Authority must publish on its website any reports produced as a result of research or investigations conducted under this section.**
- 4. Nothing in this section limits the powers of the Authority or the Murray–Darling Basin Ministerial Council.**

Note: For example, the Authority has other powers under the Act and the Basin Plan to conduct reviews, research and investigations: see sections 50 and 172 of the Act and Chapter 12 of the Basin Plan.”

5. Commencement of SDLs

MATTERS RAISED BY MINISTERS

Council notes that, under the Water Act, State water resource plans are accredited for 10 years, and the SDLs included in accredited State water resource plans will therefore have effect for 10 years. Council requests that, to provide certainty for Basin communities, the Basin Plan make clear that SDLs incorporated into accredited State water resource plans will be in effect for the 10 year accreditation period.

Council requests the final Basin Plan should clearly state that SDLs take formal effect in 2019, as was requested by the Council at its meeting of 27 May 2011, while noting implementation of some SDLs may be deferred through the operation of the SDL adjustment mechanism, subject to the following clause.

Council notes the Commonwealth commits to bridging the gap by the SDL commencement date in the Plan. Council expects the IGA to include strong provisions on this matter of ‘Bridging The Gap’, to ensure the commitment can be fully delivered by 2019 and States’ water sharing plans can be implemented accordingly. The obligation to bridge the gap, including through SDL compliance arrangements, will not at any point be passed from the Commonwealth to the States. Council observes that, for this purpose, the Plan may specify the use of reasonable excuse provisions in the compliance mechanism to address transitional issues, including if anticipated works associated with any SDL adjustment mechanism are not completed by this time.

CONSULTATION OUTCOMES

Stakeholders were generally supportive of the approach proposed by the Ministerial Council.

Many raised concerns about the need for a transition plan to better manage the state and Commonwealth responsibilities in achieving the reduction in the SDLs, so there is more confidence in the gap, in fact, being bridged. Some sought explicit inclusion in the Basin Plan of provisions guaranteeing the reliability of entitlements if the SDL gap is not closed by 2019.

Some stakeholders noted that it would be important that a ‘reasonable excuse’ provision was not employed by states to excuse any more than shortfalls in the Commonwealth bridging the gap. Concern was raised by some stakeholders about the challenges associated with identifying whether completed projects have achieved the anticipated savings, which was a matter for the SDL adjustment mechanism. It was noted that this might become a critical issue in 2019. Some sought clarification that the actual implementation of SDLs may be deferred in the event that anticipated works associated with an SDL adjustment are not completed in time.

AUTHORITY RESPONSE

The Authority will include provisions in the proposed Basin Plan to clarify that state water resource plans will be accredited for 10 years under the Basin Plan. The Authority will include a provision allowing states a 'reasonable excuse' for non-compliance with SDLs if the Commonwealth has not 'bridged the gap'.

The ten-year accreditation period for state water resource plans is provided for by the Water Act (section 64), subject to some exceptions, and the proposed Basin Plan specifies that SDLs come into effect in water resource plans from 2019 (see 9.11(1)). The Authority supports making these arrangements clearer in the proposed Basin Plan, and two new notes have been included to achieve this.

The Authority agrees with the inclusion of a reasonable excuse provision as suggested by Ministers.

In response to Council's consensus position, the Authority has made the following changes in Chapter 6 of the proposed Basin Plan:

- An addition has been made to the note in Part 2 Division 2 of Chapter 6 regarding long-term average sustainable diversion limits to the effect that:

"Accredited water resource plans ordinarily have effect for a period of 10 years: see section 64 of the Act."

- Section 6.26 has been revised where a new sub-section at 6.26(4) has been included, which now reads:

"A Basin State is taken to have a reasonable excuse for an excess if the excess arises as the result of:

- a) the operation of the water resource plan for the SDL resource unit; or***
- b) circumstances beyond the Basin State's control (for example where, for reasons beyond the Basin State's control, the Commonwealth has not achieved the water recovery target that it has set for itself in relation to the SDL resource unit)."***

6. Trading rules

MATTERS RAISED BY MINISTERS

Council requests that the trading provisions be clarified to ensure that they do not impose unintended restrictions on Commonwealth and Basin States trading activity, particularly those intended to deliver the Commonwealth's 'bridging the gap' commitment or trading of environmental water.

CONSULTATION OUTCOMES

Few stakeholders made comments in relation to the trading matters identified by the Council.

As a matter of public policy principle, many expressed the view that insider trading rules must apply to all in the same way, including the Commonwealth because it is the largest water entitlement buyer and entitlement owner in Australia.

AUTHORITY RESPONSE

The Authority agrees to address the issues raised by Ministers by making a number of minor technical revisions to the trading provisions in the proposed Basin Plan.

The Authority acknowledges that the trading provisions should not have negative unintended impacts on the Commonwealth's 'bridging the gap' commitment or trading of environmental water, but needs to provide a framework that facilitates trade while still ensuring that those with access to water announcements that are not generally available are not able to benefit from this information.

Consultations supported equity in application of the water trading rules, regardless of the user. This is consistent with Subdivision A of the water trading rules, which ensures the right to trade free of certain restrictions.

The Authority considers that additional clarity on the application of the rules can be achieved, and has made a number of minor amendments in this regard. The Authority considers that it is appropriate to provide amendments to the definition of water announcement, including specifying that a water announcement is not intended to capture minor individual transactions that are consistent with a broader trading strategy. The Authority also considers it appropriate to clarify specific activities that cannot be entered into where a person is restricted from entering into a trade.

The Authority considers that the provisions would benefit from the inclusion of a 'Chinese wall' provision, which will allow government organisations to establish governance arrangements for information exchange and communication, so as not to contravene the restrictions on trading activities. The inclusion of this provision is intended to allow an organisation to conduct trading activities where it may have dual or even multiple roles in the water market, for example undertaking trading activities as well as making water announcements or processing trades.

The Authority considers that further clarity could be achieved under sections 11.07 and 11.08; class of persons and the purpose for which water is used, and has made minor drafting amendments to clarify that the rules do not require trade of a water access right to remove any pre-existing purpose-related conditions.

In response to Council's consensus position, the Authority has made the following changes in Chapter 11 of the proposed Basin Plan:

- **11.07 and 11.08 have been revised to clarify that a person may trade a water access right free of any restriction on the trade that relates to the purpose for which the water has been, or will be, used, or the class of persons to which a person may belong. This will, for example, ensure that this section does not act to remove conditions attached to a water access right which requires that they only be used for a specific purpose.**
- **Division 5 – 'Information to be made available', 11.49 – 11.52 – has been revised to provide clarity to the insider trading provisions to ensure they do not have unintended consequences including:**

- a. At 11.49, under the definition of water announcement;
 - i. clarifying that a water announcement is one where it can reasonably be expected to have a material impact on price if made generally available.
 - ii. inserting a reference to a trading strategy, but excluding decisions related to a particular trade if the trade is consistent with the trading strategy and the trading strategy is a generally available water announcement.
- b. At 11.51, clarifying that a water announcement is a decision that has been made and is to be announced by an agency of the Commonwealth or a Basin state and that the restrictions on trading apply from the point in time when a decision to make a water announcement is made to the point in time the announcement is made publicly available.
- c. At 11.51, specifying exactly which actions are not allowed to be undertaken if a person is aware of a water announcement before it is made generally available, i.e. enter into a contract to trade, or if no contract is required, apply to an approval authority, or apply to a registration authority;
- d. At 11.52, introducing a new provision for Chinese wall arrangements for agencies. This provision states that an agency is not restricted from entering into a contract to trade if it had in place arrangements to restrict the communication or provision of 'inside' information.

7. Requirements for determining 'actual take'

MATTERS RAISED BY MINISTERS

Council requests that the Basin Plan specify that the determination of 'actual take' be made by using cost-effective, fit-for-purpose methods, for water resource planning, accounting, monitoring and enforcement purposes. These methods may include an actual measurement, a method which may include modelling or an informed estimation, including a permitted error margin. The method and duration of the estimate to be used in a Water Resource Plan should be agreed between the Authority and the relevant Basin State, taking into account cost effectiveness.

Council requests that this requirement be clarified through amendments to section 9.15, so it allows for the use of a combination of approaches as appropriate to the resources of the water resource plan area and by specifying what kind of information is required in different data availability circumstances, having regard to cost effectiveness and risk management.

CONSULTATION OUTCOMES

Stakeholders were generally supportive of the approach proposed by the Council, although a number of stakeholders made no specific comments on this issue.

Where comments were made, it was agreed that the methodology for determining 'actual take' needs to be robust and accurate, as well as being cost effective. Most agreed that the consideration of cost effectiveness and risk management to settle appropriate estimation techniques must be seen

to be fair and equitable. Some expressed support for the Authority's preparation of standards for the way of estimating 'actual take'.

Concerns were raised that some interceptions have never been accurately measured. Some recommended further investigation into better understanding things like floodplain harvesting, which may require remote sensing.

Others expressed the view that measures that applied to take must also be applied to environmental take, since environmental water constitutes a significant portion of total water.

AUTHORITY RESPONSE

The Authority agrees to the Council's request to clarify that the determination of 'actual take' should be achieved using fit for purpose, cost-effective methods.

Section 9.15 of the proposed Basin Plan on 'Determination of Actual Take' has been redrafted to better reflect the desire for both fit-for-purpose and cost effective approaches, and to more clearly allow a combination of approaches to be used within a water resource plan (WRP) area. The intent of this provision is that:

- a WRP sets out how the actual take from each SDL resource unit is to be determined at the end of each year and that this determination is made using the best information available at that time;
- the determination can be made using a combination of the most reliable data and most reliable estimates, which may include measurement data captured using different technologies and the use of different estimate methods for different forms of take;
- where any take is measured and that is the best available information when the determination of actual take is being prepared, that this information be used;
- if multiple measurements are available for any particular take, then the most reliable of these be used; and
- where no measurement is available, that an estimate be made of the actual take, and that this be done in a way that is consistent with any method used to determine the permitted take.

Notwithstanding the above provisions, the Authority is aware of the importance of accurate information upon which to base management decisions, and is keen to work with states to encourage improved measurement of water resources where possible. We are aware of significant Commonwealth assistance already in this area, for example through the Bureau of Meteorology, through Commonwealth funding to the NSW Government to assess and manage floodplain diversions, and through funding of a feasibility study to assess floodplains in the Condamine–Balonne catchment.

In response to Council’s consensus position, the Authority has made the following changes in Chapter 9 of the proposed Basin Plan:

- At 9.15(1) the addition of the words:
“using the best information available at the time”;
- 9.15(2) has been reworded:
“For a particular form of take, and subject to the requirement that a determination use the best information available at the time, a determination may be made by:
(a) measuring the quantity of water actually taken; or
(b) estimating the quantity of water actually taken; or
(c) a combination of the above”; and
- Part of the previous 9.15(2) has been moved to a new provision 9.15(3)
“Where a determination for a form of take is made by estimating the quantity of water actually taken, the water resource plan must provide for the estimate to be done consistently with the method for subsection 9.10(1) that relates to that form of take”.

8. Jurisdictional implementation obligations

MATTERS RAISED BY MINISTERS

The Council is concerned to ensure that the implementation of the Basin Plan takes place in a way that achieves its objectives in an efficient and cost-effective way recognising the obligations of States to implement the Basin Plan. The Council requests that the Basin Plan include a general provision where obligations under the Plan impose additional costs on Basin States, the Authority and the States must use their best endeavours to enter, within two years after the commencement of the Basin Plan, into an agreement with each Basin State in relation to implementation of those obligations. It should also be clear that one of the matters to be taken into account in the settling of the above agreement are any jurisdictional funding arrangements under related Commonwealth-State agreements.

CONSULTATION OUTCOMES

Few stakeholders made comments on this matter. Where they did, they generally agreed with the Council’s views.

Some emphasised that the additional costs associated with jurisdictional implementation obligations must be met by a funding agreement between Basin states and the Commonwealth and should not be passed on to irrigators or regional communities in the form of higher water and other charges.

AUTHORITY RESPONSE

The Authority has included a broad provision for reaching agreement on meeting the requirements for state water resource plans.

The Authority accepts Council’s recommendation, and Part 2 of Chapter 9 of the Basin Plan has been amended to address the matter raised. The new clause draws on the arrangement already included in Chapter 12 (section 12.15), and requires that the Authority, within two years of the

commencement of the Basin Plan, uses its best endeavours to enter into an agreement with each Basin state in relation to meeting the water resource plan requirements in Chapter 9. The clause will provide that the agreements should take account of relevant Commonwealth–State agreements and may deal with the manner in which particular requirements of this Chapter are given effect, including through consideration of the risk identification and assessment undertaken in accordance with Part 9. In addition, the agreements may address the Authority's expectations that state water resource plans will meet certain standards.

In response to Council's consensus position, the Authority has made the following changes in Chapter 9 of the proposed Basin Plan:

- **At 9.06 clauses have been added under the subheading 'Agreements in relation to requirements' to the effect that within two years of the commencement of the Basin Plan the Authority will endeavour to enter into agreements with Basin States in relation to water resource plans and that the agreements should take account of relevant Commonwealth–State agreements, and includes matters with which an agreement may deal.**

9. Water quality and salinity

MATTERS RAISED BY MINISTERS

In order to further underpin the status of relevant content of the Murray-Darling Basin Agreement (Schedule 1 of the Commonwealth Water Act), Council requests it be made clear that Basin Plan content regarding targets for managing water flows, and salinity targets, not limit the operation of clause 141 or schedule B of that Agreement.

Council notes that the phrase "must have regard to" is used in several chapters of the proposed Basin Plan (e.g. s7.20(2), s12.05(3)) in addition to the Water Quality & Salinity Management Plan with slightly different contextual basis in many cases. In the interests of providing a consistent approach to defining the term which does not inadvertently create inappropriate interpretations, Council requests that the Basin Plan define the phrase "must have regard to".

Chapter 8 must clarify that, aside from the continued operation of Schedule B targets under the Murray-Darling Basin Agreement, targets contained in the Chapter are not mandatory. To give effect to this, Council requests that a note be placed in section 8.09, making it clear that, without limiting the operation of Schedule B of the Agreement, 'must have regard to' as it relates to targets under this Chapter does not mean that water quality targets are the sole consideration for decision makers or mandate that targets must be met. Instead, it places a positive obligation to consider the water quality targets in preparing water resource plans and making decisions related to the management of water flows, or in the case of environmental water holders, when making decisions on the use of environmental water.

Council also considers it highly desirable that the Basin Plan clarify that the operation of targets under Chapter 8 is intended to have no third party impacts, with a provision along the following lines:

Without limiting the operation of Schedule B of the Agreement, where targets under this Chapter are exceeded, action is not mandated. The process outlined in the guideline to Chapter 8 will determine the response to an exceedence, based on the associated costs and benefits and the expert judgement of the water manager, and the principle of no impact on

the amount of water delivered under State Water shares (i.e. there should be no impact on the volume of water available to the States).

Council considers it would be useful to clarify that the response to an exceedence of a target in the Basin Plan through inclusion of a note to the effect that, without limiting the operation of Schedule B, guidelines to Chapter 8 will outline a process to determine the response to an exceedence, having regard to associated costs and benefits, and no impact on the amount of water delivered under State Water shares.

Council requests that all salinity targets in Chapter 8 and Schedule 9 be expressed as EC only, to improve clarity as the unit is widely used in the community and well understood (with a note providing conversion factors to apply in different regions to allow estimation of corresponding values in mg/L).

Council request the following changes to the targets for managing water flows to reflect updated modelling of outcomes under the 2800 GL/year reduction scenario, better monitoring sites and management under low flows:

- Morgan set at 800 EC (the same numeric value as the Schedule B Basin salinity target that applies to this location, removing potential confusion that could arise if two different numeric values applied at the same location);
- Burtundy retained at 830 EC (with guidelines for this site to be prepared in consideration of the river operational constraints under low flow and low storage conditions); and
- The Lock 6 target set at 580 EC (revised target value based on consistency between Morgan and Lock 6 on the 'headroom' between the modelled benchmark period value and the proposed target at each location).

The guidelines for Chapter 8 must outline the process to have regard to the operational salinity target.

Council suggests that the term 'Salt Load Target' should be renamed as a 'Salt Load Outcome', and in line with the non-mandatory underpinning of the Chapter as outlined above, could therefore remain at 2 million tonnes per year minimum.

Council requests that further work be done to ensure consistency between the corresponding sections of Chapter 9 of the Basin Plan (i.e. sections 9.29 – 9.35, Water Quality Objectives), so they reflect the non-mandatory nature of the targets in Chapter 8 and that targets have no third party impact.

In accordance with this, section 9.33 should be modified to note that water quality management plan under a water resource plan, may identify potential water quality management options but are not expressly required to identify measures. Measures in this context refer to water quality management options.

CONSULTATION OUTCOMES

Stakeholders expressed a range of views on the matters raised by the Council with respect to water quality and salinity.

Some stakeholders strongly supported the view of Council that there needs to be a provision in the Basin Plan that expressly states that targets are not mandatory. Other stakeholders expressed the view that targets should be mandatory. They argued that the Basin Plan could mandate that targets

be met for a set percentage of time (for example, for 95% of the time). This would be more desirable than having non-mandatory targets where no punitive action can be taken. At the very least, these stakeholders felt there needs to be a clear process in place to respond to and address consistent exceeding of targets.

Some noted the importance of water quality outcomes to communities at the lower end of the system. Others expressed concern that there had not been adequate interrogation of options regarding the Lower Lakes and Coorong to assist in solving some of the issues in the region, such as evaporation and aging barrage structures.

Some supported the inclusion in the Basin Plan of a salinity target for the Lower Lakes. They supported identifying a salt load target and noted there is more to be done in this regard. Others thought that the salt load target currently in the Basin Plan was unreasonable and impractical.

Some agreed with the Council's view that the term 'must have regard to' ought to be clarified.

AUTHORITY RESPONSE

The Authority supports the Council's recommendations and has made a number of revisions to Chapter 8 of the proposed Basin Plan.

The Authority supports the Council's recommendations and has included relevant text in the Explanatory Statement, additional notes in Chapter 8, and may publish guidelines in relation to these matters.

'Must have regard to'

On the matter of defining 'must have regard to', the Authority agrees that it is appropriate to provide further guidance in relation to the obligations to 'have regard to' matters set out in the Basin Plan. A note has been added to the definitions section (section 1.07) providing clarification in relation to the way 'have regard to' and similar phrases should be interpreted. The note also refers to additional material set out in the Explanatory Statement which accompanies the Basin Plan. This explanation makes reference to the intention that such phrases should be interpreted consistent with case law and sets out the approach which decision-makers are expected to take when making decisions 'having regard to' specified matters. The Explanatory Statement has a number of examples included to further illustrate the intended operation of requirements to 'have regard to' particular matters.

A number of provisions of the proposed Basin Plan require decision-makers to 'have regard to' certain matters when performing functions and making decisions. For example, section 8.10 requires the Authority, Basin states and other bodies to have regard to water quality targets when performing functions under the Agreement relating to the management of water flows. Similarly certain provisions require functions to be undertaken 'having regard to' certain matters. For example, Part 4 of Chapter 9 contains a number of provisions requiring that a water resource plan must be prepared having regard to whether it is necessary for the plan to include rules addressing particular matters.

When a decision-maker is required to 'have regard to' particular matters, it is expected that the decision-maker will give those matters proper, genuine and realistic consideration, even if not ultimately bound to act in accordance with those matters.

A requirement to 'have regard to' a particular matter or matters means that the decision-maker can have regard to other relevant matters, for example the costs and benefits of taking a particular action.

Third Party Impacts

The Authority supports the Council comments on clarifying that there are no third party impacts under the operation of targets in Chapter 8, particularly regarding not having an impact on the amount of water delivered under state Water shares. The proposed Basin Plan provides for this in section 6.26, stating that nothing in the Basin Plan requires a change in the reliability of water allocations of a kind that would trigger Subdivision B of Division 4 of Part 2 of the Act.

Targets: response to exceedence

The Authority has considered the best way to capture and implement the Council's comment regarding the response to exceedence of salinity targets; specifically, the relationship between Chapter 8 targets and the targets already contained in Schedule B of the Agreement. To provide clarification, a note has been added to section 8.10 to the effect that the provisions of Schedule B operate independently of, and are unaffected by, the salinity targets in Chapter 8. The Authority will prepare guidelines to Chapter 8 to outline a process to determine the response to an exceedence, including having regard to associated costs and benefits, and no impact on the amount of water delivered under state water shares.

Salinity units and targets

The Authority has expressed all salinity targets in EC ($\mu\text{S}/\text{cm}$) only. The definition of EC in section 1.07 has also been updated to include measurement units, as have associated targets in Chapter 10.

Council made a number of recommendations regarding salinity targets relevant to managing water flows. The Authority accepts all the proposed changes, and has adjusted the target values at Morgan and Lock 6 accordingly. Council also suggested that the salt-load target should be expressed as an outcome. The Authority has further considered the expression of salt-load and, in accordance with the intent of Council's suggestion, has expressed salt-load as an objective rather than as a target.

Consistency between Chapters 8 and 9

The Authority agrees that there must be consistency between Chapter 8 and Chapter 9 and has made the appropriate checks to ensure that this is the case.

The water quality provisions in Chapter 9 have been reviewed to ensure that they reflect the non-mandatory nature of the water quality and salinity targets. Section 9.33 has been modified to express that management measures should only be taken in a cost-effective way and a note included setting out that while a water quality management plan under a water resource plan must specify measures which contribute to the achievement of water quality objectives, it is not mandatory to achieve the water quality and salinity targets.

In response to Council's consensus position, the Authority has made the following changes in Chapters 8 and 9 of the proposed Basin Plan:

- A note for the term 'have regard to' has been included in Chapter 1.07 – Definitions.
- A note has been added to section 8.10 to the effect that the provisions of Schedule B operate independently of, and are unaffected by, the salinity targets in Chapter 8.
- Guidelines to Chapter 8 (under 8.13) may outline a process to determine the response to an exceedence, including having regard to associated costs and benefits, and no impact on the amount of water delivered understate water shares.
- All salinity targets have been expressed only in EC ($\mu\text{S}/\text{cm}$) and the definition of EC (Chapter 1) has been updated to include measurement units.
- At 8.14(5)(c) the salinity target values at Morgan and Lock 6 have been adjusted in accordance with Council's recommendation.
- Part 3 of Chapter 8 'Water quality objectives for Basin water resources' has been amended to include the salt-load objective (at 8.03(f) and 8.09) and reflect Council's request to rename the 'Salt-load target'.
- At 9.33 'WQM Plan to identify measures', a note has been added to the effect that WQM Plan measures must contribute to the water quality objectives and targets set out in Chapter 8.
- Provision 9.33(1) has been replaced with:
"The WQM Plan must specify measures to be undertaken in or in relation to the water resources of the water resource plan area that contribute to the achievement of the water quality objectives in Part 3 of Chapter 8, unless there are no such measures that can be undertaken cost-effectively".

10. Environmental watering plan

MATTERS RAISED BY MINISTERS

The Council is concerned to ensure that the implementation of the Environmental Watering Plan (EWP) under the Basin Plan takes place in a way that:

- is collaborative and flexible;
- involves the community, building on existing jurisdictional engagement frameworks;
- maximises the efficiency of environmental water use, and optimises delivery with consumptive water where possible;
- protects priority assets and sites during drought; and
- is capable of capturing the outcomes of any adjustment to the SDL in 2016.

Accordingly, Council requests that in finalising the Basin Plan, the Authority investigate and consider the following issues:

- a. The Basin-wide environmental watering strategy is intended to provide guidance on the environmental watering requirements of priority assets and functions from a Basin-wide perspective, to support the development of consistent valley-based long term watering plans. Council requests the Plan be amended to clarify that intent.
- b. The Basin-wide environmental watering strategy needs to be reviewed and updated to reflect the operation of any proposed SDL adjustment mechanism. In line with this, the strategy must be capable of giving effect to the implementation of environmental works and measures, the removal of constraints and any agreed changes to river operations, including potential uses for Commonwealth held environmental water and other relevant held environmental water.
- c. The Authority should describe the way in which Basin annual environmental watering priorities will be determined in consultation with the Commonwealth Environmental Water Holder and Basin States.
- d. There may need to be particular elements of the mandatory content for Basin States' long term watering plans and annual watering priorities, where a level of discretion and flexibility is required. Provisions should be included that allow for long term watering plans and annual watering priorities to vary mandatory content in specific cases, where this has been agreed by the Authority and the Basin State.
- e. The need for clarity of the intent and application of the Basin-wide environmental watering strategy in relation to the timeframe for its development, its interaction with the state long-term watering plans and the process for identifying priority assets and functions and their watering requirements.

More broadly, Council considers it important that the EWP also:

- a. Allow for the development of agreements for long term watering arrangements for the use of environmental water, developed in consultation with the Authority, the Commonwealth and Basin States, and/or the relevant environmental water holders.

- b. **Specify a requirement that a clear process be developed for making decisions by environmental water holders to apply environmental water both within a water allocation period and across water allocation periods.**
- c. **Provide for the use of Commonwealth and other relevant held environmental water, as far as practical, to maintain water levels above a minimum of 0.0 metres AHD in the Lower Lakes.**

To support the above, Council regards it as highly desirable that all environmental watering activities under the Plan be done in close consultation, and wherever appropriate by agreement, between the Authority, the Commonwealth Environmental Water Holder and the Basin States. This approach is consistent with the cooperative nature of Basin environmental watering activities to date. To ensure the continuation of these cooperative arrangements, Council requests that the intent of ‘close consultation, coordination and cooperative arrangements and wherever appropriate by agreement’, be made as clear as possible within the EWP.

CONSULTATION OUTCOMES

Stakeholders expressed differing views on the matters raised by the Council with respect to the environmental watering plan. A number of stakeholders had no comments on this matter.

Most agreed that consultation with local communities should be a key element of the process of developing the environmental watering plan and long-term plans to ensure that local knowledge and expertise is utilised.

Some stakeholders supported the view that the environmental watering plan should provide for water levels above a minimum of 0.4 metres AHD in the Lower Lakes for 95% of the time.

AUTHORITY RESPONSE

The Authority generally agrees with the Council’s recommendations and has made a number of revisions to the provisions on the environmental watering plan in Chapter 7.

The Authority agrees with the view expressed by Ministerial Council in paragraph 42 of Attachment A of the notice. The Authority considers that the Environmental Watering Plan (EWP) (Chapter 7) facilitates this overall. Consultation is supported at every step of ‘Environmental Management Framework’, (Part 4 of Chapter 7). Further, 7.15 and 7.29 set out comprehensive lists of matters to which the Authority must have regard. These include the advice and views of various parties and explicitly “*the views of local communities, including bodies established by a Basin State that express community views in relation to environmental watering*”. This is reinforced by Principle 7 (7.39) ‘Working effectively with local communities’. (The Authority’s response is also discussed below, in relation to the matters raised by Council in paragraph 45.)

At 7.35 the ‘Principles to be applied in environmental watering’ set out that environmental watering is to be undertaken in a way that maximises environmental benefits. Similarly, optimising delivery with consumptive water, where possible, is addressed at Principle 11 (7.43) which states that “*Management of water for consumptive use should, where possible, be undertaken in a way that is consistent with achieving the objectives in Part 2 [of Chapter 7]*”. This is supported by the ‘Principles to be applied to determine priorities’ (Part 6 of Chapter 7) where Principle 5 (7.57(c)) states that

“Priorities...are to be determined having regard to...the opportunity to take advantage of consumptive water flows...”

The protection of priority assets and sites during drought is overwhelmingly an implementation (prioritisation) decision. However, the EWP guides implementation. The ‘Overall environmental objectives for [the] water-dependent ecosystems [of the Basin]’ (Part 2 of Chapter 7) provides specific guidance on protecting refugia during drought, providing wetting and drying cycles that do not exceed ecosystem tolerances and providing for resilience to climate variability. These objectives are supported by the ‘Principles and method to determine priorities for applying environmental water’ [Part 6 of Chapter 7] and the *Guidelines for the method to determine priorities for applying environmental water*. In particular, the Guidelines set out management outcomes for very dry periods while providing for necessary flexibility.

The EWP is designed to function in a very wide range of water availability scenarios. Any adjustment of the SDL in 2016 will fall within this range. Notwithstanding, all aspects of the environmental management framework are adaptive. Accordingly, the Basin-wide environmental watering strategy (see 7.17), long-term watering plans (see 7.22), and annual priorities (see 7.31) can be updated to take account of new information, at any time. This is supported by the ‘Principles to be applied in environmental watering’ where Principle 8 (7.40) sets out that *“Adaptive management should be applied in the planning, prioritisation and use of environmental water”*.

Purpose of the Basin-wide environmental watering strategy

The Authority generally agrees with Council’s views on the Basin-wide environmental watering strategy. The Authority also notes that the strategy is an important mechanism by which environmental watering at the Basin-scale will be influenced over the long term, including through the development of water resource plans (as set out in Part 6 of Chapter 9). Accordingly, the Authority has changed 7.13 to make the purpose of the Basin-wide environmental watering strategy clearer. The Authority also removed the more prescriptive elements of 7.19(3) to make it more consistent with approach outlined by Council.

Giving effect to any proposed SDL adjustment mechanism and associated matters

The Authority agrees with Council’s views on the need for the Basin-wide environmental watering strategy to be able to give effect to any proposed SDL adjustment mechanism and associated matters such as implementation of environmental works and measures, the removal of constraints and any agreed changes to river operations. The Authority considers that this is fully catered for in the EWP. However, additional notes have been added to 7.11 and 7.17(2) to provide further clarity.

Determining the Basin annual environmental watering priorities

The Authority considers that the EWP clearly sets out how Basin annual environmental watering priorities will be determined. That is, the Authority will consult and collaborate with Basin states (and others) with the goal of achieving an agreed consensus position, but where this is not feasible the Authority is responsible for making a decision on priorities in the national interest. The priorities will be determined by the Authority in the context of the broader provisions of the EWP (i.e. that Basin states and others must have regard to the Authority’s decision). The section dealing with the

'Content of the Basin-wide environmental watering strategy' contemplates (at 7.14(1)) that further detail on identification of annual environmental watering priorities will be provided in the Basin-wide environmental watering strategy. The Authority considers that it would be inappropriate to attempt to make this process more prescriptive in legislation and thereby limit the capacity for adaptive governance.

Content of long-term watering plans

The mandatory content for long-term watering plans is set out at 7.19 and covers identification of environmental watering requirements, identification of possible co-operative arrangements, identification of long-term risks, operational constraints and provision of supporting information. This is considered to be a minimum list of matters that would result in a meaningful long-term watering plan. To ensure flexibility and avoid unnecessary additional work, 7.19 also sets out that "*a long-term watering plan may provide that a specified instrument or text, or specified part of an instrument or text, is part of the plan*". The note below 7.19 also clearly indicates that a flexible approach is contemplated by setting out that "*[t]he level of detail in a long-term watering plan may vary according to local conditions, and statutory and other arrangements prevailing in the water resource plan area*". 7.21(1)(d) also provides for the Authority to agree another timeframe for the provision and publication of long-term watering plan(s) by a Basin state. This flexibility extends to part or all of one or a number of plans. The Authority considers that long-term watering plans have an important role in the environmental management framework. The Authority considers that these provide for considerable flexibility and strike a reasonable balance between flexibility and ensuring that long-term watering plans contribute effectively to the environmental management framework.

Timeframes and interaction between the Basin-wide environmental watering strategy and long-term watering plans

The EWP sets out the maximum timeframes permitted for the Authority to prepare and publish the Basin-wide environmental watering strategy (24 months) and for Basin states to (subsequently) prepare and publish long-term watering plans (12 months from the publication of the Basin-wide environmental watering strategy). The EWP also sets out the relationship between the Basin-wide environmental watering strategy and long-term watering plans, including consultation and consistency requirements. Further, 7.20(4) sets out that "*[t]he Authority may advise, or assist, a Basin State in preparing a long-term watering plan, or updated long-term watering plan.*" The 'Objectives for the environmental management framework' (7.11) state that "*[t]he environmental management framework is intended to co-ordinate the planning, prioritisation and use of environmental water on both a long-term and an annual basis...*" The Authority therefore feels that the intention is clear that the Authority and Basin states work co-operatively to develop the Basin-wide environmental watering strategy and long-term watering plans. It is intended that the initial Basin-wide environmental watering strategy and long-term watering plans will be developed concurrently after the Basin Plan comes into effect. Noting this, additional time is provided for Basin states to finalise their long-term watering plans as these are intended to take some direction from the Basin-wide environmental watering strategy. During this time, the Authority and Basin states (and others) will have ongoing responsibility for annual prioritisation, consistent with Part 4 of

Chapter 7, and this process will also inform the development of the Basin-wide environmental watering strategy and long-term watering plans.

Long-term watering arrangements

The Authority agrees with Council's views on the development of agreements for long-term watering arrangements for the use of environmental water, as set out in paragraph 44(a) of Attachment A of the notice from Ministerial Council. The Authority considers that these agreements are the environmental watering schedules provided for by sections 29–31 of the Water Act. The Act sets out some broad obligations in relation to schedules and these may not be modified by the Basin Plan. Accordingly, nothing in the EWP inhibits the development of schedules. 7.29(6)(c) sets out that Basin annual environmental watering priorities "*must be consistent with ...any environmental watering schedule to which the Authority is a party.*" Further, 7.14(2)(a)(ii) sets out that "[t]he Basin-wide environmental watering strategy may...identify... multi-site watering objectives and associated flow regimes...". For consistency the provision at 7.29(6)(c) has been replicated at 7.25(2)(d) and a provision has been added to 7.14(2)(c)(ii) to make it clear that the Basin-wide environmental watering strategy "*may make recommendations about periodic environmental watering schedules*".

Decision-making processes

The Authority considers that legislating to require holders of held environmental water to develop decision-making processes to apply environmental water within and across water allocation periods is beyond the power and general intent of the Basin Plan. However, the Authority considers that providing guidance on best practice in decision making could assist in the planning, prioritisation and use of environmental watering. Accordingly the Authority has amended 7.14(2)(c)(i) to make it clear that this provision includes making recommendations about best-practice decision making. This means that the Authority will be able to provide guidance on decision making by the environmental water holder, and others, as appropriate. Providing guidance to water holders (and managers of planned environmental water) on managing between water years rather than treating each water year discretely is within the scope of the EWP and is addressed by the 'Environmental Management Framework' (Part 4 of Chapter 7)—in both planning for the long-term and by annual prioritisation—and by the *Guidelines for the method to determine priorities for applying environmental water*. Section 7.23 also sets out that the annual environmental watering priorities (prepared by Basin states) "*may identify the annual priorities for [two] or more years.*" Taken together, the Authority considers that these provisions facilitate guidance on managing between water years rather than treating each discretely.

Water levels in the Lower Lakes

At paragraph 44(c) of its notice, the Council seeks that the EWP "[p]rovide[s] for the use of Commonwealth and other relevant held environmental water, as far as practical, to maintain water levels above a minimum of 0.0 metres AHD in the Lower Lakes". The Authority notes that this is very specific and relatively prescriptive compared with the other provisions of the EWP. The Authority considers that Council's consensus position should be given effect in the 'Overall environmental objectives for [the] water-dependent ecosystems [of the Basin]' (Part 2 of Chapter 7) and, accordingly, a new provision has been added at 7.06(e). For additional clarity, a provision has been

added to 'Content of the Basin-wide environmental watering strategy' (7.14) to make it clear that "[t]he Basin-wide environmental watering strategy may...identify... end of system targets for environmental outcomes".

Consultation, co-ordination and co-operative arrangements

At paragraph 45 of its notice, the Council appears to seek Basin state agreement to Authority decisions on environmental watering activities, where appropriate. This would be inconsistent with making decisions in the national interest and may inhibit optimising the use of environmental water. The Authority is concerned that, if implemented, this would create an impasse in circumstances where agreement could not be reached with all jurisdictions. This also appears to be inconsistent with the Authority's broad functions as set out at section 172 of the Water Act.

The Authority agrees that it is highly desirable that environmental watering activities under the EWP should be undertaken in consultation, co-ordination and co-operation between the Authority, the Commonwealth Environmental Water Holder and Basin states. Accordingly, a provision has been added to the 'Objectives of [the] environmental management framework' (7.11) to the effect that "The environmental management framework is intended to...(c) facilitate consultation, co-ordination and co-operative arrangements between the Authority, the Commonwealth Environmental Water Holder and Basin States in order to achieve the objectives in Part 2." To further improve clarity in relation to consultation, co-ordination and co-operation between the Authority, the Commonwealth Environmental Water Holder and Basin states a new provision has been added at 7.02 that includes that "The purpose of environmental watering plan is to achieve the objectives in Part 2 and give effect to the principles in Division 6 of Part 4 by... (c)facilitating consultation, co-ordination and co-operative arrangements, where possible, between the Authority, the Commonwealth Environmental Water Holder and Basin States..."

In response to Council's consensus position, the Authority has made the following changes in Chapter 7 of the proposed Basin Plan:

- **A provision has been added at 7.02 to the effect that:**
 - (1) The purpose of the environmental watering plan is to achieve the objectives in Part 2 and give effect to the principles in Division 6 of Part 4 by:***
 - a) co-ordinating the planning, prioritisation and use of environmental water on both a long-term and an annual basis; and***
 - b) enabling adaptive management to be applied to the planning, prioritisation and use of environmental water; and***
 - c) facilitating consultation, co-ordination and co-operative arrangements, where possible, between the Authority, the Commonwealth Environmental Water Holder and Basin States; and***
 - d) enabling information to be shared between the Authority, the Commonwealth, Basin States, holders of held environmental water and managers of planned environmental water to ensure efficient and effective use of environmental water***
 - (2) This section does not limit the operation of this Chapter***

Note: Subsection 1.02(2) states that the Basin Plan has the effect provided for in sections 34, 35, 36, 37, 86G and 86H of the Act."

- A provision has been added at 7.06(3) to the effect that:
"[a]n objective is to protect and restore connectivity within and between water-dependent ecosystems, including by ensuring that... (e) as far as practicable, water levels in the Lower Lakes are maintained above 0.0 metres Australian Height Datum."
- A provision has been added at 7.11 to the effect that:
"The environmental management framework is intended to ...(c) facilitate consultation, co-ordination and co-operative arrangements between the Authority, the Commonwealth Environmental Water Holder and Basin States in order to achieve the objectives in Part 2"
- At 7.11 a note has been added to the effect that:
"The application of adaptive management will enable various triggers to be responded to, including any adjustment that might be made to the SDL."
- 7.13(2) has been replaced with:
"The purpose of the Basin-wide environmental watering strategy is to:
 - a) explain the context within which the Basin annual environmental watering priorities will be set; and*
 - b) identify particular Basin-wide environmental watering priorities over the long term; and*
 - c) help co-ordinate the management of environmental water, including guiding the development of consistent long-term watering plans."*
- A provision has been added at 7.14(2)(a) to the effect that:
"The Basin-wide environmental watering strategy may also...identify (iii) end of system targets for environmental outcomes."
- 7.14(2)(c) has been amended to the effect that:
"The Basin-wide environmental watering strategy may also... make recommendations...(i) relating to what constitutes best practice in planning, prioritisation and use of environmental water, including decision making and priority setting."
- A provision has been added at 7.14(2)(c) to the effect that:
"The Basin-wide environmental watering strategy may also... make recommendations...(ii) about periodic environmental watering schedules."
and a note referencing the Act:
"Note: See also sections 29 to 31 of the Act."
- At 7.17 a note has been added to the effect that:
"The Authority may review and update the Basin-wide environmental watering strategy in response to various triggers, including any adjustment that might be made to the SDL."

- Subsection 7.19(3) has been revised to the effect that:
“If the Basin-wide environmental watering strategy has identified particular assets or functions and their requirements under subparagraph 7.14(2)(a)(i), a long-term watering plan must be consistent with that part of the Basin-wide environmental watering strategy.”
and to delete the prescriptive elements at 7.19(3)(a) and (b).
- At 7.20(2) a note has been added to the effect that:
“Paragraph 7.13(2)(c) sets out that one of the purposes of the Basin-wide environmental watering strategy is to help co-ordinate the management of environmental water, including guiding the development of consistent long-term watering plans.”
- A provision has been added at 7.25(2) to the effect that:
“When identifying annual environmental watering priorities, a Basin State must have regard to...(d) any environmental watering schedule to which the Authority is a party.”

11. Groundwater SDLs

MATTERS RAISED BY MINISTERS

The Council supports the adoption of the precautionary principle for all aquifers, consistent with the National Water Initiative, for the establishment of extraction limits based on best available science.

Council notes the views of some Basin States that there is some potential for changes to proposed groundwater SDLs based on further consideration of existing data, knowledge and science, including state-based modelling and scientific expertise.

Council also notes the potential to adjust groundwater SDLs in future years, consistent with the Water Act, subject to additional science and data and consideration of potential impacts on surface water.

Council requests that the states provide all information to the Authority necessary to support any further consideration of groundwater SDLs and that the Authority works with the States' hydrogeologists within the next three weeks to finalise the SDLs for the next version of the Basin Plan.

CONSULTATION OUTCOMES

Stakeholders were generally supportive of the precautionary approach to setting groundwater SDLs proposed by Ministerial Council, although some noted they had no comment to make. Those who supported the approach pointed to the lack of knowledge about groundwater and the diversity of expert views.

In response to the specific concerns raised by Council members, the Authority convened a series of bilateral workshops on 20 July 2012. The workshops addressed the Ministerial Council's request that the Authority work with the states' hydrogeologists to finalise the SDLs for the next version of the Basin Plan.

In addition to the state representatives, a number of the groundwater experts who attended the 17 May 2012 groundwater review workshop attended these workshops. The role of the experts was to

provide technical advice to the Authority on any additional information provided and technical points raised by the state representatives.

AUTHORITY RESPONSE

The Authority has heard submissions from each Basin jurisdiction with respect to groundwater SDLs, and after consideration of advice from the groundwater expert panel has made a number of minor changes to the proposed Basin Plan. that have increased the overall groundwater SDL from 3184 GL/y to 3324 GL/y. In some cases, proposals from states to increase SDLs were not accepted at this time because, based on the expert advice received during the consultation, the Authority was concerned about likely impacts on surface water connectivity, and because the state of knowledge in those groundwater systems did not justify taking a higher level of risk in setting SDLs. In these cases, the Authority hopes to work co-operatively with states and the scientific community to improve the knowledge base and to review these decisions in the future, if appropriate. The Authority considers that the precautionary approach used to determine the groundwater SDLs that is supported by the Council is the correct approach at this time.

The Authority has held workshops in May and July 2012 in relation to the groundwater provisions in the proposed Basin Plan which have involved expert contributions from representatives of CSIRO Land and Water, the National Centre for Groundwater Research & Training, Geoscience Australia, the National Water Commission, the International Association of Hydrogeologists Australia and Office of Water Science at the Department of Sustainability, Environment, Water, Population and Communities.

The Authority and jurisdictions recognise that there are additional groundwater resources (unassigned groundwater) that can be used for productive purposes without impacting on other water users, surface water resources and the environment. The Authority is prepared to continue working with the jurisdictions to consider ways of revising groundwater SDLs in future, if there is a case to do so, including:

- the potential incorporation of a groundwater SDL adjustment mechanism in the Plan. This would be similar in concept to the surface water adjustment mechanism;
- the introduction of a trigger in areas with substantial unassigned groundwater that activates further investigations and studies of the area in question to improve the understanding of the SDL. For example, the investigations and studies could be commenced when 50% of the Basin Plan unassigned water allocation entitlement is released;
- developing a joint groundwater work program with experts from the Authority, each jurisdiction and the scientific community to address the priority areas identified in the S43A notice.

The Authority also recognises that Queensland's preferred approach of having deep groundwater Basins excluded from Murray–Darling Basin water resources by regulation may be appropriate in other jurisdictions. The Authority is willing to work with Basin states and the Commonwealth to investigate any potential options regarding deep groundwater resources.

In the meantime the Authority has made a number of alterations to the groundwater SDLs on the basis of information provided by the states, and technical advice provided by groundwater experts.

The Authority's views on the suggested changes to the groundwater provisions in the revised draft Basin Plan, and an explanation of the resulting changes, are presented in the matters concerning groundwater raised by each state. In regard to the notice from NSW, the Authority was not prepared to accept the very large increases in groundwater SDLs proposed by the NSW government at this time. These would have significant potential impacts on surface water resources, and could not be justified on the basis of available information without a proposal to reduce surface water SDLs accordingly.

The total of groundwater SDLs is increased by 139 GL/y from 3184 GL/y to 3324 GL/y since the revised proposed Basin Plan (May 2012). The revision in the total of groundwater SDLs has occurred in the following states:

- New South Wales: 5 GL/year increase.
- Victoria: 34 GL/year increase.
- Queensland: 100 GL/year increase.

The Authority has also revised the SDL resource unit boundaries within two NSW water resource plan areas.

The Authority and Basin states recognise that there are additional groundwater resources (unassigned groundwater) that can be used in the Basin for productive purposes without impacting on other water users, surface water resources and the environment. The Authority has proposed an approach that is more precautionary than has been proposed by a number of Basin states. Nevertheless, the SDLs for some systems allow for growth above current use. The Authority is keen to work with states and the science community to develop a work program that is focused on improving groundwater knowledge in the Basin, so that future reviews of SDLs can propose limits for which there is a higher level of confidence.

In response to Council's consensus position, the Authority has made the following changes in Schedule 4 of the proposed Basin Plan:

VICTORIA

- **Increased the SDL for the Goulburn–Murray: Sedimentary Plain groundwater SDL resource unit from 199.4 GL/y to 203.5 GL/y.**
- **Increased the SDL for the Goulburn–Murray: deep groundwater SDL resource unit from 5 GL/y to 20 GL/y.**
- **Revised the definition of the Wimmera–Mallee: Highlands groundwater SDL resource unit to specify that it extends: *"from the land surface to 200 metres below the surface"*.**
- **Revised the BDL and SDL for the Wimmera–Mallee: Sedimentary Plain groundwater SDL resource unit to specify that the limit is: *"minus any limit, under a law of the State of Victoria, on the taking of groundwater from the Victorian West Wimmera Groundwater Management Area"*.**
- **Increased the Wimmera–Mallee: deep groundwater SDL resource unit from 5 GL/y to 20 GL/y.**

NEW SOUTH WALES

- Revised the definition of the Coolaburragundy–Talbragar Alluvium groundwater resource SDL unit to exclude groundwater in the Eastern Porous Rock: Namoi–Gwydir (now the Sydney Basin MDB) groundwater SDL resource unit.
- Revised the groundwater SDL resource units in the Eastern Porous Rock water resource plan area into two units rather than three, with corresponding changes to the BDLs and SDLs. This water resource plan area now includes:
 - the Gunnedah–Oxley Basin MDB groundwater SDL resource unit with a BDL of 22.1 GL/y and SDL of 114.5 GL/y
 - the Sydney Basin MDB groundwater SDL resource unit with a BDL of 3.12 GL/y and SDL of 17.2 GL/y.
- Amalgamated the three New England Fold Belt SDL resource units: Border Rivers; Gwydir; and Namoi, into a single New England Fold Belt groundwater SDL resource unit

QUEENSLAND

- Inclusion of a deep groundwater resource in Queensland to cover the area within the Queensland Murray–Darling Basin below the Great Artesian Basin with an SDL set at 100 GL/y.

ABBREVIATIONS AND ACRONYMS

ABARES	Australian Bureau of Agricultural and Resource Economics and Sciences
ABS	Australian Bureau of Statistics
ACCC	Australian Competition and Consumer Commission
ADWG	Australian Drinking Water Guidelines
ANZECC	Australian and New Zealand Environment and Conservation Council
BCC	Basin Community Committee
BDL	Baseline diversion limit
BOC	Basin Officials Committee
BOM	Bureau of Meteorology
BPKID	Basin Plan Knowledge and Information Directory
BPWG	Basin Plan Working Group
BRS	Bureau of Rural Sciences
BSMS	Basin Salinity Management Strategy
CEWH	Commonwealth Environmental Water Holder
CHWN	Critical human water needs
CLLMM	Coorong, Lower Lakes and Murray Mouth
CMA	Catchment management authorities
CSG	Coal-seam gas
CSIRO	Commonwealth Scientific and Industrial Research Organisation
Cwlth	Commonwealth
DAFF	Department of Agriculture, Fisheries and Forestry
DoRA	Department of Regional Development Australia
ESLT	Environmentally sustainable level of take
EWP	Environmental watering plan
GAB	Great Artesian Basin
GL	Gigalitres
GVIAP	Gross value of irrigated agricultural production
IIO	Irrigation infrastructure operator
MDBA	Murray–Darling Basin Authority
MDBC	Murray–Darling Basin Commission
MEP	Monitoring and evaluation program
MLDRIN	Murray-Lower Darling Rivers Indigenous Nations
NRM	Natural resource management
NBAN	Northern Basin Aboriginal Nations
NCGRT	National Centre for Groundwater Research and Training

NHMRC	National Health and Medical Research Council
NVIRP	Northern Victoria Irrigation Renewal Project
NWC	National Water Commission
PDF	Portable document format
PEL	Preliminary extraction limit
RIS	Regulation impact statement
RRAM	Recharge risk assessment method
SDL	Sustainable diversion limit
SEACI	South Eastern Australia Climate Initiative
SEWPaC	Department of Sustainability, Environment, Water, Population and Communities
SKM	Sinclair Knight Merz
SRA	Sustainable Rivers Audit
TLM	The Living Murray
USE	Upper south east
WRP	Water resource plan
WQSMP	Water quality and salinity management plan

APPENDIX A: CHANGES MADE TO THE PROPOSED BASIN PLAN

Ch or sch	Old section	Old provision's text	New section	New provision's text
ch 1	1.05	<p>Chapter 6</p> <p>The long-term average sustainable diversion limits, the temporary diversion provisions, and the method for determining whether the long-term annual diversion limit has been complied with and the extent of any failure to comply with that limit (items 6, 7 and 8 of the table in subsection 22(1) of the Act). This Chapter also includes matters required by Division 4 of Part 2 of the Act which relate to the allocation of risks in relation to reductions in water availability.</p>	1.05	<p>Chapter 6</p> <p>The long-term average sustainable diversion limits, including adjustments to the reduction amounts that contribute to those limits, the temporary diversion provisions, and the method for determining whether the long-term annual diversion limit has been complied with and the extent of any failure to comply with that limit (items 6, 7 and 8 of the table in subsection 22(1) of the Act). This Chapter also includes matters required by Division 4 of Part 2 of the Act which relate to the allocation of risks in relation to reductions in water availability, and provisions for the Authority to conduct research and investigations and prepare a constraints management strategy.</p>
ch 1	1.05	<p>Chapter 8</p> <p>Water quality and salinity management plan</p> <p>The key causes of water quality degradation in the Murray-Darling Basin. This Chapter also includes water quality and salinity objectives, water quality targets for planning of water flows, water quality targets that apply to the preparation of the water resource plans, and water quality targets for the purposes of long term salinity planning and management (item 10 of the table in subsection 22(1) of the Act).</p>	1.05	<p>Chapter 8</p> <p>Water quality and salinity objectives, water quality targets for planning of water flows, water quality targets that apply to the preparation of the water resource plans, and water quality targets for the purposes of long term salinity planning and management (item 10 of the table in subsection 22(1) of the Act). This Chapter also includes the key causes of water quality degradation in the Murray-Darling Basin.</p>

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Ch or sch	Old section	Old provision's text	New section	New provision's text
ch 1	1.05	N/A New entry	1.05	Schedule 5 Calculation of supply adjustment Provisions for quantifying supply adjustments for Part 3 of Chapter 6.
ch 1	1.07	N/A New entry	1.07	data includes metadata.
ch 1	1.07	EC means electrical conductivity.	1.07	EC means electrical conductivity, expressed in microsiemens per centimetre ($\mu\text{S}/\text{cm}$)
ch 1	1.07	form of take means any of the following forms of take: (a) take from a watercourse; (b) take from a regulated river; (c) take by floodplain harvesting; (d) take by a runoff dam; (e) net take by a commercial plantation; (f) take from groundwater; (g) take under a basic right.	1.07	form of take means any of the following forms of take: (a) take from a watercourse; (b) take from a regulated river; (c) take by floodplain harvesting; (d) take by runoff dams; (e) net take by commercial plantations; (f) take from groundwater; (g) take under basic rights.
ch 1	1.07	MDBA Technical Report 2010/20 means the Murray-Darling Basin Authority Technical Report 2010/20 titled <i>Water Resource Assessments for Without Development and Baseline Conditions</i> published by the Authority in November 2010.	1.07	MDBA Technical Report 2010/20 means the Murray-Darling Basin Authority Technical Report 2010/20 titled <i>Water Resource Assessments for Without Development and Baseline Conditions</i> Version 2 published by the Authority in November 2011.
ch 1	1.07	MDBA Technical Report 2011/01 means the Murray-Darling Basin Authority Technical Report 2011/01 titled <i>Comparison of Watercourse Diversion Estimates in the Guide to the Proposed Basin Plan with other Published Estimates</i> published by the Authority in March 2011.	1.07	MDBA Technical Report 2011/01 means the Murray-Darling Basin Authority Technical Report 2011/01 titled <i>Comparison of Watercourse Diversion Estimates in the Proposed Basin Plan with other Published Estimates</i> Version 2 published by the Authority in November
ch 1		N/A New note	1.07 note	Note: A number of provisions of the Basin Plan require decision-makers to 'have regard to' certain matters when performing functions and making

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Ch or sch	Old section	Old provision's text	New section	New provision's text
				decisions. The phrases 'have regard to' and similar phrases are intended to be interpreted consistent with case law, as it develops from time to time and as applied with appropriate regard to the circumstances. This note is intended to reflect the case law and not to limit its application or development. When a decision maker is required to 'have regard to' particular matters, it is expected that the decision maker will give those matters proper, genuine and realistic consideration, even if not ultimately bound to act in accordance with those matters. A requirement to 'have regard to' a particular matter or matters does not mean that the decision-maker cannot have regard to other relevant matters, for example, the benefits and costs of taking a particular action. See section 1.07 of the explanatory statement in relation to the Basin Plan for further information about the phrases 'have regard to', 'having regard to' and 'regard must be had'.
ch 1	1.08	1.08 Basin Plan not to be inconsistent with Snowy Water Licence A provision of the Basin Plan has no effect to the extent to which the provision is inconsistent with the provisions of the licence issued under section 22 of the Snowy Hydro Corporations Act 1997 of New South Wales.	1.08	1.08 Basin Plan not to be inconsistent with Snowy Water Licence A provision of the Basin Plan has no effect to the extent to which the provision is inconsistent with the provisions of the licence issued under section 22 of the Snowy Hydro Corporatisation Act 1997 of New South Wales.
ch 3	3.06 (d)(ii)	(i) all Basin water resources in the Gunnedah-Oxley Basin whether or not those resources are beneath the area;	3.06 (d)(ii)	(ii) all Basin water resources in the Gunnedah-Oxley Basin and the Sydney Basin whether or not those resources are beneath the area;
ch 3	3.07 (b)	N/A New section	3.07 (b)	(iii) all groundwater resources in the

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Ch or sch	Old section	Old provision's text	New section	New provision's text
	(iii)		(iii)	Queensland Murray Darling Basin below the Great Artesian Basin;
ch 6	6.01(2)	(2) This Chapter deals with the matters set out in items 6, 7 and 8 of the table in subsection 22(1) and Division 4 of Part 2 of the Act. Those matters are: (a) the long-term average sustainable diversion limits (Part 2); and (b) the temporary diversion provision (Part 3); and (c) the method for determining compliance with the long-term annual diversion limit (Part 4); and (d) allocation of risks in relation to reductions in diversion limits (Part 5); and (e) risks arising from other changes to the Basin Plan (Part 5).	6.01(2)	(2) This Chapter deals with the matters set out in items 6, 7 and 8 of the table in subsection 22(1) and Division 4 of Part 2 of the Act. Those matters are: (a) the long-term average sustainable diversion limits (Part 2); and (b) the adjustment of reduction amounts (Part 3); and (c) the temporary diversion provision (Part 4); and (d) the method for determining compliance with the long-term annual diversion limit (Part 5); and (e) allocation of risks in relation to reductions in diversion limits (Part 6); and (f) risks arising from other changes to the Basin Plan (Part 6).
ch 6	Part 2 Div 2	Division 2—Long-term average sustainable diversion limits Note: Water resource plans are not required to give effect to the long-term average sustainable diversion limits until 1 July 2019 (see Part 3 of Chapter 9).	Part 2 Div 2	Division 2—Long-term average sustainable diversion limits Note: Water resource plans are not required to give effect to the long-term average sustainable diversion limits until 1 July 2019 (see Part 3 of Chapter 9). Accredited water resource plans ordinarily have effect for a period of 10 years: see section 64 of the Act.
ch 6	6.04	6.04 Long-term average sustainable diversion limits (1) The long-term average sustainable diversion limit for the Basin water resources as a whole is the sum of the long-term average sustainable diversion limits for all SDL resource units. Note: The Authority estimates the long-term average sustainable diversion limit for all surface water SDL	6.04	6.04 Long-term average sustainable diversion limits (1) The long-term average sustainable diversion limit for the Basin water resources as a whole is the sum of the long-term average sustainable diversion limits for all SDL resource units. Note: The Authority estimates the long-term average sustainable diversion limit for all surface water SDL

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		resource units to be 10,873 GL per year. This reflects a reduction of 2,750 GL per year from the Authority's estimate of the BDL for all surface water SDL resource units. The Authority estimates that, as of 31 March 2012, 1,344 GL per year has been recovered for the environment, leaving a further 1,406 GL per year to be recovered.		resource units to be 10,873 GL per year. This reflects a reduction of 2,750 GL per year from the Authority's estimate of the BDL for all surface water SDL resource units. The Authority estimates that, as of 30 June 2012, 1,547 GL per year has been recovered for the environment, leaving a further 1,203 GL per year to be recovered.
ch 6	6.06	<p>6.06 Authority may express its view in relation to possible changes to SDLs</p> <p>(1) The Authority may express its view in relation to the extent to which changes arising from any of the following matters are likely to result in a need to change the long-term average sustainable diversion limit for an SDL resource unit:</p> <p>(a) works or measures;</p> <p>(b) river management and river operational practices;</p> <p>(c) methods of delivering water;</p> <p>(d) new knowledge;</p> <p>(e) proposals which serve to advance the objectives and outcomes of the Basin Plan, including optimising economic, social and environmental outcomes;</p> <p>(f) any other matter.</p> <p>(2) If the Authority expresses its view, it must record the matter, the view and the reasons for it on a register.</p> <p>(3) The Authority must publish the register on its website.</p>	6.06	Deleted
ch 6	6.07	<p>6.07 Review of SDLs in 2015</p> <p>(1) The Authority must undertake a review of the long-term average sustainable diversion limits in 2015 and prepare a written report of the review.</p> <p>(2) The purpose of the review is to inform the Authority to determine</p>	6.06	<p>6.06 Informing future reviews of the Basin Plan</p> <p>(1) The Authority may conduct, in consultation with Basin States and other interested persons, research and investigations into the long term average sustainable diversion limits or any other aspects of the Basin Plan, for</p>

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		<p>whether it should propose:</p> <p>(a) any changes to the long-term average sustainable diversion limits; or</p> <p>(b) apportionment of the reduction target amounts referred to in subsection 6.05(3) between Basin States or SDL resource units; to be made (by amendment to the Basin Plan) before 30 June 2017.</p> <p>(3) The review must:</p> <p>(a) take into account all relevant information available to the Authority, including the register maintained in accordance with section 6.06; and</p> <p>(b) be undertaken in consultation with Basin States and the community.</p> <p>Note: The Authority may prepare an amendment of the Basin Plan under section 45 of the Act.</p> <p>(4) The Authority must publish the report on its website.</p>		<p>the purpose of informing any reviews of the Basin Plan or aspects of the Basin Plan including in relation to:</p> <p>(a) whether there should be changes to the long term average sustainable diversion limits; or</p> <p>(b) whether there should be changes to the basis for working out the SDL resource unit shared reduction amounts under section 6.05.</p> <p>Note: For example, the Authority intends to conduct research and investigations by 2015 into aspects of the Basin Plan in the northern Basin.</p> <p>(2) A review may be undertaken at the request of the Murray Darling Basin Ministerial Council.</p> <p>Note: See also subsection 50(2) of the Act.</p> <p>(3) The Authority must publish on its website any reports produced as a result of research or investigations conducted under this section.</p> <p>(4) Nothing in this section limits the powers of the Authority or the Murray Darling Basin Ministerial Council.</p> <p>Note: For example, the Authority has other powers under the Act and the Basin Plan to conduct reviews, research and investigations: see sections 50 and 172 of the Act and Chapter 12 of the Basin Plan.</p>
ch 6		N/A New provision	6.07	<p>6.07 Constraints management strategy</p> <p>(1) Within 12 months after the commencement of the Basin Plan, the Authority must prepare a constraints management strategy that:</p> <p>(a) identifies and describes the physical, operational and management constraints that are affecting, or have the potential to affect, environmental water delivery; and</p> <p>(b) evaluates options, opportunities and risks to water users and the</p>

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				<p>environment, associated with relaxing or removing key constraints and improving environmental benefits through the effective and efficient delivery of environmental water; and (c) assesses the impacts of modifications of constraints on environmental water delivery and third parties, as well as downstream impacts, and assesses options to address those impacts; and (d) identifies mechanisms by which impacts on third parties can be addressed.</p> <p>(2) The strategy, and any substantive amendments to the strategy, must be prepared in consultation with the Basin States and the public.</p> <p>(3) The Authority must annually give a report to the Murray Darling Basin Ministerial Council on progress on the matters covered by the strategy.</p> <p>(4) The Authority must publish the strategy on its website.</p>
ch 6	Part 3	N/A New Part	Part 3	<p>Adjustment of reduction amounts</p> <p>Note: The SDLs will constitute limits from 1 July 2019. However, the reduction amounts set out in Schedule 2 (apart from any unit adjustments) are based on infrastructure and other measures that either were in operation at the time that the Basin Plan commenced, or were expected to be in operation by 2019. This Part adjusts the reduction amounts if certain additional changes in infrastructure and other measures occur between the commencement of the Plan and 1 July 2019.</p> <p>If a work or measure results in an increase in the quantity of water in the river systems before take (for example through reduced evaporation in lakes and storage systems), the saved water</p>

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				<p>is allocated to socio-economic use (that is, the adjustment reduces the reduction amount).</p> <p>If a work or measure results in a saving of water after take for consumptive use (for example, more efficient irrigation), the saved water is allocated to environmental use (that is, the adjustment increases the reduction amount).</p> <p>The total net adjustment possible under this Part is limited to 5% of the total surface water sustainable diversion limit of the Basin.</p>
ch 6		N/A New Division	Div 1	Division 1—Interpretation
ch 6		N/A New Provision	6.08	<p>6.08 Interpretation</p> <p>In this Part:</p> <p>adjustment measure means an efficiency measure or a supply measure that has been notified under section 6.12.</p> <p>affected unit, in relation to an adjustment measure, means an SDL resource unit affected by the adjustment measure—see paragraphs 6.09(b) and 6.10(c).</p> <p>benchmark environmental outcomes has the meaning given by subclause 1.04(3) of Schedule 5.</p> <p>efficiency adjustment has the meaning given by section 6.15.</p> <p>efficiency measure has the meaning given by section 6.10.</p> <p>initial conditions of development has the meaning given by subclause 1.02(2) of Schedule 5.</p> <p>Note: These are the conditions of development on the basis of which the initial reduction amounts were set. They are essentially those that were in place on 30 June 2009, together with some additional works and measures that were not in place at that time, but</p>

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				<p>were expected to be in place by 1 July 2019.</p> <p>initial reduction amount, for an SDL resource unit mentioned in Schedule 2, means the reduction amount without any unit adjustments under this Part.</p> <p>initial total SDL is the sum of the SDLs for all surface water resource units set out in the Plan before the operation of this Part.</p> <p>measure amount, for an adjustment measure, has the meaning given by subsections 6.14(3) and 6.15(3).</p> <p>reduction amount, for an SDL resource unit mentioned in Schedule 2, means the amount, if any, by which the BDL for the unit is reduced to achieve the SDL.</p> <p>supply adjustment has the meaning given by section 6.14.</p> <p>supply measure has the meaning given by section 6.09.</p> <p>unit adjustment has the meaning given by section 6.17.</p> <p>works or measures means works or measures of the following kinds, undertaken or funded by the Commonwealth or a Basin State:</p> <ul style="list-style-type: none"> (a) changes to water infrastructure; (b) changes to other infrastructure that affect the hydrology of the Basin; (c) changes to legal requirements, including to Commonwealth or State laws, that affect the way water is used; (d) changes in river management and river operational practices; (e) changes in methods of delivering water.
ch 6		N/A New Provision	6.09	<p>6.09 Meaning of supply measure</p> <p>A supply measure is a set of works or measures that:</p> <ul style="list-style-type: none"> (a) is not included in the initial conditions of development; and

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				<p>(b) operates to increase the quantity of water available for use in a set of surface water SDL resource units (the affected units) by:</p> <p>(i) reducing losses of water in the units; or</p> <p>(ii) reducing the quantity of water required to deliver water at a particular place, whether for purposes of consumptive use or for environmental use; or</p> <p>(iii) changing the methods of environmental watering in such a way that the same environmental results can be achieved with a smaller quantity of water than was required under the initial conditions of development; and</p> <p>(c) thereby, on its own or in conjunction with other such sets of works or measures, affects the appropriateness of the initial reduction amounts for the affected units.</p> <p>Examples: re-configuring lakes or storage systems to reduce evaporation</p>
ch 6		N/A New Provision	6.10	<p>6.10 Meaning of efficiency measure</p> <p>An efficiency measure is a set of works or measures that:</p> <p>(a) is not included in the initial conditions of development; and</p> <p>(b) operates in relation to water taken for consumptive use for a particular economic or social purpose in such a way that it is possible to use a smaller quantity of water to achieve the same results in relation to that purpose, compared to the quantity of water that was required under the initial conditions; and</p> <p>(c) thereby, on its own or in conjunction with other such sets of works or measures, affects the appropriateness of the initial</p>

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				reduction amounts for a set of surface water SDL resource units (the affected units). Examples: a program to reduce water losses within an irrigation network by lining channels; a program to replace less efficient irrigation methods with drip irrigation.
ch 6		N/A New Provision	6.11	6.11 Calculation of amounts For the purposes of this Part, amounts are to be calculated using the models and assumptions generally accepted by professional hydrologists and ecologists and the Authority in relation to the Murray-Darling Basin at the time the calculation is made.
ch 6		N/A New Division	Div 2	Division 2—Notification of measures and estimates
ch 6		N/A New Provision	6.12	6.12 Notification of expected adjustment measure (1) The Basin Officials Committee may, with the agreement of a Basin State or the Commonwealth (the provider), notify the Authority of a set of works or measures: (a) that the provider has undertaken or funded, or will undertake or fund; and (b) that will enter operation by 1 July 2019; and (c) that is, or will be, a supply measure or an efficiency measure. (2) A notification must be made before 30 June 2015, or by another date not later than 31 December 2015 approved by the Commonwealth and the Basin States. (3) A notification must include: (a) details of the works or measures; and (b) the affected units; and

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				<p>(c) the date on which the set of works or measures entered into operation, or by which it will enter into operation; and</p> <p>(d) an estimate of the measure amount that will arise under this Part, and documentation of its calculation.</p> <p>(4) A notification may be amended if, because of events that occurred after the notification:</p> <p>(a) the details of the works or measures have changed; or</p> <p>(b) the affected units have changed; or</p> <p>(c) the date by which the set of works or measures will enter into operation has changed to a date that is not later than 1 July 2022; or</p> <p>(d) the estimate of the expected measure amount has changed.</p> <p>(5) A notification may be withdrawn.</p> <p>(6) The Authority must publish a notification, an amendment or a withdrawal on its website as soon as practicable.</p>
ch 6		N/A New Provision	6.13	<p>6.13 Publication of Authority's estimate</p> <p>(1) The Authority must, after consultation with the Basin Officials Committee, publish on its website its estimate of any adjustments that will arise under this Part on 1 July 2019.</p> <p>(2) The Authority must publish an estimate as soon as practicable after 1 July 2015 or any later deadline for notification approved under subsection 6.12(2).</p> <p>(3) The Authority must, as soon as practicable after an amendment or withdrawal of a notification under section 6.12, publish either an amended estimate, or a statement that there is no change in the estimate.</p> <p>(4) Subject to subsection (4), an</p>

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				<p>estimate must include a statement of:</p> <p>(a) for each adjustment measure:</p> <p>(i) the nature of the adjustment measure; and</p> <p>(ii) the date on which it entered operation, or by which it will enter into operation; and</p> <p>(iii) the affected units; and</p> <p>(iv) the measure amount; and</p> <p>(v) the unit adjustment for each affected unit; and</p> <p>(vi) if unit adjustments are expected to be allocated under section 6.17, the reasons for the allocation; and</p> <p>(b) the net total of the unit adjustments for each affected unit; and</p> <p>(c) the net total of all unit adjustments.</p> <p>(5) If, at the time of the estimate, subsection 6.05(1) has not operated in respect of either the northern Basin zone or the southern Basin zone, then the estimate:</p> <p>(a) must state that the measure amount for an adjustment measure that affects SDL resource units within the zone applies to the zone as a whole; and</p> <p>(b) need not include estimates of unit adjustments for SDL resource units within the zone.</p>
ch 6		N/A New Division	Div 3	Division 3—How supply and efficiency measures give rise to adjustments
ch 6		N/A New Provision	6.14	<p>6.14 Adjustment for notified supply measures</p> <p>(1) On 1 July 2019, the supply measures that:</p> <p>(a) were notified under section 6.12; and</p> <p>(b) either:</p> <p>(i) have commenced operation; or</p> <p>(ii) have not commenced operation,</p>

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				<p>but will do so by a date before 1 July 2022 in accordance with a notification that has been amended under subsection 6.12(4); give rise to a supply adjustment. (2) The supply adjustment is equal to the total decrease in the initial reduction amounts for all the affected units that will ensure that, calculated in accordance with Schedule 5 on the basis of: (a) a repeat of the historical climate conditions; and (b) the initial conditions of development, supplemented by the supply measures (including those that will not enter into operation until a date between 1 July 2019 and 1 July 2022) the following results occur, as compared with the benchmark environmental outcomes: (c) there are equivalent or improved environmental outcomes; and (d) there are no detrimental impacts on reliability of supply to the holders of water access rights that are not offset or negated. (3) The measure amount for a particular supply measure is the contribution to the supply adjustment attributable to that supply measure.</p>
ch 6		N/A New Provision	6.15	<p>6.15 Adjustment for notified efficiency measures (1) On 1 July 2019, the efficiency measures that: (a) were notified under section 6.12; and (b) either: (i) have commenced operation; or (ii) have not commenced operation, but will do so by a date before 1 July 2022 in accordance with a notification that has been amended under</p>

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				<p>subsection 6.12(4); give rise to an efficiency adjustment. (2) The efficiency adjustment is equal to the total increase in the initial reduction amounts for all the affected units that will permit the following result: (a) the quantity of water that is taken to provide for the particular economic or social purpose that relates to each efficiency measure is reduced to an amount that gives the same results for that purpose as the quantity that was taken under the initial conditions of development; and (b) the quantity of water that is taken for any other consumptive purpose is unchanged. (3) The measure amount for a particular efficiency measure is the contribution to the efficiency adjustment attributable to that efficiency measure.</p>
ch 6		N/A New Provision	6.16	<p>6.16 Limitation on adjustment size If the net effect of all supply adjustments and efficiency adjustments is an increase or decrease that is more than 5% of the initial total SDL amount, then: (a) the size of the supply adjustment and the efficiency adjustment are reduced by the same proportion to give a net increase or decrease of 5% of the initial total SDL amount; and (b) the size of each measure amount is reduced by the same proportion.</p>
ch 6		N/A New Division	Div 4	<p>Division 4—Allocation and announcement of adjustments to individual SDL resource units</p>
ch 6		N/A New Provision	6.17	<p>6.17 Unit adjustments (1) If an adjustment measure has a</p>

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				<p>single affected unit, there is a unit adjustment for the unit equal to the measure amount.</p> <p>(2) If an adjustment measure has more than one affected unit, the Authority, after consultation with the Basin Officials Committee, must allocate a unit adjustment for each unit in such a way that:</p> <p>(a) the sum of the unit adjustments arising from that measure is equal to the measure amount; and</p> <p>(b) no affected unit has a reduction amount that is negative after applying the unit adjustments for all adjustment measures.</p>
ch 6		N/A New Provision	6.18	<p>6.18 When unit adjustments have effect</p> <p>A unit adjustment has effect in relation to a water accounting period that commences on or after the later of:</p> <p>(a) 1 July 2019; and</p> <p>(b) the date of entry into operation notified for the adjustment measure that gave rise to it.</p>
ch 6		N/A New Provision	6.19	<p>6.19 Notification of adjustments by Authority</p> <p>If adjustment measures have given rise to any measure amounts, under this Part, the Authority must, after consultation with the Basin Officials Committee and as soon as practicable after 1 July 2019, publish a notice on its website stating:</p> <p>(a) for each adjustment measure:</p> <p>(i) the nature of the adjustment measure; and</p> <p>(ii) the date on which it entered operation, or by which it will enter into operation; and</p> <p>(iii) the affected units; and</p> <p>(iv) the measure amount; and</p>

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				<p>(v) the unit adjustment for each affected unit; and</p> <p>(vi) if unit adjustments were allocated under section 6.17—the reasons for the allocation; and</p> <p>(b) the net total of the unit adjustments for each affected unit; and</p> <p>(c) the net total of all unit adjustments.</p> <p>(2) The measure amounts and unit adjustments that arise under this Part are taken to have the values stated in a notice under this section unless the contrary is proved.</p>
ch 6		N/A New Division	Div 5	Division 5—Independent audit of estimates and adjustments
ch 6		N/A New Provision	6.20	<p>6.20 Independent audit of Authority's estimates and notification of adjustments</p> <p>(1) The Authority must appoint or establish a person or body that is independent of the Authority to audit the amounts in an estimate published under section 6.13 or a notification under section 6.19.</p> <p>(2) The person or body conducting the audit must:</p> <p>(a) produce a report setting out the findings of the audit; and</p> <p>(b) before the report is finalised, provide the Authority, the Commonwealth and each Basin State with an opportunity to comment on the proposed findings.</p>
ch 6	6.13 note	Note 1: The Authority may undertake an audit in relation to compliance using its powers under the Act. The Authority may publish the findings of its audit, including steps that it believes should be taken to bring the	6.26 (4) & note	<p>(4) A Basin State is taken to have a reasonable excuse for an excess if the excess arises as the result of:</p> <p>(a) the operation of the water resource plan for the SDL resource unit; or</p>

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		<p>SDL resource unit back to balance. The findings of such an audit may also lead to further action being taken by the Authority to ensure compliance with sections 34, 35, 58 and 59 of the Act. Note 2: An excess may occur due to the operation of an accredited water resource plan or circumstances beyond a Basin State's control, in which case the Basin State may claim that there is a reasonable excuse for the excess.</p>		<p>(b) circumstances beyond the Basin State's control (for example where, for reasons beyond a Basin State's control, the Commonwealth has failed to achieve the target that it has published as the water recovery target for the SDL resource unit). Note: The Authority may undertake an audit in relation to compliance using its powers under the Act. The Authority may publish the findings of its audit, including steps that it believes should be taken to bring the SDL resource unit back to balance. The findings of such an audit may also lead to further action being taken by the Authority to ensure compliance with sections 34, 35, 58 and 59 of the Act.</p>
ch 7		N/A New provision	7.02	<p>7.02 Purpose of chapter (1) The purpose of the environmental watering plan is to achieve the objectives in Part 2 and give effect to the principles in Division 6 of Part 4 by: (a) co-ordinating the planning, prioritisation and use of environmental water on both a long-term and an annual basis; and (b) enabling adaptive management to be applied to the planning, prioritisation and use of environmental water; and (c) facilitating consultation, co-ordination and co-operative arrangements, where possible, between the Authority, the Commonwealth Environmental Water Holder and Basin States; and (d) enabling information to be shared between the Authority, the Commonwealth, Basin States, holders of held environmental water and managers of planned environmental water to ensure efficient and effective use of environmental water.</p>

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				(2) This section does not limit the operation of this Chapter. Note: Subsection 1.02(2) states that the Basin Plan has the effect provided for in sections 34, 35, 36, 37, 86G and 86H of the Act.
ch 7	Div 1 Pt 2	N/A New note	Div 1 Pt 2	This Part sets out overall environmental objectives and particular objectives for each of those objectives. These objectives will be met in part by the provision of environmental water, but will also be supported by other management actions. See also subsections 22(9) to (12) of the Act.
ch 7	7.03	7.03 Outline of this Part (1) This Part sets out: (a) overall environmental objectives; and (b) particular objectives for each of those objectives. (2) These objectives will be met in part by the provision of environmental water but will also be supported by other management actions. Note: See also subsections 22(9) to (12) of the Act.		deleted
ch 7	7.06	N/A New section	7.06(e)	(e) as far as practicable, water levels in the Lower Lakes are maintained above 0.0 metres Australian Height Datum; and
ch 7	7.10	7.10 Outline of this Part (1) This Part sets out the environmental management framework, which includes: (a) processes to co-ordinate the planning, prioritisation and use of planned environmental water and held environmental water, under which: (i) the Authority is obliged to prepare a	7.10	7.10 Outline of this Part This Part sets out the environmental management framework, which includes: (a) processes to co-ordinate the planning, prioritisation and use of planned environmental water and held environmental water, under which: (i) the Authority is obliged to prepare a

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		<p>Basin-wide environmental watering strategy (Division 2); and</p> <p>(ii) each Basin State is obliged to prepare long-term watering plans for water resource plan areas (Division 3); and</p> <p>(iii) each Basin State is obliged to identify annual environmental watering priorities for water resource plan areas (Division 4); and</p> <p>(iv) the Authority is obliged to identify Basin annual watering priorities (Division 5); and</p> <p>(b) the principles to be applied in environmental watering (Division 6); and</p> <p>(c) a mechanism to enable the Authority to co-ordinate the recovery of additional environmental water (Division 7).</p>		<p>Basin-wide environmental watering strategy (Division 2); and</p> <p>(ii) each Basin State is obliged to prepare long-term watering plans for water resource plan areas (Division 3); and</p> <p>(iii) each Basin State is obliged to identify annual environmental watering priorities for water resource plan areas (Division 4); and</p> <p>(iv) the Authority is obliged to identify Basin annual environmental watering priorities (Division 5); and</p> <p>(b) the principles to be applied in environmental watering (Division 6); and</p> <p>(c) a mechanism to enable the Authority to co-ordinate the recovery of additional environmental water (Division 7).</p>
ch 7	7.11	<p>7.11 Objectives of environmental management framework</p> <p>The environmental management framework is intended to:</p> <p>(a) co-ordinate the planning, prioritisation and use of environmental water on both a long-term and an annual basis; and</p> <p>(b) enable adaptive management to be applied to the planning, prioritisation and use of environmental water; in order to achieve the objectives in Part 2.</p>	7.11	<p>7.11 Objectives of environmental management framework</p> <p>The environmental management framework is intended to:</p> <p>(a) co-ordinate the planning, prioritisation and use of environmental water on both a long-term and an annual basis; and</p> <p>(b) enable adaptive management to be applied to the planning, prioritisation and use of environmental water; and</p> <p>(c) facilitate consultation, co-ordination and co-operative arrangements between the Authority, the Commonwealth Environmental Water Holder and Basin States; in order to achieve the objectives in Part 2.</p> <p>Note: The application of adaptive management will enable various triggers to be responded to, including any adjustment that might be made to the SDL.</p>

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ch 7	7.13(2)	(2) The purpose of the Basin-wide environmental watering strategy is to help co-ordinate the management of environmental water and to explain the context within which the Basin annual environmental watering priorities will be set.	7.13(2)	(2) The purpose of the Basin-wide environmental watering strategy is to: (a) explain the context within which the Basin annual environmental watering priorities will be set; and (b) identify particular Basin-wide environmental watering priorities over the long-term; and (c) help co-ordinate the management of environmental water, including guiding the development of consistent long-term watering plans.
ch 7	7.14(2) (a)	(2) The Basin-wide environmental watering strategy may also do any or all of the following: (a) identify: (i) particular priority environmental assets or priority ecosystem functions, and their environmental watering requirements, using the methods in Part 5; or Note: See also subsection 7.15(2). (ii) multi-site watering objectives and associated flow regimes, including for the northern connected system and the southern connected system;	7.14(2) (a)	(2) The Basin-wide environmental watering strategy may also do any or all of the following: (a) identify: (i) particular priority environmental assets or priority ecosystem functions, and their environmental watering requirements, using the methods in Part 5; or Note: See also subsection 7.15(2). (ii) multi-site watering objectives and associated flow regimes, including for the northern connected system and the southern connected system; or (iii) end of system targets for environmental outcomes;
ch 7	7.14(2) (c)	(c) make recommendations relating to what constitutes best practice in planning for environmental watering, or carrying out environmental watering;	7.14(2) (c)	(c) make recommendations: (i) relating to what constitutes best practice in planning for environmental watering, or carrying out environmental watering; or (ii) about periodic environmental watering schedules; Note: See also sections 29 to 31 of the Act.
ch 7	7.17(2)	(2) The Authority must publish the Basin-wide environmental watering strategy as soon as practicable after it	7.17(2)	(2) The Authority may review and update the Basin-wide environmental watering strategy at any time. Note: The Authority may review and

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		is updated.		update the Basin-wide environmental watering strategy in response to various triggers, including any adjustment that might be made to the SDL.
ch 7	17.19 (3)	(3) If the Basin-wide environmental watering strategy has identified particular assets or functions, and their requirements, under subparagraph 7.14(2)(a)(i), a long-term watering plan must include: (a) any priority environmental asset that is located, or any priority ecosystem function that occurs, wholly or in part, within the water resource plan area to which the long-term watering plan relates; and (b) any priority environmental asset or priority ecosystem function whose environmental watering requirements are likely to be met from water sourced from within that water resource plan area.	17.19 (3)	(3) If the Basin-wide environmental watering strategy has identified particular assets or functions, and their requirements, under subparagraph 7.14(2)(a)(i), a long-term watering plan must be consistent with that part of the Basin-wide environmental watering strategy.
ch 7	17.20 (2)	Matters to which Basin State is to have regard (2) When preparing a long-term watering plan, a Basin State must have regard to the Basin-wide environmental watering strategy (Division 2).	17.20 (2)	Matters to which Basin State is to have regard (2) When preparing a long-term watering plan, a Basin State must have regard to the Basin-wide environmental watering strategy (Division 2). Note: Paragraph 7.13(2)(c) provides that one of the purposes of the Basin-wide environmental watering strategy is to help co-ordinate the management of environmental water, including guiding the development of consistent long-term watering plans.
ch 7	7.22(1) (c)	(c) the water resource plan for the water resource plan area is adopted by the Minister under section 69 of the Act;	7.22(1) (c)	(c) the water resource plan for the water resource plan area is adopted by the Minister under section 69 of the Act; or

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ch 7	7.25(2) (d)	N/A New section	7.25(2) (d)	(d) any environmental watering schedules to which the Authority is a party; and
ch 7	7.27(1)	(1) The Authority must, for each water accounting period, prepare annual watering priorities for the Murray-Darling Basin (Basin annual environmental watering priorities).	7.27(1)	(1) The Authority must, for each water accounting period, prepare annual environmental watering priorities for the Murray-Darling Basin (Basin annual environmental watering priorities).
ch 7	7.29(4)	How Authority identifies Basin environmental watering priorities	7.29(4)	How Authority identifies Basin annual environmental watering priorities
ch 7	7.44(1)	(1) If a person undertakes environmental watering other than in accordance with the Basin annual environmental watering priorities, that person must give to the Authority a statement of reasons why environmental watering has not been undertaken in accordance with the Basin annual environmental watering priorities.	7.44(1)	(1) If a person undertakes environmental watering other than in accordance with the Basin annual environmental watering priorities, that person must, as soon as practicable, give to the Authority a statement of reasons why environmental watering has not been undertaken in accordance with the Basin annual environmental watering priorities.
ch 8	8.03	8.03 Outline of this Part This Part sets out the following water quality objectives for Basin water resources: (a) objectives for: (i) declared Ramsar wetlands; and (ii) other water-dependent ecosystems; (b) objectives for raw water for treatment for human consumption; (c) the objective for irrigation water; (d) the objective for recreational water quality; (e) the objective of maintaining good levels of water quality.	8.03	8.03 Outline of this Part This Part sets out the following water quality objectives for Basin water resources: (a) objectives for: (i) declared Ramsar wetlands; and (ii) other water-dependent ecosystems; (b) objectives for raw water for treatment for human consumption; (c) the objective for irrigation water; (d) the objective for recreational water quality; (e) the objective of maintaining good levels of water quality; (f) the salt load objective.
ch 8		N/A New provision	8.09	8.09 Salt load objective (1) This section sets out a further

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Ch or sch	Old section	Old provision's text	New section	New provision's text
				<p>water quality objective (the salt-load objective), for the River Murray System, designed to ensure adequate flushing of salt into the ocean.</p> <p>(2) The salt-load objective is the discharge of a minimum of 2 million tonnes of salt from the River Murray System into the Southern Ocean each water accounting period.</p> <p>(3) The Authority must estimate the discharge of salt from the River Murray System into the Southern Ocean every water accounting period.</p> <p>(4) The Authority must assess, on an annual basis, achievement of the salt-load objective against the number of tonnes of salt per year averaged over the preceding 10 years.</p> <p>(5) The Authority must publish each assessment on its website.</p>
ch 8	8.09	<p>8.09 Outline of this Part and purpose of targets</p> <p>This Part sets out the following:</p> <p>(a) water quality targets to which particular entities must have regard when performing functions, including in relation to the management of water flows (Division 2);</p> <p>(b) water quality targets that inform the development of certain measures required to be included in water resource plans (Division 3);</p> <p>(c) salinity targets for the purposes of long term salinity planning and management for the Murray Darling Basin (Division 4).</p> <p>Note 1: These targets also inform the matters listed in Schedule 10, by reference to which the effectiveness of the Basin Plan is to be evaluated. Basin States and Commonwealth agencies are required to produce reports on those matters: see section 12.14.</p>	8.10	<p>8.10 Outline of this Part and purpose of targets</p> <p>This Part sets out the following:</p> <p>(a) water quality targets to which particular entities must have regard when performing functions, including in relation to the management of water flows (Division 2);</p> <p>(b) water quality targets that inform the development of certain measures required to be included in water resource plans (Division 3);</p> <p>(c) salinity targets for the purposes of long term salinity planning and management for the Murray Darling Basin (Division 4).</p> <p>Note 1: Schedule B to the Agreement also sets out targets for salinity management in the Murray Darling Basin. The provisions of that Schedule operate independently of, and are unaffected by, the targets in this Part.</p> <p>Note 2: The targets in this Part also inform the matters listed in Schedule</p>

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		Note 2: See also section 12.08 which requires the Authority to review these targets.		10, by reference to which the effectiveness of the Basin Plan is to be evaluated. Basin States and Commonwealth agencies are required to produce reports on those matters: see section 12.14. Note 3: See also section 12.08 which requires the Authority to review the targets in this Part.
ch 8	8.10	8.10 Failing to achieve a target The failure to achieve a target does not in itself mean that a person has acted inconsistently with the water quality and salinity management plan.	8.11	8.11 Failing to achieve a target The failure to achieve a target does not in itself mean that: (a) a person has acted inconsistently with the water quality and salinity management plan; or (b) a person is required to take particular action or refrain from taking particular action in response to the failure.
ch 8		N/A New provision	8.13	8.13 Guidelines (1) The Authority may publish guidelines relating to the application of the targets set out in this Part, for example, recommending actions to be taken by relevant persons and bodies in order to achieve the targets. (2) To avoid doubt, nothing binds any person or body to comply with the guidelines.
ch 8	8.12 (5)	(5) For the purposes of subsections (1) to (4), the following targets apply: (a) to maintain dissolved oxygen at a target value of at least 50% saturation; Note: This equates to approximately 50% oxygen saturation at 25°C and 1 atmosphere of pressure. (b) the targets for recreational water quality in section 8.16; (c) to meet the target values for levels of salinity at the reporting sites set out in the following table, 95% of the time:	8.14 (5)	(5) For the purposes of subsections (1) to (4), the following targets apply: (a) to maintain dissolved oxygen at a target value of at least 50% saturation; Note: This equates to approximately 50% oxygen saturation at 25°C and 1 atmosphere of pressure. (b) the targets for recreational water quality in section 8.17; (c) to meet the target values for levels of salinity at the reporting sites set out in the following table, 95% of the time:

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		<p>Item Reporting site Target value (mg/L) Target value (EC)</p> <p>1 River Murray at Murray Bridge 500 833</p> <p>2 River Murray at Morgan 500 833</p> <p>3 River Murray at Lock 6 310 517</p> <p>4 Darling River downstream of Menindee Lakes at Burtundy 500 833</p> <p>5 Lower Lakes at Milang 600 1000</p> <p>Note 1: Schedule B to the Agreement imposes obligations on the Commonwealth and Basin States in relation to decisions that may have a 'Significant Effect' on salinity, and how to account for these effects.</p> <p>Note 2: The target values expressed in electrical conductivity (EC) units are set by dividing the corresponding mg/L target values by 0.6.</p>		<p>Item Reporting site Target value (EC) (µS/cm)</p> <p>1 River Murray at Murray Bridge 830</p> <p>2 River Murray at Morgan 800</p> <p>3 River Murray at Lock 6 580</p> <p>4 Darling River downstream of Menindee Lakes at Burtundy 830</p> <p>5 Lower Lakes at Milang 1000</p> <p>Note 1: Schedule B to the Agreement imposes obligations on the Commonwealth and Basin States in relation to decisions that may have a 'Significant Effect' on salinity, and how to account for these effects.</p> <p>Note 2: The target values can be expressed in milligrams per litre (mg/L) by multiplying the EC values by 0.6.</p>
ch 8	8.15	<p>(3) The target values for salinity are set out in the following table:</p> <p>Item Basin region Target value (mg/L) Target value (EC)</p> <p>1 Southern Basin (Murray River and tributaries) 500 833</p> <p>2 Northern Basin (Barwon River and Darling River and their tributaries) 670 Parroo and Warrego rivers—838 Generally—957</p> <p>Note: To convert mg/L to EC, the following approximate conversion factors have been used: (a) for the Southern Basin (including the Lachlan river), EC = mg/L divided by 0.6; (b) for Northern Basin, EC = mg/L divided by 0.7; (c) for the Parroo and Warrego rivers, EC = mg/L divided by 0.8.</p>	8.17 (3)	<p>(3) The target values for salinity are set out in the following table:</p> <p>Item Basin region Target value (EC) (µS/cm)</p> <p>1 Southern Basin (Murray River and tributaries) 833</p> <p>2 Northern Basin (Barwon River and Darling River and their tributaries) Parroo and Warrego rivers—838 Generally—957</p> <p>Note: To convert EC to milligrams per litre (mg/L), the following approximate conversion factors can be used: (a) for the Southern Basin (including the Lachlan river), mg/L = EC multiplied by 0.6; (b) for Northern Basin, mg/L = EC multiplied by 0.7; (c) for the Parroo and Warrego rivers, mg/L = EC multiplied by 0.8.</p>
ch 8	8.17	<p>8.17 Salinity targets</p> <p>(1) This section sets out surface water salinity targets for the purpose of long-term salinity planning and management for the Murray-Darling</p>	8.19	<p>8.19 Salinity targets</p> <p>(1) This section sets out surface water salinity targets for the purpose of long-term salinity planning and management for the Murray-Darling</p>

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		<p>Basin.</p> <p>(2) The Murray-Darling Basin and End-of-Valley Targets for salinity are set out (as absolute values) in Appendix 1 of Schedule B to the Agreement as amended from time to time.</p> <p>(3) The following entities must have regard to the targets in performing long term salinity planning and management functions:</p> <p>(a) the Authority;</p> <p>(b) the Basin Officials Committee;</p> <p>(c) agencies of Basin States.</p>		<p>Basin.</p> <p>(2) The Murray-Darling Basin and End-of-Valley Targets for salinity are set out (as absolute values) in Appendix 1 of Schedule B to the Agreement as amended from time to time.</p> <p>(3) The following entities are to apply the targets in performing long term salinity planning and management functions:</p> <p>(a) the Authority;</p> <p>(b) the Basin Officials Committee;</p> <p>(c) agencies of Basin States.</p>
ch 8	8.18	<p>8.18 Salt load target</p> <p>(1) This section sets out the salt load target for the River Murray System for the purpose of long term salinity planning and management. The target is designed to ensure adequate flushing of salt into the ocean.</p> <p>(2) The salt-load target is the discharge of a minimum of 2 million tonnes of salt from the River Murray System into the Southern Ocean each water accounting period.</p> <p>(3) The Authority must estimate the discharge of salt from the River Murray System into the Southern Ocean every water accounting period.</p> <p>(4) The Authority must assess, on an annual basis, achievement of the salt-load target against the number of tonnes of salt per year averaged over the preceding 10 years.</p> <p>(5) The Authority must publish each assessment on its website.</p>		N/A - removed
ch 9	9.06	<p>9.06 Obligations to be specified</p> <p>(1) For each matter that this Chapter requires to be dealt with in a water resource plan, the plan must specify the person responsible for the matter.</p> <p>(2) Without limiting subsection (1), if a water resource plan requires a</p>	9.06	<p>9.06 Matters relating to requirements of Chapter</p> <p>Persons responsible to be specified</p> <p>(1) For each matter that this Chapter requires to be dealt with in a water resource plan, the plan must specify the person responsible for the matter.</p>

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		measure or action to be undertaken, the plan must specify the person responsible for undertaking that measure or action.		<p>(2) Without limiting subsection (1), if a water resource plan requires a measure or action to be undertaken, the plan must specify the person responsible for undertaking that measure or action.</p> <p>Agreements in relation to requirements</p> <p>(3) The Authority must use its best endeavours to enter, within 2 years after the commencement of the Basin Plan, into an agreement with each Basin State in relation to the requirements of this Chapter for the water resource plan areas within the Basin State.</p> <p>(4) An agreement must be developed taking into account any relevant Commonwealth State agreements.</p> <p>(5) An agreement does not affect the requirements of this Chapter.</p> <p>(6) The matters with which an agreement may deal include:</p> <p>(a) the manner in which particular requirements of this Chapter are given effect, for example, in applying the risk identification and assessment required by Part 9; and</p> <p>(b) the Authority's expectations of the standards that a proposed water resource plan should meet before the Authority recommends the plan for accreditation by the Minister.</p>
ch 9	9.07 (1)	<p>(1) A water resource plan prepared by a Basin State must contain a description of the consultation in relation to the plan, if any, that was undertaken before the Basin State gave the plan to the Authority under subsection 63(1) of the Act.</p> <p>Note: A water resource plan prepared by the Authority and adopted under section 69 of the Act is a legislative instrument. The Legislative</p>	9.07 (1)	<p>(1) A water resource plan prepared by a Basin State must contain a description of the consultation in relation to the plan (including in relation to any part of the plan), if any, that was undertaken before the Basin State gave the plan to the Authority under subsection 63(1) of the Act.</p> <p>Note: A water resource plan prepared by the Authority and adopted under section 69 of the Act is a legislative</p>

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		Instruments Act 2003 requires that the explanatory statements for such plans describe the consultation undertaken in relation to the plans.		instrument. The Legislative Instruments Act 2003 requires that the explanatory statements for such plans describe the consultation undertaken in relation to the plans.
ch 9	9.08	<p>9.08 Water access rights must be identified</p> <p>(1) A water resource plan must identify the following:</p> <p>(a) each form of take from each SDL resource unit in the water resource plan area;</p> <p>(b) the classes of water access right that apply to each form of take identified under paragraph (a);</p> <p>(c) the characteristics of each class of right, including the number of rights and any conditions on the exercise of the rights.</p> <p>(2) A water resource plan must require a holder of a water access right to comply with the conditions of that right.</p>	9.08	<p>9.08 Water access rights must be identified</p> <p>(1) A water resource plan must identify the following:</p> <p>(a) each form of take from each SDL resource unit in the water resource plan area;</p> <p>(b) any classes of water access right that apply to the forms of take identified under paragraph (a);</p> <p>(c) the characteristics of each class of right including, where appropriate, the number of rights and any conditions on the exercise of the rights.</p> <p>(2) A water resource plan must require a holder of a water access right to comply with the conditions of that right.</p>
ch 9	Pt 3 Div 2	N/A New note	Pt 3 Div 2 - note	<p>Division 2—Take for consumptive use</p> <p>Note: This Division sets out the principal provisions for how a water resource plan incorporates and applies the SDL for each SDL resource unit. The SDLs take effect from 1 July 2019. Water resource plans may be accredited before then and ordinarily have effect for a period of 10 years: see section 64 of the Act.</p>
ch 9	9.11 (1)	<p>9.11 Rules for take, including water allocation rules</p> <p>(1) A water resource plan must set out rules (including, if applicable, rules for water allocations) that ensure, as far as practicable, that the quantity of water actually taken from each SDL resource unit for consumptive use in a</p>	9.11 (1)	<p>9.12 Rules for take, including water allocation rules</p> <p>(1) A water resource plan must set out rules (including, if applicable, rules for water allocations) that ensure, as far as practicable, that the quantity of water actually taken from each SDL resource unit for consumptive use in a</p>

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		<p>water accounting period that commences after 30 June 2019 does not (after making any adjustments for the disposal or acquisition of held environmental water) exceed the unit's annual permitted take for the period.</p> <p>Note 1: From 1 July 2019, compliance with the long term annual diversion limit is measured using the annual permitted take (see Part 4 of Chapter 6). The annual permitted take is defined in subsection 6.11(1).</p> <p>Note 2: Water allocations can be made during or before a water accounting period. The annual permitted take is usually worked out after the end of a water accounting period.</p> <p>A water resource plan may provide for less water to be taken</p>		<p>water accounting period that commences after 30 June 2019 does not (after making any adjustments for the disposal or acquisition of held environmental water) exceed the unit's annual permitted take for the period.</p> <p>Note 1: Water resource plans are not required to give effect to the long-term average sustainable diversion limits until 1 July 2019. Compliance with the long term annual diversion limit will then be measured using the annual permitted take (see Part 4 of Chapter 6). The annual permitted take is defined in subsection 6.11(1).</p> <p>Note 2: Water allocations can be made during or before a water accounting period. The annual permitted take is usually worked out after the end of a water accounting period.</p>
ch 9	9.15	<p>9.15 Determination of actual take must be specified</p> <p>(1) A water resource plan must set out how the quantity of water actually taken for consumptive use by each form of take from each SDL resource unit will be determined after the end of a water accounting period.</p> <p>Note: The annual actual take for the SDL resource unit is the sum of the quantity of water actually taken by each form of take for consumptive use: see subsection 6.11(2). Paragraph 71(1)(c) of the Act requires the annual actual take to be set out in a report to the Authority within 4 months after the end of the water accounting period.</p> <p>(2) The plan must provide for the determination to be made:</p> <p>(a) by using the best available measurement; or</p> <p>(b) if it is not possible to accurately</p>	9.15	<p>9.15 Determination of actual take must be specified</p> <p>(1) A water resource plan must set out how the quantity of water actually taken for consumptive use by each form of take from each SDL resource unit will be determined after the end of a water accounting period using the best information available at the time.</p> <p>Note: The annual actual take for the SDL resource unit is the sum of the quantity of water actually taken by each form of take for consumptive use: see subsection 6.11(2). Paragraph 71(1)(c) of the Act requires the annual actual take to be set out in a report to the Authority within 4 months after the end of the water accounting period.</p> <p>(2) For a particular form of take, and subject to the requirement that a determination use the best information available at the time, a</p>

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		<p>measure the quantity:</p> <p>(i) by using a method, which may include modelling, that is specified in the plan and is consistent with the method for section 9.10; or</p> <p>(ii) by estimating the quantity using the best available information.</p> <p>(3) The quantity of water actually taken must:</p> <p>(a) include water that was held environmental water which was disposed of and then used in the SDL resource unit for consumptive use; and</p> <p>(b) exclude water sourced from the Great Artesian Basin and released into and taken from a Basin water resource.</p>		<p>determination may be made by:</p> <p>(a) measuring the quantity of water actually taken; or</p> <p>(b) estimating the quantity of water actually taken; or</p> <p>(c) a combination of the above.</p> <p>(3) Where a determination for a form of take is made by estimating the quantity of water actually taken, the water resource plan must provide for the estimate to be done consistently with the method for subsection 9.10(1) that relates to that form of take.</p> <p>(4) The quantity of water actually taken must:</p> <p>(a) include water that was held environmental water which was disposed of and then used in the SDL resource unit for consumptive use; and</p> <p>(b) exclude water sourced from the Great Artesian Basin and released into and taken from a Basin water resource.</p>
ch 9	9.17 (1)	Note: Long-term watering plans are required to use the methods in Part 5 of Chapter 7 to identify the environmental watering requirements of priority environmental assets and priority ecosystem functions.	9.17 (1)	Note: The environmental watering requirements of priority environmental assets and priority ecosystem functions will be set out in long-term watering plans and may also be set out in the Basin wide environmental watering strategy. Long term watering plans are required to use the methods in Part 5 of Chapter 7 to identify those requirements.
ch 9	9.18 (1)	Note: Long-term watering plans are required to use the methods in Part 5 of Chapter 7 to identify the environmental watering requirements of priority environmental assets.	9.18 (1)	Note: The environmental watering requirements of priority environmental assets and priority ecosystem functions will be set out in long-term watering plans and may also be set out in the Basin wide environmental watering strategy.

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				Long term watering plans are required to use the methods in Part 5 of Chapter 7 to identify those requirements.
ch 9	9.32(4)	(4) For a water quality target value other than a target value that applies to a declared Ramsar wetland under section 8.14, the WQM Plan may specify an alternative water quality target value if:	9.32(4)	(4) The WQM Plan may specify an alternative water quality target value if:
ch 9	9.33	<p>9.33 WQM Plan to identify measures</p> <p>(1) The WQM Plan must specify measures to be undertaken in or in relation to the water resources of the water resource plan area that contribute to the achievement of the water quality objectives in Part 3 of Chapter 8.</p> <p>(2) The measures must be prepared having regard to:</p> <p>(a) the causes, or likely causes, of water quality degradation identified in accordance with section 9.30; and</p> <p>(b) target values identified in accordance with section 9.32; and</p> <p>(c) the targets in Division 4 of Part 4 of Chapter 8.</p> <p>(3) The measures may include land management measures.</p> <p>Note: See also subsections 22(9) to (12) of the Act.</p>	9.33	<p>9.33 WQM Plan to identify measures</p> <p>(1) The WQM Plan must specify measures to be undertaken in or in relation to the water resources of the water resource plan area that contribute to the achievement of the water quality objectives in Part 3 of Chapter 8, unless there are no such measures that can be undertaken cost-effectively.</p> <p>(2) The measures must be prepared having regard to:</p> <p>(a) the causes, or likely causes, of water quality degradation identified in accordance with section 9.30; and</p> <p>(b) target values identified in accordance with section 9.32; and</p> <p>(c) the targets in Division 4 of Part 4 of Chapter 8.</p> <p>(3) The measures may include land management measures.</p> <p>Note 1: Chapter 8 contains both water quality objectives and water quality targets. A WQM Plan must specify measures that contribute to the achievement of the objectives. The targets are relevant only to the extent that subsection (2) requires that the measures be prepared having regard to the targets. This section does not require a WQM Plan to set out measures designed to achieve the targets.</p>

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				Note 2: See also subsections 22(9) to (12) of the Act.
ch 9	9.47	9.47 Review of water resource plans A water resource plan must require that if a review of the plan is undertaken, the report of the review must be given to the Authority within 30 days after the report is completed.	9.47	9.47 Review of water resource plans A water resource plan must require that if a review of the plan (or a part of the plan) is undertaken, the report of the review must be given to the Authority within 30 days after the report is completed.
ch 10	10.05 (2)(b)	(b) the level of salinity in that water is 840 mg/L of total dissolved solids or greater.	10.05 (2)(b)	(b) the level of salinity in that water is 1,400 EC ($\mu\text{S}/\text{cm}$) or greater.
ch 10	10.16 (4)(a)	(4) This subsection applies if: (a) raw water has been taken by a water supply authority in accordance with paragraph 10.05(2)(a) and the level of salinity in that water is less than 840 mg/L of dissolved solids; and	10.16 (4)(a)	(4) This subsection applies if: (a) raw water has been taken by a water supply authority in accordance with paragraph 10.05(2)(a) and the level of salinity in that water is less than 1,400 EC ($\mu\text{S}/\text{cm}$); and
ch 11	11.07	11.07 Class of persons A person may trade a water access right free of any condition as to the person being, or not being, a member of a particular class of persons. Note 1: An example of a class of persons is 'environmental water user'. Note 2: See also section 11.27.	11.07	11.07Class of persons A person may trade a water access right free of any restriction on the trade that relates to the person being, or not being, a member of a particular class of persons. Note 1: An example of a class of persons is 'environmental water user'. Note 2: See also section 11.27.
ch 11	11.08	11.08 Purpose for which water is used (1) A person may trade a water access right free of any condition as to the purpose for which the water relating to that right has been, or will be, used. (2) This section does not apply to a water access right that is: (a) a stock right; or (b) a domestic right; or (c) a stock and domestic right. (3) This section does not apply to the trade of a water access entitlement	11.08	11.08 Purpose for which water is used (1) A person may trade a water access right free of any restriction on the trade that relates to the purpose for which the water relating to that right has been, or will be, used. (2) This section does not apply to a water access right that is: (a) a stock right; or (b) a domestic right; or (c) a stock and domestic right. (3) This section does not apply to the

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		designated for an urban water supply activity under State water management law.		trade of a water access entitlement designated for an urban water supply activity under State water management law.
ch 11	11.39(5)	(5) For this section, if a proposed trade involves a trade of water rights between the State of the restricting authority and another State: (a) the approval authority in the other State is the interstate authority; and (b) a party who acts through the interstate authority is an interstate party.	11.39(5)	(5) For this section, if a proposed trade involves a trade of a water access right between the State of the restricting authority and another State: (a) the approval authority in the other State is the interstate authority; and (b) a party who acts through the interstate authority is an interstate party.
ch 11	11.46(1)	(1) A Basin State must give a copy of rules it has made that regulate the trade of water access rights in a compiled form, incorporating any amendments, to the central information point: (a) within 30 days after the commencement of this Chapter; and (b) if the rules change—as soon as practicable, but in any case no later than the date of effect of the change.	11.46(1)	11.46 Basin State must make trading rules available (1) A Basin State must give a copy of rules it has made that regulate the trade of tradeable water rights in a compiled form, incorporating any amendments, to the central information point: (a) within 30 days after the commencement of this Chapter; and (b) if the rules change—as soon as practicable, but in any case no later than the date of effect of the change.
ch 11	11.49	11.49 Interpretation In this Division: material effect: a water announcement is taken to have a material effect on the price or value of water access rights if the announcement is reasonably likely to influence persons who commonly acquire water access rights in deciding whether or not to acquire or dispose of such rights. water announcement means a public announcement, by an agency of the Commonwealth or an agency of a Basin State, of any of the following	11.49	11.49 Interpretation Meaning of material effect (1) In this Division: material effect: a water announcement is taken to have a material effect on the price or value of water access rights if the announcement is reasonably likely to influence persons who commonly acquire water access rights in deciding whether or not to acquire or dispose of such rights. Meaning of water announcement (2) In this Division: water announcement means:

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		<p>kinds:</p> <p>(a) an allocation announcement;</p> <p>(b) a carryover announcement;</p> <p>(c) an announcement of a decision that, if made generally available, would have a material effect on the price or value of water access rights, including but not limited to:</p> <p>(i) announcement of a carryover arrangement or of changes to a carryover arrangement; or</p> <p>(ii) changes in the ability to trade between trading zones; or</p> <p>(iii) amendments to previous announcements.</p>		<p>(a) an allocation announcement; or</p> <p>(b) a carryover announcement; or</p> <p>(c) a public announcement by an agency of the Commonwealth or of a Basin State that:</p> <p>(i) is of a decision that relates to actions that the agency is undertaking, or may or will undertake; and</p> <p>(ii) can reasonably be expected, if made generally available, to have a material effect on the price or value of water access rights.</p> <p>(3) A reference in subparagraph (2)(c)(i) to a decision:</p> <p>(a) includes, but is not limited to, a decision that relates to:</p> <p>(i) a carryover arrangement or a change to a carryover arrangement; or</p> <p>(ii) a change in the ability to trade between places; or</p> <p>(iii) an amendment to a previous announcement; or</p> <p>(iv) a trading strategy; and</p> <p>(b) excludes a decision that relates to a particular trade of a water access right if:</p> <p>(i) the trade is or will be consistent with, and conducted pursuant to, a trading strategy; and</p> <p>(ii) the trading strategy has been the subject of a water announcement that has become generally available.</p>
ch 11	11.51	<p>11.51 Person not to trade if aware of water announcement before it is made generally available</p> <p>(1) This section applies to a person who is aware of:</p> <p>(a) a proposed water announcement; or</p> <p>(b) a water announcement before it is made generally available.</p> <p>(2) If the water announcement has not been made generally available, the person must not trade, or procure</p>	11.51	<p>11.51 Person not to trade if aware of water announcement before it is made generally available</p> <p>(1) This section applies to a person who is aware of:</p> <p>(a) a decision:</p> <p>(i) that has been made, and is to be announced, by an agency of the Commonwealth or of a Basin State; and</p> <p>(ii) that has not been publicly announced; and</p>

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		another person to trade, any water access right whose price or value would be materially affected by the water announcement.		<p>(iii) the announcement of which will constitute a water announcement; or</p> <p>(b) a water announcement that is not generally available.</p> <p>(2) The person must not:</p> <p>(a) take an action mentioned in subsection (3) in relation to any water access right whose price or value could reasonably be expected to be materially affected by the information referred to in subsection (1) if it were to become generally available; or</p> <p>(b) procure another person to take such an action.</p> <p>(3) For subsection (2), the actions are:</p> <p>(a) enter into a contract to trade; or</p> <p>(b) if no contract is involved in the trade:</p> <p>(i) apply to an approval authority in relation to the trade; or</p> <p>(ii) if no approval is involved in the trade—apply to a registration authority in relation to the trade.</p>
ch 11		N/A New provision	11.52	<p>11.52 Chinese wall arrangements for agencies</p> <p>(1) A relevant agency does not contravene section 11.51 by taking an action mentioned in subsection 11.51(3) at any time merely because of information in the possession of an officer or a member of staff of the agency if:</p> <p>(a) the decision to take the action was taken on its behalf by a person or persons other than that officer or member of staff; and</p> <p>(b) it had in operation at that time arrangements that could reasonably be expected to ensure that the information was not communicated to the person or persons who made the decision referred to in paragraph (a) and that no advice with respect to the decision was given to that person or</p>

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				<p>any of those persons by a person in possession of the information; and</p> <p>(c) the information was not so communicated and no such advice was given.</p> <p>(2) In this section: relevant agency means:</p> <p>(a) the Commonwealth; or</p> <p>(b) a Basin State; or</p> <p>(c) a person that is:</p> <p>(i) an agency of the Commonwealth; or</p> <p>(ii) an agency of a Basin State.</p>
ch 12	12.05 (1)	<p>12.05 Purpose of evaluation</p> <p>(1) The Authority must evaluate the effectiveness of the Basin Plan against the objectives and outcomes set out in Chapters 5, 7 and 8, and by reference to the matters listed in Schedule 10, for the purposes of:</p> <p>(a) annual reports on the effectiveness of the Basin Plan, as required by paragraph 214(2)(a) of the Act; and</p> <p>(b) advising on the impacts of the Basin Plan after the first 5 years, as required by section 49A of the Act; and</p> <p>(c) 10 yearly reviews of the Basin Plan, as required by section 50 of the Act; and</p> <p>(d) the review of the long-term average sustainable diversion limits required by section 6.07.</p> <p>Note: The Authority must publish the findings and recommendations arising from an evaluation: see section 12.18.</p>	12.05 (1)	<p>12.05 Purpose of evaluation</p> <p>(1) The Authority must evaluate the effectiveness of the Basin Plan against the objectives and outcomes set out in Chapters 5, 7 and 8, and by reference to the matters listed in Schedule 10, for the purposes of:</p> <p>(a) annual reports on the effectiveness of the Basin Plan, as required by paragraph 214(2)(a) of the Act; and</p> <p>(b) advising on the impacts of the Basin Plan after the first 5 years, as required by section 49A of the Act; and</p> <p>(c) 10 yearly reviews of the Basin Plan, as required by subsection 50(1) of the Act; and</p> <p>(d) any other reviews of the long-term average sustainable diversion limits (for example, following a request under subsection 50(2) of the Act).</p> <p>Note: The Authority must publish the findings and recommendations arising from an evaluation: see section 12.18.</p>
ch 12	12.14 (1)	<p>12.14 Reporting requirements for Basin States, the Department etc</p> <p>(1) For each matter listed in Schedule 10, each reporter listed for the matter must, for each reporting period and by the reporting day, produce a report (including data, if applicable) on the</p>	12.14 (1)	<p>12.14 Reporting requirements for Basin States, the Department etc</p> <p>(1) For each matter listed in Schedule 10, each reporter listed for the matter must, for each reporting period and by the reporting day, produce a report (including data) on the matter as at</p>

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		matter as at the end of the reporting period.		the end of the reporting period.
ch 12	12.15 (6)	(6) Nothing in this section prohibits the Authority from entering into agreements for the provision of information other than the information required by section 12.14, including for the purposes of conducting the review required by section 6.07.	12.15 (6)	(6) Nothing in this section prohibits the Authority from entering into agreements for the provision of information other than the information required by section 12.14 (for example, for the purposes of conducting a review under section 50 of the Act).
ch 12	12.20	12.20 Publication of audit reports After a report prepared under subsection 12.10 is finalised, the Authority must take all reasonable steps to publish a copy of the report on its website.	12.20	12.20 Publication of audit reports After a report prepared under section 12.10 is finalised, the Authority must take all reasonable steps to publish a copy of the report on its website.
sch 2	ALL	The limit is the BDL Note: The Authority estimates the BDL to be xxx GL per year and therefore this limit is estimated to be xxx GL per year	All	The limit is the BDL plus or minus any unit adjustments under Part 3 of Chapter 6. Note: The Authority estimates the BDL to be xxx GL per year and therefore this limit is estimated to be xxx GL per year plus or minus any unit adjustments. ³
sch 2	Qld 2 Warrego	The limit is the BDL minus 8 GL per year (local reduction amount). Note 1: The Authority estimates the BDL to be 128 GL per year and therefore this limit is estimated to be 120 GL per year. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 8 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL	Qld 2 Warrego	The limit is the BDL minus 8 GL per year (local reduction amount). Note 1: The Authority estimates the BDL to be 128 GL per year and therefore this limit is estimated to be 120 GL per year. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 8 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL

³ Note the BDL estimates in Schedule 2 have not changed.

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		resource unit.		resource unit.
sch 2	Nebine	<p>The limit is the BDL minus 1 GL per year (local reduction amount).</p> <p>Note 1: The Authority estimates the BDL to be 31 GL per year and therefore this limit is estimated to be 30 GL per year.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to be 1 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.</p>	Nebine	<p>The limit is the BDL minus 1 GL per year (local reduction amount).</p> <p>Note 1: The Authority estimates the BDL to be 31 GL per year and therefore this limit is estimated to be 30 GL per year.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to be 1 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.</p>
sch 2	Condamine-Balonne	<p>The limit is the BDL minus 100 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 978 GL per year and therefore this limit is estimated to be 878 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to be 24 GL per year and thus the gap remaining is estimated to be 76 GL per year in relation to the local reduction amount for this SDL resource unit.</p>	Condamine-Balonne	<p>The limit is the BDL minus 100 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 978 GL per year and therefore this limit is estimated to be 878 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to be 28 GL per year and thus the gap remaining is estimated to be 72 GL per year in relation to the local reduction amount for this SDL resource unit.</p>
sch 2	Moonie	<p>The limit is the BDL minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 84 GL per year and therefore this limit is estimated to be 84 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to exceed the local reduction amount of 0 GL per year. It is estimated that 1 GL</p>	Moonie	<p>The limit is the BDL minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 84 GL per year and therefore this limit is estimated to be 84 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to exceed the local reduction amount of 0 GL per year. It is estimated that 1 GL</p>

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.		per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.
sch 2	Queensland Border Rivers	<p>The limit is the BDL minus 8 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 320 GL per year and therefore this limit is estimated to be 312 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to be 4 GL per year and thus the gap remaining is estimated to be 4 GL per year in relation to the local reduction amount for this SDL resource unit.</p>	Queensland Border Rivers	<p>The limit is the BDL minus 8 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 320 GL per year and therefore this limit is estimated to be 312 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to be 4 GL per year and thus the gap remaining is estimated to be 4 GL per year in relation to the local reduction amount for this SDL resource unit.</p>
sch 2	NSW Intersecting Streams	<p>The limit is the BDL minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 114 GL per year and therefore this limit is estimated to be 114 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to exceed the local reduction amount of 0 GL per year. It is estimated that 8 GL per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.</p>	NSW Intersecting Streams	<p>The limit is the BDL minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 114 GL per year and therefore this limit is estimated to be 114 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to exceed the local reduction amount of 0 GL per year. It is estimated that 8 GL per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.</p>

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Ch or sch	Old section	Old provision's text	New section	New provision's text
sch 2	Barwon–Darling Watercourse	<p>The limit is the BDL minus 6 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 198 GL per year and therefore this limit is estimated to be 192 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to exceed the local reduction amount of 6 GL per year. It is estimated that 16 GL per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.</p>	Barwon–Darling Watercourse	<p>The limit is the BDL minus 6 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 198 GL per year and therefore this limit is estimated to be 192 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to exceed the local reduction amount of 6 GL per year. It is estimated that 16 GL per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.</p>
sch 2	NSW Border Rivers	<p>The limit is the BDL minus 7 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 303 GL per year and therefore this limit is estimated to be 296 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to be 0.1 GL per year and thus the gap remaining is estimated to be 6.9 GL per year in relation to the local reduction amount for this SDL resource unit.</p>	NSW Border Rivers	<p>The limit is the BDL minus 7 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 303 GL per year and therefore this limit is estimated to be 296 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to be 4.6 GL per year and thus the gap remaining is estimated to be 2.4 GL per year in relation to the local reduction amount for this SDL resource unit.</p>
sch 2	Gwydir	<p>The limit is BDL minus 42 GL per year (local reduction amount).</p> <p>Note 1: The Authority estimates the BDL to be 450 GL per year and therefore this limit is estimated to be</p>	Gwydir	<p>The limit is BDL minus 42 GL per year (local reduction amount).</p> <p>Note 1: The Authority estimates the BDL to be 450 GL per year and therefore this limit is estimated to be</p>

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		408 GL per year. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 42 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.		408 GL per year. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 50 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.
sch 2	Namoi	The limit is BDL minus 10 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 508 GL per year and therefore this limit is estimated to be 498 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 5 GL per year and thus the gap remaining is estimated to be 5 GL per year in relation to the local reduction amount for this SDL resource unit.	Namoi	The limit is BDL minus 10 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 508 GL per year and therefore this limit is estimated to be 498 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to exceed the local reduction amount of 10 GL per year. It is estimated that 7 GL per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.
sch 2	Macquarie-Castlereagh	The limit is BDL minus 65 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 734 GL per year and therefore this limit is estimated to be 669 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to exceed the local reduction amount of 65 GL per year. It is estimated that	Macquarie-Castlereagh	The limit is BDL minus 65 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 734 GL per year and therefore this limit is estimated to be 669 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to exceed the local reduction amount of 65 GL per year. It is estimated that

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		1 GL per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.		24 GL per year of held environmental water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the northern Basin shared zone.
sch 2	Lachlan	The limit is BDL minus 48 GL per year (local reduction amount). Note 1: The Authority estimates the BDL to be 618 GL per year and therefore this limit is estimated to be 570 GL per year. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 49 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.	Lachlan	The limit is BDL minus 48 GL per year (local reduction amount). Note 1: The Authority estimates the BDL to be 618 GL per year and therefore this limit is estimated to be 570 GL per year. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 65 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.
sch 2	Murrumbidgee	The limit is the BDL minus 320 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 2501 GL per year and therefore this limit is estimated to be 2181 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 139 GL per year and thus the gap remaining is estimated to be 181 GL per year in relation to the local reduction amount for this SDL resource unit.	Murrumbidgee	The limit is the BDL minus 320 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 2501 GL per year and therefore this limit is estimated to be 2181 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 173 GL per year and thus the gap remaining is estimated to be 147 GL per year in relation to the local reduction amount for this SDL resource unit.
sch 2	New South Wales Murray	The limit is the BDL minus 262 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the	New South Wales Murray	The limit is the BDL minus 262 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the

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		BDL to be 1812 GL per year and therefore this limit is estimated to be 1550 minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 197 GL per year and thus the gap remaining is estimated to be 65 GL per year in relation to the local reduction amount for this SDL resource unit.		BDL to be 1812 GL per year and therefore this limit is estimated to be 1550 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 243 GL per year and thus the gap remaining is estimated to be 19 GL per year in relation to the local reduction amount for this SDL resource unit.
sch 2	Lower Darling	The limit is BDL minus 8 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 60.5 GL per year and therefore this limit is estimated to be 52.5 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 0.4 GL per year and thus the gap remaining is estimated to be 7.6 GL per year in relation to the local reduction amount for this SDL resource unit.	Lower Darling	The limit is BDL minus 8 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 60.5 GL per year and therefore this limit is estimated to be 52.5 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 2.8 GL per year and thus the gap remaining is estimated to be 5.2 GL per year in relation to the local reduction amount for this SDL resource unit.
sch 2	Victoria Murray	The limit is the BDL minus 253 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 1707 GL per year and therefore this limit is estimated to be 1454 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to exceed the local reduction amount of 253 GL per year. It is estimate that 90 GL per year of held environmental	Victoria Murray	The limit is the BDL minus 253 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 1707 GL per year and therefore this limit is estimated to be 1454 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to exceed the local reduction amount of 253 GL per year. It is estimate that 122 GL per year of held environmental

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		water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the southern Basin shared zone.		water is available to contribute to the calculation of the SDL resource unit shared reduction amount for the SDL resource units in the southern Basin shared zone.
sch 2	Goulburn	The limit is the BDL minus 344 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 1689 GL per year and therefore this limit is estimated to be 1345 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 318 GL per year and thus the gap remaining is estimated to be 26 GL per year in relation to the local reduction amount for this SDL resource unit.	Goulburn	The limit is the BDL minus 344 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 1689 GL per year and therefore this limit is estimated to be 1345 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 334 GL per year and thus the gap remaining is estimated to be 10 GL per year in relation to the local reduction amount for this SDL resource unit.
sch 2	Campaspe	The limit is the BDL minus 18 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 153 GL per year and therefore this limit is estimated to be 135 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 31 March 2012, the reduction achieved is estimated to be 18 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.	Campaspe	The limit is the BDL minus 18 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount. Note 1: The Authority estimates the BDL to be 153 GL per year and therefore this limit is estimated to be 135 GL per year minus the SDL resource unit shared reduction amount. Note 2: As of 30 June 2012, the reduction achieved is estimated to be 18 GL per year and thus the gap remaining is estimated to be 0 GL per year in relation to the local reduction amount for this SDL resource unit.
sch 2	Loddon	The limit is the BDL minus 12 GL per year (local reduction amount) minus the SDL resource unit shared reduction	Loddon	The limit is the BDL minus 12 GL per year (local reduction amount) minus the SDL resource unit shared reduction

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		<p>amount.</p> <p>Note 1: The Authority estimates the BDL to be 179 GL per year and therefore this limit is estimated to be 167 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to be 3 GL per year and thus the gap remaining is estimated to be 9 GL per year in relation to the local reduction amount for this SDL resource unit.</p>		<p>amount.</p> <p>Note 1: The Authority estimates the BDL to be 179 GL per year and therefore this limit is estimated to be 167 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to be 3 GL per year and thus the gap remaining is estimated to be 9 GL per year in relation to the local reduction amount for this SDL resource unit.</p>
sch 2	Wimmera-Mallee (surface water)	<p>The limit is the BDL minus 23 GL per year (local reduction amount).</p> <p>Note 1: The Authority estimates the BDL to be 129 GL per year and therefore this limit is estimated to be 106 GL per year.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to be 0 GL per year and thus the gap remaining is estimated to be 23 GL per year in relation to the local reduction amount for this SDL resource unit.</p>	Wimmera-Mallee (surface water)	<p>The limit is the BDL minus 23 GL per year (local reduction amount).</p> <p>Note 1: The Authority estimates the BDL to be 129 GL per year and therefore this limit is estimated to be 106 GL per year.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to be 0 GL per year and thus the gap remaining is estimated to be 23 GL per year in relation to the local reduction amount for this SDL resource unit.</p>
sch 2	South Australian Murray	<p>The limit is the BDL minus 101 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 665 GL per year and therefore this limit is estimated to be 564 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 31 March 2012, the reduction achieved is estimated to be 93 GL per year and thus the gap remaining is estimated to be 8 GL per year in relation to the local reduction amount for this SDL</p>	South Australian Murray	<p>The limit is the BDL minus 101 GL per year (local reduction amount) minus the SDL resource unit shared reduction amount.</p> <p>Note 1: The Authority estimates the BDL to be 665 GL per year and therefore this limit is estimated to be 564 GL per year minus the SDL resource unit shared reduction amount.</p> <p>Note 2: As of 30 June 2012, the reduction achieved is estimated to be 99 GL per year and thus the gap remaining is estimated to be 2 GL per year in relation to the local reduction amount for this SDL</p>

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		resource unit.		resource unit.
sch 4	1	Australian Capital Territory (Groundwater) (GS59)	1	Australian Capital Territory (Groundwater) (GS56)
sch 4	4	199.4	4	203.5
sch 4	5	5.00	5	20.0
sch 4	6	all groundwater in the outcropping Palaeozoic rocks (or the in-situ weathered horizon where it is within 5 metres of the surface)	6	all groundwater in the outcropping Palaeozoic rocks (or the in situ weathered horizon where it is within 5 metres of the surface) from the land surface to 200 metres below the surface
sch 4	7	68.9 190.7	7	68.9, minus any limit, under a law of the State of Victoria, on the taking of groundwater from the Victorian West Wimmera Groundwater Management Area 190.7, minus any limit, under a law of the State of Victoria, on the taking of groundwater from the Victorian West Wimmera Groundwater Management Area
sch 4	8	5.00	8	20.0
sch 4	22	Western Porous Rock (GS57)	22	Western Porous Rock (GS54)
sch 4	23	Upper Darling Alluvium (GS49) *	23	Upper Darling Alluvium (GS46) *
sch 4	24	Lower Darling Alluvium (GS28)	24	Lower Darling Alluvium (GS27)
sch 4	26	Lower Murray Alluvium (shallow; Shepparton Formation) (GS32)	26	Lower Murray Alluvium (shallow; Shepparton Formation) (GS31)

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		groundwater in unconsolidated alluvium, including the Shepparton Formation, less than 12 meters below the surface		groundwater in unconsolidated alluvium, including the Shepparton Formation, less than 12 metres below the surface
sch 4	28	Upper Murray Alluvium (GS53)	28	Upper Murray Alluvium (GS50)
sch 4	29	Oaklands Basin (GS46)	29	Oaklands Basin (GS42)
sch 4	30	Lake George Alluvium (GS26) *	30	Lake George Alluvium (GS25) *
sch 4	31	Lower Murrumbidgee Alluvium (shallow; Shepparton Formation) (GS33)	31	Lower Murrumbidgee Alluvium (shallow; Shepparton Formation) (GS32)
sch 4	32	Lower Murrumbidgee Alluvium (deep; Calivil Formation and Renmark Group) (GS33)	32	Lower Murrumbidgee Alluvium (deep; Calivil Formation and Renmark Group) (GS32)
sch 4	33	Mid-Murrumbidgee Alluvium (GS36) *	33	Mid-Murrumbidgee Alluvium (GS35) *
sch 4	35	Lower Lachlan Alluvium (GS30)	35	Lower Lachlan Alluvium (GS29)
sch 4	36	Upper Lachlan Alluvium (GS51)*	36	Upper Lachlan Alluvium (GS48)*
sch 4	38	Kanmantoo Fold Belt (GS20)	38	Kanmantoo Fold Belt (GS19)
sch 4	39	Lachlan Fold Belt: Lachlan (GS21)	39	Lachlan Fold Belt: Lachlan (GS20)
sch 4	40	Lachlan Fold Belt: Macquarie–Castlereagh (GS22)	40	Lachlan Fold Belt: Macquarie–Castlereagh (GS21)

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Ch or sch	Old section	Old provision's text	New section	New provision's text
sch 4	41	Lachlan Fold Belt: Murray (GS23)	41	Lachlan Fold Belt: Murray (GS22)
sch 4	42	Lachlan Fold Belt: Murrumbidgee (GS24)	42	Lachlan Fold Belt: Murrumbidgee (GS23)
sch 4	43	Lachlan Fold Belt: Western (GS25)	43	Lachlan Fold Belt: Western (GS24)
sch 4	44	Orange Basalt (GS47)	44	Orange Basalt (GS43)
sch 4	45	Young Granite (GS58)	45	Young Granite (GS55)
sch 4	47	all groundwater, excluding groundwater in item 64	47	all groundwater, excluding groundwater in item 62
sch 4	48	all groundwater	48	all groundwater, excluding groundwater in item 63
sch 4	50	Lower Macquarie Alluvium (GS31)	50	Lower Macquarie Alluvium (GS30)
sch 4	51	Upper Macquarie Alluvium (GS52) * all groundwater, excluding groundwater in item 64	51	Upper Macquarie Alluvium (GS49) * all groundwater, excluding groundwater in item 62
sch 4	52	NSW GAB Surat Shallow (GS39)	52	NSW GAB Surat Shallow (GS38)
sch 4	53	NSW GAB Warrego Shallow (GS40)	53	NSW GAB Warrego Shallow (GS39)
sch 4	54	NSW GAB Central Shallow (GS41)	54	NSW GAB Central Shallow (GS40)
sch 4	55	Lower Namoi Alluvium (GS34)	55	Lower Namoi Alluvium (GS33)

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		groundwater in unconsolidated alluvium associated with the Namoi River and its tributaries including: (a) the Narrabri Formation; and (b) the Gunnedah Formation; and (c) the Cubbaroo Formation; and all other groundwater, excluding groundwater in item 64		groundwater in unconsolidated alluvium associated with the Namoi River and its tributaries including: (a) the Narrabri Formation; and (b) the Gunnedah Formation; and (c) the Cubbaroo Formation; and all other groundwater, excluding groundwater in item 62
sch 4	56	Manilla Alluvium (GS35) *	56	Manilla Alluvium (GS34) *
sch 4	57	Peel Valley Alluvium (GS48)	57	Peel Valley Alluvium (GS44)
sch 4	58	Upper Namoi Alluvium (GS54) groundwater in unconsolidated alluvium associated with the Namoi River and its tributaries, including: (a) the Narrabri Formation; and (b) the Gunnedah Formation; and all other groundwater, excluding groundwater in item 64	58	Upper Namoi Alluvium (GS51) groundwater in unconsolidated alluvium associated with the Namoi River and its tributaries, including: (a) the Narrabri Formation; and (b) the Gunnedah Formation; and all other groundwater, excluding groundwater in item 62
sch 4	59	Upper Namoi Tributary Alluvium (GS55) * all groundwater, excluding groundwater in item 64	59	Upper Namoi Tributary Alluvium (GS52) * all groundwater, excluding groundwater in item 62
sch 4	60	Lower Gwydir Alluvium (GS29) groundwater in unconsolidated alluvium associated with the Gwydir River and its tributaries including: (a) the Narrabri Formation; and (b) the Gunnedah Formation; and all other groundwater, excluding groundwater in item 64	60	Lower Gwydir Alluvium (GS28) groundwater in unconsolidated alluvium associated with the Gwydir River and its tributaries including: (a) the Narrabri Formation; and (b) the Gunnedah Formation; and all other groundwater, excluding groundwater in item 62

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Ch or sch	Old section	Old provision's text	New section	New provision's text
sch 4	61	Upper Gwydir Alluvium (GS50) *	61	Upper Gwydir Alluvium (GS47) *
sch 4	62	Eastern Porous Rock: Macquarie–Castlereagh (GS17) groundwater in: (a) all rocks of Permian, Triassic, Jurassic, Cretaceous or Tertiary age to a depth of 200 metres; and (b) all alluvial sediments 6.20 9.78	62	Gunnedah-Oxley Basin MDB (GS17) groundwater in: (a) all rocks of Permian, Triassic, Jurassic, Cretaceous or Tertiary age; and (b) all alluvial sediments within the outcropped areas 22.1 114.5
sch 4	63	Eastern Porous Rock: Namoi–Gwydir (GS18) groundwater in: (a) all rocks of Permian, Triassic, Jurassic, Cretaceous or Tertiary age to a depth of 200 metres; and (b) all alluvial sediments 15.5 15.5	63	Sydney Basin MDB (GS45) groundwater in: (a) all rocks of Permian, Triassic, Jurassic, Cretaceous or Tertiary age; and (b) all alluvial sediments within the outcropped areas 3.12 17.2
sch 4	64	Gunnedah-Oxley Basin (GS42) Groundwater in all rocks of Permian, Triassic, Cretaceous or Tertiary age, excluding groundwater in items 62 and 63 0 102.4	64	deleted

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Ch or sch	Old section	Old provision's text	New section	New provision's text
sch 4	65	Inverell Basalt (GS19)	64	Inverell Basalt (GS18)
sch 4	66	Liverpool Ranges Basalt (GS27) groundwater in: (a) all basalt and sediments of Tertiary age; and (b) all alluvial sediments; and all other groundwater, excluding groundwater in item 64	65	Liverpool Ranges Basalt (GS26) groundwater in: (a) all basalt and sediments of Tertiary age; and (b) all alluvial sediments; and all other groundwater, excluding groundwater in items 62 and 63
sch 4	67	New England Fold Belt: Border Rivers (GS43) all groundwater 6.31 10.8	66	New England Fold Belt (GS41) all groundwater 32.9 55.1
sch 4	68	New England Fold Belt: Gwydir (GS44) all groundwater 6.45 14.3		deleted
sch 4	69	New England Fold Belt: Namoi (GS45) all groundwater 18.3 28.9		deleted
sch 4	70	Warrumbungle Basalt (GS56) groundwater in:	67	Warrumbungle Basalt (GS53) groundwater in:

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Ch or sch	Old section	Old provision's text	New section	New provision's text
		(a) all basalt and sediments of Tertiary age; and (b) all alluvial sediments; and all other groundwater, excluding groundwater in item 64		(a) all basalt and sediments of Tertiary age; and (b) all alluvial sediments; and all other groundwater, excluding groundwater in item 62
sch 4	71	NSW Border Rivers Alluvium (GS37) * all groundwater, excluding groundwater in item 64	68	NSW Border Rivers Alluvium (GS36) all groundwater, excluding groundwater in item 62
sch 4	72	NSW Border Rivers Tributary Alluvium (GS38) *	69	NSW Border Rivers Tributary Alluvium (GS37)
sch 4	73	Queensland Border Rivers Alluvium (GS61)	70	Queensland Border Rivers Alluvium (GS58)
sch 4	74	Queensland Border Rivers Fractured Rock (GS62)	71	Queensland Border Rivers Fractured Rock (GS59)
sch 4	75	Sediments above the Great Artesian Basin: Border Rivers (GS63)	72	Sediments above the Great Artesian Basin: Border Rivers (GS61)
sch 4	76	Sediments above the Great Artesian Basin: Moonie (GS65)	73	Sediments above the Great Artesian Basin: Moonie (GS63)
sch 4	77	St George Alluvium: Moonie (GS68)	74	St George Alluvium: Moonie (GS66)
sch 4	78	Condamine Fractured Rock (GS60)	75	Condamine Fractured Rock (GS57)
sch 4		N/A New section	76	Queensland MDB: deep (GS60) all groundwater in aquifers below the Great Artesian Basin 0

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Ch or sch	Old section	Old provision's text	New section	New provision's text
				100.0
sch 4	79	Sediments above the Great Artesian Basin: Condamine–Balonne (GS64)	77	Sediments above the Great Artesian Basin: Condamine–Balonne (GS62)
sch 4	80	St George Alluvium: Condamine–Balonne (shallow) (GS67)	78	St George Alluvium: Condamine–Balonne (shallow) (GS65)
sch 4	81	St George Alluvium: Condamine–Balonne (deep) (GS67)	79	St George Alluvium: Condamine–Balonne (deep) (GS65)
sch 4	83	Upper Condamine Alluvium (Central Condamine Alluvium) (GS70a)	80	Upper Condamine Alluvium (Central Condamine Alluvium) (GS68a)
sch 4	84	Upper Condamine Alluvium (Tributaries) (GS70b)	81	Upper Condamine Alluvium (Tributaries) (GS68b)
sch 4		N/A New section	82	Upper Condamine Basalts (GS69) all groundwater in aquifers above the Great Artesian Basin 79.0 79.0
sch 4	82	Upper Condamine Basalts (GS71) all groundwater in aquifers above the Great Artesian Basin 79.0 79.0		deleted

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Ch or sch	Old section	Old provision's text	New section	New provision's text
sch 4	85	Sediments above the Great Artesian Basin: Warrego–Paroo–Nebine (GS66)	83	Sediments above the Great Artesian Basin: Warrego–Paroo–Nebine (GS64)
sch 4	86	St George Alluvium: Warrego–Paroo–Nebine (GS69)	84	St George Alluvium: Warrego–Paroo–Nebine (GS67)
sch 4	87	Warrego Alluvium (GS72)	85	Warrego Alluvium (GS70)
sch 4	27	Lower Murray Alluvium (deep; Renmark Group and Calivil Formation) (GS32)	27	27 - Lower Murray Alluvium (deep; Renmark Group and Calivil Formation) (GS31)
sch 5	whole schedule	New schedule	sch 5	This Schedule sets the method by which the supply adjustment is calculated for Part 3 of Chapter 6
sch 9	Heading	Salinity (mg/L)	sch 10 Heading	Salinity