

Floodplain harvesting in the Barwon-Darling Unregulated

This document summarises the intent of rules established for floodplain harvesting in the Barwon-Darling Unregulated River Water Source

Barwon-Darling Unregulated River Water Source

Rule	Intent
Management zones	Floodplain harvesting (unregulated river) access licences will have the same management zones as those applied to unregulated river access licences.
Share components	A total of 51,322 unit shares are being issued in the water source for floodplain harvesting (unregulated river) access licences. (There are approx. 133,069 unit shares for unregulated river (B class) access licences and 45,746 unit shares for unregulated river (C class) access licences).
Calculation of the long-term average annual extraction limit	Calculated as the level of extraction that would occur under Cap baseline conditions as agreed under the Murray-Darling Basin Agreement.
Compliance with the extraction limit (LTAAEL or SDL)	Allocations reduced for floodplain harvesting (unregulated river) access licences if growth above the extraction limit is attributed to those licences. All other growth is managed through reduced allocations to unregulated river (A class), unregulated river (B class) and unregulated river (C class) access licences.
Initial allocation of 1 ML per unit share	The first allocation that floodplain harvesting (unregulated river) access licences will receive is 1 ML per unit share (i.e., full allocation), pro-rata if not credited at the beginning of a water year.
On-going allocation of 1 ML per unit share	Allocations credited at the beginning of each water year after the initial allocation will be no greater than 1 ML per unit share but can be less if required to respond to growth above the extraction limit.

Rule	Intent
<p>Rules for water supply work approvals to be nominated by a floodplain harvesting (unregulated river) access licence - granting</p>	<p>No new works:</p> <ul style="list-style-type: none"> located in management zone A or D, as established in the <i>Floodplain Management Plan for the Barwon-Darling Valley Floodplain 2017</i> located in management zone AD or D, as established in the <i>Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020</i> located outside the Barwon-Darling Valley Floodplain as shown in schedule 6 of the <i>Water Management Act 2000</i>.
<p>Rules for water supply work approvals nominated by a floodplain harvesting (unregulated river) access licence - amending</p>	<p>Amendment of approval not permitted:</p> <ul style="list-style-type: none"> to add a work that is not located on a property that is fully or partially located within the Barwon-Darling Valley Floodplain to add a work that is located in management zone A, AD or D if adding a work would increase the capability of existing works to take water from management zone A, AD or D (except where the additional work was previously nominated by a floodplain harvesting (unregulated river) access licence.
<p>Rules for water supply work approvals nominated by a floodplain harvesting (unregulated river) access licence – transitional exemption</p>	<p>Amending rules do not apply to the amendment of approvals:</p> <ul style="list-style-type: none"> lodged prior to 31 December 2023 for works constructed on or before 12 February 2021 if also a flood work, subject to a flood work approval.
<p>Account debiting</p>	<p>Volume of water extracted during a nominated measurement period to be debited from the allocation account.</p>
<p>Account limit of 5 ML per unit share</p>	<p>The allocation account for floodplain harvesting (unregulated river) access licences cannot exceed 5 ML per unit share at any time. Any unused allocation can be carried over from one water year to the next, subject to the account limit not being exceeded.</p>
<p>Access rules</p>	<p>Take not permitted under a floodplain harvesting (unregulated river) access licence when there is less than 195 GL in the Menindee Lakes system (as defined in the Murray–Darling Basin Agreement)</p> <p>The Menindee Lakes volume will transition from a ‘total storage’ volume to an ‘active storage’ volume once the Murray-Darling Basin Authority has published operating procedures that allow the Murray-Darling Basin Authority to deliver state entitlements to water under the Murray Darling Basin Agreement via the Great Darling Anabranch.</p>

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	Rule ceases to apply during periods when a flow in the Darling River at the Wilcannia gauge (425 008) will remain at or above 7,900 ML/day.
Temporary trade (section 71T)	No trade of allocation under section 71T of the <i>Water Management Act 2000</i> , consistent with the NSW Floodplain Harvesting Policy.
Permanent trade (section 71Q)	<p>No trade of entitlement under section 71Q of the <i>Water Management Act 2000</i> in any of the following circumstances (unless the work was nominated by the licence when it was first issued):</p> <ul style="list-style-type: none"> • to a work located on a property that is not fully or partially located within the Barwon-Darling Valley floodplain • to a work located in management zones A, AD or D • between river sections (which are defined in clause 6 of the <i>Water Sharing Plan for the Barwon Darling Unregulated River Water Source 2012</i>). <p>Note. Removal or modification of a work may be required under section 102 of the <i>Water Management Act 2000</i> following a dealing that results in a significant reduction in entitlement and the works are still able to take overland flow.</p>
Nomination of works (section 71W)	<p>No nomination of works under section 71W of the <i>Water Management Act 2000</i> if the works are:</p> <ul style="list-style-type: none"> • located on a property not fully or partially located within the Barwon-Darling Valley Floodplain • located within management zone A, AD or D • located in a different river section.
Mandatory conditions - licences	<ul style="list-style-type: none"> • Only take overland flow within the: <ul style="list-style-type: none"> ○ Barwon-Darling Valley Floodplain, or ○ Lower Namoi Valley Floodplain if the property that is partially located within both the Barwon-Darling Valley Floodplain and Lower Namoi Valley Floodplain • Condition to give effect to the access rule
Mandatory conditions - approvals	<ul style="list-style-type: none"> • Exempt from flow measurement device requirement • Measurement conditions applied directly from the regulation

Figure 1 River sections in the Barwon-Darling Unregulated River Water Source

