



Appendix D – Extract from the *Water Act 2007*

20 Purpose of Basin Plan

The purpose of the Basin Plan is to provide for the integrated management of the Basin water resources in a way that promotes the objects of this Act, in particular by providing for:

- (a) giving effect to relevant international agreements (to the extent to which those agreements are relevant to the use and management of the Basin water resources); and
- (b) the establishment and enforcement of environmentally sustainable limits on the quantities of surface water and ground water that may be taken from the Basin water resources (including by interception activities); and
- (c) Basin-wide environmental objectives for water-dependent ecosystems of the Murray-Darling Basin and water quality and salinity objectives; and
- (d) the use and management of the Basin water resources in a way that optimises economic, social and environmental outcomes; and
- (e) water to reach its most productive use through the development of an efficient water trading regime across the Murray-Darling Basin; and
- (f) requirements that a water resource plan for a water resource plan area must meet if it is to be accredited or adopted under Division 2; and
- (g) improved water security for all uses of Basin water resources.

21 General basis on which Basin Plan to be developed

Basin Plan to implement international agreements

- (1) The Basin Plan (including any environmental watering plan or water quality and salinity management plan included in the Basin Plan) must be prepared so as to provide for giving effect to relevant international agreements (to the extent to which those agreements are relevant to the use and management of the Basin water resources).
- (2) Without limiting subsection (1), the Basin Plan must:
 - (a) be prepared having regard to:
 - (i) the fact that the use of the Basin water resources has had, and is likely to have, significant adverse impacts on the conservation and sustainable use of biodiversity; and
 - (ii) the fact that the Basin water resources require, as a result, special measures to manage their use to conserve biodiversity; and
 - (b) promote sustainable use of the Basin water resources to protect and restore the ecosystems, natural habitats and species that are reliant on the Basin water resources and to conserve biodiversity.

Note: See Articles 7 and 8 of the Biodiversity Convention.

- (3) Without limiting subsection (1), the Basin Plan must also:
 - (a) promote the wise use of all the Basin water resources; and
 - (b) promote the conservation of declared Ramsar wetlands in the Murray-Darling Basin.

Note: See Article 3 of the Ramsar Convention.

Basis on which Basin Plan to be developed

- (4) Subject to subsections (1), (2) and (3), the Authority and the Minister must, in exercising their powers and performing their functions under this Division:
 - (a) take into account the principles of ecologically sustainable development; and
 - (b) act on the basis of the best available scientific knowledge and socio-economic analysis; and
 - (c) have regard to the following:
 - (i) the National Water Initiative;

- (ii) the consumptive and other economic uses of Basin water resources;
- (iii) the diversity and variability of the Basin water resources and the need to adapt management approaches to that diversity and variability;
- (iv) the management objectives of the Basin States for particular water resources;
- (v) social, cultural, Indigenous and other public benefit issues;
- (vi) broader regional natural resource management planning processes;
- (vii) the effect, or potential effect, of the Basin Plan on the use and management of water resources that are not Basin water resources;
- (viii) the effect, or the potential effect, of the use and management of water resources that are not Basin water resources on the use and management of the Basin water resources; and
- (ix) the State water sharing arrangements.

Note 1: Paragraph (b): the best available scientific knowledge includes the best available systems for accounting for water resources.

Note 2: An example of a management objective referred to in subparagraph (c)(iv) might be preservation of the natural values of a river system through no development or minimal development.

Note 3: See also subsection 25(3) (which deals with the water quality and salinity management plan).

Basin Plan not to reduce protection of planned environmental water provided for under existing State water management laws

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

Basin Plan not to be inconsistent with Snowy Water Licence

- (6) The Basin Plan must not be inconsistent with the provisions of the licence issued under section 22 of the Snowy Hydro Corporatisation Act 1997 of New South Wales.

- (7) In applying subsection (6), a variation of the licence after the commencement of Part 2 of this Act is to be disregarded unless the variation is prescribed by the regulations for the purposes of this subsection.