

# Changes to the Water Sharing Plans for the Central Coast, Coffs Harbour, Hunter and Lower North Coast Unregulated and Alluvial Water Sources 2022

A summary of changes made to the Water Sharing Plans for the Central Coast, Coffs Harbour, Hunter and Lower North Coast Unregulated and Alluvial water sources 2022

## Why we have made these changes

The NSW Government has amended the Water Sharing Plans for the Central Coast, Coffs Harbour, Hunter and Lower North Coast Unregulated and Alluvial Water Sources 2022 (the plans) to ensure correct application of the Macro water sharing plans – the approach for unregulated rivers - Access and trading rules for pools, (the pools policy) for natural off-river pools and in-river dam pools and to correct typographical and referencing errors and update terminology.

## The process for changing water sharing plans

As well as the approval of the Minister for Water, amending a plan requires the agreement of the NSW Minister for the Environment (this is known as ‘concurrence’). Consistent with section 9 of the *Water Management Act 2000* (the WM Act), when amending a water sharing plan the ministers must:

- take all reasonable steps to promote the water management principles of the WM Act and
- give priority to the principles relating to water sharing according to the order they are set out in under section 5 (3) of the WM Act.

The water sharing management principles under s5(3) of the WM Act are (in their order of priority):

1. Sharing water from a water source must protect the water source and its dependent ecosystems.
2. Sharing water from a water source must protect basic landholder rights.
3. Sharing or extraction of water under any other right must not prejudice the principles set out in points 1 and 2.

The NSW Department of Climate Change, Energy, the Environment and Water’s Water group worked with colleagues in the department’s Biodiversity Conservation and Science group to develop the amendments before submitting the plan for the agreement and approval of the ministers.

This document provides the details of these changes for each of the plans in separate tables as follows:

- Table 1 summarises the amendments for the Central Coast plan.
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- Table 2 summarises the amendments for the Coffs Harbour plan.
- Table 3 summarises the amendments for the Hunter plan.
- Table 4 summarises the amendments for the Lower North Coast plan.

Table 1. Summary of changes to the *Water Sharing Plans for the Central Coast Unregulated and Alluvial water sources 2022*

Clause	2023 amendment change	Basis for change
<b>Clause 4 and Appendix 1 (plan maps)</b>	Changing references of ‘unconsolidated sediments’ to ‘ <b>Cenozoic</b> sediments’ in the specified clause and the Registered Plan Maps legends.	Cenozoic better describes these alluvial groundwater sediments; it is unambiguous and does not require definition.  This will align these plans with the recent changes to the <i>Water Sharing Plan for the North Coast Coastal Sands 2016</i> .
<b>Clause 4(5)</b>	Changing the plan to specify the <i>Water Sharing Plan for the North Coast Coastal Sands 2016</i> .	To exclude water managed under the <i>Water Sharing Plan for the North Coast Coastal Sands 2016</i> from the Central Coast plan where they intersect.
<b>Clauses 10(3)c, 12(3)(e) and 13(3)(d)</b>	Adding ‘off-river pools’ for inclusion with ‘in-river’ pools’ to be protected from drawdown from full capacity in the plan objectives.	To improve clarity of objectives and maintain consistency with access rules.
<b>Clause 36(2)(c)</b>	Adding ‘unit shares’ to the amount of 940 for the limit of entitlement for Aboriginal Community Development Licences in the coastal floodplain alluvial groundwater source.	Including the unit of measure improves clarity around specific trading provisions.
<b>Clause 41</b>	Simplifying the access rules and allowing for the drawdown of in-river dams so long as, in cases where an approval is held, the dam is operated in accordance with the approval conditions.	The original 2022 plan included complex rules that catered for a specific circumstance where an in-river dam may not have an approval, due to an administrative error that is known to have occurred in some parts of the plan area.  While the amendments provide for the drawdown of such dam pools, there is still a requirement that water users hold appropriate approvals for their in-river dams. Further information on approval requirements can be obtained from the <a href="#">WaterNSW Approvals</a> webpage.

Clause	2023 amendment change	Basis for change
<b>Clause 41(3)</b>	Modifying the access rules that previously allowed for taking water from off-river pools when the pools were below their full capacity. Take of water below full capacity is now not permitted.	To improve the protection of off-river pools and to provide for accurate and consistent application of existing water policy.
<b>Clauses 43(2)(a)(i) and 47(3)(a)(i)</b>	Adding the word 'vegetables' so that water can be taken to wash vegetables as well as fruit.	The exception to the cease to pump rules was intended to apply to washing of fruits and vegetables, not just fruit.
<b>Clause 43(2)(d) now moved to 43(3)b</b>	<p>Ensuring that the very low flow class cease to pump exemption for unregulated licences when taking from in river dams, also applies in the circumstance where the dam is referenced on an approval but not explicitly listed as a work.</p> <p>The exemption has also been narrowed to refer only to the relevant clauses.</p>	<p>This amendment addresses a specific circumstance where an in-river dam may be referenced but not listed as a work on an approval. This is due to an administrative error that is known to have occurred in some parts of the plan area.</p> <p>The amended rules recognise the previously authorised water use and are consistent with former plans and existing policy.</p> <p>While this amendment provides a very low flow class cease to pump exemption for a specific circumstance, there is still a requirement that water users hold appropriate approvals for their in-river dams. Further information on approval requirements can be obtained from the <a href="#">WaterNSW Approvals</a> webpage.</p>
<b>Clause 43(3)(a)</b>	Modifying the plan for where water is taken from an off-river pool, providing exemptions to the very low flow class access rules established for that water source or management zone.	The amended rules ensure correct and consistent application of existing policy in relation to take of water from off-river pools and in-river dam pools.
<b>Clause 50(1), (2) and (3)</b>	Updating wording of clause.	There is no change of intent from this amendment. The amended wording ensures that the provision does not fetter the Minister's power under the WM Act.

Clause	2023 amendment change	Basis for change
<b>Clause 50(5)</b>	Removing this provision as it is no longer required.	The original provision was to ensure approvals could be granted for works already constructed which, due to an administrative error, do not have an approval.  Changes to wording of clauses 50(1-3) make this provision redundant.
<b>Clause 68(b)</b>	Adding reference to Division 4.	To fix an error so that mandatory conditions apply to both the surface water and groundwater sections in Part 8 (Divisions 3 and 4 instead of just Division 3).
<b>Clause 69(3), 71(5) and 72(4)</b>	Modifying the reference to when the non-urban metering regulation commences so that the plan now specifies ‘the day on which the relevant mandatory metering condition applies’.	The start date for the non-urban metering requirements in coastal areas has been postponed from December 2023 to December 2024. The new wording ensures this will not need to be changed again.
<b>Clause 74</b>	Changing the plan to specify that decommissioning of a ‘bore’ (not all groundwater works) must adhere to the minimum construction requirements.	The minimum construction requirements only apply to bores, not other works that intercept groundwater.
<b>Clause 75(1)(d)</b>	Modifying the plan to clarify that only bores need to be compliant with the construction standards for bores.	Improve clarity and consistency with provision wording between plans.
<b>Clause 75(6)</b>	Correcting the reference to a clause for consideration for replacement groundwater works.	This corrects a cross-referencing error and means a water supply work approval for a replacement groundwater work must give effect to rules in clause 58 as intended, not clause 54.
<b>Dictionary</b>	Including the definition of the plan map.  Updating the definition (name) of the GDE map.  Updating the definition of groundwater.  Removing the ‘unconsolidated alluvial sediments’ definition.	To improve clarity and maintain consistency with other plans and department templates.



Table 2. Summary of changes to the *Water Sharing Plans for the Coffs Harbour Unregulated and Alluvial water sources 2022*

Clause	2023 amendment change	Basis for change
<b>Clause 2(b), 3(a) and Registered Plan Map</b>	Changing references of ‘unconsolidated sediments’ to ‘ <b>Cenozoic</b> sediments’ in the specified clause and the Registered Plan Maps legends.	Cenozoic better describes these alluvial groundwater sediments; it is unambiguous and does not require definition.  This will align these plans with the recent changes to the <i>Water Sharing Plan for the North Coast Coastal Sands 2016</i> .
<b>Clause 10(1)(c)</b>	Adding ‘off-river pools’ for inclusion with ‘in-river’ pools’ to be protected from drawdown from full capacity in the plan objectives.	To improve clarity of objectives and maintain consistency with access rules.
<b>Clause 10(1)(j)</b>	Adding ‘domestic and stock rights’ to the consistent access management sub-clause.	To improve clarity of linkages between plan strategies and objectives and maintain consistency access plans.
<b>Clause 26(2)</b>	Amending wording to refer to ‘higher flow extraction access licences’ and to make it clear that a reduced Available Water Determination does not have to apply to all higher flow licence categories.	Improves clarity and effectiveness of provision. Provides consistency across plans.
<b>Clause 33(2)</b>	Adding management zones to the flow class provision.	Clarified that a given flow class may apply either to a whole water source or a part of a water source (i.e., management zone).
<b>Clause 35(2)</b>	Modifying the access rule for taking water from off-river pools that allowed take of water when the pools were below their full capacity. Take of water below full capacity is now not permitted.	To improve the protection of off-river pools and to provide for accurate and consistent application of existing water group policy.

Clause	2023 amendment change	Basis for change
<p><b>Clause 35(2)(c)</b></p>	<p>Simplifying the access rules and allowing for the drawdown of in-river dams so long as, in cases where an approval is held, the dam is operated in accordance with the approval conditions.</p>	<p>The change provides for specific circumstances where an in-river dam may not have an approval due to an administrative error that is known to have occurred in some plans.</p> <p>The amended rules recognise the previously authorised water use and are consistent with former plans and existing policy.</p> <p>While the amendment provides for the drawdown of such dam pools, there is still a requirement that water users hold appropriate approvals for their in-river dams. Further information on approval requirements can be obtained from the <a href="#">WaterNSW Approvals</a> webpage.</p>
<p><b>Clause 37(1)</b></p>	<p>Ensuring that where an existing licence or approval includes a specific condition that allows the drawdown of an off-river pool, that condition will continue as an exemption to the access rule in 35(2)(b).</p>	<p>The amended rules recognise the previously authorised water use and are consistent with former plans and existing policy.</p>
<p><b>Clauses 37(2)(b) and 40(1)(b)</b></p>	<p>Adding the word ‘authorised’ to the exemption from the cease to take rules for domestic consumption, i.e., ‘for domestic consumption <b>authorised</b> under a domestic and stock access licence up to 1 kl/day per household’.</p>	<p>This amendment clarifies that this exemption only applies to those access licences authorised to take water for domestic consumption under a domestic and stock access licence.</p>
<p><b>Clause 37(4) and (5)</b></p>	<p>Modifying the plan for:</p> <ul style="list-style-type: none"> <li>• where water is taken from an off-river pool, providing exemptions to the various specific access rules established for that water source or management zone</li> <li>• where water is taken from an in-river dam pool, providing exemptions to particular specific access rules established for that water source or management zone.</li> </ul>	<p>The amended rules ensure correct and consistent application of existing policy in relation to take of water from off-river pools and in-river dam pools.</p>

Clause	2023 amendment change	Basis for change
<b>Clause 39</b>	Replacing the words 'aquifer licence' with 'access licence'.	To improve clarity. The access rules need to apply to licences that use any kind of work(s) that extract groundwater.
<b>Clause 44</b>	Adding that a replacement work for take of water must be within the same management zone as the one being replaced.	Clarifies that a replacement groundwater work needs to be in the same management zone as the work it replaces.
<b>Clause 47(4)</b>	Amending this clause so the 'no more than minimal harm' exemption may be applicable for a proposed groundwater supply work within 40 m of the high bank of the river.	To improve clarity and align with the original intent of the rules. This enables extraction works that are within 40 m of the high bank of the river to be constructed if it can be shown there is no more than minimal harm to the specified groundwater-dependent ecosystem/s.
<b>Clause 54</b>	Changing the wording of this clause to allow for trading between management zones (under a 71S provision) within water sources where this is permitted, as per Clause 16 in the <i>Access Licence Dealing Principles Order 2004</i> .	This corrects an error and aligns the plan provisions with the intent communicated during plan development and finalisation.
<b>Clause 58</b>	Updating the definition of a logbook.	Improves clarity around the accepted forms of logbook and provides consistency with provision wording between plans.
<b>Clause 59(b)</b>	Correcting reference to Divisions 4 and 5.	To fix an error so that mandatory conditions apply to the relevant surface water and groundwater sections in Part 6 (Divisions 4 and 5, instead of Divisions 3 and 4).
<b>Clause 59(c) and 61(1)</b>	Updating wording in relation to requirement for notification to the minister.	Improves clarity by providing specific details of the email address on the department's website that should be used to notify the minister.
<b>Clause 60(1)(b) and 62(2)(b)</b>	Changing the wording to require that checking whether a cease to pump rule is not in effect applies to metered and unmetered works.	This corrects an error. The requirement to record a confirmation of no cease to pump is independent of having a meter or logger.



Clause	2023 amendment change	Basis for change
<b>Clause 60(3), 62(5), 63(4)</b>	Modifying the reference to when the non-urban metering regulation commences so that the plan now specifies ‘the day on which the relevant mandatory metering condition applies’.	The start date for the non-urban metering requirements in coastal areas has been postponed from December 2023 to December 2024. The new wording ensures this will not need to be changed again.
<b>Clause 61(1)(a)</b>	Removing the provision requiring approval holders to notify the minister of condition breaches.	The provision does not align with the privilege against self-incrimination.
<b>Clause 65(1)(d)</b>	Changing to specify that construction of a ‘bore’ (not all groundwater works) must adhere to the minimum construction requirements.	The minimum construction requirements only apply to bores, not other works that intercept groundwater.
<b>Clause 67</b>	Changing to specify that decommissioning of a ‘bore’ (not all groundwater works) must adhere to the minimum construction requirements.	The minimum construction (decommissioning) requirements only apply to bores, not other works that intercept groundwater.
<b>Clause 68(1)(b)</b>	Adding an amendment clause allowing for future changes to access rules relating to take from pools.	Providing clarity that the plan may be further amended in relation to pool rules.
<b>Dictionary</b>	<p>Including the definition (name) of the plan map.</p> <p>Updating the definition (name) of the GDE map.</p> <p>Including ‘the water sources’ definition.</p> <p>Including ‘in-river dam’ definition.</p> <p>Including ‘in-river dam pool’ definition.</p>	To improve clarity and maintain consistency with other plans and department templates.

Table 3. Summary of changes to the *Water Sharing Plans for the Hunter Unregulated and Alluvial water sources 2022*

Clause	2023 amendment change	Basis for change
<b>Clause 3, cl 47(5)(a) and Registered Plan Map</b>	Changing references of ‘unconsolidated alluvial sediments’ to ‘ <b>Cenozoic</b> sediments’ in the specified clause and the Registered Plan Maps legends.	Cenozoic better describes these alluvial groundwater sediments; it is unambiguous and does not require definition.

Clause	2023 amendment change	Basis for change
		This will align these plans with the recent changes to the <i>Water Sharing Plan for the North Coast Coastal Sands 2016</i> .
<b>Clause 10(1)(j)</b>	Adding domestic and stock rights to the consistent access management sub-clause.	To improve clarity of linkages between plan strategies and objectives and maintain consistency access plans.
<b>Clause 16(2)(f)</b>	Changing the word ‘otherwise’ to ‘for’.  Removing 16(2)(f)ii to enable the Available Water Determination (AWD) for the Hunter Regulated River Alluvial Water Source to be the same as the AWD for the for the Regulated River (high security) access licences in the <i>Water Sharing Plan for the Hunter Regulated River Water Sources 2016</i> , unless there is compliance with the Long Term Average Annual Extraction Limit.	Corrects a typographical error.  Improves clarity and effectiveness of provision.
<b>Clause 26(2)</b>	Amending wording to refer to ‘higher flow extraction access licences’ and to make it clear that a reduced AWD does not have to apply to all higher flow licence categories.	Improves clarity and effectiveness of provision. Provides consistency across plans.
<b>Clauses 28(4)(a) and 36(5)</b>	Amending the plan to allow take of water under Aboriginal Community Development Licences in the B Flow Class and above.	To correct errors in the plan which had the unintended effect of prohibiting take of water under Aboriginal Community Development Licences in C class flows.
<b>Clause 33</b>	Adding management zones to the flow class provision.	This clarifies that a given flow class may apply either to a whole water source or a part of a water source (i.e., a management zone).
<b>Clause 35</b>	Moving exemptions to Clause 37.	Improves clarity and provides consistency across plans.
<b>Clause 35(2)(b)</b>	Simplifying the access rules and allowing for the drawdown of in-river dams so long as, in cases where an approval is held, the dam is operated in accordance with the approval conditions.	The change provides for specific circumstances where an in-river dam may not have an approval due to an administrative error that is known to have occurred in some plans.

Clause	2023 amendment change	Basis for change
		<p>The amended rules recognise the previously authorised water use and are consistent with former plans and existing policy.</p> <p>While the amendment provides for the drawdown of such dam pools, there is still a requirement that water users hold appropriate approvals for their in-river dams. Further information on approval requirements can be obtained from the <a href="#">WaterNSW Approvals</a> webpage.</p>
<b>Clause 36(2), (3), (4), (5) and (9)</b>	Correcting flow class referencing.	Improves clarity and effectiveness of provision.
<b>Clause 36(12)</b>	Moving the provision which establishes more restrictive access rules for licences listed in Schedule 3 and removing the references to these rules being more restrictive than other access rules.	Improves clarity by moving the provision under the ‘specific’ rules clause. Higher of (more restrictive) rules should be applied without the need to categorise whether they are more or less restrictive than other rules.
<b>Clause 37(1)</b>	Ensuring that where an existing licence or approval includes a specific condition that allows the drawdown of an off-river pool, that condition will continue as an exemption to the access rule in 35(2)(b).	The amended rules recognise the previously authorised water use and are consistent with former plans and existing policy.
<b>Clauses 37(2)(b) and 40(1)(b)</b>	Adding the word ‘authorised’ to the exemption from the cease to take rules for domestic consumption, i.e., ‘for domestic consumption <b>authorised</b> under a domestic and stock access licence up to 1 kl/day per household’.	This means that this exemption only applies to those access licences specified to take water for domestic consumption under a domestic and stock access licence.
<b>Clause 37(4) and (5)</b>	<p>Modifying the plan for:</p> <ul style="list-style-type: none"> <li>where water is taken from an off-river pool, providing exemptions to the various specific access rules established for that water source or management zone</li> <li>where water is taken from an in-river dam pool, providing exemptions to particular specific access rules established for that water source or management zone.</li> </ul>	The amended rules ensure correct and consistent application of existing policy in relation to take of water from off-river pools and in-river dam pools.

Clause	2023 amendment change	Basis for change
<b>Clause 37(6) and (7)</b>	Moving from previous location in Clause 35.	Improves clarity and provides consistency across plans.
<b>Clause 38</b>	Rewording of provision.	Improves clarity of provision and consistency of wording between plans.
<b>Clause 44</b>	Adding that a replacement work for take of water must be within the same management zone as the one being replaced.	Clarifies that a replacement groundwater work needs to be in the same management zone as the work it replaces.
<b>Clause 47(4)</b>	Modifying the plan so that the 'no more than minimal harm' exemption may apply for an application for a groundwater work approval, if it can be shown it will cause no more than minimal harm to the specified environment in the specified locations.	To enable extraction works to be constructed if there will be no more than minimal harm to groundwater dependent ecosystems, if they are: <ul style="list-style-type: none"> <li>• within 40 m of the high bank of the river (except in the Hunter Regulated River Alluvial Water Source)</li> <li>• in the bed of a third order or higher stream or a perennial stream in any water source</li> <li>• in the Hunter Regulated River Alluvial Water Source within 200 m of:               <ul style="list-style-type: none"> <li>○ the Hunter Regulated River water source</li> <li>○ a third order or higher stream</li> <li>○ a lagoon.</li> </ul> </li> </ul>
<b>Clauses 52(2) &amp; (3), cl 55(2), cl(3), Cl 57(20&amp; (3), cl 59(2)</b>	Removing the word 'of' in 'Upstream of Glennies Creek Management Zone' to now be 'Upstream Glennies Creek Management Zone' as per the correct name for management zone.	This corrects a typographical error.
<b>Clause 54</b>	Changing the wording of this clause to allow for trading between management zones (under a 71S provision) within water sources where this is permitted, as per Clause 16 in the <i>Access Licence Dealing Principles Order 2004</i> .	This corrects an error and aligns the plan provisions with the intent communicated during plan development and finalisation.

Clause	2023 amendment change	Basis for change
<b>Clause 55(2) &amp; 55(3)</b>	Amending the provisions to: <ul style="list-style-type: none"> <li>refer to water allocation rather than share component</li> <li>ensure limits for trade of water allocation are adjusted to recognise AWDs less than 100 %</li> <li>correct the name of a water source.</li> </ul>	Assignment of water allocation dealings (71T) are temporary trades of water allocations, not the share components.  Limits to temporary trade should align with permanent trade limits and principles.  To correct an error.
<b>Clause 55(5)</b>	Inserting subsection for definitions.	Provides clarity.
<b>Clause 57</b>	Removing provisions that made reference to different management zones or water sources.	Corrected application of 71W dealings which can only relate to works in the same water source or management zone as the licence.
<b>Clause 58</b>	Updating the definition of a logbook.	Improves clarity around the accepted forms of logbook and provides consistency with provision wording between plans.
<b>Clause 59(c) (old) and 61(1)(a)</b>	Removing the provision requiring approval holders to notify the minister of condition breaches.	The provision does not align with the privilege against self-incrimination.
<b>Clause 59(c) (new) and 61(1)</b>	Updating wording in relation to requirement for notification to them minister.	Improves clarity by providing specific details of the email address on the department's website that should be used to notify the minister.
<b>Clause 60(1)(b) and 62(2)(b)</b>	Changing the wording to specify that recording of a confirmation that a cease to pump rule is not in effect, prior to take of water, is required for all licence holders works, not just those works without an operational meter or data logger.	This corrects an error. The requirement to record a confirmation of no cease to pump is independent of having a meter or logger.
<b>Clause 60(3), 62(5), 63(4)</b>	Modifying the reference to when the non-urban metering regulation commences so that the plan now specifies 'the day on which the relevant mandatory metering condition applies'.	The start date for the non-urban metering requirements in coastal areas has been postponed from December 2023 to December 2024. The new wording ensures this will not need to be changed again.

Clause	2023 amendment change	Basis for change
<b>Clause 65(1)(d)</b>	Changing to specify that construction of a 'bore' (not all groundwater works) must adhere to the minimum construction requirements.	The minimum construction requirements only apply to bores, not other works that intercept groundwater.
<b>Clause 67</b>	Changing the plan to specify that decommissioning of a 'bore' (not all groundwater works) must adhere to the minimum construction requirements.	The minimum construction (decommissioning) requirements only apply to bores, not other works that intercept groundwater.
<b>Clause 68(1)(b)</b>	Adding an amendment clause allowing for future changes to access rules relating to take from pools.	Providing clarity that the plan may be further amended in relation to pool rules.
<b>Schedule 1 – Flow Classes</b>	Rectifying a typographical error in the access rules for users in the Paterson/Allyn Rivers Water Source who may now commence pumping when flows at the Allyn River gauge at Flying Fox Lane gauge #210143 are more than 1 ML/day, (not 3 ML/day).	To correct the commence to pump threshold for the Paterson/Allyn Rivers Water Source and align with the original intent of the rules.
<b>Schedule 1 – Flow Classes</b>	For Rouchel Brook Water Source, include the upper threshold for the B Class of 83 ML/day.	Improves clarity of access rules.
<b>Schedule 1 – Flow Classes</b>	<p>Adding 'River' to the name of the Upper Hunter River Water Source.</p> <p>Changing the B flow class access rules for the Stewarts Brook Management Zone within the Upper Hunter River Water Source to:</p> <p>'More than 126 ML/day and less than or equal to 280 ML/day'</p> <p>instead of:</p> <p>'Less than or equal to 126 ML/day and less than or equal to 280 ML/day'.</p>	<p>This corrects a typographical error.</p> <p>Improves clarity of access rules for water users in this management zone and provides the original intention of the rules.</p>
<b>Schedule 1 – Flow Classes</b>	Adding the word 'River' to 'Williams' in the flow classes for the Williams River Management Zone within the Williams River Water Source.	This corrects a typographical error.
<b>Schedule 2</b>	Changing the wording of the heading.	Improves clarity.

Clause	2023 amendment change	Basis for change
<b>Schedule 3</b>	Heading text change and minor updates to condition wording for licences 20AL208844, 20AL209676 and 20AL211503.	Corrects errors and improves clarity of access rules.
<b>Dictionary</b>	<p>Updating the definition (version) of the plan map.</p> <p>Updating the definition (version) of the GDE map.</p> <p>Including 'the water sources' definition.</p> <p>Including 'in-river dam' definition.</p> <p>Including 'in-river dam pool' definition.</p>	Provides the most up to date information regarding the updated versions of the plan maps.

Table 4. Summary of changes to the *Water Sharing Plans for the Lower North Coast Unregulated and Alluvial water sources 2022*

Clause	2023 amendment change	Basis for change
<b>Clause 3(2) &amp; (3), and Registered Plan Map</b>	Changing references of 'unconsolidated sediments' to ' <b>Cenozoic</b> sediments' in the specified clause and the Registered Plan Maps legends.	<p>Cenozoic better describes these alluvial groundwater sediments; it is unambiguous and does not require definition.</p> <p>This will align these plans with the recent changes to the <i>Water Sharing Plan for the North Coast Coastal Sands 2016</i>.</p>
<b>Clause 10(1)(j)</b>	Adding 'domestic and stock rights' to the consistent access management sub-clause.	To improve clarity of linkages between plan strategies and objectives and maintain consistency access plans.
<b>Clause 26(2)</b>	Amending wording to refer to 'higher flow extraction access licences' and to make it clear that a reduced Available Water Determination does not have to apply to all higher flow licence categories.	Improves clarity and effectiveness of provision. Provides consistency across plans.
<b>Clause 33</b>	Adding management zones to the flow class provision.	Clarified that a given flow class may apply either to a whole water source or a part of a water source (i.e., a management zone).

Clause	2023 amendment change	Basis for change
<b>Clause 35</b>	Modifying the access rule for taking water from off-river pools that allowed take of water when the pools were below their full capacity. Take of water below full capacity is now not permitted.	To improve the protection of off-river pools and to provide for accurate and consistent application of existing water group policy.
<b>Clause 35(2)(c)</b>	This amendment simplifies the access rules and allows for the drawdown of in-river dams so long as, in cases where an approval is held, the dam is operated in accordance with the approval conditions.	<p>The change provides for specific circumstances where an in-river dam may not have an approval due to an administrative error that is known to have occurred in some plans.</p> <p>The amended rules recognise the previously authorised water use and are consistent with former plans and existing policy.</p> <p>While the amendment provides for the drawdown of such dam pools, there is still a requirement that water users hold appropriate approvals for their in-river dams. Further information on approval requirements can be obtained from the <a href="#">WaterNSW Approvals</a> webpage.</p>
<b>Clause 36(1)(c)(ii)</b>	Changing of access licence category to ‘major utility access licence’.	Corrects a minor error and now reflects the category of the licence that the provision is referring to.
<b>Clause 36(1)(f)(iv)</b>	Removing provision restricting take from off river pools in a single water source.	This provision is now redundant as 35(2) now restricts take from off river pools for all water sources.
<b>Clause 37(1)</b>	Ensuring that where an existing licence or approval includes a specific condition that allows the drawdown of an off-river pool, that condition will continue as an exemption to the access rule in 35(2)(b).	The amended rules recognise the previously authorised water use and are consistent with former plans and existing policy.
<b>Clauses 37(2)(b) and 40(1)(b)</b>	Adding the word ‘authorised’ to the exemption from the cease to take rules for domestic consumption, i.e., ‘for domestic consumption <b>authorised</b> under a domestic and stock access licence up to 1 kl/day per household’.	This means that this exemption only applies to those access licences specified to take water for domestic consumption under a domestic and stock access licence.



Clause	2023 amendment change	Basis for change
<b>Clause 37(2)(d) and (e)</b>	Changing the old licence number to the current (replacement) licence number and excluding the licence in (e) from provision (d).	To improve clarity and align with the original intent of the rules.
<b>Clause 37(4) and (5)</b>	Modifying the plan for: <ul style="list-style-type: none"> <li>• where water is taken from an off-river pool, providing exemptions to the various specific access rules established for that water source or management zone</li> <li>• where water is taken from an in-river dam pool, providing exemptions to particular specific access rules established for that water source or management zone.</li> </ul>	The amended rules ensure correct and consistent application of existing policy in relation to take of water from off-river pools and in-river dam pools.
<b>Clause 38</b>	Minor rewording of provision.	Improves clarity of provision and consistency of wording between plans.
<b>Clause 44</b>	Adding that a replacement work for take of water must be within the same management zone as the one being replaced.	Clarifies that a replacement groundwater work needs to be in the same management zone as the work it replaces.
<b>Clause 47(4)</b>	Changing the heading text describing groundwater dependent ecosystems.  Amending this clause so the ‘no more than minimal harm’ exemption may be applicable for a proposed groundwater supply work within 40 m of the high bank of the river.	To improve clarity and align with the original intent of the rules. This enables extraction works that are within 40 m of the high bank of the river to be constructed if it can be shown there is no more than minimal harm to the specified groundwater-dependent ecosystem/s.
<b>Clause 54</b>	Changing the wording of this clause to allow for trading between management zones (under a 71S provision) within water sources where this is permitted, as per Clause 16 in the <i>Access Licence Dealing Principles Order 2004</i> .	This corrects an error and aligns the plan provisions with the intent communicated during plan development and finalisation.

Clause	2023 amendment change	Basis for change
<b>Clause 55(3)-(6)</b>	Amending the provisions: <ul style="list-style-type: none"> <li>to refer to water allocation rather than share component</li> <li>to ensure limits for trade of water allocations are adjusted to recognise Available Water Determinations less than 100 %.</li> </ul>	Assignment of water allocation dealings (71T) are temporary trades of water allocations, not the share components.  Limits to temporary trade should align with permanent trade limits and principles.
<b>Clause 55(8)</b>	Updating definitions for: <ul style="list-style-type: none"> <li>current water allocation sum</li> <li>destination water source</li> <li>unit share sum</li> <li>water allocation sum limit.</li> </ul>	Improves clarity and provides consistency with provision wording between plans.
<b>Clause 58</b>	Updating the definition of a logbook.	Improves clarity around the accepted forms of logbook and provides consistency with provision wording between plans.
<b>Clause 59(b)</b>	Correcting reference to Divisions 4 and 5.	To fix an error so that mandatory conditions apply to surface water and groundwater sections in Part 6 (Divisions 4 and 5, instead of Divisions 3 and 4).
<b>Clause 59(c) (old) and 61(1)(a)</b>	Removing the provision requiring approval holders to notify the minister of condition breaches.	The provision does not align with the privilege against self-incrimination.
<b>Clause 59(c) (new) and 61(1)</b>	Updating wording in relation to requirement for notification to the minister.	Improves clarity by providing specific details of the email address on the department's website that should be used to notify the minister.
<b>Clause 60(1)(b) and 62(2)(b)</b>	Changing the wording to specify that recording of a confirmation that a cease to pump rule is not in effect, prior to take of water, is required for all licence holders works, not just those works without an operational meter or data logger.	This corrects an error. The requirement to record a confirmation of no cease to pump is independent of having a meter or logger.

Clause	2023 amendment change	Basis for change
<b>Clause 60(3), 62(5), 63(4)</b>	Modifying the reference to when the non-urban metering regulation commences so that the plan now specifies ‘the day on which the relevant mandatory metering condition applies’.	The start date for the non-urban metering requirements in coastal areas has been postponed from December 2023 to December 2024. The new wording ensures this will not need to be changed again.
<b>Clause 65(1)(d)</b>	Changing to specify that construction of a ‘bore’ (not all groundwater works) must adhere to the minimum construction requirements.	The minimum construction requirements only apply to bores, not other works that intercept groundwater.
<b>Clause 67</b>	Changing the plan to specify that decommissioning of a ‘bore’ (not all groundwater works) must adhere to the minimum construction requirements.	The minimum construction (decommissioning) requirements only apply to bores, not other works that intercept groundwater.
<b>Clause 68(1)(b)(b1)</b>	Adding an amendment clause allowing for future changes to access rules relating to take from pools.	Providing clarity that the plan may be further amended in relation to pool rules.
<b>Schedule 1</b>	Correcting the name of the management zone within the Karuah River Water Source from ‘Karuah River’ to ‘Karuah Upriver’.	This corrects a typographical error.
<b>Schedule 1</b>	Changing the flow reference point for the Crawford River Management within the Myall River Water Source to:  ‘Immediately upstream of the Crawford River Weir Pool’  instead of  ‘Crawford River Weir Pool’.	It is difficult to visually determine flow in a weir pool, so this allows for realistic application of the access rules for users in this management zone.
<b>Schedule 2</b>	Changing the heading text and the licence numbers listed in this section to those current for the WM Act, instead of the old licence numbers under the Water Act 1912.	Improves clarity and aligns with updated legislation.

Clause	2023 amendment change	Basis for change
<b>Schedule 2</b>	Amending the details to: <ul style="list-style-type: none"> <li>• update old licence numbers to current (replacement) licence numbers</li> <li>• correct incorrectly listed water sources or management zones.</li> </ul>	Corrects errors and improves clarity of details.
<b>Schedule 3</b>	Changes to wording of heading.	Improves clarity.
<b>Dictionary</b>	Updating the definition (version) of the plan map. Updating the definition (version) of the GDE map. Including 'the water sources' definition. Including 'in-river dam' definition. Including 'in-river dam pool' definition.	Provides the most up to date information regarding the updated versions of the plan maps.

## More information

To read the amended water sharing plan and supporting fact sheets, visit the relevant water sharing plan region webpage as follows:

- [Central Coast Region](#) for the Central Coast plan
- [North Coast Region](#) for the Coffs Harbour and Lower North Coast plans
- [Hunter Region](#) for the Lower North Coast and Hunter plans.

To read the water sharing plan amendment protocol, visit

[https://water.dpie.nsw.gov.au/\\_data/assets/pdf\\_file/0004/509863/water-sharing-plan-amendment-protocol.pdf](https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0004/509863/water-sharing-plan-amendment-protocol.pdf).