

# Compliance with water management principles – amending the water sharing plans for the North Coast Coastal Sands Groundwater Sources and for the Bellinger, Brunswick, Clarence River, Hastings, Macleay and Nambucca Unregulated and Alluvial Water Sources

The NSW Government has amended the water sharing plans for the North Coast Coastal Sands Groundwater Sources and for the Bellinger, Brunswick, Clarence River, Hastings, Macleay and Nambucca Unregulated and Alluvial Water Sources. This document explains how the amendments comply with the water management principles of the *Water Management Act 2000*.

## Requirements for amending a water sharing plan

Amending a plan requires approval of the NSW Minister for Water and the agreement of the NSW Minister for Environment. When amending a plan, Section 9 of the *Water Management Act 2000* (the WM Act) requires the ministers to:

- take all reasonable steps to promote the water management principles and
- give priority to the water management principles relating to water sharing in the order they are set out under s5(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 Minister for Water gained the agreement of the Minister for Environment to amend the water sharing plans for the:

- Bellinger River Area unregulated and Alluvial Water Sources 2020 (Bellinger River Area plan)
- Brunswick Unregulated and Alluvial Water Sources 2016
- Clarence River Unregulated and Alluvial Water Sources 2016

- Hastings Unregulated and Alluvial Water Sources 2019
- Macleay Unregulated and Alluvial Water Sources 2016
- Nambucca Unregulated and Alluvial Water Sources 2016 and
- North Coast Coastal Sands Groundwater Sources 2016 (Coastal Sands plan).

In amending the plans, the ministers ensured that the changes promoted the water management principles and prioritised the water sharing principles.

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## How the changes to water sharing in the plan protects water sources and dependent ecosystems

The changes protect water sources and dependent ecosystems by:

- **including all water within the plan areas in a groundwater source** so that bore construction, use and trade are managed under the rules of the appropriate water sharing plan including limiting extraction and protecting groundwater-dependent ecosystems with distance restrictions for new bores.
- **updating the bore construction and decommissioning requirements** to current best practice that aims to protect the groundwater sources and dependent ecosystems from contamination and deterioration.
- **limiting annual take in the Bellinger Coastal Floodplain Alluvial Groundwater Source** to manage the risk of annual drawdown and impacts on the water source and groundwater-dependent ecosystems.

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## How the changes to water sharing in the plan protects basic landholder rights

The changes protect basic landholder rights by:

- **including all water within the plan areas in a groundwater source** so that bore construction, use and trade are managed under the rules of the appropriate water sharing plan protecting basic landholder rights by limiting extraction and applying distance restrictions for new bores.

The changes clarify basic landholder rights by:

- **better defining native title rights** by incorporating new native title determinations.

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## How we have promoted water management principles

The NSW Government has changed the plans to:

- refine coastal sands groundwater source boundaries
- include all groundwater in the plan areas in a groundwater source

- correct a rule that unintentionally allowed for water licence accounts held in the Bellingen Coastal Floodplain Alluvial Groundwater Source to retain unused water in the account so it can be used in another water year
- update the minimum construction and decommissioning requirements for water bores to ensure the latest standards are imposed in seven plans.

These changes promote the water management principles outlined in Table 1 - 4. They do not affect how the plan meets the remaining principles.

The following changes improve clarity but do not impact on how the plan meets the principles:

- reduce ambiguity in the maximum amount of unused water in water accounts of major utility licences in Tomago, Tomaree and Stockton groundwater sources in the Coastal Sands plan that can be carried over from one water year to the next.
- update native title rights in the Coastal Sands plan following native title determinations made since the plan commenced.

Table 1. How the plan amendments promote the water management principle of section 5(2)(a) – Water sources, floodplains and dependent ecosystems (including groundwater and wetlands) should be protected and restored and, where possible, land should not be degraded

How we have promoted the principle in Section 5(2)(a)	Relevant plan provisions
All water within the plan areas is included in a groundwater source. This ensures the extraction of this groundwater is managed under the rules of a water sharing plan including limiting long term extraction and protecting the water source and groundwater-dependent ecosystems with distance restrictions for new bores.	Part 1 – Application of the plan
Updating the bore construction requirements ensures new bores are constructed according to current best practice, protecting the groundwater sources and dependent ecosystems from contamination and deterioration.	Part 11 (and Part 12 in Macleay plan)

Table 2. How the plan amendments promote the water management principle of section 5(2)(c) – The Water quality of all water sources should be protected and, where possible, enhanced

How we have promoted the principle in Section 5(2)(a)	Relevant plan provisions
Updating the bore construction requirements ensures new bores are constructed according to current best practice, protecting the groundwater sources and dependent ecosystems from contamination and deterioration.	Part 11 (and Part 12 in Macleay plan)

Table 3. How the plan amendments promote the water management principle of section 5(2)(d) – The cumulative impacts of water management licences and approvals and other activities on water sources and their dependent ecosystems, should be considered and minimised

How we have promoted the principle in Section 5(2)(d)	Relevant plan provision
All water within the plan areas is included in a groundwater source. This means the cumulative impacts of extraction are accounted for against the groundwater source extraction limits and are managed through available water determinations if extraction exceeds limits.	Part 1 – Application of the plan
Prohibiting carryover in the Bellinger Coastal Floodplain Alluvial Groundwater Source limits annual take and the cumulative risk of drawdown and impacts on the water source and groundwater-dependent ecosystems.	Part 8 – Accounting for water allocation accounts (Bellinger plan)

Table 4. How the plan amendments promote the water management principle of section 5(2)(g) – The social and economic benefits to the community should be maximised

How we have promoted the principle in Section 5(2)(g)	Relevant plan provision
All water within the plan areas is included in a groundwater source enabling licences to be issued under the WM Act. This means all licence holders have the flexibility provided under the WM Act to participate in trade with other licence holders in accordance with the plan rules.	Part 1 - Application of the plan

## More information

To read the amended water sharing plan and supporting fact sheets, visit <https://www.industry.nsw.gov.au/water/plans-programs/water-sharing-plans/status>

To read the water sharing plan amendment protocol, visit [www.industry.nsw.gov.au/\\_data/assets/pdf\\_file/0004/509863/water-sharing-plan-amendment-protocol.pdf](http://www.industry.nsw.gov.au/_data/assets/pdf_file/0004/509863/water-sharing-plan-amendment-protocol.pdf)