

Changes to the water sharing plans for the North Coast Coastal Sands Groundwater Sources and the Bellinger, Brunswick, Clarence, Hastings, Macleay and Nambucca Unregulated and Alluvial Water Sources

A summary of changes made in 2023 to the water sharing plans for the North Coast Coastal Sands Groundwater Sources and the Bellinger, Brunswick, Clarence River, Hastings, Macleay and Nambucca Unregulated and Alluvial Water Sources.

Why we have made these changes

The NSW Government has amended several water sharing plans along the north coast to redefine the groundwater managed under these plans. This includes changing boundaries for coastal sands groundwater sources and definitions of the water contained in groundwater sources.

We have also corrected or clarified rules in 2 plans about the amount of unused water that can be carried over from one water year to the next, updated details of current Native Title Determinations in the North Coast Coastal Sands water sharing plan area and updated references to minimum requirements for constructing and decommissioning water supply bores in 6 plans.

The process for changing water sharing plans

Before the Minister for Water can amend a water sharing plan, the agreement of the Minister for Environment is required. The ministers must 'take all reasonable steps to promote the water management principles of the *NSW Water Management Act 2000* and observe the following priority order:

- a) sharing water from a water source must protect the water source and its dependent ecosystems.
- b) sharing water from a water source must protect basic landholder rights.
- c) sharing or extraction of water under any other right must not prejudice the principles set out in points (a) and (b).

The NSW Department of Planning and Environment's Water group worked with colleagues in the department's Environment and Heritage group before submitting the plan amendments for the agreement and approval of the ministers.

The tables below outline the substantive changes that the ministers have approved.

Table 1 summarises the amendments for the *Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources 2016*.

Table 2 summarises the amendments to 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 (Brunswick plan)
- Clarence River Unregulated and Alluvial Water Sources 2016 (Clarence River plan)
- Hastings Unregulated and Alluvial Water Sources 2019 (Hastings plan)
- Macleay Unregulated and Alluvial Water Sources 2016 (Macleay plan)
- Nambucca Unregulated and Alluvial Water Sources 2016 (Nambucca plan).

Table 1. Summary of changes to the *Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources 2016*

Clause	2023 amendment as made	Basis for change
The plan Map	We changed the boundaries of the coastal sands groundwater sources.	The new plan map refines water source boundaries to exclude the coastal floodplain alluvial groundwater sources in adjacent unregulated and alluvial water sharing plans.
Part 1 cl4(2)	We refer to the new version of the plan map with revised groundwater source boundaries.	The plan refers to the latest plan map.
cl4(3)-(4)	We redefined the groundwater sources to: <ul style="list-style-type: none"> • include water contained within <u>Cenozoic sediments</u> rather than within <u>sand formations</u>. • remove the clause stating that water in fractured and porous rocks is not included • remove the clause stating that alluvial sediments are not included. 	‘Cenozoic’ describes the time period when sediments that are the intended sources of water within the plan area, were formed. This definition: <ul style="list-style-type: none"> • is consistent with the way sediments are described in lithology maps and in other groundwater sources. • excludes the bedrock which also occurs within the plan area • includes water in alluvial sediments now intentionally managed under this plan within the area of the groundwater sources.
Part 5	We added more recent native title determinations as native title rights and updated notes.	This plan reflects the latest information on native title rights.

Clause	2023 amendment as made	Basis for change
Part 8 cl36(5)(b)	The clause allowed for carryover of unused allocations for major utility licences of up to 200% or 1 ML per unit share. The rule is ambiguous we have retained only the rule that permits 200% carryover which applies to current licences.	The change simplifies the plan and reduces ambiguity.
Part 9 cl41(1)	We have revised the High Priority Groundwater-Dependent Ecosystem Map and refer to the new version.	The map has been updated to reflect the new groundwater source boundaries. No changes to groundwater-dependent ecosystems were made.
Part 11 cl56(1)(d)	Water bore construction must comply with the most recent construction standards, defined in the dictionary.	The 2012 <i>Minimum Construction Requirements for Water Bores in Australia</i> was replaced with a new version in 2020. The change ensures construction is in line with best practice.
Part 11 cl56(1)(e)	We removed and replaced this clause to specify that only water bores must be decommissioned in accordance with the <i>Minimum Construction Requirements for Water Bores in Australia</i> .	Decommissioning requirements applies to water bores but not all water supply works. A water bore is defined in the <i>Water Management Act 2000</i> .
Dictionary	We removed terms defining alluvial sediments, fractured rock, porous rock, sand formations.	These terms are no longer used in the plan.
Dictionary	We included a definition of groundwater which was not previously defined in the plan.	The definition simplifies how plans define which rules are relevant to groundwater extraction.
Appendix 1	We replaced the plan map.	The appendix refers to the latest plan map with updated water source boundaries.
Appendix 4	We replaced the GDE (groundwater-dependent ecosystems) map with the new version that shows the revised boundaries.	The appendix refers to the latest GDE map with updated water source boundaries.

Table 2. Summary of changes to the water sharing plans for the Bellinger River Area, Brunswick, Clarence River, Hastings, Macleay and Nambucca Unregulated and Alluvial Water Sources

Clause	2023 amendment as made	Basis for change	Plan affected
The plan map	We changed the description of groundwater within unregulated and alluvial water sources and the version of the plan map.	The mapped extent of groundwater in the unregulated and alluvial water sources is indicative only. The plan map should use the same terms used in the plan.	Brunswick Clarence River Hastings Macleay Nambucca
Part 1 Cl4(2)	We changed the reference to the latest version of the plan map.	The plan maps were updated to consistently reference the extent of the alluvial groundwater in the unregulated and alluvial water sources.	Brunswick Clarence River Hastings Macleay Nambucca
Part 1 cl4(3)(a)	We revised the application of the plan so that the plan no longer excludes surface water in the Bellinger River Coastal Floodplain Alluvial Groundwater Source.	This corrects an error. The plan intends to include surface water in the area of the Bellinger River Coastal Floodplain Alluvial Groundwater Source.	Bellinger River Area
Part 1 Cl4	<p>We redefined the groundwater sources to:</p> <ul style="list-style-type: none"> include water contained within ‘<u>Cenozoic sediments</u>’ rather than within ‘<u>alluvial</u>’ or ‘<u>unconsolidated</u>’ sediments remove the clause stating that water in fractured and porous rocks is not included remove the clause stating water in ‘sands’ or ‘sand formations’ is not included exclude the groundwater described in the <i>Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources</i>. <p>We also revised or removed notes that contradict the new definition or are now unnecessary.</p>	<p>‘Cenozoic’ describes the time period when sediments that are the intended sources of water within the plan area, were formed. This definition:</p> <ul style="list-style-type: none"> is consistent with the way sediments are described in lithology maps and in other groundwater sources excludes the bedrock which also occurs within the plan area includes water in sand unless it is already defined in one of the coastal sand groundwater sources. 	Bellinger River Area Brunswick Clarence River Hastings Macleay Nambucca

Clause	2023 amendment as made	Basis for change	Plan affected
Part 1 cl4(4)	We revised the definition to refer to the Nambucca Coastal Floodplain Alluvial Groundwater Source which is shown on the plan map.	The plan definition was incorrect. It included groundwater within the upriver alluvial sediments that are intended to be managed within the Coastal Nambucca River Water Source and the Deep Creek and Oyster Creek Water Source.	Nambucca
Part 8 cl40	We removed the clause allowing carryover in the Bellinger Coastal Floodplain Alluvial Groundwater Source.	Carryover of unused allocations in this groundwater source was not intended. This change corrects a drafting error and reflects the rule communicated when the Bellinger River Area Plan was exhibited.	Bellinger River Area
Part 11	We revised the section title to water supply works <u>used to take groundwater</u> instead of water supply works <u>authorised to take water from alluvial sediments</u> .	The mandatory conditions apply to extraction from all groundwater within the plan and is not limited to alluvial sediments.	Brunswick Nambucca
Part 11	Water bore construction must comply with the most recent construction standards, defined in the dictionary.	The 2012 <i>Minimum Construction Requirements for Water Bores in Australia</i> was replaced with a new version in 2020. The change ensures construction is in line with best practice.	Brunswick Clarence River Macleay Nambucca
Part 11	We updated this clause to specify that only water bores must be decommissioned in accordance with the <i>Minimum Construction Requirements for Water Bores in Australia</i> .	Decommissioning requirements applies to water bores but not all water supply works. A water bore is defined in the <i>Water Management Act 2000</i> .	Bellinger River Area Brunswick Clarence River Hastings Macleay Nambucca

Clause	2023 amendment as made	Basis for change	Plan affected
Dictionary	We removed definitions for alluvial sediments, unconsolidated sediments, unconsolidated alluvial sediments, fractured rock, porous rock and sand formations.	These terms are no longer used in the plans.	Bellinger River Area Brunswick Clarence River Hastings Macleay Nambucca
Dictionary	We included a consistent definition of groundwater.	The definition simplifies how plans define which rules are relevant to groundwater extraction.	Bellinger River Area Brunswick Clarence River Hastings Macleay Nambucca
Appendix 1	We revised the map version reference numbers and replaced the maps.	The appendix references the latest plan ,ap.	Brunswick Clarence River Hastings Macleay Nambucca
Appendix 2	We revised the subtitle in the Appendix to refer to the ‘Overview of the High Priority Groundwater-Dependent Ecosystem Map’.	Corrects an error in the subtitle.	Bellinger River Area

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 https://www.industry.nsw.gov.au/_data/assets/pdf_file/0004/509863/water-sharing-planamendment-protocol.pdf