

Changes to the water sharing plans for the Macquarie-Castlereagh, NSW Great Artesian Basin and NSW Great Artesian Basin Shallow groundwater sources

A summary of changes made to three inland groundwater sharing plans

The NSW Government has amended three groundwater water sharing plans underlying the Castlereagh River. The changes redefine the groundwater covered by these plans to exclude the water covered by the *Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024*, remove provisions covered by other regulations and clarify the limits on annual take and carryover in the Cudgegong Alluvial Groundwater Source.

Why we have made these changes

On 1 July 2024, we reinstated arrangements in the *Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024* that allow for taking water under an unregulated river access licence from the alluvial sediments in the bed of the Castlereagh River between Binnaway and Coonamble.

This stretch of the Castlereagh River has extensive in-channel sand beds that contain sub-surface flows of water suitable for extraction, with 'pockets' creating variable extraction opportunities. In this section, the river crosses three groundwater sources (see Figure 1) including the:

- Castlereagh Alluvial Groundwater Source in the *Water Sharing Plan for the Macquarie-Castlereagh Groundwater Sources 2020*
- Southern Recharge Groundwater Source in the *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2020* and the
- GAB Surat Shallow Groundwater Source in the *Water Sharing Plan for the NSW Great Artesian Basin Shallow Groundwater Sources 2020*.

We have changed the groundwater plans to exclude the water that can be taken under an unregulated river access licence so that this water is only managed under one water sharing plan.

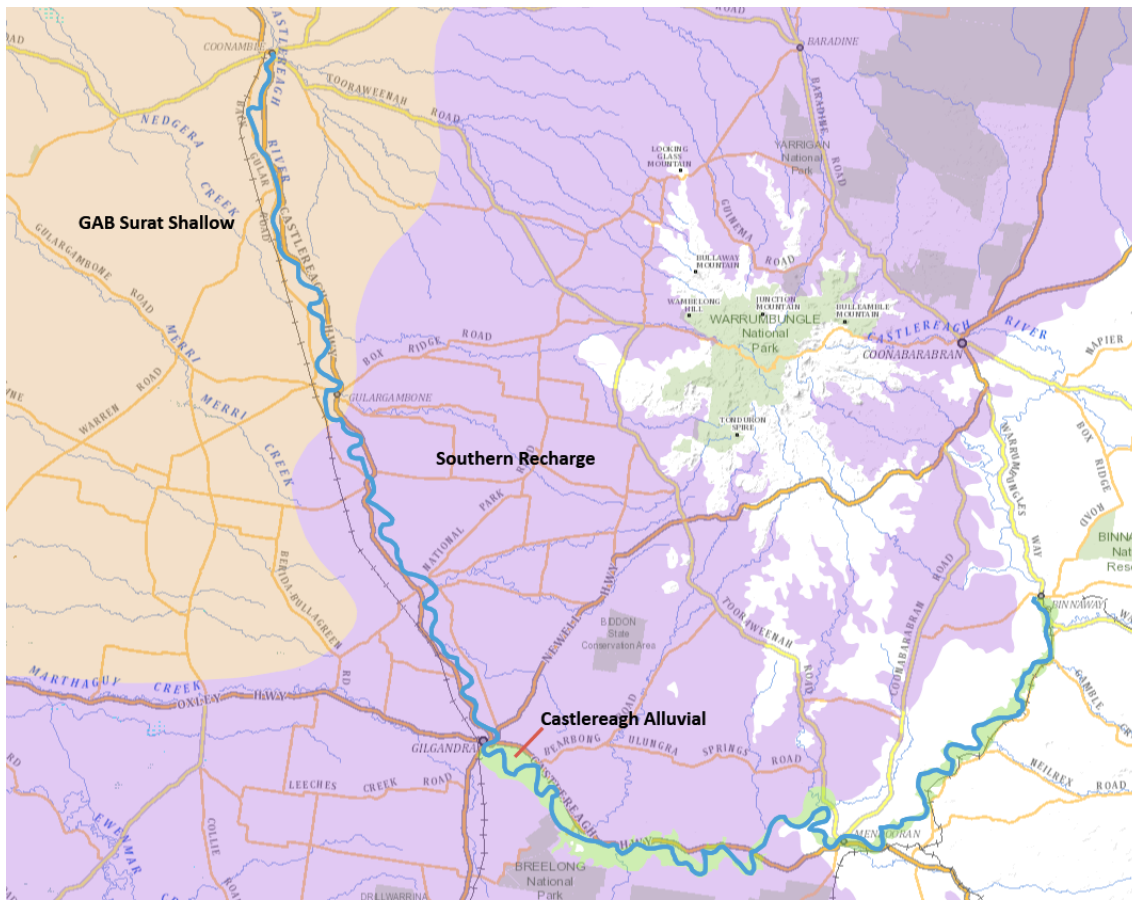


Figure 1 Groundwater sources underlying the Castlereagh River between Binnaway and Coonamble

We have also:

- simplified the plans and minimised the potential for inconsistency by removing provisions that are already provided in other regulations, including metering requirements (in all plans) and a trade rule (in the *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2020*)
- reduced risks to the highly connected Cudgegong River, its dependent ecosystems and basic rights by clarifying the prohibition of carryover of unused water in accounts and limiting the amount of water that can be taken in a water year for aquifer access licences in the Cudgegong Alluvial Groundwater Source.

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 an order of priority set out in section 5 (3) of the WM Act.

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

- 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 Climate Change, Energy, the Environment and Water's Water group worked with colleagues in the department's Biodiversity, Conservation and Science group before submitting the plan amendments to the ministers for their approval.

Table 1,

Table 2 and

Table 3 outline the changes the ministers have approved to the *Water Sharing Plan for the Macquarie-Castlereagh Groundwater Sources 2020*, the *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2020* and *Water Sharing Plan for the NSW Great Artesian Basin Shallow Groundwater Sources 2020*.

Table 1. Summary of changes to the *Water Sharing Plan for the Macquarie-Castlereagh Groundwater Sources 2020*

Plan part and section	Change	Reason
Part 1 s.4(3) Application of plan	Exclude the water covered under the <i>Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024</i> from this plan.	The <i>Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024</i> allows for water to be extracted from the bed of the river under an unregulated river access licence. We are excluding this water from the water defined in the Castlereagh Alluvial Groundwater Source to ensure take from the bed of the Castlereagh River between Binnaway and Gilgandra is managed under only one plan. This does not affect groundwater access under the groundwater plan.
Part 8 s.36 & 37 Operation of water allocation accounts	Include a maximum water account debit rule for aquifer access licences in the Cudgegong Alluvial Groundwater Source. Include rules that prevent carryover of unused water in aquifer access licence accounts for the Cudgegong Alluvial Groundwater Source.	Account debit and carryover rules for these licences were unintentionally omitted from the 2020 plan. The change reflects current operation of water allocation accounts and the intent communicated in rule summary sheets and background documents. Limiting carryover and annual take reduces risks to the highly connected Cudgegong River, its dependent ecosystems and basic rights. When annual take is limited, preventing carryover also prevents the build-up of water in accounts improving clarity on the water made available.
Part 11 s.56 Metering conditions	Remove clause and rely on mandatory metering conditions of the <i>Water Management (General) Regulations 2018</i> (the WM Regulation 2018).	The metering conditions of the WM Regulation 2018 applied from 1 December 2021 in the plan area. Section 231(4) of the WM Regulation 2018 ensures metering is still required where it was previously required.

Table 2. Summary of changes to the *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2020*

Plan section	Change	Reason
Part 1 s4(5) Application of plan	Exclude the water covered under the <i>Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024</i> from this plan.	The <i>Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024</i> allows for water to be extracted from the bed of the river under an unregulated river licence. We are excluding this water from the water defined in the Southern Recharge Groundwater Source to ensure take from the bed of the Castlereagh River between Gilgandra and Gulargambone is managed under only one plan. This does not affect groundwater access under the groundwater plan.

Plan section	Change	Reason
Part 10 s45(2) Amendment of share component dealings	Remove subclause 45(2) that states that dealings under section 71R of the <i>Water Management Act 2000</i> are only permitted if the share component of the new access licence is equal to the share component of the cancelled access licence.	The rule is already covered by clause 24(1)(d) of the <i>Access Licence Dealing Principles Order 2004</i> .
Part 11 s.53 Metering conditions	Remove clause and rely on mandatory metering conditions of the WM Regulation 2018.	The metering conditions of the WM Regulation 2018 applied from 1 December 2021 in the plan area. Section 231(4) of the WM Regulation 2018 ensures metering is still required where it was previously required.

Table 3. Summary of changes to the *Water Sharing Plan for the NSW Great Artesian Basin Shallow Groundwater Sources 2020*

Clause	Change in amended plan	Basis for change
Part 1 s4(3) Application of plan	Exclude the water covered under the <i>Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024</i> from this plan.	The <i>Water Sharing Plan for the Castlereagh Unregulated River Water Sources 2024</i> allows for water to be extracted from the bed of the river under an unregulated river licence. We are excluding this water from the water defined in the GAB Surat Shallow Groundwater Source to ensure take from the bed of the Castlereagh River between Gulargambone and Coonamble is managed under only one plan. This does not affect groundwater access under the groundwater plan.
Part 11 s.52 Metering conditions	Remove clause and rely on mandatory metering conditions of the WM Regulation 2018.	The metering conditions of the WM Regulation 2018 applied from 1 December 2021 in the plan area. Section 231(4) of the WM Regulation 2018 ensures metering is still required where it was previously required.

More information

To read the amended water sharing plan and supporting fact sheets, visit <https://water.dpie.nsw.gov.au/our-work/plans-and-strategies/water-sharing-plans/status>.

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.