

Compliance with water management principles - Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources Amendment Order 2021

This document details how the NSW Department of Planning and Environment has complied with the water management principles of the *Water Management Act 2000* in developing the Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources Amendment Order 2021.

Ministerial responsibilities

When amending or agreeing to amend the *Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources 2016*, the Minister for Lands and Water and the Minister for Environment and Heritage have a duty under section 9(1) of the *Water Management Act 2000* (the WM Act):

- a. to take all reasonable steps to do so in accordance with, and so as to promote, the water management principles of the WM Act
- b. as between the principles for water sharing set out in section 5(3) of the WM Act, to give priority to those principles in the order in which they are set out in that subsection.

The water management principles in section 5(3) of the WM Act state that:

- a. sharing of water from a water source must protect the water source and its dependent ecosystems
- b. sharing of 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 paragraphs (a) and (b).

The change to the North Coast water sharing plan

The amendment increases protection for water sources, dependent ecosystems and basic landholder rights. It does this by ensuring all groundwater in the plan area, including water contained in alluvial sediments, is managed under the plan and, in turn, under the WM Act.

The other changes included in the amendment order do not affect the way in which the plan promotes WM Act principles. These changes:

- fix an error in the amount of water that can be carried over from one water accounting period to another by a major water utility in the Stockton, Tomago and Tomaree Groundwater Sources
- update references to the *Minimum Construction Requirements for Water Bores in Australia* to ensure updated editions are relevant to the plan.

This amendment promotes the water management principles set out in the WM Act, as detailed in Table 1.

Table 1. How the changes comply with the WM Act principles

Water management/sharing principle	How principle has been promoted	Relevant amendment item	Associated plan clause
<p>Section 5 (3) (a) – Sharing of water from a water source must protect the water source and its dependent ecosystems.</p> <p>Section 5 (3) (b) – Sharing of water from a water source must protect basic landholder rights.</p> <p>Section 5 (3) (c) – Sharing or extraction of water under any other right must not prejudice the principles set out in paragraphs (a) and (b).</p> <p>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.</p> <p>Section 5(2)(b) - habitats, animals and plants that benefit from water or are potentially affected by managed activities should be protected and (in the case of habitats) restored.</p> <p>Section 5(2)(c) - the water quality of all water sources should be protected and, wherever possible, enhanced.</p> <p>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.</p> <p>Section 5(2)(e) and (f) - geographical and other features of Aboriginal significance should be protected.</p> <p>Section 5(2)(g) - the social and economic benefits to the community should be maximised.</p> <p>Section 5(2)(h) - the principles of adaptive management should be applied, which should be responsive to monitoring and improvements in understanding of ecological water requirements.</p>	<p>There are alluvial sediments in the plan area which are currently managed under the <i>Water Act 1912</i>. Changing the plan to apply to all unconsolidated sediments allows all water to be managed under the plan and in turn the <i>Water Management Act 2000</i>. This promotes the principles of the WM Act by ensuring the principles apply to these areas.</p>	<p>Item [1]</p> <p>Item [2]</p> <p>Item [3]</p> <p>Item [4]</p> <p>Item [5]</p> <p>Item [6]</p> <p>Item [7]</p>	<p>Cl 4 (3)</p> <p>Cl 4 (4)</p> <p>Dictionary</p>

More information

To read the amended *Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources 2016* and supporting information, visit the department's website, <https://www.industry.nsw.gov.au/water/plans-programs/water-sharing-plans>