

Summary of changes

A summary of the changes made to the Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Source 2022

The *Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2009* was extended prior to its expiry for a period of up to two years in order to replace the plan. This was in line with the recommendation of the Natural Resource Commissions S43A review of the plan prior to its expiry.

Before the Minister for Water can replace or amend a water sharing plan under the provisions of the *Water Management Act 2000*, the concurrence of the Minister for the Environment is required. Also, consistent with sections 9(1) and 5(3) of the Act, the Ministers must ‘take all reasonable steps to do so in accordance with, and so as to promote, the water management principles of this Act’, and in relation to water sharing observe the following priority order:

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

DPIE Water worked with colleagues at DPIE Environment Energy and Science prior to the submission of the plan for concurrence and approval by the Ministers.

The table below outlines the substantive changes from the previous 2009 plan as approved for the 2022 replacement plan under the *Water Management Act 2000*. Note also that the plan has been updated to simplify and modernise its drafting, improve clarity of the intent of provisions and to provide a legally robust plan.

Table 1. Summary of changes to the Central Coast Unregulated and Alluvial Water Sharing Plan 2022

Clause	2022 Plan as made	Basis for change
Part 1	Inclusion of the “Central Coast Coastal Floodplain Alluvial Groundwater Water Source”. This water source includes all water contained in unconsolidated alluvial sediments below the surface of the ground below the tidal limit.	Coastal floodplain alluvial aquifers must be established as a water source by a water sharing plan, if waters contained within the alluvial aquifers are to be subject to <i>Water Management Act 2000</i> . Prior to the 2022 plan, the alluvial aquifer downstream of the tidal limit was not established as a water source by a water sharing plan.

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Clause	2022 Plan as made	Basis for change
	<p>The 2022 plan establishes the Central Coast Coastal Floodplain Alluvial Extraction Management Unit (EMU).</p>	<p>The EMU is established such that a long-term average annual extraction limit (LTAAEL) and associated rules may be established for the Central Coast Coastal Floodplain Alluvial Groundwater Water Source.</p>
	<p>The 2022 plan expands on existing groundwater dependent ecosystems (GDE) protection by including a map identifying additional High Priority GDEs.</p>	<p>Following the updated approach to GDE protection established for inland groundwater plans, the Central Coast plan offers additional GDE protection based on the best available data.</p>
Part 2	<p>The objectives, strategies and performance indicators have been revised.</p>	<p>Responds to Natural Resources Commission review recommendations to ensure better alignment between objectives and strategies, and to improve measurability.</p>
Part 4	<p>The 2022 plan establishes planned environmental water rules for the Central Coast Coastal Floodplain Alluvial Groundwater Water Source.</p>	<p>These rules are included to support the environmental objectives for the newly established water source.</p>
Part 5	<p>The 2022 plan updates the estimated water requirements of people entitled to exercise basic landholder rights and the total volumes specified in the share components of all access licences to reflect the most current information including the inclusion of relevant native title rights for the plan area.</p> <p>The 2022 plan establishes estimates for domestic and stock basic landholder rights and share components (total volume water requirements) for unregulated river access licences and aquifer access licences within the Central Coast Coastal Floodplain Alluvial Groundwater Water Source.</p>	<p>Updated information for domestic and stock rights requirements, native title determination, and the share components of the categories of licences provided for in the WSP.</p> <p>Water requirements are included to support the management of the newly established Central Coast Coastal Floodplain Alluvial Groundwater Water Source.</p>

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Clause	2022 Plan as made	Basis for change
Part 6	<p>The 2022 plan establishes a long-term average annual extraction limit of 1,175 ML/year for the Central Coast Coastal Floodplain Alluvial Extraction Management Unit (EMU) .</p> <p>The 2022 plan also establishes rules for calculating annual extraction in the EMU, assessing compliance with the limit, and measures for dealing with non-compliance.</p>	<p>The 1,175ML limit is derived from the risk assessment for the EMU and is a proportion of recharge. These rules are included to support the environmental objectives for the newly established water source.</p>
Part 7	<p>The 2022 plan provides for applications for aquifer (Aboriginal community development) access licences in the Central Coast Coastal Floodplain Alluvial Groundwater Water Source.</p>	<p>The Coastal Floodplain Alluvial Groundwater source is not fully allocated so additional entitlement may be able to be granted in this water source.</p> <p>Granting of licences in this category must not cause the sum of entitlements in the water source to exceed 940 ML.</p>
Part 8:	<p>The 2009 plan applies a rule that requires licence holders to cease pumping when there is no visible flow at the pump site in 5 of the 7 surface water sources. The 2022 plan now also applies these rules to the Mangrove Creek Water Source and the Mooney Mooney Creek Water Source.</p>	<p>This rule improves water quality at critical times and provides connectivity that maintains pools and habitats as long as possible. Exemptions are included for licence holders that extract from weirs where the weir has a valid work approval.</p> <p>A delayed commencement of the rule provides for water users to obtain appropriate approvals before the rules come into place.</p>

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	<p>The draft replacement plan proposed a 24h commence to pump delay rule for five water sources that would require licence holders to wait 24h after a cease to pump event ends before pumping to protect fresh flow events and allow them to move through the system.</p> <p>In the final 2022 plan, the proposed 24h delay rule was removed from three water sources and replaced by a commence to pump rule in Wyong and Ourimbah water sources.</p>	<p>Further analysis of the proposed 24h rule showed that it would not have the environmental benefits originally thought in relation to protecting the peak of fresh flows.</p> <p>The commence to pump rule sets a commence to pump flow that is higher than the cease to pump flow. This provides ecological benefits following critical low flow events. Impacts of the commence to pump rules in terms of days of opportunity for licence holders is similar to the impacts of the proposed 24h rule.</p> <p>Exemptions are included for local water utility and other licence holders that extract from weirs.</p>
Part 9	Prohibit construction of new in-river dams that require an approval in Jilliby Jilliby Creek and Ourimbah Creek water sources.	This restriction was previously in place for these water sources, however an administrative error resulted in the provision being missed when the management arrangements for these water sources were merged into the 2009 water sharing plan in 2016. The risk assessment also identified Jilliby Jilliby Creek Water Source and Ourimbah Creek Water Source to have high risk to environmental factors due to licenced extraction.
	Prohibition of water supply works that have more than minimal harm to SEPP wetlands.	The <i>Coastal Management Act 2016</i> and State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) highlights the importance of protecting coastal wetlands from development. These new plan provisions require that a proposed works must have no more than minimal impact on SEPP wetlands.

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	Construction of groundwater water supply works prohibited within 200m of a mapped high priority GDE.	Following the updated approach to GDE protection established for inland groundwater plans, the central coast plan offers additional GDE protection based on the best available data. The plan now includes a map identifying High Priority GDEs.
	Restrictions on proposed works near potential acid sulphate soils.	Dewatering and exposing acid sulphate soils to air can release acid and have environmental impacts. This rule prohibits the construction bores within an area classed as having a high probability of occurrence of acid sulphate soils.
Part 10	The 2009 plan allowed, within limits, trade of water into Jilliby Jilliby Creek and Ourimbah Creek water sources. This has been prohibited in the replacement plan.	The risk assessment undertaken as part of the draft Plan development process identified high risks to freshwater ecosystems in Jilliby Jilliby Creek and Ourimbah Creek water sources. This change aims to reduce potential additional ecosystem stress in those water sources.
Part 13	Included additional amendment provisions.	<p>Provided ability to amend Wyong and Ourimbah access rules for local water utility to be more practical and implementable providing the changes would not reduce water available to the environment.</p> <p>Provided ability to amend the access and trade rules if it is found that less flows are available in rivers as a result of increased harvestable rights being taken up.</p> <p>Provided ability to amend the way the long term average annual extraction limit is defined.</p>

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Clause	2022 Plan as made	Basis for change
Schedules	Included schedule 1.	Included a Schedule to clearly identify existing work approvals to which access rules on the licences will apply regardless of the access rules in the water sharing plan.
Maps	Updated plan map to include Coastal Floodplain Alluvial Groundwater Source and Extraction Management Unit.	Map updated to include the new coastal floodplain alluvial groundwater source.
	Included new High Priority groundwater dependant ecosystem map.	Following the updated approach to GDE protection established for inland groundwater plans, the central coast plan offers additional GDE protection based on the best available data. The plan now includes a map identifying High Priority GDEs.

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