

Replacing the Greater Metropolitan Region Groundwater Water Sharing Plan

The Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2023 will replace the previous 2011 plan. This document answers frequently asked questions about the proposed changes.

What is a water sharing plan?

Water sharing plans are the primary legal framework for managing water access and sharing in NSW. They are made under the *NSW Water Management Act 2000* and have a legal timeframe of 10 years. The rules in the plans allow equitable sharing of water for all water uses, including the environment.

The purpose of a water sharing plan is to:

- give water users a clear picture of when and how water will be available for extraction
- protect the fundamental environmental health of water sources
- ensure our water sources are sustainably managed in the long term.

The plans clearly define the rules for sharing the available water in a water source. They also allow for continuing or 'perpetual' licences, which have a title separate from the land. These enable better water trading opportunities. In addition, plans set out requirements for basic landholder rights – stock and domestic rights and native title rights.

Water sharing plans support the long-term health of rivers and aquifers by making water available specifically for the environment.

Why is the Greater Metropolitan Groundwater plan being replaced?

NSW water sharing plans are valid for 10 years and are reviewed by the NSW Natural Resources Commission. The responsible minister may extend or replace a plan on the recommendation of the commission.

In 2021, the commission completed its review of the *Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2011* and recommended replacing it after an extension to allow time to address the issues raised. The NSW Department of Planning and Environment has drafted a replacement plan for consultation, the draft *Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2023*.

The draft replacement plan includes several changes to address the commission's recommendations.

How is the department consulting on the replacement water sharing plan?

Stakeholder input is critical to developing water sharing plans in NSW. We are consulting the community through:

- public information and consultation sessions
- online information and consultation sessions
- targeted consultation
- one-on-one sessions on request
- public submissions
- inter-agency consultation.

We will publicly exhibit the draft plan from 27 June to 7 August 2022. You can have your say by attending one of the public or online meetings we will hold between 27 June to 7 August, and by sending in a submission form, available from the [department's website](#).

Is there a limit on how much water I can take with my licence?

Water access licences show the amount of entitlement that you have – called the share component. This share component can be expressed as ML/yr or a number of 'unit shares' in the available water resource. The amount of water you can take is based on:

- your licensed share component
- the available water determination (AWD)
- your account management rules
- any relevant conditions on your access licence.

An AWD is made on 1 July each year at a minimum. The AWD sets out a:

- volume of water per share that will be placed into your water allocation account at the start of a water year (1 July), or
- percentage of the entitlement volume if the share component is in ML/yr.

This is called an allocation. You can only take the volume of water that is in your water account, in accordance with the rules in the water sharing plan and any relevant conditions on your access licence.

The total amount of water that all water users can take in a water source is limited. This limit is known as the long-term average annual extraction limit (LTAAEL).

If total annual extraction (averaged over 5 years) is greater than the LTAAEL by more than 5%, licensed water users may not get the maximum allocation placed into their accounts the following year. This is to reduce extractions back to the LTAAEL.

There are changes proposed to the LTAAELs in all water sources. For more information about this, go to the fact sheet – *How water is shared between the environment and consumptive purposes in the Greater Metropolitan Region Groundwater Sources* on the [department's website](#).

What are the rules governing when I can take water?

When you can take water depends on where your groundwater water supply work is.

Access rules can apply:

- to extraction under an aquifer access licence
- in all areas of the Hawkesbury Alluvium Groundwater Source. There are 2 different rules depending on how close the water supply work is to a river
- in all water sources if water is extracted from waterfront land.

Waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary. For the Hawkesbury Alluvium, you must not take groundwater from a water supply work located:

- on waterfront land if flows in the Upper Hawkesbury River Water Source are in the very low-flow class
- outside waterfront land, if flows in the Upper Hawkesbury River Water Source are in the very low-flow class and the flows have been in this class for at least 30 consecutive days.

For all other metropolitan groundwater sources, you must not take groundwater from a water supply work located on waterfront land:

- if there is no visible flow in the river closest to the groundwater work, or
- if the flows in the river are in the very low-flow class defined in the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources*, or
- for some areas only, until more than 24 hours has passed since the flows exceeded the upper limit of the very low-flow class.

What changes does the department propose for access rules?

The draft plan includes some exceptions for access in low flows.

The 2011 plan included rules on when water could be taken from groundwater that is connected to surface water. They were not implemented, however, as groundwater users needed guidance on which rule applied to them and, in some cases, the information was not readily available to the public.

The proposed rules in the draft plan reflect the aims of the 2011 plan, which were to prohibit groundwater take from the highly connected Hawkesbury Alluvium, as well as from waterfront land across all groundwater sources when take from the unregulated water sources is restricted.

We propose changes to some unregulated river access rules, which means these changes also affect some aquifer access licences in the Greater Metropolitan Groundwater Sources. For example, the department proposes:

- that in some water sources, an alternative flow reference site (gauge) is used or that the very low-flow class is changed
- removing some of the exemptions that gave access to the very low-flow class.

For details of the rule changes, refer to the Greater Metropolitan Region Unregulated River Proposed Changes fact sheet on the [department's website](#).

For more details on these changes for each water source, see the report cards on the [department's website](#).

How will I know if I can take water or not?

For some aquifer access licences that take groundwater that is connected to surface water sources, whether you can or cannot take water will depend on flows in nearby rivers.

When the replacement plan starts, WaterNSW will issue you with a new licence notice. This will give the conditions of your licence and/or an approval notice detailing the conditions of your approval. These will specify if an access rule applies, and the gauge and the flow rate which determines when you must not pump water.

To determine when you can take water under your licence, find daily flow data at the gauge:

1. Go to [WaterNSW Real-time data](#)
2. Navigate to 'Rivers and Streams'
3. Enter the gauge number in the 'Find a site' search box.

The webpage for the gauge will show the latest instantaneous values including discharge in ML/day. Compare this with the access rule on your licence.

For areas such as the Hawkesbury–Nepean, the access rules are complex as there are types of flows that must be protected (for example, environmental and urban water supply flows). In these areas, the department is working with WaterNSW to put in place a system that notifies licence holders if pumping is forbidden or allowed. This means we can better communicate and enforce the rules after the new plan begins.

Does the department propose changing rules that govern trading licence shares or water allocations?

Within the Sydney Basin Nepean Groundwater Source, the draft plan describes more clearly the limits to trade between Nepean Management Zone 1 and Nepean Management Zone 2. This is to retain the intent of, and help us administer, these rules.

Under the draft plan, trade of licence shares and allocations would be permitted between amalgamated groundwater sources. That is, trade would be allowed:

- within the Lachlan Fold Belt Greater Metropolitan Groundwater Source, including between the former Goulburn Fractured Rock Groundwater Source and the Coxs River Fractured Rock Groundwater
- within the Sydney Basin West Groundwater Source, including between former Sydney Basin Blue Mountains, Sydney Basin Coxs River and Sydney Basin Richmond groundwater sources.

There are no other proposed changes to rules governing trading licence shares or allocations.

How can I get a licence or additional water for a commercial enterprise?

New or additional licence shares or annual water allocations may be acquired through the water market. The plan establishes rules governing buying and selling shares and allocations within and between groundwater sources.

The current plan also provides for applications for Aboriginal community development licences. Aboriginal people may apply for a water licence to support community development in all water sources except the:

- Botany Sands Groundwater Source
- Sydney Basin Nepean Groundwater Source
- Sydney Basin West Groundwater Source

The water available to extract in these groundwater sources is fully committed.

Where the LTAAEL exceeds requirements for water under all rights (licences, basic landholder rights, other rights and exemptions), the minister may make water available under a controlled allocation order. These provide opportunities to apply for new aquifer access licences.

Are there any new rules for the location of groundwater bores?

In the draft plan, the department proposes rules for the minimum distance between groundwater bores and areas of acid sulfate soils. We propose that water supply works must not be granted or amended within an area classed as having a high probability of containing acid sulfate soils, based on maps the department maintains for acid sulfate soil risk.

In the draft plan, we have also modified rules for the minimum distance that groundwater works must be from sites of contamination. We propose that new or amended water supply works will not be granted:

- within 500 m of a contamination site identified by the plan
- within 250 m from the edge of a contamination plume and an onsite sewage system
- between 250 m and 500 m of the edge of a contamination plume where drawdown will occur within 250 m of the edge of the contamination plume.

We propose that new or amended groundwater works must be located:

- 100 m from coastal wetlands, if used for basic landholder rights only
- 200 m from coastal wetlands, if used for purposes other than basic landholder rights.

Rules have not changed for minimum distances for new or amended groundwater works from:

- groundwater-dependent culturally significant sites
- existing bores on neighbouring properties
- escarpments
- the top of the high bank of a river, lagoon or stream
- a government monitoring or observation bore, or
- high-priority, groundwater-dependent ecosystems including groundwater-dependent vegetation communities, karsts and high-priority groundwater-dependent ecosystems listed in Schedule 3 of the draft plan.

Does the department propose changes to the estimated water requirements for basic landholder rights?

We have updated the estimated water requirements for basic landholder rights. This has changed over the life of the plan, with urbanisation decreasing demand in some areas and growth in other areas, particularly because of the prolonged drought and diminished surface water supply over this period.

We have also updated the total volumes or unit shares specified in the share components of all access licences to reflect current information.

More information

The draft water sharing plan and other fact sheets are available from the Water pages of the [department's website](#).