



New South Wales
Government

Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources Amendment Order 2024

under the

Water Management Act 2000

I, ROSE JACKSON MLC, Minister for Water, in pursuance of section 45(1) of the *Water Management Act 2000*, being satisfied it is in the public interest to do so, and in such circumstances, in relation to such matters and to such extent as provided for under the *Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2022*, make the following Order to amend that Plan.

Dated 22 May 2024

ROSE JACKSON, MLC
Minister for Water

Explanatory note

This Order is made under section 45(1) of the *Water Management Act 2000*. The object of this Order is to amend the *Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2022*. The concurrence of the Minister for the Environment was obtained prior to the making of this Order as required under section 45 of the *Water Management Act 2000*.

1 Name of Order

This Order is the *Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources Amendment Order 2024*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2022

[1] Clause 4 Application of Plan

In subclause (2), omit “(WSP005_Version 3)”. Insert instead “(WSP005_Version 4)”.

[2] Clause 4(2), Note 1

Omit “unconsolidated alluvial”. Insert instead “Cenozoic”.

[3] Clause 4(3)(b)

Omit “unconsolidated alluvial”. Insert instead “Cenozoic”.

[4] Clause 4(3) Notes

Omit the Notes which appear after subclause (3). Insert instead—

Note— At the commencement of this Plan, the known extent of the Cenozoic sediments is shown on the Plan Map. Subject to subclause (5), this Plan applies to all Cenozoic sediments within the boundaries of the water sources, which may include Cenozoic sediments not shown on the Plan Map.

[5] Clause 4(4)

Omit “unconsolidated alluvial”. Insert instead “Cenozoic”.

[6] Clause 4(5)

Omit the subclause. Insert instead—

(5) The water sources do not include water to which the *Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources 2016* applies.

[7] Clause 4(6)

Omit “(GDE031_Version 1)”. Insert instead “(GDE031_Version 2)”.

[8] Clause 10 Environmental objectives

In subclause (3)(c), after “in-river pool” insert “or off-river pool”.

[9] Clause 12 Aboriginal cultural objectives

In subclause (3)(e), after “in-river pool” insert “or off-river pool”.

[10] Clause 12(3)(e), Note

After “in-river pools” insert “or off-river pools”.

[11] Clause 13 Social and cultural objectives

In subclause (3)(d), after “in-river pool” insert “or off-river pool”.

[12] Clause 36 Specific purpose access licences

In subclause (2)(c), after “940” insert “unit shares”.

[13] Clause 41 Access rules for the taking of surface water

Omit the clause. Insert instead—

41 Access rules for the taking of surface water

(1) Surface water must not be taken under an access licence when flows in the relevant water source or management zone are in the Very Low Flow Class, except where clause 42 (2) applies.

Note. Clause 42 (2) permits the local water utility to take surface water when flows in the Wyong River Water Source are in the Very Low Flow Class, in limited circumstances only.

(2) Surface water must not be taken if there is no visible flow at the location from which water is proposed to be taken in the following water sources, unless the take is from an in-river dam pool, an in-river pool, or an off-river pool:

- (a) Brisbane Water Water Source,
- (b) Jiliby Jiliby Creek Water Source,
- (c) Mangrove Creek Water Source,
- (d) Mooney Mooney Creek Water Source,
- (e) Ourimbah Creek Water Source,
- (f) Tuggerah Lakes Water Source,
- (g) Wyong River Water Source.

Note. *In-river dam pool* and *off-river pool* are defined in the Dictionary.

(3) Surface water must not be taken from an in-river pool or an off-river pool in the following water sources, when the volume of water in that pool is less than the volume of water that can be held by the pool when at full capacity:

- (a) Brisbane Water Water Source,
- (b) Jiliby Jiliby Creek Water Source,
- (c) Mangrove Creek Water Source,
- (d) Mooney Mooney Creek Water Source,
- (e) Ourimbah Creek Water Source,
- (f) Tuggerah Lakes Water Source,
- (g) Wyong River Water Source.

(4) Subclause (2) and (3) do not apply to the Mangrove Creek Water Source and Mooney Mooney Creek Water Source until five years after the date this Plan commenced.

(5) Surface water must not be taken from an in-river dam pool unless the take is not inconsistent with a water supply work approval authorising the use of a water supply work for the purpose of taking water from the in-river dam.

(6) Surface water must not be taken by a water supply work approval specified in Column 1 of Schedule 1 from a water source specified in Column 3 of Schedule 1 in the circumstances specified in Column 2 of Schedule 1 for that water supply work approval.

[14] Clause 43 Exceptions to the access rules for the take of surface water

In subclause (2)(a)(i), insert “and vegetable” after “fruit”.

[15] Clause 43(2)(c)

Omit “,” and insert instead “.”

[16] Clause 43(2)(d)

Omit the paragraph and the Note which appears below it.

[17] Clause 43(3)

Omit the subclause and insert instead—

(3) Clause 41(1) does not apply to the taking of surface water from—

(a) an off-river pool, or

(b) an in-river dam pool formed by an in-river dam that is referred to in a water supply work approval.

Note. *In-river dam pool* is defined in the Dictionary.

[18] Clause 47 Exceptions to the access rules for the take of groundwater

In subclause (3)(a)(i), insert “and vegetable” after “fruit”.

[19] Clause 48 General (Notes)

In Note 7, after “water supply work approval”, add “This does not affect works that can be constructed under a basic landholder right”.

[20] Clause 50 Granting or amending water supply work approvals that take surface water

In subclause (1), omit “A water supply work approval must not be granted or amended to authorise the construction or use of an in-river dam” and replace with “An in-river dam must not be constructed”.

[21] Clause 50(2)

Omit “A water supply work approval must not be granted or amended to authorise the construction or use of an in-river dam on any stream” and replace with “An in-river dam must not be constructed”.

[22] Clause 50(3)

Omit “A water supply work approval must not be granted or amended” and replace with “A water supply work must not be constructed”.

[23] Clause 50(5)

Omit the subclause.

[24] Clause 68 General conditions

In paragraph (b), omit “Division 3”. Insert instead “Divisions 3 and 4”.

[25] Clause 69 Record keeping conditions

Omit the Notes following subclause (3). Insert instead—

Note—See the *Water Management (General) Regulation 2018*, clause 230(1).

[26] Clause 71 Metering conditions

Omit the Note following subclause (5). Insert instead—

Note—See the *Water Management (General) Regulation 2018*, clause 230(1).

[27] Clause 72 Record keeping conditions

Omit the Note following subclause (4). Insert instead—

Note—See the *Water Management (General) Regulation 2018*, clause 230(1).

[28] Clause 74 Water supply work decommissioning condition

Omit the heading to the clause. Inserted instead “Water bore decommissioning condition”.

[29] Clause 74

Omit “water supply work” wherever it appears in the clause. Insert instead “water bore”.

[30] Clause 74(6)

Omit “work” where it appears after “the name of the driller who decommissioned the”. Insert instead “water bore”.

[31] Clause 75 Water supply work construction conditions

In subclause (1)(d), omit “the water supply work” and insert instead “a water bore”.

[32] Clause 75(6)

Omit “clauses 54(1)(b) – (d)” and insert instead “clauses 58(1) (b) – (d)”.

Omit “clause 54(2)” and insert instead “clause 58(2)”.

[33] Dictionary

Omit—

Groundwater means all water contained within all unconsolidated alluvial sediments below the surface of the ground within the boundary of the water sources.

unconsolidated alluvial sediments are sediments that are not bound or hardened by mineral cement, pressure, or thermal alteration of the grains and include gravel, sand, silt and clay.

[34] Dictionary

Insert in alphabetical order—

groundwater means water occurring beneath the ground surface in the saturated zone, being the area below the water table where all soil spaces, pores, fractures and voids are filled with water.

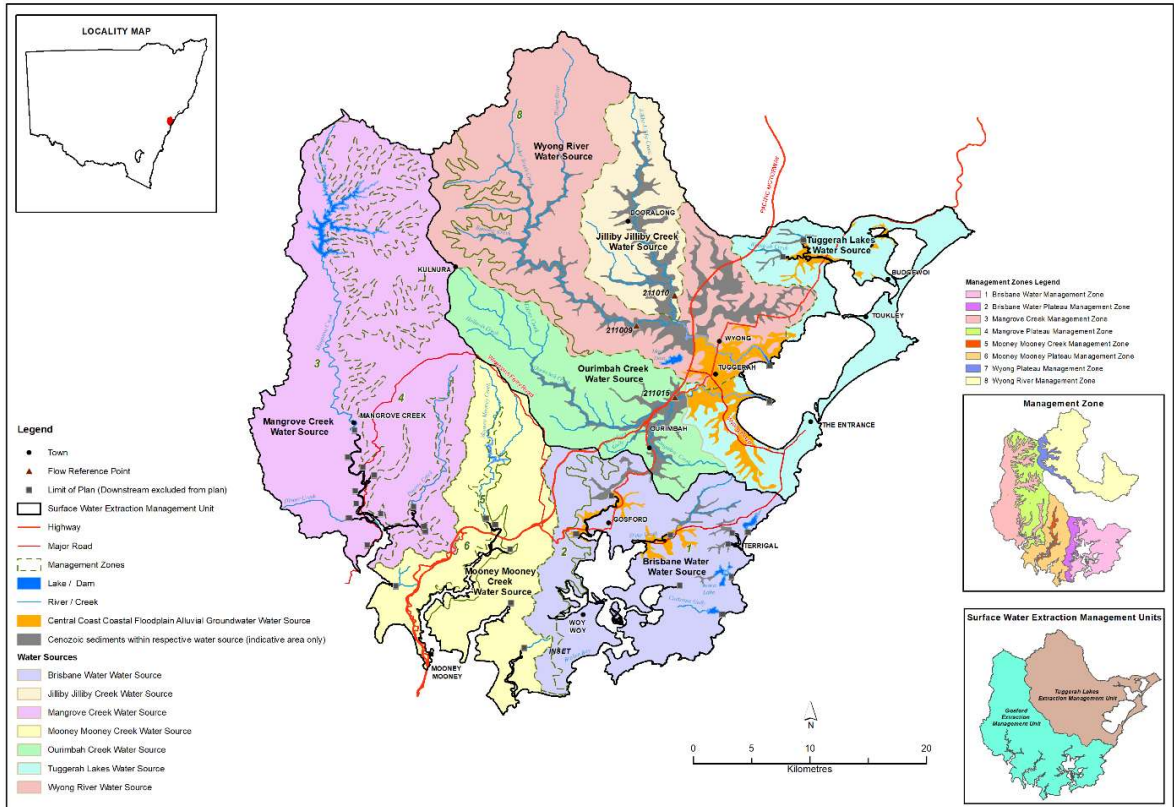
High Priority Groundwater-Dependent Ecosystem Map means the *Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2022 High Priority Groundwater-Dependent Ecosystem Map* (GDE031_Version 2).

Plan Map means the *Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2022 Plan Map* (WSP005_Version 4).

[35] Appendix 1 Overview of the Plan Map

Omit “Overview of the Plan Map (WSP005_Version 3) Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2022”.

Omit the map. Insert instead—



[36] **Appendix 2 Overview of the High Priority Groundwater-Dependent Ecosystem Map**

Omit “Overview of the High Priority Groundwater-Dependent Ecosystem Map (GDE031_Version 1), Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2022”.

Omit the map. Insert instead—

