



New South Wales

Water Sharing Plan for the Kulnura Mangrove Mountain Groundwater Sources Amendment Order 2013

under the

Water Management Act 2000

I, the Minister for Primary Industries, in pursuance of section 45 (1) (a) of the *Water Management Act 2000*, being satisfied it is in the public interest to do so, make the following Order to amend the *Water Sharing Plan for the Kulnura Mangrove Mountain Groundwater Sources 2003*.

Dated this 6th day of May 2013.

KATRINA HODGKINSON, MP
Minister for Primary Industries

Explanatory note

This Order is made under section 45 (1) (a) of the *Water Management Act 2000*. The object of this Order is to amend the *Water Sharing Plan for the Kulnura Mangrove Mountain Groundwater Sources 2003*. The concurrence of the Minister for the Environment was obtained prior to the making of this Order.

Water Sharing Plan for the Kulnura Mangrove Mountain Groundwater Sources Amendment Order 2013

under the

Water Management Act 2000

1 Name of Order

This Order is the *Water Sharing Plan for the Kulnura Mangrove Mountain Groundwater Sources Amendment Order 2013*.

2 Commencement

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

Schedule 1 Amendment of the Water Sharing Plan for the Kulnura Mangrove Mountain Groundwater Sources 2003

[1] Clause 18 Planned environmental water

Omit clause 18. Insert instead.

Clause 18 Commitment and identification of planned environmental water

Water is committed and identified as planned environmental water in these groundwater sources in the following ways:

- (a) by reference to the commitment of the physical presence of water in these groundwater sources,
- (b) by reference to the long-term average annual commitment of water as planned environmental water, and
- (c) by reference to the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met.

[2] Clause 19 Planned environmental water

Omit clause 19. Insert instead:

Clause 19 Establishment and maintenance of planned environmental water

- (1) Planned environmental water is established in these groundwater sources as follows:
 - (a) it is the physical presence of water:
 - (i) in Zone 1 that is equal to 100% of the long-term average annual rainfall recharge,
 - (ii) in Zone 2 that is equal to 83% of the long-term average annual rainfall recharge,
 - (iii) in Zone 3 that is equal to 83% of the long-term average annual rainfall recharge,
 - (iv) in Zone 4 that is equal to 66% of the long-term average annual rainfall recharge,
 - (v) in Zone 5 that is equal to 77% of the long-term average annual rainfall recharge,
 - (vi) in Zone 6 that is equal to 79% of the long-term average annual rainfall recharge,
 - (vii) in Zone 7 that is equal to 80% of the long-term average annual rainfall recharge,
 - (viii) in Zone 8 that is equal to 83% of the long-term average annual rainfall recharge,

- (ix) in these groundwater sources that is within the groundwater storage of the these groundwater sources over the long term,

Note. Groundwater sources can store large volumes of water, often accumulated over thousands or even tens of thousands of years. The amount of annual recharge can be small compared to this stored volume. The average annual volume of water permitted to be extracted under the rules in this Plan is less than the average annual recharge of the these groundwater sources over the long term, ensuring that water within the groundwater storage of these groundwater sources is protected from extraction.

- (b) it is the long-term average annual commitment of water as planned environmental water:

- (i) in Zone 1 that is equal to 100% of the long-term average annual rainfall recharge,
- (ii) in Zone 2 that is equal to 83% of the long-term average annual rainfall recharge,
- (iii) in Zone 3 that is equal to 83% of the long-term average annual rainfall recharge,
- (iv) in Zone 4 that is equal to 66% of the long-term average annual rainfall recharge,
- (v) in Zone 5 that is equal to 77% of the long-term average annual rainfall recharge,
- (vi) in Zone 6 that is equal to 79% of the long-term average annual rainfall recharge,
- (vii) in Zone 7 that is equal to 80% of the long-term average annual rainfall recharge,
- (viii) in Zone 8 that is equal to 83% of the long-term average annual rainfall recharge,

- (c) it is the water remaining in these groundwater sources after water has been taken pursuant to basic landholder rights and access licences, in accordance with the rules specified in Parts 9 and 10 of this Plan.

Note. The water remaining in these groundwater sources over the long term after water has been taken pursuant to basic landholder rights and access licences is equal to the water within the groundwater storage plus all recharge in excess of the long-term average annual extraction limit for each of these groundwater sources.

- (2) The planned environmental water established under subclause (1) (a) is maintained in these groundwater sources by the rules specified in Parts 9 and 10 of this Plan.
- (3) The planned environmental water established under subclause (1) (b) is maintained in these groundwater sources by the application of the long-term average annual extraction limit and compliance rules as specified in Division 1 of Part 9 of this Plan and the available water determinations as specified in Division 2 of Part 9 of this Plan.

- (4) The planned environmental water established under subclause (1) (c) is maintained in these groundwater sources by the rules specified in Parts 9 and 10 of this Plan.

Note. The rules in Part 9 of this Plan ensure that there will be water remaining in these groundwater sources over the long term by maintaining compliance with the long-term average annual extraction limits. The rules in Part 9 provide for a reduction in available water determinations when the long-term average annual extraction limits have been assessed to have been exceeded.

[3] Clause 22 Domestic and stock rights

Omit the note to subclause (2). Insert instead:

Note.

- 1 Increase in use of domestic and stock rights may occur as a result of an increase in the number of landholdings overlying these groundwater sources, or as a result of the increase in the exercise of basic landholder rights by existing landholders.
- 2 This plan was amended in 2013. At the time of amendment the water requirements of holders of domestic and stock rights were estimated to be a total of 1872 ML/yr, distributed as follows:
 - (a) 0 ML/yr in Zone 1,
 - (b) 24 ML/yr in Zone 2,
 - (c) 73 ML/yr in Zone 3,
 - (d) 358 ML/yr in Zone 4,
 - (e) 173 ML/yr in Zone 5,
 - (f) 229 ML/yr in Zone 6,
 - (g) 495 ML/yr in Zone 7,
 - (h) 520 ML/yr in Zone 8.

[4] Clause 25 Estimate of water requirements

Insert the following note to subclause (3):

Note. This plan was amended in 2013. At the time of amendment the requirements identified for water for extraction under access licences within these groundwater sources were estimated to be a total of 3466 ML/yr, distributed as follows:

- (a) 0 ML/yr in Zone 1,
- (b) 36 ML/yr in Zone 2,
- (c) 41 ML/yr in Zone 3,
- (d) 724 ML/yr in Zone 4,
- (e) 452 ML/yr in Zone 5,
- (f) 346 ML/yr in Zone 6,
- (g) 1084 ML/yr in Zone 7,
- (h) 783 ML/yr in Zone 8.

[5] Clause 27

Omit the clause. Insert instead:

Clause 27 Long-term average annual extraction limits

- (1) This Division is made in accordance with section 20 (2) (a) of the Act.
- (2) The long-term average annual extraction limit for Zone 1, Zone 2, Zone 3 and Zone 8 is as follows:
 - (a) 0 ML/year in Zone 1,
 - (b) 193 ML/year in Zone 2,
 - (c) 448 ML/year in Zone 3,
 - (d) 1540 ML/year in Zone 8.
- (3) The long-term average annual extraction limit for Zone 4, Zone 5, Zone 6 and Zone 7, is equal to the total of:
 - (a) the share components of all access licences in the respective groundwater source at the commencement of this Plan, other than aquifer access licences, plus
 - (b) the share components of all aquifer access licences in the respective groundwater source, plus
 - (c) the estimated annual water requirements pursuant to basic landholders rights in the respective groundwater source at the commencement of this Plan.

Note. This clause was amended in 2013. At the time of the amendment the long-term average annual extraction limit was estimated to be approximately 1103 ML/yr, 631 ML/yr, 578 ML/yr and 1598 ML/yr in Zones 4, 5, 6 and 7, respectively. The effect of the 2013 amendment is to provide for an increase to the long-term average annual extraction limit in Zones 4,5 6 and 7 due to additional share component being issued for farming purposes.

[6] Clauses 28 and 55

Omit “Long-term average extraction limits” wherever occurring.

Insert instead “Long-term average annual extraction limits”.

[7] Clauses 29

Omit “Long-term average extraction limit” wherever occurring.

Insert instead “Long-term average annual extraction limit”.