

Water Sharing Plan for the Central Coast Unregulated Water Sources 2009

[2009-346]



New South Wales

Status Information

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The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Does not include amendments by**
[Local Land Services Act 2013 No 51](#) (not commenced — to commence on 1.1.2014)
- **Note**
This Plan ceases to have effect on 1.7.2020 — see clause 3.

Authorisation

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Water Sharing Plan for the Central Coast Unregulated Water Sources 2009



New South Wales

Contents

Part 1 Introduction	7
1 Name of this Plan	7
2 Nature and Status of this Plan	7
3 Date of commencement	7
4 Water sources to which this Plan applies	7
5 Management Zones	8
6 Amendment of this Part	9
7 Interpretation	9
Part 2 Vision, objectives, strategies and performance indicators	10
8 Vision, objectives, strategies and performance indicators	10
9 Vision	10
10 Objectives	10
11 Strategies	11
12 Performance indicators	11
Part 3 Basis for water sharing	12
13 Basis for water sharing	12
14 Climatic variability	12
15 Extraction management units for these water sources	12
16 Flow reference points	13
17 Flow classes for these water sources	14

Part 4 Environmental water provisions	17
18 Environmental water provisions	17
19 Planned environmental water.....	18
20 (Repealed).....	21
Part 5 Basic landholder rights	21
21 Basic landholder rights.....	21
22 Domestic and stock rights.....	21
23 Native title rights.....	22
24 Harvestable rights.....	22
Part 6 Bulk access regime	22
25 Bulk access regime.....	22
Part 7 Requirements for water under access licences	23
26 Requirements for water under access licences	23
27 Share component of domestic and stock access licences	23
28 Share component of local water utility access licences.....	24
29 Share component of major utility access licences.....	24
30 Share component of unregulated river access licences.....	25
31 Changes to share components	25
Part 8 Rules for granting access licences	26
32 Rules for granting access licences.....	26
Part 9 Limits to the availability of water	27
Division 1 Long-term average annual extraction limit	27
33 Limits to the availability of water	27
34 Extraction management unit for these water sources.....	27
35 Long-term average annual extraction limit	27
36 Variation of the long-term average annual extraction limit	30
37 Assessment of the long-term average annual extraction limit	31
38 Compliance with the long-term average annual extraction limit.....	31
Division 2 Available water determinations	34

39 Available water determinations	34
40 Available water determinations for domestic and stock access licences	34
41 Available water determinations for local water utility access licences	34
42 Available water determinations for major utility access licences	35
43 Available water determinations for unregulated river access licences	35
Part 10 Rules for managing access licences	35
Division 1 General	35
44 Rules for managing access licences	35
Division 2 Water allocation account management	35
45 Individual access licence account management rules	35
Division 3 Sharing surface water flows on a daily basis	37
46 Sharing surface water flows on a daily basis	37
47 Total daily extraction limits	37
48 Assignment of the TDEL to categories of access licence	41
49 Unassigned TDEL	41
50 Granting of unassigned TDEL	41
51 Individual daily extraction limits for access licences	41
52 Adjustment to TDELS and IDELS	42
53 Administrative arrangements for managing access to daily flows (approved groups)	42
54 Amendments to this Plan for the purpose of sharing of surface water flows on a daily basis	44
55 Access to the Very Low Flow Class in these Water Sources	44
Part 11 Access licence dealing rules	44
56 Access licence dealing rules	44
57 Rules relating to constraints within these water sources	45
58 Rules for change of water source	46
59 Rules for conversion of access licence category	46
60 Rules for interstate access licence transfer and assignment of water allocation	46
61 Rules for water allocation assignments between water sources	46
Part 12 Mandatory conditions	47

Division 1 General	47
62 General.....	47
Division 2 Access licences	47
Note.....	47
63 General.....	48
Division 3 Water supply work approvals	49
Note.....	49
64 General.....	49
65-68	52
Part 13 Rules for granting or amending water supply work approvals ...	52
69 Granting or amending water supply work approvals	52
70 Runoff Harvesting Dams	52
71 In river dams	52
Part 14 System operation rules	53
72 Release rules from local water utility storages	53
Part 15 Amendment of this Plan	54
73 Amendment of this Plan	54
74 Review of ongoing monitoring and investigations outcomes.....	55
75 Amendment of flow classes, planned environmental water, share components and daily extraction limit provisions	55
76 Amendments due to floodplain harvesting.....	57
77 Amendments for stormwater harvesting	57
78 Amendments in relation to Schedule 2 (Very Low Flow) and mandatory conditions	58
Dictionary	59
Schedule 2 Licences with access to very low flows	61
Schedule 3 Local water utilities water supply infrastructure	61
Appendix 1 Area covered by this plan	62

Appendix 2 Inspection of the Plan Map 63

Appendix 3 Office 64

Water Sharing Plan for the Central Coast Unregulated Water Sources 2009



New South Wales

Part 1 Introduction

1 Name of this Plan

This Plan is the *Water Sharing Plan for the Central Coast Unregulated Water Sources 2009* (hereafter **this Plan**).

2 Nature and Status of this Plan

- (1) This Plan is made under section 50 of the *Water Management Act 2000* (hereafter **the Act**).
- (2) This Plan is a plan for water sharing, and generally deals with the matters set out in sections 20 and 21 of the Act.

3 Date of commencement

This Plan commences on 1 August 2009.

4 Water sources to which this Plan applies

- (1) The water sources in respect of which this Plan applies are:

- (a) the Brisbane Water Water Source,
- (b) the Mooney Mooney Creek Water Source,
- (c) the Mangrove Creek Water Source,
- (d) the Wyong River Water Source, and
- (e) the Tuggerah Lakes Water Source,

and shall be known as the Central Coast Unregulated Water Sources (hereafter **these water sources**).

Note—

An overview of these water sources is shown in Appendix 1.

- (2) These water sources are shown on the Plan Map called [Plan Map \(WSP005_Version1\) Water Sharing Plan for the Central Coast Unregulated Water Sources 2009](#) (hereafter **the Plan Map**) held by the Department.

Note—

The Plan Map is part of this Plan. Copies of the Plan Map for these water sources may be inspected at offices of the Department listed in Appendix 2 and are available on the NSW Legislation website.

- (3) Subject to subclause (4), these water sources include:
- (a) all water occurring naturally on the surface of the ground shown on the Plan Map for these water sources, and
 - (b) all water in rivers, lakes and wetlands in these water sources.
- (4) These water sources do not include:
- (a) any water contained in alluvial sediments,
 - (b) any water contained in the coastal sands in these water sources,
 - (c) any water contained in fractured rock aquifers and basement rocks in these water sources,
 - (d) the area of the Jilliby Jilliby Creek Water Source, as defined in the [Water Sharing Plan for the Jilliby Jilliby Creek Water Source 2003](#),
 - (e) the area of the Ourimbah Creek Water Source as defined in the [Water Sharing Plan for the Ourimbah Creek Water Source 2003](#), and
 - (f) the area of land below the mangrove limit, except for the Wamberal Lagoon, Avoca Lake and Cockrone Lake in the Brisbane Water Water Source.

Note—

The mangrove limit is defined in the dictionary.

- (5) These water sources are within part of the Central Coast Water Management Area.

5 Management Zones

For the purpose of this Plan, the following water sources are divided into the following management zones and are shown on the Plan Map for these water sources:

- (a) the Brisbane Water Water Source is divided into the:
 - (i) Brisbane Water Management Zone, and
 - (ii) Brisbane Water Plateau Management Zone,
- (b) the Mooney Mooney Creek Water Source is divided into the:

- (i) Mooney Mooney Plateau Management Zone, and
 - (ii) Mooney Mooney Creek Management Zone,
- (c) the Mangrove Creek Water Source is divided into the:
- (i) Mangrove Plateau Management Zone, and
 - (ii) Mangrove Creek Management Zone, and
- (d) the Wyong River Water Source is divided into the:
- (i) Wyong Plateau Management Zone, and
 - (ii) Wyong River Management Zone.

Note—

An overview of these management zones is shown in Appendix 1.

6 Amendment of this Part

The Minister may amend this Part to:

- (a) amend (including to amend the boundaries of) an existing water source or management zone in these water sources, and
- (b) establish new or additional water sources or management zones in these water sources.

Note—

In instances where in-stream structure such as weirs are removed, this is likely to result in a change to the tidal limit of the water source, and a resultant change in the boundary of the water source and management zones, where applicable.

Note—

The tidal pool is that area between the lower tidal limit and the upper mangrove limit. The tidal limit and mangrove limit are defined by the NSW Government's Manly Hydraulics Laboratory. Rules for a new management zone for an estuarine tidal pool may require an adjustment to the Plan rules for the remainder of the water source.

Note—

The Plan Map for these water sources may be amended or updated from time to time including as a result of any amendment made by this Plan.

7 Interpretation

- (1) Words and expressions that are defined in the Act have the same meanings in this Plan.
- (2) Words and expressions that are defined in Schedule 1 of this Plan have the meanings

set out in that Schedule.

- (3) Notes in the text of this Plan do not form part of this Plan.
- (4) Schedules to this Plan form part of this Plan.
- (5) Appendices to this Plan do not form part of this Plan.

Part 2 Vision, objectives, strategies and performance indicators

8 Vision, objectives, strategies and performance indicators

This Part is made in accordance with section 35 (1) of the Act.

9 Vision

- (1) The vision of this Plan is to provide sustainable and integrated management of these water sources for the benefit of both present and future generations.
- (2) This Plan also recognises the following respect statements for Aboriginal values in these water sources:
 - (a) life-giving water is of extreme significance to Aboriginal culture for its domestic, traditional and spiritual values, and
 - (b) whilst water supplied for the environment will provide protection for native flora and fauna, water for fishing, food gathering and recreational activities, it is important that the community respects the spiritual significance of water to the Aboriginal people.

10 Objectives

The objectives of this Plan are to:

- (a) protect, preserve, maintain or enhance the important river flow dependent ecosystems of these water sources,
- (b) protect, preserve, maintain or enhance the Aboriginal, cultural and heritage values of these water sources,
- (c) manage these water sources to ensure equitable sharing between users,
- (d) protect basic landholder rights,
- (e) manage local water utility/major utility water supply security for the benefit of the community whilst recognising the environmental needs of the water source,
- (f) provide opportunities for market based trading of access licences and water allocations within sustainability and system constraints,

- (g) provide sufficient flexibility in water account management to encourage responsible use of available water, and
- (h) adaptively manage these water sources.

Note—

For the purposes of the *Inter-governmental Agreement on the National Water Initiative* (2004) the environmental and other public benefit outcomes provided under this Plan include:

1. the important river flow dependent environmental, Aboriginal, cultural and heritage values of these water sources are protected, preserved, maintained or enhanced,
2. these water sources are managed to ensure equitable sharing between users, and
3. basic landholder rights of owners, or occupiers, of land are protected.

11 Strategies

The strategies of this Plan are to:

- (a) establish environmental water rules,
- (b) identify water requirements for basic landholder rights,
- (c) identify water requirements for access licences,
- (d) establish rules for granting of access licences and approvals,
- (e) establish rules that place limits on the availability of water for extraction,
- (f) establish rules for making available water determinations,
- (g) establish rules for the operation of water accounts,
- (h) establish rules which specify the circumstances under which water may be extracted,
- (i) establish access licence dealing rules,
- (j) establish performance indicators and
- (k) identify triggers for and limit to changes to the rules.

12 Performance indicators

The following indicators are to be used to determine the performance of this Plan against its objectives:

- (a) change in low flow regime,
- (b) change in moderate to high flow regime,
- (c) change in local water utilities access,

- (d) change in, or maintenance of, ecological value of key water sources and their dependent ecosystems,
- (e) extent to which basic landholder rights requirements have been met,
- (f) extent to which major and local water utility requirements have been met,
- (g) extent to which native title rights requirements have been met,
- (h) change in economic benefits derived from water extraction and use, and
- (i) extent of recognition of spiritual, social, economic and customary values of water to Aboriginal people.

Note—

This Plan is to be audited pursuant to section 44 of the Act for the purpose of ascertaining whether its provisions are being given effect to.

Part 3 Basis for water sharing

13 Basis for water sharing

This Part is made in accordance with sections 20 (2) (a) and 20 (2) (c) of the Act.

14 Climatic variability

This Plan recognises the effects of climatic variability on river flow variability in these water sources by having provisions that manage:

- (a) the sharing of water in these water sources within the limits of water availability on a long-term average annual basis, and
- (b) the sharing of flows that occur in specified water sources on a daily basis.

15 Extraction management units for these water sources

- (1) The availability of water for extraction from these water sources on a long-term average annual basis will be determined at the level of an extraction management unit.
- (2) The extraction management units for these water sources are the Tuggerah Lakes Extraction Management Unit and the Gosford Extraction Management Unit, and are shown on the Plan Map for these water sources.
- (3) The Tuggerah Lakes Extraction Management Unit consists of the following water sources:
 - (a) Wyong River Water Source,
 - (b) Tuggerah Lakes Water Source,

- (c) Ourimbah Creek Water Source as defined within the *Water Sharing Plan for the Ourimbah Creek Water Source 2003*, and
 - (d) Jilliby Jilliby Creek River Water Source as defined within the *Water Sharing Plan for the Jilliby Jilliby Creek Water Source 2003*.
- (4) The Gosford Extraction Management Unit consists of the following water sources:
- (a) Brisbane Water Water Source,
 - (b) Mooney Mooney Creek Water Source, and
 - (c) Mangrove Creek Water Source.

Note—

The extraction management units identified in clause 15 are shown in Appendix 1.

16 Flow reference points

- (1) Subject to subclauses (3) and (4), for the purposes of this Plan all flows referred to in clause 17 (1) are measured flows at the flow reference point(s) for each water source or management zone specified in clause 17.
- (2) The Minister may amend this Plan to add or remove flow reference points, including if there are any changes to flow classes under clauses 17 (2), 17 (3), 17 (4) and 17 (5) of this Plan.

Note—

The Plan Map for these water sources may be amended as a result of the establishment of, or changes to, flow reference points under this Part.

Note—

In the event of any failure of a flow reference point in these water sources, flow classes in the water source may be imposed pursuant to an order made under section 324 of the Act.

- (3) For flow classes that are determined based on flows at more than one flow measuring gauge, on any day that it is not possible to determine the flow at a flow reference point specified in clause 17 (1) due to flow data not being available from a flow measuring gauge, then the flow class applies for the relevant management zone when flows as measured at the remaining functioning gauge specified in clause 17 (1) are equal to the flows specified in clause 17 (1) for that gauge.
- (4) Subject to subclause (3), if in the Minister's opinion, on any day accurate flow data is not available from a flow measuring gauge used to determine a flow class, the Minister may determine the flow class that applies for that day and notify the licence holder in writing, the flow class that applies for that day. For the purpose of this subclause, notification includes publishing a notice on the Department's website.

Note—

There is a general requirement for holders of water supply work approvals to record in a Logbook, where one is required to be kept, a confirmation and means of confirmation that the relevant cease to take conditions do not apply before taking water. Holders of access licences may contact the Department's Dangar office at the address listed in Appendix 2 or check the Department's website to find out what flow class applies that day and note this as required in the Logbook. In determining whether access to water is permitted that day, the Minister may take into consideration evidence of past and current flows and readings at other functioning upstream and downstream gauges.

17 Flow classes for these water sources

(1) This Plan establishes the following flow classes as the basis for sharing of daily flows from these water sources:

(a) for the Wyong River Water Source:

(i) for all access licences, excluding local water utility access licences:

(A) for the first three years of this Plan or until the upgraded works to the infrastructure specified in Schedule 3 are completed, whichever is the sooner, the Very Low Flow Class is when there is no visible flow at gauging stations 211009 or 211010, hereafter the Very Low Flow Class is when the combined flows at gauging stations 211009 and 211010 are equal to or less than 4 megalitres per day (hereafter **ML/day**),

Note—

4 ML/day corresponds to the estimated 95th percentile of all days with flow.

(B) subject to subclause (1) (a) (i) (C), for the first three years of this Plan, A Class is when there is a visible flow at gauging stations 211009 and 211010, for year 4 and 5 of this Plan, A Class is when the combined flows at gauging stations 211009 and 211010 are greater than 4 ML/day, thereafter A Class is when the combined flows at gauging stations 211009 and 211010 are greater than 4 ML/day and less than 13.5 ML/day,

Note—

13.5 ML/day corresponds to the estimated 80th percentile of all days with flow.

Note—

The top of the Very Low Flow Class may be amended under subclause (7) to a level no less than the 98th percentile (which corresponds to 2 ML/day) and no more than the 95th percentile (which corresponds to 4 ML/day).

(C) if the upgraded works are completed, A Class is when the combined flows at gauging stations 211009 and 211010 are greater than 4 ML/day and less than 13.5 ML/day,

(D) for the first five years of this Plan, or until the upgrade works to the infrastructure specified in Schedule 3 are completed, whichever occurs

sooner, no B Class is established, thereafter B Class is when the combined flows at gauging stations 211009 and 211010 are equal to or greater than 13.5 ML/day and less than 26 ML/day, and

Note—

26 ML/day corresponds to the estimated 50th percentile of all days with flow.

(E) for the first five years of this Plan, or until the upgrade works to the infrastructure specified in Schedule 3 are completed, whichever is the sooner, no C Class is established, thereafter C Class is when the combined flows at gauging stations 211009 and 211010 are equal to or greater than 26 ML/day,

Note—

When temporary water restrictions under a drought management plan are implemented by the local water utilities the Department in consultation with Gosford/Wyong Councils' Water Authority will assess water availability in the Wyong River Water Source and the level of risk to the ability of the local water utility to supply water. This will inform whether action is required to declare a severe water shortage and relax access rules for the local water utility and other access licences accordingly.

(ii) for all local water utility access licences:

(A) the Very Low Flow Class is when the combined flows at gauging stations 211009 and 211010 are equal to or less than 4 ML/day,

Note—

4 ML/day corresponds to the estimated 95th percentile of all days with flow.

Note—

Whilst there is a Very Low Flow Class for local water utility access licences from the commencement of this Plan, clause 19 (3) (d) permits the taking of water by local water utilities when flows are in the Very Low Flow Class for the first three years of this Plan, or until the upgraded fishway for the Wyong River Weir and the new Wyong River pump station are completed, whichever is the sooner, for the purposes of town water supply only. However, during this period the taking of water under local water utility access licences is limited in accordance with clause 19 (3) (g).

(B) A Class is when the combined flows at gauging stations 211009 and 211010 are greater than 4 ML/day and less than 13.5 ML/day,

Note—

13.5 ML/day corresponds to the estimated 80th percentile of all days with flow.

Note—

It is intended that the Wyong Weir will be upgraded during the life of this Plan. This will include an improved fishway and possible amendment to the control point proposed to replace existing flow reference points for access rules. The flow class rules developed for this Plan are based on fish passage requirements associated with the improved fishway. Once the fishway is upgraded, the new pump station commissioned and a new gauging station is

established at the weir, local water utility extractions will be managed such that flows through the fishway will be within the operating range of the fishway. However, extreme river flow conditions such as flows less than 2 ML/day and very high flows may be outside the operating range of the proposed fishway.

Note—

These flow classes may be amended under clause 17(4) based on monitoring and investigations associated with the Wyong River Environmental Flows Study. The top of the Very Low Flow Class in the Wyong River Water Source may be amended to a level no less than the 95th percentile (which corresponds to 4 ML/day) and the bottom of B Class is no more than the 70th percentile (which corresponds to 22 ML/day).

- (C) B Class is when the combined flows at gauging stations 211009 and 211010 are equal to or greater than 13.5 ML/day and less than 26 ML/day, and

Note—

26 ML/day corresponds to the estimated 50th percentile of all days with flow.

- (D) C Class is when the combined flows at gauging stations 211009 and 211010 are equal to or greater than 26 ML/day,

Note—

When temporary water restrictions under a drought management plan are implemented by the local water utilities, the Department in consultation with Gosford/Wyong Councils' Water Authority will assess water availability in the Wyong River Water Source and the level of risk to the ability of the local water utility to supply water. This will inform whether action is required to declare a severe water shortage and relax access rules for the local water utility and other access licences accordingly.

- (b) for the Tuggerah Lakes Water Source, no flow classes are established by this Plan,
(c) for the Brisbane Water Water Source, no flow classes are established by this Plan,
(d) for the Mooney Mooney Creek Water Source, no flow classes are established by this Plan, and

Note—

At year six of this Plan flow classes may be established based on further investigations as set out under clause 17 (2) of this Plan.

- (e) for the Mangrove Creek Water Source, no flow classes are established by this Plan.

Note—

At year six of this Plan flow classes may be established based on further investigations as set out under subclause (2).

- (2) The Minister may amend subclauses 1 (d) and 1 (e), after year five of this Plan, to establish flow classes in the Mooney Mooney Creek Water Source and Mangrove Creek Water Source, based on further investigations to determine appropriate surface water levels and flow reference points to allow rule development.

- (3) The Minister may amend subclauses 1 (a) (i), (1) (d) and/or (1) (e), to vary or establish a new or additional flow class or flow classes based on the outcomes of monitoring and investigations carried out under clause 75 of this Plan.
- (4) The Minister may amend subclause (1) (a) (ii), to vary or establish a new or additional flow class or flow classes such that the top of the Very Low Flow Class is greater or equal to the 95th percentile flow and the bottom of B Class is less than or equal to the 70th percentile flow based on monitoring and investigations associated with the Wyong River Environmental Flows Study.

Note—

The 95th percentile (which corresponds to around 4 ML/day) was chosen as the lower limit of the bounds of change, as this is the State Policy position in regard to environmental flows, and is within the levels at which the upgraded fishway on the Wyong River Weir would operate most effectively (2–5 ML/day). The 70th percentile (which corresponds to 22 ML/day) was chosen as the upper limit of the bounds of change for B Class as this would provide greater protection to low flows and increase access to high flows for the local water utility.

- (5) The Minister may amend subclause (1) to establish a new or additional flow class or flow classes in any water source where management zones or water sources are added or amended during the term in accordance with clause 6 of this Plan.
- (6) The Minister may amend the flow reference points specified in subclauses (1) (a) (i) and (1) (a) (ii), to specify equivalent flows at the Wyong River Weir in the Wyong River Water Source.
- (7) Following an amendment under subclause (6), the flow classes specified in subclause (1) (a) (i) may be amended such that the top of the Very Low Flow Class is equivalent to a flow of no less than 2 ML/day and no more than 4 ML/day, where evidence of economic hardship has been provided to the Minister by access licence holders in the water source based on the implementation of the flow class rules as established at the commencement of this Plan.

Note—

2 ML/day equates to the 98th percentile flow and 4 ML/day equates to the 95th percentile flow.

- (8) In amending any provisions as specified in subclauses (2)–(7), the net effect should not reduce the yield of the local water utilities water supply below 47,300 megalitres per year (hereafter **ML/year**), including any water sourced from Hunter Water Corporation.

Note—

47,300 ML/year refers to the 2050 demand projection for the Central Coast.

Part 4 Environmental water provisions

18 Environmental water provisions

This Part is made in accordance with sections 8, 8A, 8B, 8C, 8D, 8E and 20 (1) (a) of the

Act.

19 Planned environmental water

- (1) Planned environmental water is identified and established in these water sources as follows:
 - (a) water volume in excess of the respective long-term average annual extraction limit established in clause 35 of this Plan may not be taken and used for any purpose in these water sources, thereby protecting a proportion of river flows for fundamental ecosystem needs from increases in long-term water extraction, and
 - (b) for all water sources, the water remaining in the water source after taking water to meet basic landholder rights and for access licences in accordance with the rules identified in subclause (3).
- (2) The planned environmental water established in subclause (1) (a) for these water sources is maintained by the rules in clause 38 that limit the availability of water for extraction under access licences, thereby protecting a proportion of natural river flows for fundamental ecological needs from increases in long-term water extraction.
- (3) The planned environmental water established in subclause (1) (b) is maintained as follows:
 - (a) subject to paragraph (d), water must not be taken under an access licence with a share component that specifies a water source or an extraction component that specifies a management zone with a relevant Very Low Flow Class that has commenced, when flows are in the relevant Very Low Flow Class,
 - (b) subject to paragraph (d), water must not be taken under an access licence where a cease to take condition that was specified on the [Water Act 1912](#) entitlement that the access licence replaces is, in the Minister's opinion, higher than:
 - (i) the upper limit of the relevant Very Low Flow Class (as specified in clause 17),
or
 - (ii) the access rules specified in paragraph (c),

when flows are at or less than the cease to take condition that was specified on the replaced [Water Act 1912](#) entitlement,
 - (c) subject to paragraph (d), in the Wyong River Water Source, Tuggerah Lakes Water Source and Brisbane Water Source, water must not be taken under an access licence:
 - (i) if there is no visible flow in the water source at the location at which water is proposed to be taken, or

- (ii) where water is being taken from a pool, if there is no visible inflow or outflow to or from that pool,
- (d) paragraphs (a)–(c) do not apply to the following:
- (i) the taking of water under an access licence to which Schedule 2 applies which replaces a [Water Act 1912](#) entitlement that allowed water to be taken in the Very Low Flow Class, for a purpose listed below, provided that the water taken does not exceed 20 kilolitres per day per access licence, or such lower amount specified on the access licence in accordance with paragraph (e):
 - (A) fruit washing,
 - (B) cleaning of dairy plant and equipment for the purpose of hygiene,
 - (C) poultry washing and misting, or
 - (D) cleaning of enclosures used for intensive animal production for the purposes of hygiene,
 - (ii) the taking of water for domestic consumption under a domestic and stock access licence, a domestic and stock (subcategory “domestic”) access licence that existed at the commencement of this Plan, for the first three years of this Plan,
 - (iii) the taking of water using a runoff harvesting dam or from an in-river dam pool, and
 - (iv) the taking of water under a local water utility access licence to which Schedule 2 applies, for the first three years of this Plan or the upgraded fishway for the Wyong River Weir and new Wyong River Pump Station are completed, whichever is sooner, for the purposes of town water supply only,
- (e) the Minister may, in relation to an access licence to which paragraph (d) (i) applies, amend the licence to reduce the maximum daily volume limit, if the Minister is satisfied that the reduced volume is satisfactory to meet the purpose for the licence as referred to in paragraph (d) (i),
- (f) in the Wyong River Water Source the holders of access licences must take water in accordance with the rules specified in clause 47 of this Plan of A Class, B Class and C Class,
- (g) until year three of this Plan, or the upgraded fishway for the Wyong River Weir and new Wyong River pump station are completed, whichever is the sooner, in the Wyong River Water Source, the following access conditions shall apply to local water utility access licences for any two weeks in both October and December:
- (i) a cease to pump equal to a visible flow over the Wyong Weir Flow Reference

Point, and

- (ii) pumping may commence 24 hours after the spilling of the Wyong River Weir,
 - (h) water must not be taken from an in-river dam pool unless the in-river dam is passing such flows in such circumstances as specified on the water supply work approval for the in-river dam,
 - (i) the flows and circumstances to be specified on the water supply work approval for the in-river dam referred to in paragraph (h) are:
 - (i) the flows and circumstances that were specified in conditions on the [Water Act 1912](#) entitlement that the approval replaces, or
 - (ii) where no flows and circumstances were specified on the [Water Act 1912](#) entitlement, the flows and circumstances determined by the Minister,
 - (j) water must not be taken under one of the following access licences with a share component that specifies a water source where a B Class has not been established under clause 17 of this Plan, unless flows exceed a flow class or level determined by the Minister:
 - (i) a new local water utility access licence granted after the commencement of this Plan pursuant to section 66 (3) or (4) of the Act,
 - (ii) a new major utility (subcategory “Urban water”) access licence granted after the commencement of this Plan that has not replaced a local water utility access licence, and
 - (k) water must not be taken under one of the following access licences with a share component that specifies a water source where a B Class has been established under clause 17, when flows are in the Very Low Flow Class or A Class:
 - (i) a new local water utility access licence granted after the commencement of this Plan pursuant to section 66 (3) or (4) of the Act,
 - (ii) a new major utility (subcategory “Urban water”) access licence granted after the commencement of this Plan that has not replaced a local water utility access licence, or
 - (iii) a new access licence with a zero share component granted after the commencement of this Plan.
- (4) The Minister may amend subclause (3) during the term of this Plan to establish a rule that prohibits pumping until a specified flow has occurred for a specified number of hours in the Wyong River Water Source, the Mangrove Creek Water Source or the Mooney Mooney Creek Water Source.

- (5) Following the establishment or amendment of a flow class or flow classes within any management zone or water source under clauses 17 (4) and 17 (5) of this Plan, the Minister may amend this Plan to amend subclauses (1), (2) and (3) to identify, establish and maintain planned environmental water in the relevant water source such that the amendments made under this clause reflect the amendments made under clauses 17 (4) and 17 (5).

Note—

The effect of clause 17 (4) is that the flow classes can be amended as a result of monitoring and investigations subject to the Very Low Flow Class not being less than the 95th percentile flow or the bottom of B Class not being greater than the 70th percentile flow. Clause 17 (5) allows the amendment of flow classes if a new management zone is added.

- (6) The Minister may amend subclause (3) following an amendment under clause 17 (6).
- (7) The Minister may establish and/or amend the Very Low Flow Class access conditions specified in subclause (3) for local water utility access licences or access licences of the subcategory “Town water supply” specified in this Part.
- (8) In amending any provisions as specified in subclauses (4)–(7), the net effect should not reduce the yield of the local water utilities water supply below 47,300 ML/year, including any water sourced from Hunter Water Corporation.

Note—

47,300 ML/year refers to the 2050 demand projection for the Central Coast.

- (9) The Minister may amend subclause (3) after year five of this Plan, to specify that an access licence in the Mangrove Creek Water Source and Mooney Mooney Creek Water Source, excluding access licences to which Schedule 2 applies, must not be used to take water if there is no visible flow in the water source at the location at which water is proposed to be taken or where water is being taken from a pool, if there is no visible inflow and outflow to and from that pool.

20 (Repealed)

Part 5 Basic landholder rights

21 Basic landholder rights

This Part is made in accordance with section 20 (1) (b) of the Act.

22 Domestic and stock rights

- (1) At the commencement of this Plan the water requirements of holders of domestic and stock rights within these water sources are estimated to total 0.544 megalitres per day (hereafter **ML/day**) and are distributed as follows:
- (a) 0.24 ML/day in the Wyong River Water Source,

- (b) 0.2 ML/day in the Tuggerah Lakes Water Source,
- (c) 0.07 ML/day in the Brisbane Water Water Source,
- (d) 0.004 ML/day in the Mooney Mooney Creek Water Source, and
- (e) 0.03 ML/day in the Mangrove Creek Water Source.

- (2) This Plan recognises that the exercise of domestic and stock rights may increase during the term of this Plan.

Note—

Domestic and stock rights must be exercised in accordance with any mandatory guidelines established under section 336B of the Act with respect to the taking and use of water for domestic consumption or stock watering. An increase in use of domestic and stock rights may occur as a result of an increase in the number of landholdings fronting rivers and lakes in these water sources and/or as a result of the increase in the exercise of basic landholder rights by existing landholders.

Inherent water quality and land use activities may make the water in some areas unsuitable for human consumption. Water from these water sources should not be consumed without it first being tested and appropriately treated.

23 Native title rights

- (1) At the commencement of this Plan there are no native title rights in these water sources and therefore the water requirements for native title rights total 0 ML/year.
- (2) This Plan recognises that the exercise of native title rights may increase during the term of this Plan.

Note—

A change in native title rights may occur pursuant to the provisions of the [Native Title Act 1993](#) (Cth).

24 Harvestable rights

The requirement for water under harvestable rights is the amount of water that owners of land are entitled to capture pursuant to a harvestable rights order made under section 54 of the Act and published from time to time in the NSW Government Gazette.

Part 6 Bulk access regime

25 Bulk access regime

- (1) This Part is made in accordance with section 20 (1) (e) of the Act.
- (2) This Plan establishes a bulk access regime for the extraction of water under access licences in these water sources having regard to:
- (a) the environmental water provisions established under Part 4 of this Plan,

- (b) the requirements for basic landholder rights identified under Part 5 of this Plan, and
 - (c) the requirements for water for extraction under access licences identified under Part 7 of this Plan.
- (3) The bulk access regime established in subclause (2):
- (a) recognises the effect of climate variability on the availability of water as provided for under Part 3 of this Plan,
 - (b) establishes rules according to which access licences are granted as provided for in Part 8 of this Plan,
 - (c) recognises and is consistent with limits to the availability of water as provided for in Part 9, Division 1 of this Plan,
 - (d) establishes rules according to which available water determinations are to be made as provided for in Part 9, Division 2 of this Plan,
 - (e) establishes rules according to which access licences are managed as provided for in Parts 9 and 10 of this Plan, and
 - (f) establishes rules with respect to the priorities according to which access licences are to be adjusted as a consequence of any reduction in the availability of water as provided for in Part 9 of this Plan.

Part 7 Requirements for water under access licences

26 Requirements for water under access licences

This Part is made in accordance with section 20 (1) (c) of the Act.

Note—

The amount of water specified in this Part represents the total volumes or unit shares specified in the share components on access licences in these water sources. The actual volumes of water available at any time will depend on climate, access licence priority and the rules in this Plan.

27 Share component of domestic and stock access licences

It is estimated that at the time of commencement of this Plan, the share components of domestic and stock access licences authorised to extract water from these water sources will total 181.5 megalitres per year (hereafter **ML/year**), distributed as follows:

- (a) 31.0 ML/year in the Wyong River Water Source,
- (b) 0 ML/year in the Tuggerah Lakes Water Source,
- (c) 0 ML/year in the Brisbane Water Water Source,

- (d) 63.5 ML/year in the Mooney Mooney Creek Water Source, and
- (e) 87.0 ML/year in the Mangrove Creek Water Source.

28 Share component of local water utility access licences

It is estimated that at the time of commencement of this Plan, the share components of local water utility access licences authorised to extract water from these water sources will total 100,400 ML/year, distributed as follows:

- (a) 34,600 ML/year in the Wyong River Water Source,

Note—

The total share component for local water utility access licences in the Wyong River Water Source may be amended under clause 31 based on the review of the study and ongoing monitoring and investigations referred to in clauses 74 and 75 of this Plan.

- (b) 0 ML/year in the Tuggerah Lakes Water Source,
- (c) 0 ML/year in the Brisbane Water Water Source,
- (d) 17,900 ML/year in the Mooney Mooney Creek Water Source, and
- (e) 47,900 ML/year in the Mangrove Creek Water Source.

Note—

The total share component shown in the above water sources and the share component in the Ourimbah Creek Water Source (to be amended to 8,400 ML/year) totals 108,800 ML/year. These annual limits were derived by running the system model with environmental flows for the full historic stream flow sequence (since 1885) with estimated 2050 demands and selecting the highest annual extraction on each water source from the model extraction results.

However, while the total share component is 100,400 ML/year, the long-term average annual extraction limits from the Mangrove Creek, Mooney Mooney Creek, Ourimbah Creek and Wyong River Water Sources, groundwater sources and bulk water transfers to Hunter Water Corporation will be limited to a maximum of 36,750 ML/year (based on 2013 drought demand). This figure will be reviewed in line with clause 35 (5). The basis for reflecting the amounts this way is to provide flexibility to the Local Water Utility to extract varying amounts from the four water sources to suit the climatic and operational conditions, while still being limited by a long-term average annual extraction limit for the water supply scheme.

The total share components for the Wyong River, Mangrove Creek and Mooney Mooney Creek (and Ourimbah Creek) Water Sources may be amended under clause 31 following the review of the study and ongoing monitoring and investigations referred to in clause 75 of this Plan.

29 Share component of major utility access licences

It is estimated that at the time of commencement of this Plan, the share components of major utility access licences authorised to extract water from these water sources will total 0 ML/year.

30 Share component of unregulated river access licences

It is estimated that at the time of commencement of this Plan, the share components of unregulated river access licences authorised to extract water from these water sources will total 10,484 unit shares, distributed as follows:

- (a) 3,984 unit shares in the Wyong River Water Source,
- (b) 20 unit shares in the Tuggerah Lakes Water Source,
- (c) 5 unit shares in the Brisbane Water Water Source,
- (d) 2,215 unit shares in the Mooney Mooney Creek Water Source, and
- (e) 4,260 unit shares in the Mangrove Creek Water Source.

31 Changes to share components

- (1) This Plan recognises that the total requirements for water for extraction within these water sources may change during the term of this Plan as a result of:
 - (a) the granting, surrender or cancellation of access licences,
 - (b) the granting, surrender or cancellation of access licences through a dealing under Part 11 of this Plan,
 - (c) the variation of local water utility licences under section 66 of the Act, and
 - (d) any changes due to the volumetric conversion of [Water Act 1912](#) entitlements that are currently non-volumetric.
- (2) The share component and extraction components of local water utility access licences held by the Gosford City Council Water Supply Authority or the Wyong Council Water Supply Authority in the Wyong River, Mooney Mooney Creek or Mangrove Creek Water Sources may be amended under section 68A of the Act where studies have been undertaken by the Authorities, relating to water supply system analysis and supply security, that recommend a change in the volume of the local water utility access licence share components assigned to either or both Authorities within these water sources.

Note—

Any amendment to share components for local water utility access licences should consider the overall impacts of the change on GWCWA water security prior to any amendment taking place.

- (3) When considering an increase to local water utility access licence under sections 66 (3) or 66 (4) of the Act, consideration should be given to the following matters:
 - (a) whether the local water utility is actively taking all reasonable measures to implement any guidelines for the best practise management of water supply and sewerage services,

- (b) whether the local water utility has investigated and is implementing all reasonable alternative options for meeting increased water demand, including stormwater use and water re-use,
- (c) whether the current water entitlements would still be insufficient if the local water utility was complying with paragraphs (a) and (b),
- (d) whether an increase in water entitlements is the best option for meeting increased water demand having regard to environmental impacts and costs, and
- (e) such other matters as the Minister considers relevant.

Part 8 Rules for granting access licences

32 Rules for granting access licences

- (1) This clause is made in accordance with sections 20 (2) (b), 61 and 63 of the Act, having regard to the limits to water availability in these water sources, and the need to protect dependent ecosystems.
- (2) In addition to those applications for specific purpose access licences permitted under clause 19 of the *Water Management (General) Regulation 2004* (hereafter **the Regulation**) applications may also be made in these water sources for access licences, as follows:
 - (a) a major utility access licence which replaces a local water utility access licence in the event that the Gosford City Council Water Supply Authority or the Wyong Council Water Supply Authority are declared to be major utilities under the Act, and
 - (b) an access licence that may be granted in accordance with an access licence dealing.

Note—

Pursuant to sections 66 (3) and 66 (4) of the Act, the Minister may also vary a local water utility's share component at 5 year intervals, or on application of the local water utility where there is rapid growth in population.

Section 61 (b) of the Act also allows a person to apply for an access licence with a zero share component and section 61 (c) of the Act allows for a person to apply for an access licence where the right to apply for that access licence has been acquired under section 65 of the Act.

- (3) Access licences applied for under clause 5 of the Regulation shall only be granted in the Tuggerah Lakes, Wyong River, Brisbane Water, Mangrove Creek or Mooney Mooney Water Sources if the applicant can demonstrate a history of extraction in the area from the defined tidal limit to the mangrove limit.
- (4) An access licence granted under subclause (3) will have the share component

determined by a process in consultation with local water users.

- (5) The determination of the share component under subclause (4) will consider the historical maximum annual extraction of water on the property.
- (6) An access licence of the subcategory “Aboriginal cultural” shall only be granted if the application does not exceed 10 ML/year.
- (7) A specific purpose access licence shall only be granted if the share or extraction component of the access licence is the minimum required to meet the circumstances in which the access licence is proposed to be used.

Note—

Any new access licence granted in these water sources may be subject to an access rule as specified in clause 19 (3).

Part 9 Limits to the availability of water

Division 1 Long-term average annual extraction limit

33 Limits to the availability of water

This Division is made in accordance with section 20 (2) (a) of the Act.

34 Extraction management unit for these water sources

The availability of water to be taken from these water sources and the management of the long-term average annual extraction of water limit in these water sources will be undertaken in the Tuggerah Lakes Extraction Management Unit and the Gosford Extraction Management Unit (**these Units**).

35 Long-term average annual extraction limit

- (1) For each of these Units separate long-term average annual extraction limits will apply to the taking of water under:
 - (a) basic landholder rights and access licences, other than those local water utility or major utility access licences held by Gosford and Wyong Councils, and
 - (b) local water utility or any major utility access licences held by Gosford and Wyong Councils (hereafter **the local water utility long-term average annual extraction limit**).
- (2) The long-term average annual extraction limit established under subclause (1) (a) in:
 - (a) the Tuggerah Lakes Extraction Management Unit is equal to the total of:
 - (i) the quantity of water specified in conditions attached to or included in entitlements issued under Part 2 of the [Water Act 1912](#) in the Wyong River

- Water Source and the Tuggerah Lakes Water Source, immediately prior to the commencement of this Plan for the Wyong River Water Source and the Tuggerah Lakes Water Source, excluding local water utility or any major utility entitlements held by Gosford and/or Wyong Councils,
- (ii) an estimate of annual extraction of water under domestic and stock rights and native title rights in the Wyong River Water Source and the Tuggerah Lakes Water Source at the commencement of this Plan,
 - (iii) the sum of share components of access licences in the Ourimbah Creek Water Source at the commencement of the *Water Sharing Plan for the Ourimbah Creek Water Source 2003* and in the Jiliby Jiliby Creek Water Source at the commencement of the *Water Sharing Plan for the Jiliby Jiliby Creek Water Source 2003*, excluding share components of local water utility or any major utility access licences held by Gosford and/or Wyong Councils,
 - (iv) an estimate of annual extraction of water under domestic and stock rights and native title rights in the Ourimbah Creek Water Source at the commencement of the *Water Sharing Plan for the Ourimbah Creek Water Source 2003* and in the Jiliby Jiliby Creek Water Source at the commencement of the *Water Sharing Plan for the Jiliby Jiliby Creek Water Source 2003*,
 - (v) the sum of share components of access licences not held by Gosford and Wyong Councils, that have been issued for the purposes of stormwater harvesting in the Tuggerah Lakes Extraction Management Unit, and
 - (vi) the sum of share components of access licences granted in the Tuggerah Lakes Extraction Management Unit under the Regulation and Part 8 of this Plan, excluding local water utility or any major utility access licences granted to Gosford and/or Wyong Councils,
- (b) the Gosford Extraction Management Unit is equal to the total of:
- (i) the quantity of water specified in conditions attached to or included in entitlements issued under Part 2 of the *Water Act 1912* in the Brisbane Water Water Source, the Mooney Mooney Creek Water Source and the Mangrove Creek Water Source, immediately prior to the commencement of this Plan, excluding local water utility or any major utility access licences held by Gosford and Wyong Councils,
 - (ii) an estimate of annual extraction of water under domestic and stock rights and native title rights in the Brisbane Water Water Source, the Mooney Mooney Creek Water Source and the Mangrove Creek Water Source at the commencement of this Plan,
 - (iii) the sum of share components of access licences not held by Gosford and

Wyong Councils, that have been issued for the purposes of stormwater harvesting in the Gosford Extraction Management Unit, and

- (iv) the sum of share components of access licences granted in the Gosford Extraction Management Unit under the Regulation and Part 8 of this Plan, excluding local water utility or any major utility access licences granted to Gosford and/or Wyong Councils.
- (3) The local water utility long-term average annual extraction limit established under subclause (1) (b) for the Tuggerah Lakes Extraction Management Unit will be equal to 36,750 ML/year minus:
- (a) the long-term average annual extraction under local water utility or any major utility access licences held by Gosford City Council and/or Wyong Shire Council in the Gosford Extraction Management Unit, and
 - (b) the long-term average annual extraction under local water utility or any major utility access licences held by Gosford City Council and/or Wyong Shire Council in any groundwater source, where the water taken is not being passed through Mardi Water Treatment Plant.

Note—

Water flowing from Hunter Water Corp to Gosford Wyong Councils will be accounted against the local water utility long-term average annual extraction limit in the Tuggerah Lakes Extraction Management Unit. Water transferred from Gosford Wyong Councils to Hunter Water Corporation will be accounted against the major utility long-term average annual extraction limit in the Hunter Extraction Management Unit.

Note—

The 36,750 ML/year figure is based on demand projections to 2013. This is the expected date that releases will commence from Tillegra Dam and upgrade works will be finalised for Grahamstown Dam. At this time operation of the water supply system will vary and a number of relevant plan provisions within the [Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2009](#) and this Plan will need to be reviewed to determine their appropriateness in line with the new operations.

Note—

Any groundwater extraction that is being passed through Mardi Water Treatment Plant will effectively be counted as surface water extraction against the long-term average annual extraction limit.

- (4) The local water utility long-term average annual extraction limit established under subclause (1) (b) for the Gosford Extraction Management Unit will be equal to 36,750 ML/year minus:
- (a) the long-term average annual extraction under local water utility or any major utility access licences held by Gosford City Council and/or Wyong Shire Council in the Tuggerah Lakes Extraction Management Unit, and
 - (b) the long-term average annual extraction under local water utility or any major

utility access licences held by Gosford City Council and/or Wyong Shire Council in any groundwater source, where the water taken is not being passed through Somersby Water Treatment Plant.

Note—

The 36,750 ML/year figure is based on demand projections to 2013. This is the expected date that releases will commence from Tillegra Dam and upgrade works will be finalised for Grahamstown Dam. At this time operation of the water supply system will vary and a number of relevant plan provisions within the [Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2009](#) and this Plan will need to be reviewed to determine their appropriateness in line with the new operations.

Note—

Any groundwater extraction that is being passed through Somersby Water Treatment Plant will effectively be counted as surface water extraction against the long-term average annual extraction limit.

- (5) After commencement of releases from Tillegra Dam or after 1 July 2013, whichever occurs sooner, the local water utility long-term average annual extraction limits established under subclauses (3) and (4) for the Tuggerah Lakes and Gosford Extraction Management Units will be reviewed, taking into consideration:
 - (a) instream habitat and estuary requirements, and
 - (b) local water utility long-term demand requirements.
- (6) The Minister may amend this Plan, to vary the local water utility long-term average annual extraction limit specified in subclauses (3) and (4) in accordance with the outcomes of the review specified in subclause (5).
- (7) The Minister may amend this Plan to amend subclause (1) (b) and the local water utility long-term average annual extraction limit specified in subclauses (3) and (4) following the granting of access licences to Gosford or Wyong Councils for the purpose of stormwater harvesting.
- (8) The Minister may amend this Plan to amend the local water utility long-term average annual extraction limit specified in subclauses (3) and (4) in accordance with the outcomes of the review specified in clause 38 (11) of this Plan.

36 Variation of the long-term average annual extraction limit

- (1) The long-term average annual extraction limit for one or more of these Units may vary following the granting, cancellation or modification of access licences under the Act or through a dealing under Part 11 of this Plan.
- (2) The long-term average annual extraction limit for an extraction management unit may vary following the purchase and cancellation of an access licence in the extraction management unit.

37 Assessment of the long-term average annual extraction limit

- (1) This clause applies from the third year of this Plan.
- (2) The total water extracted pursuant to basic landholder rights and access licences in these Units, other than local water utility or any major utility access licences held by Gosford City Council and Wyong Shire Council, will be assessed each water year to determine if the long-term average annual extraction limit established by clause 35 (2) for each extraction management unit has been exceeded.
- (3) Commencing in the fourth water year in which this Plan has effect, the assessment referred to in subclause (2) must compare the long-term average annual extraction limits established in clause 35 (2) for the respective extraction management unit against the annual extraction averaged over the preceding three water years for that extraction management unit.

38 Compliance with the long-term average annual extraction limit

Note—

Compliance with the long-term average annual extraction limit is managed through the making of available water determinations, under section 59 of the Act, for access licences in these water sources. The rules for making the available water determinations contained in Division 2 of this Part, are subject to this clause.

- (1) Commencing in the fourth water year in which this Plan has effect, if, in the Minister's opinion, the assessment under clause 37 demonstrates that annual extractions in the respective extraction management unit averaged over the preceding three water years have exceeded the long-term average annual extraction limit established under clause 35 (2) for that extraction management unit by 5% or more, then the available water determinations for unregulated river access licences in that extraction management unit are to be reduced by an amount that is, in the Minister's opinion, necessary to return average annual extractions in the respective extraction management unit to the long-term average annual extraction limit established in this Part.
- (2) Commencing in the fourth water year in which this Plan has effect, if, in the Minister's opinion, the assessment under clause 37 demonstrates that annual extractions in the respective extraction management unit averaged over the preceding three water years are less than 95% of the long-term average annual extraction limit established under clause 35 (2) for that extraction management unit by 5% or more, then the available water determinations for unregulated river access licences in that extraction management unit are to be increased by an amount that is, in the Minister's opinion, necessary to return average annual extractions in the respective extraction management unit to the long-term average annual extraction limit established in this Part.
- (3) Any reduction or increase to the available water determinations made under Division

2 of this Part for unregulated river access licences in the Gosford Extraction Management Unit under this clause may be repeated for the subsequent two water years, if necessary, to allow total water extraction under basic landholder rights and access licences in the extraction management unit to return to the long-term average annual extraction limit.

- (4) Any reduction or increase to the available water determinations made under Division 2 of this Part for unregulated river access licences in the Wyong River Water Source or the Tuggerah Lakes Water Source under this clause shall be equivalent to the corresponding reduction or increase made to available water determinations for unregulated river access licences in the Ourimbah Creek Water Source and the Jilliby Jilliby Creek Water Source and may be repeated for the subsequent two water years, if necessary, to allow total water extraction under basic landholder rights and access licences in the extraction management unit to return to the long-term average annual extraction limit.
- (5) For the purposes of auditing compliance against the long-term average annual extraction limit established under clause 35 (2), the taking of water pursuant to an access licence that has been committed as adaptive environmental water where the access licence has been granted under section 8C of the Act shall not be accounted for as extraction under subclause (1).
- (6) The average annual volume of water taken under all local water utility or major utility access licence held by Gosford City Council Water Supply Authority and Wyong Council Water Supply Authority in an extraction management unit, in any 10 consecutive water years may not exceed a volume equal to the respective long-term average annual extraction limit specified in clauses 35 (3) and 35 (4) of this Plan.
- (7) In each of these Units the total water taken under local water utility or any future major utility access licences held by Gosford City Council and Wyong Shire Councils will be monitored each water year to determine if there is any growth above the respective local water utility long-term average annual extraction limit established under clauses 35 (3) and 35 (4), based on a comparison of the long-term average annual extraction limit against the average annual amount of water taken within these Units over a rolling ten year period commencing from the start of this Plan, except where subclause (8) applies.
- (8) If the long-term average annual extraction limit specified in clause 35 (3) and 35 (4) is amended under clause 35 (6) then growth in the 'water taken' above the respective local water utility long-term average annual extraction limit specified in clauses 35 (3) and 35 (4) shall be determined based on a comparison of the extraction limit against the average water taken under local water utility or any future major utility access licences held by Gosford City Council and Wyong Shire Council within the Tuggerah Lakes and Gosford Extraction Management Units over a rolling ten year period commencing from the water year in which the amendment was made.

Note—

The effect of subclause (8) is if a new long-term average annual extraction limit for the local water utility is required after Tillegra Dam is built within the term of this Plan then a new ten year rolling accounting period will commence.

- (9) For the purpose of assessing growth above the respective local water utility long-term average annual extraction limit the water taken in the Tuggerah Lakes Extraction Management Unit under local water utility or any future major utility licences within these water sources will be determined as:
- (a) the water passing the outlet of Mardi Water Treatment Plant minus any water passing the boundary meter from Gosford/Wyong Councils to Hunter Water Corporation, plus
 - (b) any water passing the boundary meter from Hunter Water Corporation to Gosford/Wyong Councils, plus
 - (c) water taken by any other local water utility infrastructure nominated by Gosford and Wyong Water Supply Authority and agreed to by the Minister.
- (10) For the purpose of assessing growth above the respective local water utility long-term average annual extraction limit the water taken in the Gosford Extraction Management Unit under local water utility or any future major utility licences within these water sources will be determined as:
- (a) the water passing the outlet of Somersby Water Treatment Plant, plus
 - (b) water taken by any other local water utility infrastructure nominated by Gosford and Wyong Water Supply Authority and agreed to by the Minister.

Note—

Any groundwater extractions passed through the Woy Woy Water Treatment Plant will be accounted against the long-term average annual extraction limit established by the respective groundwater macro plan covering that groundwater source.

- (11) If monitoring of the water taken under local water utility or any future major utility access licences held by Gosford City Council and Wyong Shire Council indicates growth above the respective local water utility long-term average annual extraction limit as specified in clause 35 (3) or (4), then a review shall be undertaken which considers:
- (a) the Gosford City Council and Wyong Shire Councils' urban water supply requirements, and
 - (b) the impacts associated with an increase to the respective local water utility long-term average annual extraction limit.
- (12) The Minister may amend this clause to take account of access licences issued for the

purpose of stormwater harvesting.

Division 2 Available water determinations

39 Available water determinations

- (1) This Division is made in accordance with section 20 (2) (b) of the Act.
- (2) All available water determinations in these water sources shall be expressed as either:
 - (a) a percentage of the share component for all access licences where share components are specified as ML/year, or
 - (b) megalitres per unit share for all access licences where share components are specified as a number of unit shares.
- (3) An available water determination for each category of access licence in these water sources should be made at the commencement of each water year.
- (4) No available water determination made after the first year of this Plan is to exceed 100% of access licence share component, or 1 megalitre per unit share of access licence share component.

Note—

Section 59 (1A) of the Act provides that an available water determination that is made in relation to a particular category of access licence applies to all subcategories of that category, except to the extent to which it otherwise provides.

Where the long-term average annual extraction limit in these water sources has been exceeded, or not reached, by 5% or more, then available water determinations for certain access licence in these water sources will be increased or reduced in accordance with Division 1 of this Part, to allow extraction to return to the long-term average annual extraction limit.

40 Available water determinations for domestic and stock access licences

- (1) The available water determination made at the commencement of the first year of this Plan, for domestic and stock access licences in these water sources, should be for 200% of access licence share component.
- (2) The available water determination made at the commencement of each subsequent water year for domestic and stock access licences in these water sources should be for 100% of access licence share component.

41 Available water determinations for local water utility access licences

The available water determination made at the commencement of each water year for local water utility access licences in these water sources should be for 100% of access licence share component.

42 Available water determinations for major utility access licences

If major utility access licences are established in these water sources the available water determination made at the commencement of each water year for major utility access licences in these water sources should be for 100% of access licence share component.

43 Available water determinations for unregulated river access licences

- (1) The available water determination made at the commencement of the first year of this Plan, for unregulated river access licences in these water sources, should be equal to 2 megalitres per unit share of access licence share component.
- (2) The available water determination made at the commencement of each subsequent water year for unregulated river access licences in these water sources and should, where possible, be equal to 1 megalitre per unit share of access licence share component, or such lower amount resulting from clause 38.

Part 10 Rules for managing access licences

Division 1 General

44 Rules for managing access licences

This Part is made in accordance with sections 20 (2) (b), 21 (a) and 21 (c) of the Act, having regard to:

- (a) environmental water rules provisions in this Plan,
- (b) requirements for water to satisfy basic landholder rights, and
- (c) requirements for water for extraction under access licences.

Division 2 Water allocation account management

45 Individual access licence account management rules

- (1) Water taken by a nominated water supply work under an access licence will be debited against the water allocation account for the access licence.

Note—

The volume of water extracted by a nominated water supply work is used to account for the extractions against an individual access licence water allocation account. In the case of the local water utility access licences the amount of water extracted by nominated water supply works will not be used to account against the local water utility long-term average annual extraction limit. Accounting against the local water utility long-term average annual extraction limits will be undertaken in accordance with clause 38 (9) of this Plan.

Note—

It is an offence under the Act to take water when there is no, or insufficient water allocations credited to a water allocation account for an access licence.

- (2) Where a water supply work is being used both to take water for basic landholder rights and an access licence(s), the water is to be accounted on the basis that an annual volume equal to the basic landholder right for the water year will be the first volume regarded as being taken and all other water taken in that year will be accounted as extraction pursuant to the respective access licence(s).
- (3) Notwithstanding subclause (4), the maximum volume that may be taken under a domestic and stock access licence and unregulated river access licence in these water sources in the first 3 water years of this Plan may not exceed a volume equal to:
 - (a) 3 times the access licence share component (for access licences with share components expressed as megalitres per year), or 3 megalitres per unit share of access licence share component (for access licences with share components expressed as a number of unit shares),
 - (b) plus any water allocations assigned from another access licence under section 71T of the Act, in those years,
 - (c) plus any water allocations re-credited in accordance with section 76 of the Act, in those years, and
 - (d) minus any water allocations assigned to another access licence under section 71T of the Act, in those years.
- (4) For the period of any three consecutive water years after the first water year in which this Plan has effect, water taken under a domestic and stock access licence or an unregulated river access licence in these water sources, must not exceed a volume equal to the lesser of:
 - (a) the sum of:
 - (i) water allocations accrued to the water allocation account for the access licence from available water determinations in those three water years,
 - (ii) the water allocations carried over from the water year prior to those three water years under subclause (5),
 - (iii) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act, in those three water years, and
 - (iv) any water allocations re-credited to the water allocation account for the access licence in accordance with section 76 of the Act, in those three water years, or
 - (b) the sum of:
 - (i) the share component of the access licence at the beginning of the first of those

- three water years,
- (ii) the share component of the access licence at the beginning of the second of those three water years,
 - (iii) the share component of the access licence at the beginning of the third of those three water years,
 - (iv) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act, in those three water years, and
 - (v) any water allocations re-credited to the water allocation account for the access licence in accordance with section 76 of the Act, in those three water years.
- (5) The maximum water allocation that can be carried over in the accounts of domestic and stock access licence and unregulated river access licence from one water year to the next shall be equal to:
- (a) 100% of access licence share component, for access licences with share components expressed as megalitres per year, or
 - (b) 1 megalitre per unit share of access licence share component, for access licences with share components expressed as a number of unit shares.
- (6) Water allocations in the accounts of local water utility or major utility access licences shall not be permitted to be carried over from one water year to the next in the Tuggerah Lakes, Brisbane Water, Mangrove Creek and Mooney Mooney Creek Water Sources.
- (7) The maximum water allocation that can be carried over in the accounts of local water utility or major utility access licence in the Wyong River Water Source from one water year to the next shall be equal to 30% of the access licence share component.

Division 3 Sharing surface water flows on a daily basis

46 Sharing surface water flows on a daily basis

This Division is made in accordance with sections 20 (2) (b) and 21 (a) of the Act.

47 Total daily extraction limits

- (1) At the commencement of this Plan, total daily extraction limits (hereafter **TDELS**) have not been established in the Brisbane Water, Tuggerah Lakes, Mooney Mooney Creek or Mangrove Creek Water Sources.
- (2) In the Wyong River Water Source, from year six of this Plan, total daily extraction

limits for each flow class shall apply for all access licences, excluding local water utility or major utility access licences as follows:

- (a) 8.7 ML/day in A Class,
- (b) 15.6 ML/day in B Class, and
- (c) 24.5 ML/day in C Class.

(3) In the Wyong River Water Source, from year six of this Plan or following the completion of works referred to at Schedule 3, whichever is the sooner, and until the combined storage level in the local water utility's storage dams is equal to 60% for the first time within the term of this Plan, total daily extraction limits for each flow class shall apply for local water utility or major utility access licences as follows:

- (a) when the combined storage level in the local water utility's storage dams is less than 50% of full capacity for:
 - (i) A Class it is 100 % of remaining flow in the river,
 - (ii) B Class it is 100 % of remaining flow in the river, and
 - (iii) C Class it is 100 % of remaining flow in the river, and
- (b) when the combined storage level in the local water utility's storage dams is between 50 and 60% of full capacity for:
 - (i) A Class it is 80 % of remaining flow in the river,
 - (ii) B Class it is 80 % of remaining flow in the river, and
 - (iii) C Class it is 80 % of remaining flow in the river.

Note—

Fifty percent storage capacity was chosen as a trigger level for the commencement of total daily extraction limits as under current Council policy this is when restrictions on water use is lifted. By delaying the introduction of rules until this point it allows for the local water utility to maintain an acceptable level of security of supply during dry periods. A staged approach to the introduction of the total daily extraction limits is proposed to balance the risk of environment outcomes against water supply security.

Note—

The total daily extraction limits represented in subclause (3) apply to the total flow when the respective flow class has been declared. For example under subclause (b) above, whenever the combined flow at the flow reference points exceed 13.5ML/day (i.e. the bottom of B Class flow) then 80% of the total flow may be extracted.

(4) In the Wyong River Water Source, from year six of this Plan or following the completion of works referred to at Schedule 3, whichever is the sooner, and following the combined storage level in the local water utility's storage dams equalling 60% for

the first time within the term of this Plan, total daily extraction limits for each flow class shall apply for local water utility or major utility access licences as follows:

- (a) when the combined storage level in the local water utility's storage dams is less than 40% of full capacity for:
 - (i) A Class it is 80 % of remaining flow in the river,
 - (ii) B Class it is 80 % of remaining flow in the river, and
 - (iii) C Class it is 80 % of remaining flow in the river,
- (b) when the combined storage level in the local water utility's storage dams is between 40 and 60% of full capacity for:
 - (i) A Class it is 80 % of remaining flow in the river,
 - (ii) B Class it is 80 % of remaining flow in the river, and
 - (iii) C Class it is 80 % of remaining flow in the river, and
- (c) when the combined storage level in the local water utility's storage dams is equal to or greater than 60% of full capacity for:
 - (i) A Class it is 0 % of remaining flow in the river,
 - (ii) B Class it is 60 % of remaining flow in the river, and
 - (iii) C Class it is 60 % of remaining flow in the river.

Note—

The total daily extraction limits represented in subclause (3) apply to the total flow when the respective flow class has been declared. For example 80% of the flow in B Class means 80% of the remaining flows when flows exceed 13.5ML/day (the bottom of B Class flow) at the flow reference points.

- (5) The Minister may amend this Plan to amend subclauses (3) and (4) taking into consideration the existing infrastructure limitations and system security if the infrastructure listed in Schedule 3 is not completed by year six of this Plan.
- (6) The Minister may amend this Plan to amend subclause (4) to change the specified percentage of the daily flow that may be extracted when the combined storage levels in the local water utility's storage dams is equal to or greater than 60% of full capacity, from a minimum of 60% of flow up to a maximum of 80% of flow.

Note—

It is likely that amendments permitted under subclauses (5) and (6) will occur from year two of this Plan in line with any amendment to flow classes or environmental water provisions.

- (7) The Minister will amend this Plan to amend subclauses (3) and (4) prior to year six of this Plan, or following completion of works referred to in Schedule 3, whichever is the

sooner, to either:

- (i) amend the “percentage of remaining flow in the river” to the “percentage of flow remaining in the river in excess of the lower limit of the flow class”, or

Note—

The modelling undertaken by GWCWA used to determine percentage take, determines the percentages based on the flows above the lower limit of any flow class, rather than the total flow at the time. This provision provides the option of amending the access conditions to reflect the modelling.

- (ii) amend the percentages for the flow classes to an equivalent volume of access as simulated in the modelling undertaken as part of the *Wyong River Environmental Flow Study* (3rd March 2008) by the Gosford and Wyong Councils Water Authority.

Note—

This provision provides an alternative option to amending the volume of flow that the percentage take pertains to subclause (1) by allowing the percentage take to be amended to provide a similar level of access to that used in the modelling used to determine percentage take.

- (8) The Minister may amend subclauses (3) and (4) if the flow reference point for the Wyong River Water Source specified in clause 17 (1) is amended under clause 17 (6) to specify the Wyong River Weir, provided that any amendment will not reduce the percentages specified in subclauses (3) and (4) by more than 7.6%.
- (9) The TDEL for each flow class specified in subclauses (2), (3) and (4) applies to all rivers within the specified water source or management zone apart from those rivers identified as minor streams in a harvestable rights order made under section 54 of the Act.
- (10) Following the imposition of an adaptive environmental water condition on an access licence that requires the water to be left in the water source or management zone for environmental purposes, then the Minister may establish TDELs in the relevant water source or management zone.

Note—

TDELs referred to in subclause (10) will not be established unless enabling management systems are in place. This includes monitoring and measurement systems which allow for accurate measurement of flows and extraction.

- (11) After major augmentation of the local water utility’s water supply infrastructure, as specified in Schedule 3, the Minister may permit the taking of water by the holders of local water utility access licences in any flow class following the establishment of works to discharge urban stormwater, reused water, recycled water or other return flows approved by the Minister from time to time.
- (12) The volume of water which may be extracted during very low flows under subclause (11) is to be equal to the volume of the substitution flows.

Note—

Approval of any substitution flows is at the discretion of the Minister and is subject to consideration of the

likely impact of the flows on water quality, aquatic biology etc.

48 Assignment of the TDEL to categories of access licence

- (1) No TDEL will be initially assigned to any category of access licence in the Brisbane Water, Tuggerah Lakes, Mooney Mooney Creek or Mangrove Creek Water Sources.
- (2) The TDEL specified in clause 47 (2) for each flow class in the Wyong River Water Source will be initially assigned according to the following:
 - (a) to domestic and stock access licences:
 - (i) 0.07 ML/day in A Class,
 - (ii) 0.12 ML/day in B Class, and
 - (iii) 0.18 ML/day in C Class, and
 - (b) to unregulated river access licences:
 - (i) 8.63 ML/day in A Class,
 - (ii) 15.48 ML/day in B Class, and
 - (iii) 24.32 ML/day in C Class.

49 Unassigned TDEL

At the commencement of this Plan, there is no unassigned TDEL in these water sources.

50 Granting of unassigned TDEL

At the commencement of this Plan, there is no unassigned TDEL in these water sources, therefore rules to grant unassigned TDELS are not specified.

51 Individual daily extraction limits for access licences

- (1) At the commencement of this Plan, there are no individual daily extraction limits (hereafter **IDELs**) established or assigned to access licences in these water sources.
- (2) During the term of this Plan, the Minister may amend this Plan to establish and assign IDELS for access licences in these water sources for which TDELS are established and assigned.
- (3) Where IDELS are established under subclause (2), the IDEL is to be assigned in the same proportion as the TDEL for the access licence bears to the sum of all share components of access licences of that category, in the respective water source.
- (4) Notwithstanding subclause (3), where an access licence contains more restrictive conditions than other access licences of the same category in the water source, then any IDEL resulting from subclause (3) shall be adjusted to reflect as far as possible the

more restrictive conditions.

52 Adjustment to TDELS and IDELS

- (1) If total taking of water under domestic and stock rights or native title rights exceeds the levels specified in Part 5 of this Plan, then the respective TDEL for unregulated river access licences in clause 48 shall be diminished to allow these additional basic landholder rights to be met.
- (2) Following an adjustment to the TDEL for unregulated river access licences under subclause (1) the IDELS of each unregulated river access licence will then be reduced to comply with this diminished TDEL.
- (3) Any adjustment to unregulated river access licence IDELS arising from this clause will be done at intervals of no greater than 5 years.
- (4) The TDELS established in this Plan may be adjusted accordingly, following:
 - (a) the imposition of new adaptive environmental water conditions that require water to be left in a water source, or
 - (b) the removal of adaptive environmental water conditions that required water to be left in a water source.
- (5) Where an IDEL is assigned under clause 51 and an adaptive environmental water condition requiring water to be left in the water source is:
 - (a) imposed on an access licence, then the TDEL established under clause 47 may be decreased by the IDEL on the access licence so committed and clauses 47 and 51 adjusted accordingly, or
 - (b) removed from an access licence, then the TDEL established under clause 47 will be increased by the IDEL on the access licence so uncommitted and clause 47 and 51 adjusted accordingly.

53 Administrative arrangements for managing access to daily flows (approved groups)

This Plan allows for the group management of access licences in these water sources which have been assigned an IDEL, subject to the following rules:

- (a) all access licences (except local water utility access licences) in these water sources which are assigned an IDEL shall be included in a group (hereafter **approved group**),
- (b) an approved group shall have a group combined IDEL, being the sum of the IDELS assigned to all access licences in the approved group. The daily extraction of water by all access licences in an approved group must not exceed the group combined IDEL. The daily extraction of water under all access licences within an approved group will be assessed as a whole against the group combined IDEL,

- (c) the Minister may, by notice in writing, remove one or more access licences from an approved group, if:
 - (i) the daily extraction of water by an approved group exceeds the group combined IDEL, or
 - (ii) the Minister is of the opinion that a holder of an access licence within an approved group has caused the combined group IDEL to be exceeded,
- (d) the daily extraction of water pursuant to an access licence which is not in an approved group must not exceed the IDEL assigned to the access licence,
- (e) the group combined IDEL shall be reduced by the amount of the IDEL assigned to any access licence which is removed from the approved group,
- (f) an access licence holder may, by request made in writing to the Minister, apply to have their access licence removed from an approved group. If the Minister consents to the removal of an access licence from an approved group, the access licence will be removed from the approved group,
- (g) the holder of an access licence which has been assigned an IDEL and which is not in an approved group, may make a written request to the Minister to:
 - (i) form a new approved group, or
 - (ii) be included in an approved group,
- (h) the Minister may:
 - (i) consent or refuse a request to form a new approved group,
 - (ii) consent or refuse to allow an access licence to be included in an approved group,
 - (iii) consent or refuse a request for an access licence to be removed from one approved group and included in a new approved group,
- (i) where the Minister consents to a new approved group, a new approved group will be formed and will be subject to the rules contained in this clause,
- (j) where an access licence is added to an approved group, the group combined IDEL shall be increased by the amount of IDEL assigned to the access licence,
- (k) an access licence may not be in more than one approved group at any time,
- (l) any part of the IDEL of an access licence which is committed to the environment pursuant to an adaptive environmental water condition:
 - (i) shall not be included in an approved group, or
 - (ii) where the IDEL is already included in an approved group, shall be removed from

the approved group.

54 Amendments to this Plan for the purpose of sharing of surface water flows on a daily basis

- (1) This Part may be amended for the purpose of enabling the sharing of surface water flows on a daily basis.
- (2) Any such amendment may include, but need not be limited to:
 - (a) the establishment or modification of TDELS in these water sources,
 - (b) the establishment or modification of IDELS for access licences in these water sources,
 - (c) the establishment or modification of approved groups and rules to govern the operation of those groups, with respect to TDELS or IDELS in these water sources,
 - (d) the imposition, removal or modification of mandatory conditions, or
 - (e) to provide for the amendment of the share component or the extraction component of one or more access licences in these water sources pursuant to section 68A of the Act.

55 Access to the Very Low Flow Class in these Water Sources

Access to the Very Low Flow Class in these water sources is limited to access licences, as specified in clause 19 of this Plan.

Note—

Clause 78 provides for amendments to Schedule 2.

Part 11 Access licence dealing rules

56 Access licence dealing rules

- (1) This Part is made in accordance with section 20 (1) (d) of the Act.
- (2) An access licence dealing may only be made in accordance with the water management principles, the access licence dealing rules established by this Plan and any access licence dealing principles order which is in force under section 71Z of the Act.
- (3) If permitted pursuant to the principles and rules referred to in subclause (2), an access licence with an adaptive environmental water condition in these water sources may be the subject of an assignment dealing under section 71T of the Act, but only to the extent that any part of the water allocation of an access licence which is subject to an adaptive environmental water condition is not required to meet the adaptive environmental water condition.

- (4) If permitted pursuant to the principles and rules referred to in subclause (2), an access licence with an adaptive environmental water condition in these water sources may be the subject of a dealing, provided that the benefit to the environment provided for in the adaptive environmental condition remains the same.

Note—

There are a number of mechanisms within the Act, called access licence dealings, to change either the holder of all or part of an access licence, or the location within a water source at which all or part of the share and extraction components of access licences can be exercised.

Note—

Where there is an inconsistency between access licence dealing rules established in this Plan and Minister's access licence dealing principles gazetted subsequent to the commencement of this Plan, section 71Z of the Act provides for the Minister's access licence dealing principles to prevail.

57 Rules relating to constraints within these water sources

- (1) This clause applies to any relevant dealings under sections 71Q, 71S, 71T and 71W of the Act, within these water sources.
- (2) The dealings specified in subclause (1) are prohibited if:
- (a) the access licence dealing involves an assignment of water allocation under section 71T of the Act from a major utility access licence to another category of access licence within these water sources,
 - (b) the access licence dealing involves an assignment of access rights under section 71Q of the Act or an allocation assignment under section 71T of the Act from an access licence not located on the main creek between Mangrove Creek Weir and Mangrove Creek Dam onto an access licence located on the main creek between Mangrove Creek Weir and Mangrove Creek Dam in the Mangrove Creek Water Source,
 - (c) the access licence dealing involves an assignment of access rights under section 71Q of the Act or an allocation assignment under section 71T of the Act from an access licence not located in one of the following management zones to an access licence located in one of the following management zones:
 - (i) Brisbane Water Plateau Management Zone,
 - (ii) Mooney Mooney Plateau Management Zone,
 - (iii) Mangrove Plateau Management Zone, and
 - (iv) Wyong Plateau Management Zone,
 - (d) the access licence dealing involves an access licence, that currently nominates a water supply works not located on the main creek between Mangrove Creek Weir

and Mangrove Creek Dam, being amended under section 71W of the Act to nominate a water supply works located on the main creek between Mangrove Creek Weir and Mangrove Creek Dam in the Mangrove Creek Water Source, and

(e) the access licence dealing involves an access licence, that does not currently nominate a water supply work located in one of the following management zones being amended under section 71W of the Act to nominate a water supply work located in one of the following management zones:

- (i) Brisbane Water Plateau Management Zone,
- (ii) Mooney Mooney Plateau Management Zone,
- (iii) Mangrove Plateau Management Zone, and
- (iv) Wyong Plateau Management Zone.

58 Rules for change of water source

(1) This clause relates to access licence dealings under section 71R and 71W of the Act.

Note—

Section 71R dealings are the mechanism by which access licences can move from one water source to another. Once the change in water source has been affected, if permitted, the new access licence will have to nominate specified works (by a dealing under section 71W of the Act) in the receiving water source before extraction can commence.

(2) Dealings under section 71R and 71W of the Act to change the water source to which an access licence applies are prohibited in the Wyong River Water Source, the Tuggerah Lakes Water Source, the Brisbane Water Water Source, the Mooney Mooney Creek Water Source and the Mangrove Creek Water Source.

59 Rules for conversion of access licence category

- (1) This clause relates to access licence dealings under section 71O of the Act.
- (2) Dealings to convert an access licence to another category or subcategory are prohibited.

60 Rules for interstate access licence transfer and assignment of water allocation

- (1) This clause relates to access licence dealings under section 71U and 71V of the Act.
- (2) Dealings that result in the interstate transfer of an access licence into or out of these water sources or the interstate assignment of water allocations to or from these water sources are prohibited.

61 Rules for water allocation assignments between water sources

- (1) This clause relates to access licence dealings under section 71T of the Act.

- (2) Access licence dealings under section 71T of the Act that result in water allocation assignments to or from an access licence in one of these water sources to or from an access licence in another of these water sources are not permitted if the access licence dealing involves:
- (a) a change of water source between the Tuggerah Lakes and Gosford Extraction Management Units, or
 - (b) into one of the following management zones:
 - (i) Brisbane Water Plateau Management Zone,
 - (ii) Mooney Mooney Plateau Management Zone,
 - (iii) Mangrove Plateau Management Zone, and
 - (iv) Wyong Plateau Management Zone.

Part 12 Mandatory conditions

Division 1 General

62 General

In this Part:

- (a) a requirement to notify the Minister in writing is satisfied by making a notification in writing to the address listed in Appendix 3 of this Plan or to the email address for the NSW Office of Water Licensing Enquiries Information Centre,

Note—

The email address for the NSW Office of Water Licensing Enquiries Information Centre is information@water.nsw.gov.au.

- (b) a ***metered water supply work with a data logger*** means a water supply work with a data logger and a meter that complies with the Australian Technical Specification ATS 4747, *Meters for non-urban water supply* as may be updated or replaced from time to time, and

Note—

The definition of a metered water supply work with a data logger does not include all water supply works that are metered or have a data logger. The water supply work must meet the parameters of this definition for the water supply work to be a metered water supply work with a data logger.

- (c) if the holder of a water supply work approval is the same as the holder of the access licence under which water is proposed to be taken, then it is not necessary to maintain two separate Logbooks and all the required information can be kept in one Logbook.

Division 2 Access licences

Note—

This Division is made in accordance with sections 17 (c), 20 and 66 of the Act.

63 General

- (1) Access licences in these water sources must have mandatory conditions where required to give effect to the following:
 - (a) the relevant water allocation account management rules specified in Division 2 of Part 10 of this Plan for the respective category or subcategory of access licence,
 - (b) water must not be taken under an access licence otherwise than in compliance with the conditions applying to the water supply work approval for the water supply work through which water is to be taken,
 - (c) the holder of the access licence must notify the Minister, in writing, immediately upon becoming aware of a breach of any condition of the access licence, and
 - (d) any other condition required to implement the provisions of this Plan.
- (2) Access licences in these water sources, excluding access licences that nominate only a metered water supply work with a data logger, must have mandatory conditions where required to give effect to the following:
 - (a) the holder of an access licence must keep a Logbook,
 - (b) the holder of an access licence must record the following in the Logbook:
 - (i) each date and period of time during which water was taken under the access licence,
 - (ii) the volume of water taken on that date,
 - (iii) the water supply work approval number of the water supply work used to take the water on that date,
 - (iv) the purpose or purposes for which the water was taken on that date,
 - (v) for domestic and stock access licences or unregulated river access licences, the volume of water taken in any three consecutive water years after the first water year in which this Plan has effect, by comparison to the maximum volume of water permitted to be taken in those years under clause 45 (3),
 - (vi) for domestic and stock access licences or unregulated river access licences, the volume of water taken in the first three water years in which this Plan has effect, by comparison to the maximum volume of water permitted to be taken in those years under clause 45 (4), and
 - (vii) any other information required to be recorded in the Logbook under the rules of this Plan,

- (c) the holder of an access licence must produce the Logbook to the Minister for inspection, when requested,
 - (d) the holder of an access licence must retain the information required to be recorded in the Logbook for five years from the date to which that information relates.
- (3) All local water utility access licences and any new major utility access licence that replaces a local water utility access licence in these water sources must have a mandatory condition to give effect to clauses 38 (6)–(10).
- (4) When directed by the Minister by notice in writing, the holder of an access licence that nominates only a metered water supply work with a data logger must keep a Logbook in accordance with any requirements from subclause (2) that are specified in the notice.
- (5) All access licences of the subcategory “Aboriginal cultural” must have a mandatory condition that specifies that water must only be taken under the access licence by Aboriginal persons or Aboriginal communities for personal, domestic or communal purposes, including drinking, food preparation, washing, manufacturing traditional artefacts, watering domestic gardens, cultural teaching, hunting, fishing, gathering and for recreational, cultural and ceremonial purposes.
- (6) An access licence for a development approved under Part 3A, Part 4 if the development was for state significant development or Part 5.1 of the *Environmental Planning and Assessment Act 1979* must have mandatory conditions where required to give effect to the relevant access rules for the taking of water specified in Part 4 and Division 3 of Part 10 of this Plan.

Division 3 Water supply work approvals

Note—

This Division is made in accordance with sections 17 and 100 of the Act.

64 General

- (1) Water supply work approvals for water supply works in these water sources must have mandatory conditions, where required, to give effect to the following:
- (a) the water supply work must not be used to take water under an access licence unless in compliance with the relevant access rules for the taking of water as specified in Part 4 and Division 3 of Part 10 of this Plan,
 - (b) that when directed by the Minister by notice in writing, the approval holder must have metering equipment installed that meets the following requirements:
 - (i) the metering equipment must accurately measure and record the flow of all

water taken through the water supply work,

- (ii) the metering equipment must comply with Australian Technical Specification ATS 4747, *Meters for non-urban water supply* as may be updated or replaced from time to time,
- (iii) the metering equipment must be operated and maintained in a proper and efficient manner at all times,
- (iv) the metering equipment must be sited and installed at a place in the pipe, channel or conduit between the water source and the first discharge outlet. There must be no flow of water into or out of the pipe, channel or conduit between the water source and the metering equipment, and
- (v) any other requirements as to type, standard or other criteria for the metering equipment specified in the notice,

Note—

The Minister may direct a landholder or person to install, replace or to properly maintain metering equipment under section 326 of the Act.

- (c) the approval holder must ensure that if the water supply work is abandoned or replaced that it is decommissioned, unless otherwise directed by the Minister in writing,
 - (d) the holder of the water supply work approval must notify the Minister in writing immediately upon becoming aware of a breach of any condition of the approval,
 - (e) within two months of the decommissioning of the water supply work, the approval holder must notify the Minister in writing that the water supply work has been decommissioned, and
 - (f) any other conditions required to implement the provisions of this Plan.
- (2) Water supply work approvals for water supply works in these water sources, excluding a water supply work that is a metered water supply work with a data logger, must have mandatory conditions where required to give effect to the following:
- (a) the holder of a water supply work approval must keep a Logbook,
 - (b) the holder of a water supply work approval must record the following in the Logbook:
 - (i) each date and period of time during which water was taken using the water supply work,
 - (ii) the volume of water taken on that date,

- (iii) the access licence number of the access licence under which water was taken on that date or if water was taken under some other authority (such as basic landholder rights), the authority under which water was taken,
 - (iv) the purpose or purposes for which the water was taken on that date,
 - (v) details of any cropping carried out using the water taken through the water supply work including the type of crop, area cropped and dates of planting and harvesting,
 - (vi) where metering equipment has been installed for use in connection with the water supply work, the meter reading before water is taken,
 - (vii) where metering equipment has not been installed for use in connection with the water supply work, details of all pumping activities for the water supply work including pump running hours, pump power usage or pump fuel usage, pump start and stop times and pump capacity per unit of time, and
 - (viii) any other information required to be recorded in the Logbook under the rules of this Plan,
- (c) the holder of a water supply work approval must produce the Logbook to the Minister for inspection, when requested, and
 - (d) the holder of a water supply work approval must retain the information required to be recorded in the Logbook for five years from the date to which that information relates.
- (3) The Minister may require the holder of a water supply work approval for a metered water supply work with a data logger to keep a Logbook in accordance with any requirements under subclause (2).
 - (4) All water supply work approvals must contain mandatory conditions to require that the water supply work must not be used to take water unless, before water is taken, the holder of the water supply work approval confirms that the relevant cease to take conditions do not apply. Where the holder is required to keep a Logbook, the holder must record that confirmation and the means of confirmation (such as visual inspection or internet search), in the Logbook.
 - (5) Water supply work approvals for runoff harvesting dams and in-river dams must have a mandatory condition where required to give effect to clause 70 and 71 of this Plan.
 - (6) A water supply work approval which authorises the construction or use of a water supply work which is nominated by a local water utility or major utility access licence in these water sources, including all subcategories of major utility access licences, must have mandatory conditions where required to give effect to the relevant release rules for local water utility and major utility storages specified in Part 14 of this Plan.

65-68

Part 13 Rules for granting or amending water supply work approvals

69 Granting or amending water supply work approvals

This Part is made in accordance with sections 21 (b) and 21 (e) of the Act.

70 Runoff Harvesting Dams

If the sum of the share components of access licences nominating a water supply work that is a runoff harvesting dam or an in-river dam is reduced via:

- (a) a dealing,
- (b) the surrender under section 77 (4) of the Act of an access licence and then the subsequent cancellation of an access licence under section 77A (6) of the Act,
- (c) the amendment of the share component of the access licence by the Minister under section 68A, or
- (d) the cancellation of an access licence under section 78 of the Act or via the compulsory acquisition of an access licence under section 79 of the Act,

the Minister may require the modification of the dam to ensure that the capability of the dam to capture water is reduced to reflect the reduction in share component.

Note—

Runoff harvesting dam and **in-river dam** are defined in the Dictionary.

Note—

The taking of water from a runoff harvesting dam requires an access licence and a water supply works approval, except to the extent that the runoff harvesting dam is an owner or an occupier's harvestable right entitlement under section 53 of the Act, in which case it will not require an access licence or water supply work approval.

Note—

Following the assignment of water allocations from a water allocation account of an access licence that nominates an approval for a runoff harvesting dam, the Minister may impose conditions requiring that runoff harvesting dam to by-pass flows.

71 In river dams

A water supply work approval for a new in-river dam in these water sources on a 3rd or higher order stream shall not be granted in the Wyong River Water Source, the Tuggerah Lakes Water Source, the Brisbane Water Water Source, the Mooney Mooney Creek Water Source or the Mangrove Creek Water Source, except for the purpose of taking water for town or urban water supply under a nominated unregulated river (subcategory "town water supply") access licence, local water utility access licence or major utility access licence.

Note—

Stream order is defined in the Dictionary.

Note—

The taking of water from an in-river dam requires an access licence unless it is taken in accordance with section 52 of the Act (domestic and stock rights). The construction and the use of an in-river dam requires a water supply work approval, unless it is exempted under the Act or the regulations, or it is being used for stock and domestic rights in which case a water supply work approval is required only for the construction of the in-river dam. All new or modified in-river dams require assessment under the *Fisheries Management Act 1994*.

Part 14 System operation rules

72 Release rules from local water utility storages

- (1) Releases/bulk water movement from Mangrove Creek Dam by a local water utility or major utility may be made, within operational constraints, subject to the releases/bulk water movement providing river flows which reflect the following:
 - (a) more natural rates of rise and fall,
 - (b) increased natural seasonal variability where possible, and
 - (c) more natural duration periods.

Note—

The intention of providing releases which more closely reflect natural flow conditions helps to ensure natural ecological processes can operate when releases are being made by the local water utilities. For example, macroinvertebrates have time to move back into permanently wet areas of the stream if rates of fall are similar to those that occur naturally.

- (2) Release rules from Mangrove Creek Dam require that the flows to be released, if and when required, shall be the lesser of:
 - (a) inflow, or
 - (b) an average flow of 2.7 ML/day during the months of September to July inclusive,
or
 - (c) an average flow of 2.0 ML/day during the months of May to August inclusive, or
 - (d) a sufficient release so as to maintain a visible flow in Mangrove Creek immediately above its junction with Warren Warren Creek and at the bridge over Mangrove Creek immediately above its junction with Dubbo Creek.

Note—

Measured seepage may be taken into account as part of the releases required.

- (3) Release rules from Mangrove Creek Weir require that releases shall be made from

Mangrove Creek Weir, such that when inflows minus the releases from Mangrove Creek Dam down Mangrove Creek are equal to or less than 3 ML/day then the release must be equal to or greater than the inflow minus the releases from Mangrove Creek Dam down Mangrove Creek.

- (4) Release rules from Upper Mooney Mooney Creek Dam require that releases shall be made from Upper Mooney Mooney Creek Dam, such that when inflows are equal to or less than the 0.6 ML/day then the release must be equal to or greater than the inflow.
- (5) Release rules from Lower Mooney Mooney Creek Dam require that releases shall be made from Lower Mooney Mooney Creek Dam, such that when inflows are equal to or less than the 95th percentile flow then the release must be equal to or greater than the inflow.
- (6) Release rules specified in subclause (5) may be amended in this Plan based on further investigation of seepage at the Lower Mooney Mooney Creek Dam by the local water utilities to allow determination by the Minister as to whether seepage from this Dam meets the requirements of the release provisions.

Note—

The intent of the subclause (5) may be met by seepage which is occurring at this Dam. Photo verification and water quality monitoring to look at the volume and water quality of the seepage water should be undertaken with a report submitted to the Minister for consideration of review of this Plan provisions. If required a bypass requirement may be introduced.

- (7) Release rules specified in subclauses (2) to (5) may be amended in this Plan based on further studies which the Minister may direct relevant local water utilities to undertake when combined storage levels in local water utility's storage dams is equal to or greater than 60% capacity.
- (8) The studies in subclause (7) are to be undertaken in line with recommendation 8.3.1 of the *Final Report—Independent Inquiry into the Hawkesbury Nepean System* (HRC 1998).

Note—

These studies are proposed to determine the probable flow range of ecological responses for various levels of flow protection. To date they have not been undertaken due to dry weather conditions. Further detail on the studies is also provided in *Environmental Flows Expert Panel Report (Quality Environmental Management P/L 2001)*.

Part 15 Amendment of this Plan

73 Amendment of this Plan

- (1) This Plan may be amended as specified in this Plan, pursuant to section 45 of the Act.
- (2) Amendments specified throughout this Plan, and in this Part, are amendments authorised by this Plan.

- (3) Amendments authorised by this Plan are taken to include any consequential amendments required to be made to this Plan to give effect to that particular amendment.

Note—

For example, if Part 1 is amended to add a new management zone, this may require amendment to other parts of this Plan to include rules for that management zone.

- (4) An amendment authorised by this Plan which results in a variation of the bulk access regime, is an amendment authorised by this Plan for the purposes of sections 87 (2) (c) and 87AA of the Act.

74 Review of ongoing monitoring and investigations outcomes

- (1) Before varying this Plan as a result of ongoing monitoring and investigations undertaken in clause 75 (1), advice should be sought from an interagency committee with representatives of the Department of Water and Energy, the Department of Primary Industries and the Department of Environment and Climate Change.
- (2) The interagency committee should provide advice to the Minister on the ongoing monitoring and investigations report, and advise on any changes to the recommendations contained in the report in relation to any variation of this Plan provisions.
- (3) The review body should respond to the Minister as soon as practical after receiving the report, or within 3 months of that date, at the latest.

75 Amendment of flow classes, planned environmental water, share components and daily extraction limit provisions

- (1) The Minister may amend this Plan, based on the verified outcomes of any ongoing monitoring and investigations associated with the Wyong River Environmental Flows Study or any other new study to:

Note—

The monitoring and investigations will help inform the setting and/or amendment of flow classes, daily extraction limits, environmental water requirements, and share components for the local water utility access licences.

- (a) amend the flow classes established in clauses 17 (1) (a), 17 (1) (d) and 17 (1) (e) of this Plan, including additional flow classes as appropriate,
- (b) establish and/or amend the very low flow access conditions for local water utility access licences specified in clause 64 of this Plan,
- (c) amend the planned environmental water rules specified in clause 19 (3) of this Plan,

Note—

The amendment of planned environmental water rules may include the introduction of antecedent conditioned protection of freshes through the system.

(d) amend the system operation rules specified in clause 72 of this Plan,

Note—

The monitoring and investigations should identify any operational conditions on Gosford Wyong Councils Water Authority (GWCWA) in regard to the supply of water to the estuary to meet environmental requirements at low flows associated with draw-down of the weir, e.g. is the flow to be maintained at a constant level or can the weir be drawn down and flows allowed to pass periodically. This issue is related to the GWCWA's infrastructure limitations. Currently Department of Primary Industries has an agreement with GWCWA to provide fish passage over the Wyong Weir during specific periods of the year by limiting extraction. These rules will be reviewed to consider operational constraints and to refine the timing of providing fish passage, both diurnally (e.g. all day, dawn, dusk) and seasonally.

(e) amend the share component of the local water utility or major utility access licences specified in clauses 28 and 29 of this Plan, and

Note—

The share component refers to the annual volume of water specified on the access licence. The outcomes of the study and ongoing monitoring and investigations may alter the share components currently specified. The Water Sharing Plan for the Central Coast Unregulated River Water Sources currently proposes an annual share component of 34,600 ML (annual maximum) from the Wyong River. The Water Sharing Plan for the Ourimbah Creek Water Source currently specifies a share component of 5,000 ML from Ourimbah Creek with a 3 year rolling average with a maximum of 200% access in any one year. The share component for the Wyong River has been initially set at a high level to allow GWCWA to fill its storages during high flows.

(f) amend the percentage extraction for local water utility access licences in clause 47 (3) and (4) of this Plan.

(2) In amending any of the provisions as specified in subclause (1) the net effect should not reduce the yield of the local water utilities water supply below 47,300 ML/yr, including any water sourced from Hunter Water Corporation.

Note—

47,300 ML/yr refers to the 2050 demand projection for the Central Coast.

(3) The Minister should cause any ongoing activities in subclause (1) to be undertaken during the term of this Plan.

(4) In undertaking the ongoing monitoring and investigations:

(a) consultation with the Department of Water and Energy, the Department of Primary Industries, the Department of Environment and Climate Change, the Gosford Wyong Councils Water Authority, the relevant Catchment Management Authority, and representatives of interest groups as required should be undertaken, and

Note—

Interest groups may include representatives of local Water User Associations (or licence holders in the absence of WUA), Landcare or environment groups, local industry and commerce representatives,

Aboriginal groups, local government etc.

- (b) a report should be prepared to be used by the agencies and stakeholders specified in subclause (a) documenting:
 - (i) the methodology adopted,
 - (ii) the hypotheses tested,
 - (iii) the ongoing monitoring and investigations results and conclusions in relation to:
 - (1) flow classes,
 - (2) total daily extraction limits,
 - (3) share components for local water utility access licences, and
 - (4) environmental flow provisions, and
 - (iv) the socio-economic impacts of recommended changes including anticipated impact on local water utility yield.

Note—

This amendment provision reflects the need to have an improved understanding of the flow requirements of the estuary prior to any additional extraction occurring in the water sources feeding into the estuary.

76 Amendments due to floodplain harvesting

This Plan may be amended to provide for the floodplain harvesting of water, subject to the amendments not affecting the outcomes of the long-term average annual extraction limit specified within this Plan.

Note—

This means that this Plan can be changed to issue and manage floodplain harvesting licences provided that the long-term average annual extraction limit (LTAAEL) does not increase or decrease. Floodplain harvesting in coastal systems is limited compared to inland systems. By not amending the LTAAEL with the granting of these licences, coastal systems are being consistent with inland systems where growth is managed within the existing LTAAEL.

77 Amendments for stormwater harvesting

The Minister may amend this Plan to amend:

- (a) Part 3 and/or Part 4 to permit the taking of water in any Flow Class where a stormwater harvesting licence and nominated water supply works are being used to provide inflows to the water source which are then able to substitute for all or part of the flow requirements of the Very Low Flow Class. The extent to which Part 3 and/or Part 4 can be amended is to be in proportion to the extent that the stormwater harvesting can substitute for the flow requirements of any Flow Class, and such that

there is no net disbenefit to the environment,

Note—

Approval of any substitution flows is at the discretion of the Minister and is subject to consideration of the likely impact of the flows on water quality, aquatic biology etc.

- (b) Part 8, to permit the application for and granting of a stormwater harvesting access licence, if such a category has been created under the Act,
- (c) Part 9, to account for water taken and/or returned to the water source under a stormwater harvesting access licence, against the respective long-term average annual extraction limit,
- (d) Part 10, Division 2, to account for water taken and/or returned to the water source under a stormwater harvesting access licence, against access licence water allocation accounts,
- (e) Part 10, Division 3, to account for water taken under a stormwater harvesting access licence, against the total daily extraction limit or to permit the taking of water in excess of the total daily extraction limit where a stormwater harvesting access licence and nominated water supply works are being used to provide additional inflows to the water source such that there is no net disbenefit to the environment,
- (f) Part 11, to prescribe the types of access licence dealings that stormwater harvesting access licences can and can't undertake,
- (g) Part 12, to prescribe the mandatory conditions that are to apply to stormwater harvesting access licences and water supply works, and
- (h) Part 14, to prescribe any system operational rules for stormwater harvesting water supply works.

78 Amendments in relation to Schedule 2 (Very Low Flow) and mandatory conditions

- (1) The Minister may amend this Plan to:
 - (a) add a [Water Act 1912](#) entitlement or access licence to Schedule 2, but only if the taking of water under that entitlement was for a purpose referred to in clause 19 (3) (d) (i) and the purpose existed prior to 1 July 2008, or
 - (b) remove a [Water Act 1912](#) entitlement from Schedule 2, if:
 - (i) any access licence dealing results in water being taken, under the access licence which replaced the [Water Act 1912](#) entitlement, from a different location, or
 - (ii) an alternative water supply is obtained that satisfies the requirement(s) for water for the purposes listed in this clause, or the purpose no longer exists, or

- (iii) the access licence which replaced the *Water Act 1912* entitlement is surrendered or cancelled.
 - (c) amend or remove Schedule 2 to this Plan, following an assessment which determines that the requirement for access to water in the Very Low Flow Class under this clause is no longer required generally or for specific access licences.
 - (d) remove a *Water Act 1912* entitlement or access licence from Schedule 2 that has been converted to a local water utility access licence,
 - (e) add a *Water Act 1912* entitlement or access licence to Schedule 2, if the Minister is satisfied that the water supply system used to take, store and deliver water has not undergone major augmentation since the commencement of this Plan.
- (2) After major augmentation of the local water utility's water supply infrastructure, as specified in Schedule 3, the Minister may amend clause 19 (3) and Schedule 2 of this Plan to permit the taking of water by the holders of local water utility access licences during periods of very low flows following the establishment of works to discharge urban stormwater, reused water, recycled water or other return flows approved by the Minister from time to time.
- (3) The volume of water which may be extracted during very low flows under subclause (2) is to be equal to the volume of the substitution flows.

Note—

Approval of any substitution flows is at the discretion of the Minister and is subject to consideration of the likely impact of the flows on water quality, aquatic biology etc.

- (4) For the purposes of subclauses (1) and (2), **major augmentation** includes anything which enhances or increases the local water utility's capacity to take water to meet town water supply requirements as a result of demand for water exceeding the sustainable yield of the utility's existing infrastructure, for example, a larger pump, a larger storage facility, a larger pipe, or a secondary or additional water source.
- (5) The mandatory conditions in Part 11 can be amended in relation to record keeping including amendments in relation to the requirements for Logbooks.

Dictionary

The following definitions apply to this Plan in addition to the definitions set out in the Act:

cease to take condition means any term or condition on a water supply work approval, an access licence or *Water Act 1912* entitlement that prohibits the taking of water in a particular circumstance.

flow gauging station is a device that is used to measure the height of a river or flow in a river.

individual daily extraction limit (IDEL) is described in clause 51 of this Plan.

in-river dam is a dam located in or on a river.

in-river dam pool means the area of water immediately upstream of an in-river dam where the river has pooled as a result of an in-river dam.

Logbook in relation to an access licence or water supply works approval, means a written record, kept in hard copy or electronic form, which accurately records all information required to be kept in relation to the access licence or water supply work approval under the rules in this Plan.

management zone is an area within the surface water source in which daily extraction limits may be defined or where dealing restrictions are approved. Management zones may be designated where the surface water source to which the plan applies is divided into areas and total daily extraction limits are defined for each area. They may also be designated where local dealing restrictions are in place.

mangrove limit has the same meaning as defined in the '*DIPNR Survey of tidal limits and mangrove limits in NSW estuaries 1996 to 2003*' (NSW Dept of Commerce, Manly Hydraulics Laboratory) 2005.

monitoring bore refers to a bore constructed for the purpose of measuring water levels and/or taking samples for water quality analysis.

runoff harvesting dam means a farm dam on a hillside or minor stream which collects and stores rainfall runoff. Minor streams are defined in harvestable rights orders order made under section 54 of the Act. For the purposes of this Plan, references to runoff harvesting dams as water supply works include any associated pumps or other works which take water from the dam. For the purpose of clarity, this definition includes dams that are also used to store water diverted into the dam from a river or other source of water.

stream order is defined by the Strahler stream ordering method.

Note—

The Strahler stream ordering methods is explained as follows.

- Starting at the top of a catchment, any watercourse that has no other watercourses flowing into it is classed as a 1st order watercourse,
- Where two 1st order watercourses join, the watercourse becomes a 2nd order watercourse,
- If a 2nd order watercourse is joined by a 1st order watercourse — it remains a 2nd order watercourse,
- When two or more 2nd order watercourses join they form a 3rd order watercourse, and
- A 3rd order watercourse does not become a 4th order watercourse until it is joined by another 3rd order watercourse and so on.

Note—

The Strahler stream ordering method is described in the order made under section 5 of the [Water Act 1912](#) published in the NSW Government Gazette no. 37 on 24 March 2006 page 1500, or as may be amended or updated from time to time by further order.

tidal limit has the same meaning as defined in the '*DIPNR Survey of tidal limits and mangrove limits in NSW estuaries 1996 to 2003*' (NSW Dept of Commerce, Manly Hydraulics Laboratory) 2005.

tidal pool is defined, for the purposes of this Plan, as the area of water between the upper mangrove limit and the lower tidal limits.

Note—

Mangrove limit and tidal limit are defined in the '*DIPNR Survey of tidal limits and mangrove limits in NSW estuaries 1996 to*

2003' (NSW Dept of Commerce, Manly Hydraulics Laboratory).

total daily extraction limit (TDEL) is described in clause 47 of this Plan.

visible flow is the continuous downstream movement of water that is perceptible to the eye.

Water Act 1912 entitlement has the same meaning as an entitlement in clause 2 of Schedule 10 to the Act.

water year means a year commencing 1 July.

Schedule 2 Licences with access to very low flows

Schedule 2 currently lists former [Water Act 1912](#) entitlements from which access licences will be derived upon commencement of the Water Sharing Plan.

Brisbane Water Water Source

20SL061720

Mooney Mooney Creek Water Source

20SL050381 20SL038117 20SL023693 20SL023693

Mangrove Creek Water Source

20SL019457 20SL025461 20SL032168 20SL040385
20SL056675 20SL056720 20SL056057 20SL056467
20SL040230 20SL045333 20SL039289 20SL051226
20SL045333 20SL051226 20SL039289 20SL028527

Wyong River Water Source

20SL033407 20SL044633 20SL060746 20SL060776
20SL039830 20SL019691 20SL033407 20SL019691
20SL061688 20SL061758 20SL039830

Tuggerah Lakes Water Source

20SL060789 20SL061639

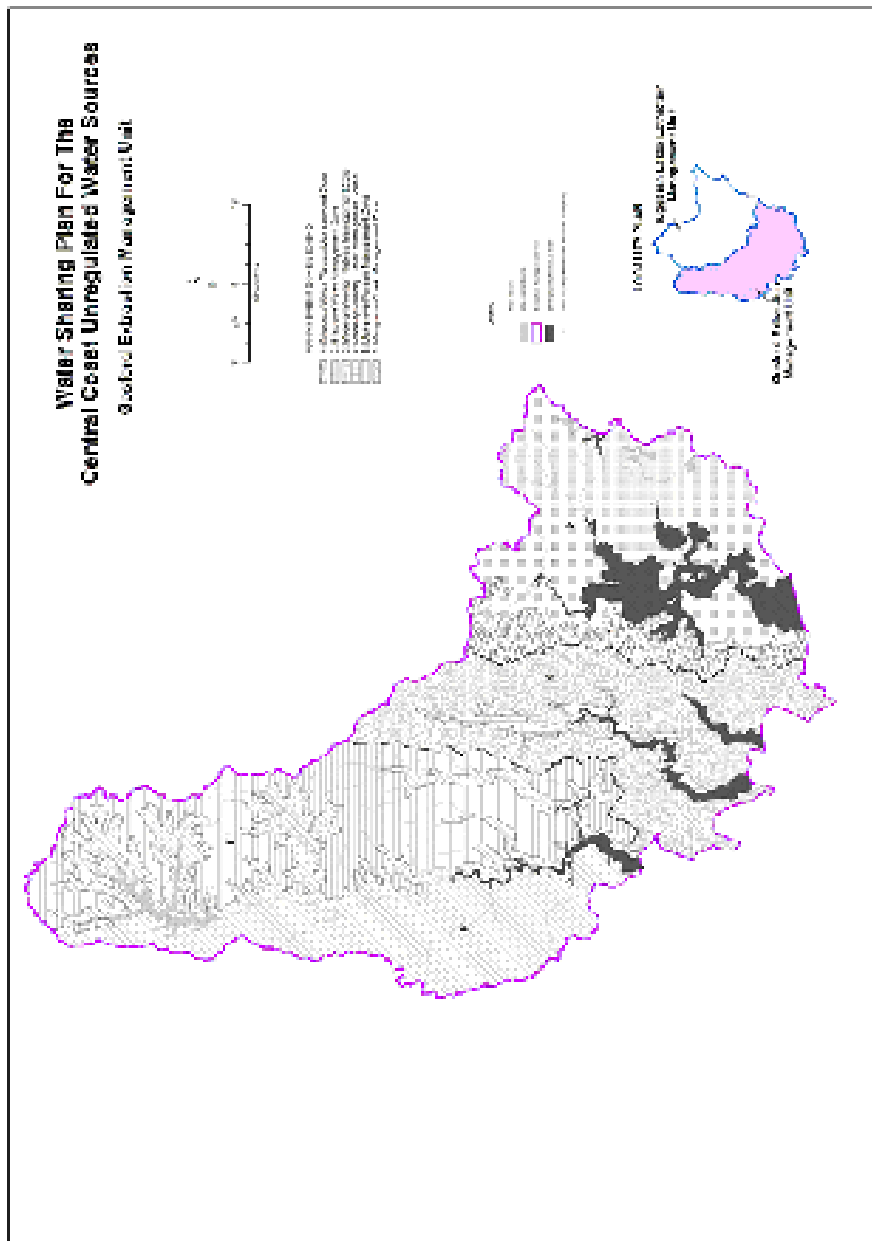
Schedule 3 Local water utilities water supply infrastructure

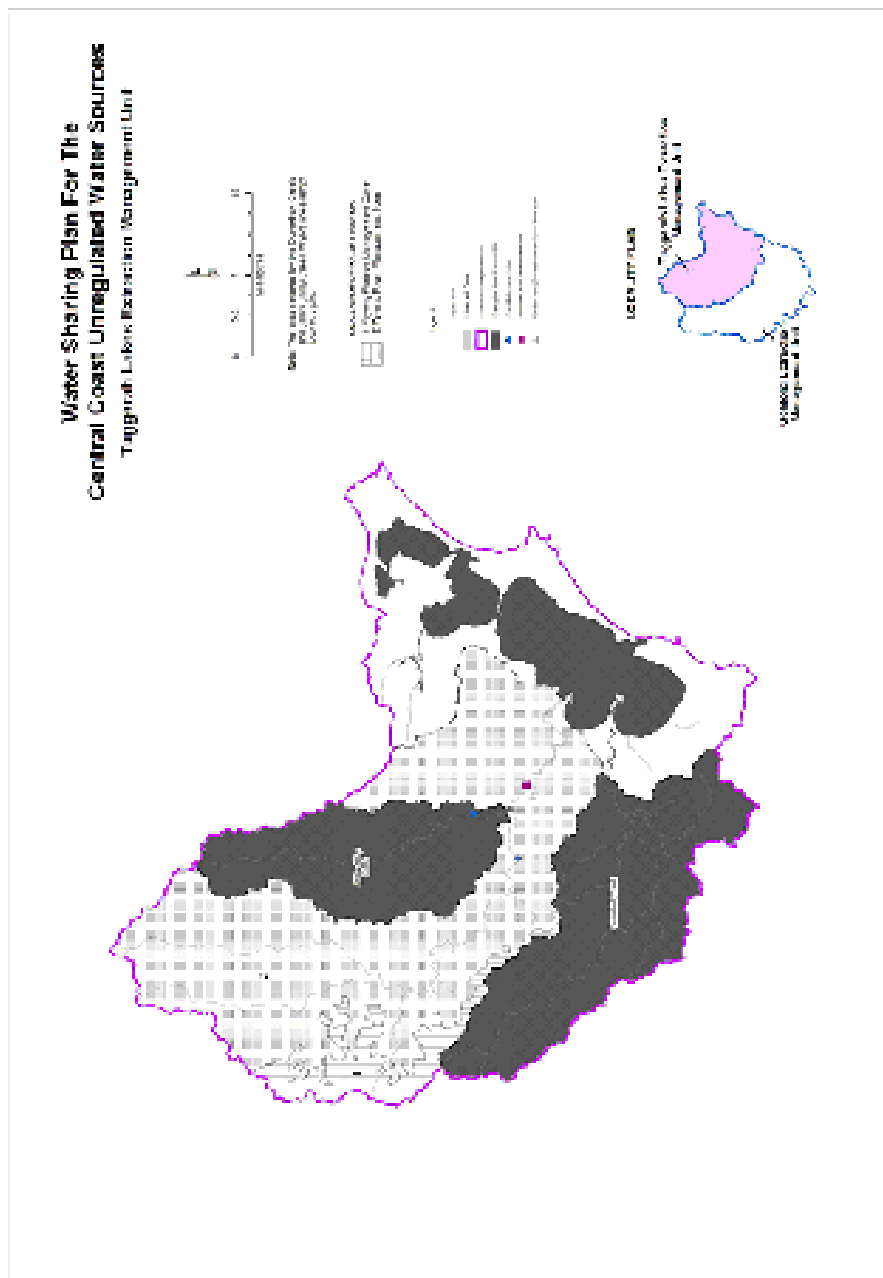
The following Gosford City Council and Wyong Council infrastructure works are listed for the purpose of clauses 17, 47 and 78:

- Wyong River Weir fish way upgrade,
- New Wyong River pumping station,
- New rising main between the New Wyong River Pump station and Mardi Dam,

- Mangrove Creek Dam inlet outlet upgrade (Boomerang Creek),
- Transfer system between Mardi Dam and Mangrove Creek Dam, and
- Water Treatment works.

Appendix 1 Area covered by this plan





Appendix 2 Inspection of the Plan Map

Copies of the Plan Map may be inspected at the following offices:

NSW Office of Water
Department of Trade and Investment, Regional Infrastructure and Services
Level 3, 107-109 Mann Street
GOSFORD NSW 2250

NSW Office of Water

Department of Trade and Investment, Regional Infrastructure and Services
Level 3, 26 Honeysuckle Drive
DANGAR NSW 2309

NSW Office of Water
Department of Trade and Investment, Regional Infrastructure and Services
10 Valentine Ave
PARRAMATTA NSW 2150

Appendix 3 Office

Any notifications that may be required to be made to the Minister, as specified in this Plan can be addressed to the following office:

NSW Office of Water
Department of Trade and Investment, Regional Infrastructure and Services
PO Box 2213
DANGAR NSW 2309