

Summary of changes

A summary of the changes made to the *Water Sharing Plan for the Richmond River Area Unregulated, Regulated and Alluvial Water Sources 2023*

The NSW Government replaced the water sharing plan (the plan) for the Richmond River Area Unregulated, Regulated and Alluvial Water Sources in July 2023. The table below outlines the substantive changes from the previous 2010 plan. In drafting the replacement plan, the NSW Department of Planning and Environment (the department) also updated the plan to simplify and modernise its drafting, make the intent of its provisions clear, and make it legally robust.

Table 1 Summary of changes to the *Water Sharing Plan for the Richmond River Area Unregulated, Regulated, and Alluvial Water Sources 2010*

| 2010 plan part | Change in 2023 plan | Basis for change |
|----------------|---|---|
| Introduction | We have updated how we describe the groundwater managed by this plan. We have added the Richmond River Area Coastal Floodplain Alluvial Groundwater Source to the water sources of the water sharing plan. We have also established the Richmond River Area Coastal Floodplain Alluvial Extraction Management Unit (EMU). | <p>We now articulate that the groundwater managed in this Plan is that which is contained in Cenozoic sediments. Cenozoic better describes the alluvial groundwater sediments. We have included a new coastal floodplain alluvial groundwater source in the plan. This water source contains water within alluvial sediments generally below the tidal limit. This will align with other plans that have this new water source included. The water source has been separated from the upriver alluvium, as it is less highly connected to the river than the upriver alluvium and more influenced by coastal processes.</p> <p>The EMU is established so that a long-term average annual extraction limit and associated rules may be established for the Richmond River Area Coastal Floodplain Alluvial Groundwater Source.</p> |
| Introduction | We included a new plan map which includes the new Richmond River Area Coastal Floodplain Alluvial Groundwater Source | New map includes the new water source and extraction management unit. |

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| Introduction | We have modified the extent of the tidal pool management zones shown on the plan map. | The previous map was incorrect and did not reflect the extent of the tidal zones as established by wording within the plan. |
| Introduction | We made a minor change to the boundary between Richmond Regulated Zone 1 and Zone 2. | This is a minor change that addresses an administrative issue for a single licence holder – there is no change of intent, and there are no negative impacts for other licence holders or plan outcomes. |
| Introduction | We corrected a section of the boundary between Coraki and Wyrallah Water Sources - a minor boundary change that now has the Coraki / Wyrallah water source boundary following the high bank of the Richmond River for a short distance north of the Richmond / Wilsons confluence. | <p>A stakeholder raised the issue of an incorrect boundary that did not follow the topographical high point dividing the Richmond River and Pelican creek.</p> <p>This area is relatively flat and as such, previous methods used to establish catchment boundaries may not always have been 100% accurate</p> |
| Introduction | <p>We established new Bungawalbin Creek management zones:</p> <ul style="list-style-type: none"> • Bungawalbin Creek Non-Tidal Management Zone; and • Bungawalbin Creek Tidal Management Zone. | <p>The previous water sharing plan had separate and specific trade rules for the Bungawalbin Creek catchment that prohibit trade of entitlement into the area, acknowledging its high ecological values.</p> <p>The new zones will improve clarity, facilitate the trade provisions and allow application of specific access rules to licences in that area if required in the future.</p> |
| Introduction | <p>We amalgamated the Coopers Creek Alluvial Groundwater Source with the Coopers Creek Water Source.</p> <p>The alluvial water is now managed as part of the Coopers Creek Water Source.</p> | <p>Previous arrangements separating the Coopers Creek alluvium into its own water source are a legacy framework from the older, original Coopers Creek plan. This change simplifies the new plan and provides a consistent approach across water sources.</p> <p>There are no licences associated with the alluvium and this does not result in any substantive management changes.</p> |

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| Introduction | We have included a new map which identifies High Priority groundwater dependent ecosystems (GDEs) so they can be protected. | <p>Following the updated approach to GDE protection, the Richmond River Area Unregulated, Regulated, and Alluvial Water Sharing Plan offers additional GDE protection by identifying groundwater dependent vegetation communities on a map and setting rules around the distance that new groundwater works can be constructed from the mapped GDEs.</p> <p>When a work approval is applied for within a restricted distance of a GDE identified on the GDE map the department will confirm the groundwater dependence of the vegetation community before the approval is determined.</p> |
| Vision, objectives, strategies, and performance indicators | We have reviewed the vision, objectives, strategies and performance indicators. | <p>The new vision, objectives, strategies and performance indicators deal with similar matters to the previous plan's objectives.</p> <p>The Natural Resources Commission (NRC) recommended reviewing the objectives to strengthen monitoring, evaluation and reporting (MER) of the plan outcomes.</p> <p>We will include more detailed vision, objectives, strategies and performance indicators in the MER plan. This information is in Appendix 3 of the Background document to the Richmond River Area Unregulated, Regulated, and Alluvial Water Sharing Plan 2023.</p> <p>The plan includes a provision at Clause 11(2) that requires performance indicators to be monitored and evaluated.</p> |
| Bulk access regime | We have removed the Bulk access regime section as it does not give any more information than exists in the <i>Water Management Act 2000</i> or elsewhere in the plan. | The drafting of plans has changed to improve readability and simplify the plans. |

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| <p>Planned environmental water</p> | <p>The environmental water provisions remain in the plan but not in their own part. They are clauses that have been distributed throughout the plan into Part 4 – Limits to the availability of water and Part 6 – Operation of water allocation accounts and managing access licences.</p> | <p>The drafting of plans has changed to improve readability and simplify the plans.</p> |
| <p>Requirements for Water</p> | <p>We have updated estimates for water requirements of basic landholder rights. Harvestable rights are now expressed as a volume.</p> <p>We have also updated requirements for water under licences.</p> | <p>Updated estimates of Domestic and Stock Basic Landholder Rights reflect updates to land use since 2010 and 2011.</p> <p>Harvestable rights estimates have been made based on the volume in unlicensed dams in the landscape in 2022.</p> <p>Updates to licensed water requirements take into account any cancellations.</p> |
| <p>System operation rules</p> | <p>No changes</p> | <p>n/a</p> |

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| <p>Limits to the availability of water</p> | <p>We have split the long-term average-annual extraction limit (LTAAEL) for unregulated rivers and associated alluvium into 2 components - a standard Long Term Average Annual Extraction Limit (LTAAEL) for take from all flows and a higher flow LTAAEL for extraction that can only occur from higher flows.</p> <p>The standard LTAAEL is fixed at the volume at the start of the:</p> <ul style="list-style-type: none"> • replacement plan for entitlement • first plan for basic landholder rights. <p>The higher flow LTAAEL can increase in limited circumstances such as high-flow conversions and where Aboriginal community development licences are granted.</p> <p>Higher flow LTAAELS are to be specified for the Evans River Catchment Extraction Management Unit and the Richmond River Extraction Management Unit as the largest sum of the share components of all higher flow extraction licences within each extraction management unit occurring within a water year.</p> | <p>NRC recommendations included setting a fixed and numeric LTAAEL. This is the standard LTAAEL. This ensures that extraction from low flow will be no more than could occur at the start of the first plan.</p> <p>While the higher flow LTAAEL can increase, this is to enable the implementation of high-flow conversions and allow for Aboriginal Community Development licences.</p> <p>High flow conversions are where a larger volume of water can be taken at higher flows than at lower flows. This reduces the stress on lower flows.</p> <p>There are no higher flow extraction licences currently in the Richmond plan area.</p> <p>Aboriginal Community Development licences support the department’s position of increasing Aboriginal involvement in natural resource management.</p> |
| <p>Limits to the availability of water</p> | <p>We have changed the BLR reference date for Coopers Creek water source to 17 Dec 2010 to align it with the other water sources in the EMU.</p> | <p>The 2010 plan singled out Coopers Creek water source and established a BLR reference date of 2004 – reflecting the commencement of the previously separate Coopers Creek plan.</p> <p>Any change in BLR development between 2004 and 2010 for this one water source is considered negligible relative to the overall LTAAEL for all unregulated water sources in the EMU.</p> <p>This change will simplify plan provisions and implementation.</p> |

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| <p>Limits to the availability of water</p> | <p>Plans previously required the minister to make certain available water determinations (AWDs) at a certain time. This has changed to require the minister to consider making AWDs.</p> | <p>A provision of a plan cannot require the minister to make certain AWDs at a certain time, as that restrains the minister’s broad power in section 59 of the <i>Water Management Act 2000</i>. Instead, the plan sets out that the minister must consider making the AWDs set out in Part 4.</p> |
| <p>Rules for granting access licences</p> | <p>Aboriginal Community Development Licences</p> <ul style="list-style-type: none"> • Are permitted for the new coastal floodplain alluvial groundwater source • Are no longer permitted in the following water sources: <ul style="list-style-type: none"> – Eden Creek – Leycester Creek – Myrtle Creek – Shannon Brook. | <p>The ecological risk assessment completed for the plan determined high or very high for ecological value in the water sources where Aboriginal Community Development Licences are no longer permitted.</p> |
| <p>Rules for managing access licences</p> | <p>Carryover is not permitted for the newly proposed Richmond Area Coastal Floodplain Alluvial Groundwater Source</p> | <p>No carryover offers aquifer protection in dry years by limiting the total volume that can be extracted to the LTAAEL.</p> |
| <p>Rules for managing access licences</p> | <p>We have removed the access rule in the Richmond Regulated Water Source, limiting the percentage of flows that can be taken during uncontrolled flow and supplementary flow events to 50% of the volume of flow over 40ML each day.</p> | <p>The volumetric restriction on uncontrolled flows in the 2010 plan was not able to be implemented as volumes of permitted take cannot be determined until flows have passed.</p> <p>In the inland systems WaterNSW estimates the volumes and divides this up between individuals. This does not occur in this water source</p> <p>Removal of the limit is extremely low risk due to low volume that would be extracted compared to the flow in the water source.</p> |

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| <p>Rules for managing access licences</p> | <p>We have simplified access rules (pumping restrictions and cease to pump) for the tidal pool management zones in the Coraki and Wyrallah Area water sources.</p> <p>The new access rules are as follows.</p> <p>If the previous days average daily EC @ Coraki gauge was</p> <ul style="list-style-type: none"> • less than 2000 $\mu\text{S}/\text{cm}$ – there are no pumping restrictions • between 2000 $\mu\text{S}/\text{cm}$, and 4000 $\mu\text{S}/\text{cm}$ – then pumping is restricted to 10 hours a day • equal to or greater than 4000 $\mu\text{S}/\text{cm}$ – then pumping is prohibited <p>The above rules apply to licences in the</p> <ul style="list-style-type: none"> • Bungawalbin Creek Tidal Pool Management Zone and the Richmond River Tidal Pool Management Zone in the Coraki Area Water Source • Wilsons River Tidal Pool Management Zone in the Wyrallah Area Water Source | <p>Feedback received during public exhibition highlighted the complexity of the salinity based access rules that were in the 2010 plan, making them hard to understand and comply with.</p> <p>In finalising the 2023 plan, we worked with representatives of the Richmond and Wilsons Combined Water Users Association and the Richmond and Wilsons Tidal and Fresh Water Users Association to develop a simplified set of rules, that would provide for the same access to water as the complex rules in the 2010 plan.</p> |
| <p>Rules for managing access licences</p> | <p>Richmond River Area Coastal Floodplain Alluvial</p> <p>Access rules</p> <ul style="list-style-type: none"> • Aquifer access licences that remain associated with upriver alluvium that are within 40m of the river will still need to comply with the access rules, however aquifer access licences that will now fall within the Richmond River Area Coastal Floodplain Alluvial Groundwater source will not be subject to access rules. | <p>The coastal floodplain alluvium is characterised by being less connected to surface water than upriver alluvium so extraction from the Richmond River Area Coastal Floodplain Alluvial Groundwater source is unlikely to impact surface water flows.</p> |

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| <p>Rules for managing access licences</p> | <p>We will remove the exemption to cease to pump rules for licence holders who have been accredited under the efficient use accreditation scheme from access rules for the following water sources:</p> <ul style="list-style-type: none"> • Gradys Creek • Terania Creek • Kyogle Area | <p>The accreditation scheme does not exist.</p> |
| <p>Rules for water supply works approvals</p> <p>Water supply works - surface water</p> | <p>We have removed the ability to apply to construct a licensed dam on a third-order or larger stream in six additional water sources.</p> <p>We have included an exemption from this prohibition if the works are for town water supply/local water utility or the dam is a replacement work.</p> | <p>For water sources identified as having high ecological values, construction of licensed dams on third order stream has the potential to increase risks to those values.</p> <p>Construction of licensed dams on third order or larger stream has been identified as a key threatening process for catchment and marine management.</p> |
| <p>Rules for water supply works approvals</p> <p>Water supply works - surface water</p> | <p>We have removed the provision stating that the Minister may require reduction of mixed rights dam storage capacity where licensed volume is traded away from a dam.</p> | <p>We are unable to identify a valid head of power to facilitate this intent.</p> |
| <p>New inclusion</p> | <p>We have updated the plan to prohibit the granting or amending of surface water supply work approvals, within 3km upstream of a Ramsar wetland or 200m of a coastal wetland unless it will cause no more than minimal harm to the wetlands.</p> | <p>While we considered coastal wetlands in the development of water sharing rules for the 2010 plan, we did not consider the possibility that water supply works could be prohibited where they may present a risk to the wetlands. With the introduction of the <i>Coastal Management Act 2016</i> and <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>, plans may now allow for prohibitions on works within distances of significant wetlands.</p> |
| <p>Water supply works - alluvial sediments</p> | <p>We have identified high priority groundwater-dependent ecosystems (GDEs) on the GDE map and protected by minimum setback distances.</p> | <p>To provide increased recognition of and protection for high priority GDEs.</p> |

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| Water supply works - alluvial sediments | We replaced the listing of Tuckean Swamp in a schedule by representing the swamp on the GDE map along with other GDEs. | This change achieves the same level of protection it is simply mapped rather than written in words. |
| Water supply works - alluvial sediments | we made updates to set back/distance rules for groundwater water supply works and included distance rules for groundwater works located near potential acid sulfate soils. | The distances are standard distance rules as recommended by the department's hydrogeologists. |
| Water supply works - alluvial sediments | Construction of groundwater supply works prohibited within 200m of a mapped high priority groundwater dependent ecosystem. | Following the updated approach to GDE protection established for inland groundwater plans, the plan offers additional GDE protection based on the best available data. As mentioned, the plan now includes a map identifying High Priority GDEs and restricting new works within 200m of the mapped GDEs. |
| Access licence dealing rules | Trade proposed to now be prohibited into: <ul style="list-style-type: none"> • Shannon Brook | Updated risk assessment has been completed using HEVAE data and hydrological stress ratings. This water source has a high or very high consequence. |
| Access licence dealing rules | Conversion to high flow is now not permitted in the following water sources: <ul style="list-style-type: none"> • Myrtle Creek • Eden Creek | Myrtle Creek does not have high flow conversions as hydrologic stress is medium at the 30 th percentile. Eden Creek does not have high flow conversions as there is no gauge in the water source. |

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| <p>Access licence dealing rules</p> | <p>High Flow Conversions (HFCs) are now permitted in the Coopers Creek Water Source and there are minor changes to maximum volumes for conversion permissible for those water sources where HFCs were already permitted.</p> <p>HFCs are currently permitted at a conversion rate of 1 unregulated river unit share to 5 high flow unit shares in the following water sources:</p> <ul style="list-style-type: none"> • Kyogle – upper MZ: max 786 ML of low flow to convert to 3930 ML of high flow • Kyogle – lower MZ: max 1192 ML of low flow to convert to 5960 ML of high flow • Shannon Brook: max 145 ML of low flow to convert to 725 ML of high flow / C class • Upper Richmond: max 118 ML of low flow to convert to 590 ML of high flow • Terania Creek, Coopers Creek, Bangalow Area and Leycester Creek: max 2707 ML (total for Bangalow, Coopers, Leycester and Terania) of low flow to convert to 13535 ML of high flow. | <p>Result of an assessment of additional flow data that is now available and risks identified in the new risk assessment.</p> <p>Changes to volumes are a result of updated 30th percentile flow data.</p> <p>For Bangalow, Coopers, Leycester and Terania Water Sources we have calculated and included the new volume for Coopers Creek Water Source. These sources are combined for flexibility as they all drain to upper Wilsons River tidal pool.</p> |
| <p>Access licence dealing rules</p> | <p>Trading into the Richmond Area Coastal Floodplain Alluvial Groundwater Source is prohibited.</p> | <p>The Richmond Area Coastal Floodplain Alluvial Groundwater Source is not highly connected hydrologically with other water sources.</p> <p>Trade between Extraction Management Unit (EMUs) is prohibited under the <i>Access Licence Dealing Principles Order 2004</i>.</p> |

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| <p>Access licence dealing rules</p> | <p>Coraki Area Water Source</p> <p>Trade in:</p> <p>No trade into the Coraki Area Water Source except from Wilsons River Tidal Pool Management Zone into Richmond River Tidal Pool Management Zone if it would not increase the Richmond River Tidal Pool Management Zone by more than 2500 ML from commencement of the new plan.</p> <p>Trade within:</p> <p>No trade into non-tidal management zones except for two individual licence specific provisions that allow for the temporary trade from the tidal to non-tidal zone provided the water is taken on the same property.</p> <p>There is also a sunset clause that extinguishes the special provision if they have not been utilised within 10 years of the commencement of the 2023 plan.</p> <p>Trade into tidal pool management zones permitted if it would not increase the Richmond River tidal pool zone by more than 2500 ML from commencement of the new plan.</p> | <p>Permitted trade is supported by hydrodynamic scenario modelling showing no increase in salinity ingress with 2500ML of annual extraction being moved from one tidal pool to the other.</p> <p>The licence specific provisions are in recognition of historical access.</p> |

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| <p>Access licence dealing rules</p> | <p>Wyrallah Area Water Source</p> <p>Trade in:</p> <p>No trade into the Wyrallah Water Source except from Richmond River Tidal Pool Management Zone into Wilsons River Tidal Pool Management Zone if it would not increase the Wilsons River tidal pool zone by more than 2500 ML from commencement of the new plan.</p> <p>Trade within:</p> <p>No trade into non-tidal zone</p> <p>Trade into tidal management zone permitted If it would not increase the Wilsons River tidal pool zone by more than 2500 ML from commencement of the new plan.</p> | <p>Permitted trade is supported by hydrodynamic scenario modelling showing no increase in salinity ingress with 2500ML of annual extraction being moved from one tidal pool to the other.</p> <p>The licence specific provisions are in recognition of historical access.</p> |
| <p>Access licence dealing rules</p> | <p>Alstonville Area Water Source</p> <p>Trade into the Alstonville Management Zone, is now permitted as long as there is no net increase in the volume that exists at the commencement of the plan.</p> | <p>Medium ecological values but high likelihood that extraction will impact on the ecological values.</p> |
| <p>Access licence dealing rules</p> | <p>Coopers Creek Water Source</p> <p>Conversion to aquifer access licence category from unregulated river access licence category now permitted.</p> <p>Trade from the tributaries to the main trunk of Coopers Creek now permitted.</p> | <p>These changes align with our updated approach to dealings rules which generally facilitate the downstream movement of entitlement and allow for conversion of unregulated licences to aquifer access licences.</p> |
| <p>Mandatory conditions</p> | <p>We updated conditions requirements in line with current water sharing plan template.</p> | <p>Updates based on the Non-Urban Water Metering Framework. Compliance with the non-urban metering requirements is required by December 2024.</p> |

| 2010 plan part | Change in 2023 plan | Basis for change |
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| <p>Amendment of this plan</p> | <p>We have limited amendment rules to those that are possible under the Water Management Act, where we are well advanced in developing a policy that will require a change to the plan, or where an administrative change is required.</p> <p>This does not prohibit amending the plan in any way during its life if it is in the public interest to do so.</p> | <p>Wide-ranging amendments cannot be included in the draft plan where the outcome of a policy change is uncertain.</p> |
| <p>Amendment of this plan</p> | <p>An amendment clause has been included to facilitate the review and updating of access rules across the plan area. The amendment is to occur within the first 5 years of the plan.</p> | <p>In recognition of severe flooding in 2022 the department committed to the community not to change daily access to water in the 2023 plan replacement process.</p> <p>Instead, the department will undertake further consultation on any proposed amendments to access rules within the first 5 years of the plan.</p> <p>The consultation will occur at a time when the community is better placed to engage.</p> |
| <p>Amendment of this plan</p> | <p>We removed amendment provision to amend B and C flow classes to reflect 80th percentile and 50th percentile respectively for the following water sources:</p> <ul style="list-style-type: none"> • Gradys Creek • Kyogle Area • Terania Creek • Bangalow Area | <p>Assessment of these flow classes was undertaken during the drafting of the replacement plan.</p> |
| <p>Amendment of this plan</p> | <p>We removed amendment provision relating to flow classes and access rules to provide for flow requirements of Eastern Freshwater Cod if new information on requirements becomes available (subject to socio economic considerations).</p> | <p>If an amendment to access rules is required in relation to Eastern Freshwater Cod, then such an amendment can occur under the provisions of the WMA in the public interest.</p> |

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| <p>Amendment of this plan</p> | <p>The plan includes an amendment provision that requires the department to review the:</p> <ul style="list-style-type: none"> uptake of harvestable rights within the first 5 years of the plan access and trade rules in the plan if harvestable rights uptake has increased above 10% of rainfall runoff. | <p>We have included this provision to manage the risk to stream flows that increased uptake of harvestable rights may cause.</p> |
| <p>Amendment of this plan</p> | <p>Where a new telemetered gauge has been commissioned, we added an amendment provision to add flow classes, flow reference points, surface water access rules and groundwater access rules for the water source to which a new gauge relates.</p> | <p>Included on advice from DPE Fisheries – to facilitate better environmental outcomes mid planning cycle if new gauges and data permit.</p> |
| <p>Amendment of this plan</p> | <p>The plan may be amended to establish an Environmental Contingency Allowance and related account management and operational arrangements for Toonumbar Dam and the Richmond Regulated Water Source.</p> | <p>Included on advice from DPE Fisheries to facilitate establishing an environmental contingency allowance.</p> <p>It is envisaged that such an amendment would first require the establishment of an Environmental Contingency Allowance Operations Advisory Committee and development of a draft Environmental Contingency Allowance Release Program.</p> |
| <p>Amendment of this plan</p> | <p>Richmond Regulated Water Source:</p> <p>We added an amendment provision to replace Clause 56 which provides for establishing what are now referred to as individual daily extraction components (IDEC) with the simplified contemporary equivalent.</p> | <p>Standard approach now used to establish IDECs. No change of intent or substance.</p> |

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| <p>Amendment of this plan</p> | <p>Terania Water Source:</p> <p>We removed the following amendment provisions</p> <ul style="list-style-type: none"> • Amend flow classes after year 5 of the plan if found to be having significant economic impact on users • Amend flow classes to reference Goolmangar Creek gauge once established • Amend access rules to establish 8h/d pumping restrictions at Goolmangar gauge once established. | <p>The plan has a clause for amending access rules for all water sources within the first 5 years of the plan.</p> |
| <p>Amendment of this plan</p> | <p>Bangalow Water Source:</p> <p>We removed amendment stating that if new data indicates VLF Class < 24 ML/d and satisfies environmental requirements it may be amended to no less than 12 ML/d.</p> | <p>The plan has a clause for amending access rules for all water sources within the first 5 years of the plan.</p> |
| <p>Amendment of this plan</p> | <p>Coopers Creek Water Source:</p> <p>We removed the following amendments</p> <ul style="list-style-type: none"> • Amend access rule reference point to Fairmeadow Gauge / 95th percentile once established • Schedule may be amended to exempt licence if it was used to take water from an off-river pool before the commencement of the 2003 Coopers Creek plan. | <p>The plan has a clause for amending access rules for all water sources within the first 5 years of the plan.</p> <p>No licences are currently included in the exemption schedule and no applications were made.</p> <p>Not necessary to continue the provision. Current plan also provides for amending / removing the exemption schedule.</p> |

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| <p>Amendment of this plan</p> | <p>Upper Richmond River Water Source:</p> <p>We removed the following amendments</p> <ul style="list-style-type: none"> Amend Flow classes to reference telemetered gauge once established as greater of 1 ML or 95th percentile flow Amend access rules to establish 6h/d pumping restrictions referencing local telemetered gauge once established. | <p>The plan has a clause for amending access rules for all water sources within the first 5 years of the plan.</p> |
| <p>Amendment of this plan</p> | <p>Tuckean Area Water Source:</p> <p>We removed the following amendments</p> <ul style="list-style-type: none"> Amend to establish flow classes at newly installed Marom Creek gauge so that VLF class is set at the larger of 1 ML/d or 98th percentile Establish 6h/day pumping restrictions if the difference between VLF class and the 90th percentile is greater than 3 ML Establish ACDLs when new gauge is installed. | <p>The plan has a clause for amending access rules for all water sources within the first 5 years of the plan.</p> |

Why we have made these changes

The *Water Sharing Plan for the Richmond River Area Unregulated, Regulated and Alluvial Water Sources 2010* was extended for a period of up to 2 years so the NSW Department of Planning and Environment could replace it. This was in line with the recommendation of the Natural Resources Commission’s review of the 2010 plan.

The process for changing water sharing plans

As well as the approval of the Minister for Lands and Water, replacing a plan requires the agreement of the NSW Minister for Environment and Heritage (this is known as ‘concurrence’). Consistent with section 9 of the *Water Management Act 2000* (the WM Act), when replacing a water sharing plan the ministers must:

- take all reasonable steps to promote the water management principles of the WM Act and

- give priority to the principles relating to water sharing according to the order they are set out in under section 5 (3) of the WM Act.

The water sharing management principles under s5(3) of the WM Act are (in their order of priority):

1. Sharing water from a water source must protect the water source and its dependent ecosystems.
2. Sharing water from a water source must protect basic landholder rights.
3. Sharing or extraction of water under any other right must not prejudice the principles set out in points 1 and 2.

The department's Water group worked with colleagues in the department's Environment and Heritage group to develop the replacement plan before submitting the plan for the agreement and approval of the ministers.

More information

To read the *Water Sharing Plan for the Richmond River Area Unregulated, Regulated, and Alluvial Water Sources 2023* and supporting information, visit the NSW Department of Planning and Environment's website, water.dpie.nsw.gov.au/plans-and-programs/water-sharing-plans/status/far-north-coast-region.