

Director, Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021

Dear Director

Having re-read the Public Document presented on the above I was AGHAST at the FUNDAMENTAL presentation of the accuracies of water sources in the Wyong sector.

Basic blunders are evident in as follows:

A) Report Card 3 of 8 for "Jilliby Jilliby Creek Water Source" in that the inflowing water source is described as "NIL", and the Receiving water source is noted as "Tuggerah Lakes". NEITHER of these assertions are true.

We have been studying this water source for more than 20 years and Council documents have estimated that anywhere between 11% and 14% of town water flows from surface sources of Jilliby Jilliby Creek. Our studies have also shown that by studying the upper and lower gauges of the Wyong River, that calculations show that the recharge in the large Jilliby Jilliby Creek valley system amounts to 68% of all water flowing via aquifer and surface water to the Wyong River uptake point. This scenario is not visited in the document.

A casual glance of Google maps shows that Jilliby Jilliby Creek does not flow to Tuggerah Lakes as you suggest but enters Wyong River well upstream of the pumping station. How could DPIE get this so wrong?

B) Glaringly, the Report Card 6 Of 8 for "Ourimbah Creek Water Source" notes that the Receiving water is "Wyong River". Once again, a casual Google map will show that Ourimbah Creek is not anywhere near Wyong River, but of course, flows directly into Tuggerah Lake. How is this blunder explained in a Government document for public consumption? It is truly mind boggling.

What other INACCURACIES inhabit this document, suffice to say, that it needs to be REVAMPED and presented to the PUBLIC as truthful data. We suggest that this exercise must be re-done and at least a further time for public exhibition once amended.

Please advise the us, along with the Mr. David Harris, MP, Member for Wyong, as to what is to be done.

Thank you in anticipation

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For the Australian Coal Alliance Inc.

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Information on confidentiality and privacy

I would like my submission to be treated as confidential: Yes

I would like my personal details to be treated as confidential: Yes

Name: Content removed

Postal address: Content removed Kulnura. 2250

Telephone: Content removed

Email address: Content removed

Stakeholder group: Irrigation interests

If you selected other, please specify:

If your comments refer to a specific water source, which one?: Ourimbah Creek Water Source

You can upload additional files here if required: No file uploaded

Establishing the Central Coast Coastal Floodplain Alluvial Groundwater Water Source

Do you have any comments on this aspect of the draft plan?:

Updated vision, objectives, strategies and performance indicators

Do you have any comments on this aspect of the draft plan?:

Establishing “no visible flow” cease to pump rules Mangrove Creek and Mooney Mooney Creek water sources

Do you have any comments about the proposed "no visible flow" cease to pump rule?:

How does the proposed “no visible flow” cease to pump rule impact on your current operations?:

Do you think the “no visible flow” CtP rule is practical to implement? Why/why not?:

Establishing a 24 hour delay for commence to take rule

Do you have any comments on the proposed 24 hour delay before pumping can commence?: As I am a grower of cut flowers and foliage this 24hr shutdown would have a devastating effect particularly on our flower production as we require to water everyday in heatwave conditions. The flowers are grown in plastic igloos total of 60. It takes approx 3hrs to water this area using T-Tape in all igloos. This is more efficient than overhead irrigation.

As we have three families and two casual workers who are solely dependant on our farm production in normal conditions we would only water every second day. Could your dept. give us some consideration to do what we have requested.

How does the proposed 24 hour delay impact on your current operations?:

Do you think the 24 hour delay is practical to implement? Why/why not?:

Prohibiting in river dams in Jilliby Jilliby and Ourimbah water sources

Do you have any comments on this aspect of the draft plan?:

Prohibiting works approvals near SEPP wetlands

Do you have any comments on this aspect of the draft plan?:

Prohibiting works approvals near groundwater dependent ecosystems

Do you have any comments on this aspect of the draft plan?:

Inter water source trade provisions updated

Do you have any comments on this aspect of the draft plan?:

Additional feedback

Do you have comments on any aspect of the draft plan?:

Information on confidentiality and privacy

I would like my submission to be treated as confidential: Yes

I would like my personal details to be treated as confidential: Yes

Name: Content removed

Postal address: Content removed Parramatta NSW 2150

Telephone: Content removed

Email address: Content removed

Stakeholder group: Local landholder interests

If you selected other, please specify:

If your comments refer to a specific water source, which one?: Kulnura Mangrove Mountain Groundwater Source

You can upload additional files here if required: No file uploaded

Establishing the Central Coast Coastal Floodplain Alluvial Groundwater Water Source

To whom it may concern, Content removed owns and operates a sand quarry in Somersby, located on the Central Coast, that has been in operation since 1962 under a historical local Council consent. The Quarry currently operates under a State Significant Development approval that was granted in 2012. Due to the nature of quarrying, there is generally a requirement for groundwater take/allocation as the quarry void goes below the water table of the area. Unfortunately, when the Somersby site's water licence (WAL Content removed) was changed to current legislation, the site's WAL was allocated zero shares from the Kulnura Mangrove Mountain Groundwater Source. Since this change, the site has relied on term transfer agreements to meet its requirements in water take within the Somersby site. To this end, Content removed looks forward to the opportunity of additional water for licensed take available through control allocations in the future. If you have any questions or comments, please do not hesitate to contact me. Kind regards, Content removed

Updated vision, objectives, strategies and performance indicators

Please be aware that a generalised way of monitoring water take sometimes does not fit within certain land-uses. For example, we have been notified by a NRAR officer that a quarry void is equivalent to a borehole and should be monitored as such. Obviously, this is impossible due to the size of the void and water take from additional sources such as rainfall and surface runoff. The approved method for water monitoring/water take at the site is an annual water balance assessment undertaken by a hydrogeologist. While this is the approved method within the quarry site's DPI-Water/DPIE approved Water Management Plan, we were told by NRAR that this is not an accepted way. Detail around

Do you have any comments on this aspect of the draft plan?:

additional methods of monitoring or, additional approvals via approved management plans would be appreciated so NRAR officers aren't confused when presented with a land-use they are not familiar with.

Establishing “no visible flow” cease to pump rules Mangrove Creek and Mooney Mooney Creek water sources

Do you have any comments about the proposed "no visible flow" cease to pump rule?: No comment.

How does the proposed “no visible flow” cease to pump rule impact on your current operations?: It does not impact current operations.

Do you think the “no visible flow” CtP rule is practical to implement? Why/why not?: No comment.

Establishing a 24 hour delay for commence to take rule

Do you have any comments on the proposed 24 hour delay before pumping can commence?: No comment.

How does the proposed 24 hour delay impact on your current operations?: It does not impact current operations.

Do you think the 24 hour delay is practical to implement? Why/why not?: No comment.

Prohibiting in river dams in Jilliby Jilliby and Ourimbah water sources

Do you have any comments on this aspect of the draft plan?: No comment.

Prohibiting works approvals near SEPP wetlands

Do you have any comments on this aspect of the draft plan?: No comment.

Prohibiting works approvals near groundwater dependent ecosystems

Do you have any comments on this aspect of the draft plan?: The **Content removed** Quarry site requires annual review of GDEs that are located in and around Somersby. **Content removed** are satisfied with this approach in monitoring any potential impacts on local GDEs.

Inter water source trade provisions updated

Do you have any comments on this aspect of the draft plan?: No comment.

Additional feedback

Do you have comments on any aspect of the draft plan?:

Information on confidentiality and privacy

I would like my submission to be treated as confidential: Yes

I would like my personal details to be treated as confidential: Yes

Name: Content removed

Postal address: Content removed Mangrove Mountain, NSW, 2250

Telephone: Content removed

Email address: Content removed

Stakeholder group: Irrigation interests

If you selected other, please specify:

If your comments refer to a specific water source, which one?: Mangrove Creek catchment

You can upload additional files here if required: No file uploaded

Establishing the Central Coast Coastal Floodplain Alluvial Groundwater Water Source

Do you have any comments on this aspect of the draft plan?: No

Updated vision, objectives, strategies and performance indicators

Do you have any comments on this aspect of the draft plan?: No

Establishing “no visible flow” cease to pump rules Mangrove Creek and Mooney Mooney Creek water sources

Do you have any comments about the proposed "no visible flow" cease to pump rule?: Yes, I feel it will have a negative impact on the agriculture industry on the area. We need to have access to water when conditions are dry to maintain growth of crops. When water is flowing we don't usually need to irrigate .

How does the proposed “no visible flow” cease to pump rule impact on your current operations?: As per above, when conditions are good we do not need to access irrigation. However when extreme water is required to keep ground cover ,trees, crops alive.

Do you think the “no visible flow” CtP rule is practical to implement? Why/why not?: No, How do you know when a small creek that feeds into Mangrove Creek system is in a “ No visible flow” state especially when it is fed by springs that pop up in different areas along the creek and the only time is really flows is when it is raining or flooding.

Establishing a 24 hour delay for commence to take rule

Do you have any comments on the proposed 24 hour delay before pumping can commence?: As per previous statements. We would be waiting forever or rain for the “visible flow” to occur also how to you judge visible flow when pumping from a dam.

How does the proposed 24 hour delay impact on your current operations?: As per above

Do you think the 24 hour delay is practical to implement? Why/why not?:

No. - I think as I have seen significant illegal breeches of the guidelines regarding damming of environmentally sensitive areas on a persons property nearby ,and nothing has been done , even with reporting to council and EPA , that all that will happen is people that do the right thing will continue to do so with greater expense and stress and those that flout the rules will continue to do so .

Prohibiting in river dams in Jilliby Jilliby and Ourimbah water sources

Do you have any comments on this aspect of the draft plan?:

Prohibiting works approvals near SEPP wetlands

Do you have any comments on this aspect of the draft plan?: No

Prohibiting works approvals near groundwater dependent ecosystems

Do you have any comments on this aspect of the draft plan?:

Inter water source trade provisions updated

Do you have any comments on this aspect of the draft plan?:

Additional feedback

Do you have comments on any aspect of the draft plan?:

My Formal Objection To: Central Coast - wsp

To those in authority,

I **Content Removed**

Would formally like to Object to the water sharing plans on currant display on the Central Coast, from NSW Dept of Planning, Industry & Environment...

Particularly objecting to the proposed STOP PUMP & other Rules which would restrict, stress or totally destroy crops grown for my stock and my family's lively hood. I have been in the agricultural industry both professionally and with the NSW DPI & as a primary producer farmer, consultant also Chief soil analyst with NSW Dept Public Works formulating / testing earth wall materials for large dams locally and state wide for over 45 years..

Regards

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Submission prepared by and on behalf of:

Content removed

Recommendation:

That the cease to pump rule in the draft NSW Central Coast Water Sharing Plan (the plan) be completely removed because it is an ambiguous, threatening and unnecessary component of the plan.

Status:

I am a commercial fruit and vegetable grower operating at each of the above addresses. My family has farmed continuously at these addresses since 1927. Water is drawn from Craft's Creek which runs through both properties and is a spring-fed tributary of Mangrove Creek. Water in Craft's Creek has been extracted and dammed for irrigation by my family since 1931. Each property makes extractions by the same means. Each is a concrete weir built within the creek. Originally, irrigation water was pumped directly from the pool created by the weirs but, since 1960, the weirs on each property have served the purpose of raising the height of water in the creek so that it can then be diverted under gravitational flow through a licenced diversion pipe to a licenced off-creek holding dam from which it is pumped for irrigation. We (myself and my family) intend to keep operating the business including by diversifying and intensifying our production to retain profitability and sustainable production methods. We are aware that similar methods and uses of extracted water and our history of use are commonplace on most other local farms and for all other farms that draw from Craft's Creek.

The Draft Plan:

We understand that a major aspect of the Draft water Sharing Plan (the plan) is to create a Cease to Pump rule (the rule). Under the rule, irrigation can only continue while an observable flow occurs at the point of extraction such that the creek continues to flow despite the extraction. When the flow stops; pumping must stop, the flow must be allowed to re-establish and then 24 hours needs to pass before pumping can recommence. It appears that the Plan intends to exempt built and authorised works from the cease to pump rule but there is sufficient ambiguity about the link between these works and the operation of the Plan as to threaten established and sustainable farming practice on our farm and most others of which we are aware in the area covered by the plan.

Authorisations interacting with the plan:

Authorised or licenced works for irrigation have evolved over almost a century. Originally, our licences were granted with the expectation that extractions would occur and farming would be otherwise unrestrained in the interest of food production and industrial development. Over the years, the injection of environmental standards of questionable worth have changed aspects of the original approvals. Like most farmers, we have not payed much attention to the specific detail of our evolved approvals because, until now, they have provided sufficient certainty upon which to grow our business.

The draft plan cites the requirement for in-creek works to have full and specified approval in order to access the exemptions form the cease to pump rule that are provided in the plan. Our works are not approved explicitly in a manner that would satisfy the plan without the presence of doubt. It is obvious that the works must be assumed to exist in order that the approved activity of a diversion

pipe and holding dam can also subsequently be made to operate, however, nothing specifies the exact detail of a concrete weir. The height of the extraction pipe is specified and the use of extracted water from a dam, but nothing is said of the weir itself.

The effect of this characteristic of our authorisations, when combined with the provisions of the draft plan, is to place our irrigation system within the operation of the cease to pump rule or else to risk prosecution if we were to interpret the rule more liberally.

Consequences of the rule:

Our extraction and irrigation system is typical of most within the district. The system is powered by a pump. The flow of the pump is greater than the typical inflows provided by the creek. This means that a holding dam is needed to store sufficient water for normal irrigation and for periods of very low inflow. It also means that, typically, natural observable outflows as defined by the cease to pump rule will stop shortly after irrigation commences. This will mean that we will need to stop irrigating short of a proper watering, wait for the flow to resume and then wait a further 24 hours for no obvious reason. Being unable to irrigate for very long in even optimal growing conditions will render our irrigation system worthless, our storage pointless and our business unviable. On 10 January I ran a random trial that proved that outflows beyond our extraction point cease within 23 minutes of commencing to pump. The irrigation needs of that day were 3 hours. The rule would have created a deficit of over 2.5 hours for watering on that day and made it illegal to pump for a further 24 hours. I estimate that my tomato crop would have failed for this reason within the next 8 days.

The rule also misunderstands the natural operation of Craft's Creek. The creek is typical of those in the area covered by the draft plan. The creek runs fast during high rainfall but slows quickly when rain stops. This is because the catchment is not large and the soils are very porous. Soils of this kind do not store and release water over long periods but instead allow it to percolate and leach quickly. The destination of much leaching is strata and fishes in the underlying Hawkesbury Sandstone. Pressure and gravitational force on water stored in the seamed and porous rock then creates springs. These springs are the lifeblood of the creek. They emerge randomly along and adjacent to its course increasing flow along its length through successive input of more and more springs. Even in the driest of times, my family has never observed Craft's Creek to stop flowing despite our extractions for irrigation which are actually highest and most crucial at those times in order to support crop growth without rainfall.

Just below both of our weirs there are observable springs. They keep running in part because of the head pressure formed by the raised water in the weir. Equally, the weirs leak because the sandstone is not solid and wildlife, particularly crayfish, ensure that seams remain open around the weir so that they can move up and down the creek. Regardless of these inefficiencies there remains sufficient water for our needs and for the needs of a reasonable and sustained environmental flow.

The volumetric allocations provided in both the plan and authorisations provide the regulator with sufficient power to limit extractions but not necessarily to stop them in the event of severe environmental stress. Even though I contend that the peculiarities of this spring fed riparian system would never justify such limitations; the presence of a power to decrease allocations is opportunity enough to allow for the environment without reverting to a cease to pump rule which actually bears no correlation to riparian health. Indeed, the long-established presence of works and irrigation operations have become part of the evolved ecosystem and I believe that much native flora and fauna both within the creek areas and under the influence and availability of irrigated areas have come to depend upon the dams and irrigation so provided.

It is regrettable that the Plan has escaped to Draft format without consultation with the farm community. Had such consultation occurred I believe that the problems highlighted in this submission would have been understood and rectified by the drafters.

I would be pleased to support this submission as required. Thank you for the opportunity to comment.

Information on confidentiality and privacy

I would like my submission to be treated as confidential: Yes

I would like my personal details to be treated as confidential: Yes

Name: Content removed

Postal address: Content removed KULNURA

Telephone: Content removed

Email address: Content removed

Stakeholder group: Irrigation interests, Local landholder interests, Community member

If you selected other, please specify:

If your comments refer to a specific water source, which one?:

You can upload additional files here if required: No file uploaded

Establishing the Central Coast Coastal Floodplain Alluvial Groundwater Water Source

Do you have any comments on this aspect of the draft plan?:

Updated vision, objectives, strategies and performance indicators

Do you have any comments on this aspect of the draft plan?: My comments are in relation to trading of water licenses. I firmly believe that trading of all water licenses should only occur between those who are direct users of water and not by those who invest and trade which ultimately drives up prices.

Establishing “no visible flow” cease to pump rules Mangrove Creek and Mooney Mooney Creek water sources

Do you have any comments about the proposed "no visible flow" cease to pump rule?: this will seriously impact those farmers who have established crops, orchards and livestock. Do we allow our crops and orchards and livestock to die when this cease to pump rule comes into effect ?

How does the proposed “no visible flow” cease to pump rule impact on your current operations?: It will send us out of business

Do you think the “no visible flow” CtP rule is practical to implement? Why/why not?: no. it does not take into account existing operations

Establishing a 24 hour delay for commence to take rule

Do you have any comments on the proposed 24 hour delay before pumping can commence?: not realistic. this can severely impact critical requirements

How does the proposed 24 hour delay impact on your current operations?: There may be instances when water is required immediately

Do you think the 24 hour delay is practical to implement? does not take critical needs into account Why/why not?:

Prohibiting in river dams in Jilliby Jilliby and Ourimbah water sources

Do you have any comments on this aspect of the draft plan?:

Prohibiting works approvals near SEPP wetlands

Do you have any comments on this aspect of the draft plan?:

Prohibiting works approvals near groundwater dependent ecosystems

Do you have any comments on this aspect of the draft plan?:

Inter water source trade provisions updated

Do you have any comments on this aspect of the draft plan?: water license pricing has been driven up by investors who are not using the water. This is unfair to farmers.

Additional feedback

Do you have comments on any aspect of the draft plan?:

Wyong Coal Pty Ltd (Wyong Coal) is the Manager of the Wyong Areas Coal Joint Venture and its approved underground mine known as the Wallarah 2 Coal Project (W2CP).

Wyong Coal has reviewed the documentation associated with the proposals for development of the replacement Water Sharing Plan (WSP) and supports their general scope and approach. This includes specific measures and recommendations such as:

- An embargo on applications for certain water supply work approvals which restricts in-river dams in Jiliby Jiliby Creek and Ourimbah Creek Water Sources (as set out in the *Central Coast Water Management Area Embargo Order 2020*, gazetted on 20 November 2020)
- Extension of the current WSP for a further two years until June 2022 when a replacement WSP can be developed, as recommended in the *Water Sharing Plan CC Unregulated River Water Sources 2009 – Final Report* (Natural Resources Commission [NRC], dated April 2020).
 - Wyong Coal understands that this schedule is intended to enable information exchange between the WSP replacement process and both the Central Coast Council's *Integrated Water Resource Plan (IWRP)* and the revised *Lower Hunter Water Plan* (both due for completion in 2021).
 - Central Coast Council has commenced further discussions with Wyong Coal in relation to the future W2CP development and certain water resource management matters relevant to Council's IWRP. In particular, those matters are already appropriately covered under the project's consent conditions and which require actions that are triggered by future mining stages.
 - A significant part of the W2CP's work related to future water resource management in later project stages will involve reviews, validations and refinements of existing EIS models for subsidence, groundwater and other related technical matters based on ongoing empirical evidence collected during operations.
 - With such future mining operational stages likely to be approximately 10 years away, these matters will not be significantly advanced (and certainly not finalized) for resolution in the Council's updated IWRP in 2021 nor the 2022 replacement WSP. Accordingly, while the existing consent conditions for the W2CP are considered at this stage to adequately address the concepts for water resource impact mitigation consistent with the NRC's recommendations, there is not expected to be any active mitigation activity by the future W2CP mining operation within the term of the future replacement WSP.
 - In the shorter term, the W2CP is planning to progress the next project stages including final feasibility study and detailed design but these activities will not necessarily advance or revise the W2CP's EIS stage water-related models.
- Wyong Coal concurs with the NRC's various recommended actions proposed to support replacement WSP implementation, including:
 - promoting transparent, evidence-based environmental protection measures
 - improvement to flow measurement and reporting
 - supporting more effective water account management and trade
 - improving the WSP's objectives, strategies and performance indicators, and
 - developing a WSP-specific monitoring, evaluation and reporting (MER) framework.
- Wyong Coal will continue to consult and communicate with its wide range of stakeholders, including local government and regulators and the broad community in relation to water resource management and many other matters.

I trust this information is of assistance.

Central Coast Council Submission-Draft Water Sharing Plan for CC Unregulated and Alluvial Water Sources 2021

Draft Plan Provisions	Council Response
Establishing the Central Coast Coastal Floodplain Alluvial Ground Water Source	
<p>The draft plan proposes to establish The Central Coast Coastal Floodplain Alluvial Groundwater Water Source. The long-term average annual extraction limit for the proposed water source is greater than current water use levels and will not impact current users within the proposed water source. Additional water for licensed take may be made available through controlled allocations in the future. Further details relating to this change can be found in the in Part 1 of the draft plan as well as the background document and the report card for the alluvial water source.</p>	<p>Council is investigating existence of Palaeochannel in the geographical area partly covered under this Floodplain Alluvial Ground Water Source in addition to alluvial ground water sources as future drought management source of supply in its Integrated Water Resources Plan.</p> <p>Council is in very early stages of ascertaining the possibility of such a source in the area. Council requests no licenses in this source be issued until council's investigations on the extent / boundaries and any links of this source to the paleochannels are completed.</p>
Updated vision, objectives, strategies and performance indicators	
<p>The draft plan proposes updates to the vision, objectives and performance indicators. The objectives are better defined and more clearly distinguish between the environmental, economic, social and Aboriginal cultural objectives. The strategies and performance indicators have also been updated and are more clearly linked to objectives so that measuring the success of the plan is easier. Further details relating to this change can be found in Part 2 of the draft plan and the background document.</p>	<p>No Comments</p>
Establishing 'no visible flow' cease to pump rules in Mangrove Creek and Mooney Mooney Creek water sources	
<p>The current plan already applies 'no visible flow' cease to pump (CtP) rules to 5 of the 7 water sources. The draft plan proposes that these rules are now also applied to the Mangrove Creek Water Source and the Mooney Mooney Creek Water Source. This will mean that license holders in those two water sources will have to cease pumping when there is no visible flow at the pumping location. If a pump takes from an in-river pool, the pool must not be drawn down. This requirement does not apply if water is being taken from an off-river pool. Further details relating to this change can be found in Part 8 Division 3 and 4 of the draft plan, the background document as well as the report card for the water sources.</p>	
<p>How does the proposed "no visible flow" cease to pump rule impact on your current operations?</p>	<p>Mangrove Creek Weir serves dual purpose of capturing run of the river flows from the Lower Mangrove Creek catchment (downstream of the dam and upstream of the weir) and as a small balancing storage (about 300ML) to efficiently capture any releases from Mangrove Creek Dam without wastage</p>

	<p>as spills (during dry periods when it is most precious for town water supply). It will operationally not be possible to implement 'no visible flow' rule for this source. Central Council should be exempted from this rule for this source.</p> <p>Mooney Mooney Dam source supplies water to Somersby Water Treatment Plant on daily basis. The pumps are operated irrespective of the fact that there is inflow or no inflow into the dam pool. Central Council should be exempted from this rule for this source also.</p>
Do you think the 'no visible flow' Cease to pump rule is practical to implement? Why/why not?	'no visible flow' rule is not practical to implement for the water utility (Central Coast Council) due to its operational requirements for Mangrove Creek Weir and Mooney Mooney Dam.
Establishing a 24-hour delay for commence to take rule	
<p>The draft plan proposes the following first flush rules to assist in mitigating risks to freshwater ecosystems from low flow extractions. For Mangrove Creek and Mooney Mooney Creek Water Sources the proposed rule requires that following a cease to pump event, a 24 hour period of continuous visible flow is required at the pump site before water take can resume. For Jilliby Jilliby Creek, Ourimbah Creek and Wyong River Water Sources the proposed rule requires that following a cease to pump event, a 24-hour continuous period of flow is required above the Very Low Flow Class threshold before water take can resume. Further details relating to this change can be found in Part 8 Division 3 and 4 of the draft plan, the background document as well as the report card for the water sources</p>	
Do you have any comments on the proposed 24-hour delay before pumping can commence?	Yes
How does the proposed 24-hour delay impact on your current operations?	<p>Based on the comments for 'no flow rules' being 'not practical to implement' for Mangrove Creek and Mooney Mooney Creek at weir and dam extraction points respectively, this rule should not be applicable.</p> <p>Hydrological investigation needs to be done to understand the impact of these proposed changes on system yield for Ourimbah and Wyong Water sources.</p>
Do you think the 24-hour delay is practical to implement? Why/why no	Practical implementation of this measure for the Wyong and Ourimbah sources would require reassessment of the reference gauge location relative to Council's monitoring and control assets. Further review of Council's automated control systems would be required to ensure effective implementation.
Prohibiting in-river dams in Jilliby Jilliby Creek and Ourimbah Creek water sources	
The draft plan proposes to prohibit construction of new in-river dams in Jilliby Jilliby Creek and Ourimbah Creek water sources. This restriction was previously in place for these water sources, however an administrative error resulted in the provision	Council is considering a new dam option on Toobys Creek (may be second order stream in Ourimbah Creek catchment) as one of the many other long-term water supply options. If this is determined as a preferred option, would Council be exempted from this rule in the wider interest of community for long

<p>being missed when the management arrangements were merged into the water sharing plan in 2016. This proposed change provides for the original intended management arrangements for these water sources. These proposed rules are contained in Part 9 Division 2 of the draft plan as well as in the relevant report cards.</p>	<p>term, secure water supply to the growing Central Coast Community.</p>
<p>Prohibiting works approvals near SEPP wetlands</p>	
<p>Do you have any comments on this aspect of the draft plan?</p>	<p>Yes</p>
<p>The State Environmental Planning Policy (Coastal Management) 2018(Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for coastal water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP. These proposed rules are contained in Part 9 Division 2 and Division 3 of the draft plan as well as in the relevant report cards.</p>	<p>During the Millennium drought, council was granted temporary permission to construct a weir on Porters Creek (Wyangong River water source). The temporary weir was removed after the drought, but Council may need to access this source in future droughts. The water Sharing Plan should recognise this as potential future drought measure and should allow council to use this source with relevant approvals and supporting studies.</p>
<p>Prohibiting works approvals near groundwater-dependent ecosystem</p>	
<p>Do you have any comments on this aspect of the draft plan?</p>	<p>No</p>
<p>Groundwater-dependent ecosystems (GDEs) are those that need access to groundwater to maintain their plant and animal communities and ecological processes. The draft plan proposes to simplify the existing GDE protection provisions by replacing three overly complex distance rules with a single 200m distance rule. In addition to continuing to protect the GDEs in the current plan, the draft plan proposes to expand GDE protection and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply. Exemptions for these rules are also proposed. These proposed rules are contained in Part 9 Division 3 of the draft plan. Please also refer to the background document for GDE map and additional details about this proposed change.</p>	
<p>Inter water source trade provisions update</p>	

Do you have any comments on this aspect of the draft plan?	Yes
The current plan allows, within limits, trade of water into Jilliby Jilliby Creek and Ourimbah Creek water sources. The draft plan proposes to prohibit trade into those water sources. This change aims to reduce potential additional extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process. These proposed rules are contained in Part 10 of the draft plan as well as in the relevant report cards	Council supports water trade prohibition in Jilliby Jilliby and Ourimbah sources
<p>Additional feedback The above sections relate to the key proposed changes from the current water sharing plan. However comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred</p>	
Do you have comments on any aspect of the draft plan?	Yes, See below
<p>Clause 24 (f)</p>	<p>The Clause 24 (f) provides for 5,000ML annual share component for water utility from Ourimbah Creek water source. Ourimbah Creek share component increase from 5,000 ML/a to 8,400 ML/a was agreed during preparation of the original Central Coast Unregulated Water Sources Plan (refer note at 28 (e) of the CCUWS 2009 historical version for 24 July 2009 to 7 January 2020).</p> <p>This increase was an integral element of the yield analysis underpinning the CCUWS WSP and is required so that with the application of the Wyong River extraction rules do not compromise the water supply security. This change has yet to take place.</p> <p>The 5,000 ML/a share component has been constraining the effective operation of the water supply by requiring the pump station to be turned off during extended wet period due to the limit being reached. Effectively the water supply has been prevented harvesting water at a time it was recovering from drought, when there was significant streamflows, and did not impact on any other water users.</p> <p>Even in current year (2020-21), the council has reached its annual limit in January. Under the current climate forecast, La Nina condition will persist until February, but water utility won't able to extract any water until 30 June 2021. The utility has been in this scenario in earlier years also which limits its ability to recover from drought.</p>

	<p>The annual access limit should be increased to 8,400ML so that council can file an application to NRAR to update its water access license.</p> <p>Council also approached NRAR to confirm the 3-year rolling average access which was mentioned in the previous versions of the WSP.</p> <p><i>Note under clause 75 (e) amend the share component of the local water utility or major utility access licences specified in clauses 28 and 29 of this Plan.</i></p> <p>Contrary to the note, NRAR told Council there is no rolling average provision for the Ourimbah Creek Water Source. This rolling average provision for Ourimbah Creek Water Source should be provided in the replacement plan.</p>
<p>Clause 39</p>	<p>The Clause 39 defines flow classes for various sources. The term "Flow Class" is itself not defined in the dictionary. Is it an instant value that can change over the day as flows increase or decrease during the day or an average daily flow that defines the flow class for the next day? If it is daily average, can any hours of the day can be assumed for day e.g. midnight to midnight, 8:00AM to 8:00AM etc.</p>
<p>Clause 42</p>	<p>The Clause 42 defines specific access rules for various flow classes. The term "the remaining flow" is very ambiguous. This should be defined in the dictionary with examples.</p> <p>For Wyong River Water Source change it to as in the current plan e.g. "* Class it is 80% of flow in the river" rather than "80% of the remaining flow in * Class" as in the replacement plan</p>
<p>Clause 78 (n)</p>	<p>The Clause 78 (n) related to amendment provision following change of flow reference point for Wyong River Water Source from 211009 and 211010 steam gauges to Wyong River weir specifies 7.6% decrease in daily extraction limit. Initial calculations suggest that water utility may be at annual loss of 2,000 to 3,000ML yield from Wyong river source. Council would like to see the hydrological analysis behind this calculation and requests that any proposed change is shown to have no negative impact on the yield of the Central Coast Water Supply Scheme.</p>

Submission regarding the Draft Water Sharing Plan for Central Coast NSW

By

Central Coast Horticulture Branch of the NSW Farmers' Association

Content removed, Chairman

February 2021

Executive Summary

The Central Coast Horticulture Branch of the NSW Farmers Association (the branch) represents 38 commercial fruit, vegetable and flower growing businesses in the area covered by the Draft Water Sharing Plan for the Central Coast (the plan). We conclude that the cease to pump rule (the rule) in the plan will impact nearly all of our members by rendering established and routine irrigation practices illegal. The branch also believes that the intent of the rule will serve no or inconsequential environmental benefit because the catchment is fed by springs and inflows that create gaining flows in streams despite the presence of irrigated agriculture drawing water from the same streams. We see the rule as an irreconcilable and inappropriate impediment that should be removed from the plan.

Background

Central Coast surface water supplies for irrigation are varied but the consistent factor is their reliance upon permanent, spring fed streams or dams that access the peculiar and particular spring system that is characteristic of the region. Typically, watercourses increase in flow along their length as springs, swamps and soaks supported by underlying and porous Hawkesbury Sandstone contribute to their flow. Farmers have created often-novel means to extract a part of the flow from these water sources. Some extract directly from creeks or spring-fed dams, others pipe from weirs that raise the water level so that it can be diverted under gravity to beside-creek storage and others have built dams in first or second order streams from which they extract.

The history of use on many properties and for most irrigation licences dates from the first half of the 20th century. Existing systems are usually improvements upon or still reliant upon the extraction and storage infrastructure built and licenced at that time. Importantly, in that era, farmers were encouraged and sometimes subsidised by government grants or concessional loans to build the extraction, storage and irrigation works. The licences are very simple – often oversimple – documents that licence both the point of extraction or storage and the nature of use. They are often ambivalent or silent on several of the details about the facility required to make extractions.

Overlaying the long history has been a move from area-based or crop-based usage noted on licences to volumetric allocations. This change and a concurrent 'upgrade' of licences were done almost exclusively as a remote process of NSW Water or, formerly, Water Resources NSW with the barest of consultation with farmers or those effected.

There appears to be very little understanding by water regulators or planners of either the nature of water supply for irrigation in the areas covered by the plan or the evolved licencing regime that

provides for irrigation. The effect is a mismatch between established practice and the proposed cease to pump rule.

The exemption mentioned to the cease to pump is contingent on having a works approval for an in-river dam. Due to historical anomalies previously noted there are numerous instances where in river dams or weirs do not have an approval, particularly for works that have been in place for many decades. It is also apparent on many licences that conditions on the works approval for a gravity diversion pipe reference the pipe but not weir, even though it has been constructed so as to make the pipe work and may have been in place for many decades.

Irrigation Systems

Historically Irrigation has been used in different forms by farmers in this area for much of the last century. Continual advances in technology and efficiency being adopted throughout this period has led to continual productivity and quality gains without additional drawdown of the regions water resources. For the past century farmers have been working carefully with the water resources of the region resulting in little or no impact on environmental flows.

Technology, opportunity and cost have provided for progressive improvement to irrigation systems. However, the consistent need for powered systems remains because water sources are always below cropping areas in this hilly-to-undulating region. The region has a relatively high rainfall that tends to replenish groundwater and spring sources by infiltration through light soils but the same soils (low moisture holding capacity) and the variability of rainfall mean that crops would fail at intervals in their life cycle without irrigation. It is common for irrigation to be required within days of a rainfall event.

Overhead or flood irrigation has largely given way to either micro-sprinkler or drip systems for every form of agriculture practiced in the region. This change has been driven by cost/benefit. The cost of upgrade to irrigation systems has been justified by the combined effects of being able to irrigate more efficiently and, thereby, being able to irrigate more area or more regularly thereby driving up both productivity and product quality.

The result for the catchment of changes to irrigation efficiency is that the same or lower extractions now irrigate more or better quality farm production. Equally, the diversity of products able to be grown now includes avocados, stonefruit, nurseries and cut flowers that are each highly water-sensitive crops that past irrigation practice could likely not support. As a result, they are relatively recent additions to the suite of traditional fruit and vegetable industries and add to the employment and diversity (risk management) of farming in the region.

An effect of the changed irrigation technology is that it is typically more active. This means that 'a little water often' has taken over from flood or spray irrigation. That change more adequately caters for crop physiology by applying water when needed rather than trying to create an in-soil reserve for the crop to draw over time. The latter practice has always been fraught in this district because of the light and sandy soils that are most common and have a very low moisture holding capacity.

Now, with better targeted irrigation systems and timing, the high drainage capability of the soil can actually be used to the farmer's advantage by avoiding periods of root inundation and the associated risk of soil-borne fungal diseases.

The changes to irrigation have made it more critical to have consistent supply of water from natural sources. These changes have only been possible because of the regular and reliable spring-fed flows. Importantly, these springs, soaks and tributaries are so multiple that neighbours with relatively small acreages and short distances between their water extraction points can each set up efficient irrigation systems and businesses reliant upon a regular supply of water available to each while allowing for gaining flows in the streams.

Cease to Pump Rule (the rule)

The proposed rule is to the effect that an observable flow must be maintained at the point of in-creek extraction unless the works are licenced for irrigation. If the flow stops, irrigation must stop and may only resume 24 hours after the flow has resumed. The intent is to continue flows along the creek at the extraction site.

Three complications result for irrigators:

1. Most licences in the district are incomplete for modern regulations and for the plan because they licence only the means of extraction, off-creek storage and allowable use but do not specify or contemplate the in-creek works required to deliver for extraction. The effect is that these works; most often concrete weirs or constructed earthen/clay walls, create a pond that must continually show outward flow under the rule. The problem is that outtake when irrigation pumps are running is greater than inflows meaning that observable outflows cease shortly after pumping begins. The rule requires that pumping or extraction should then stop, flow must resume and 24 hours elapse before the next irrigation. This will mean that farmers cannot irrigate for long enough before they must stop and must then wait more than 24 hours to resume. We contend that this factor alone will render every such system in the district useless for irrigation and terminate farming on those farms.
2. Off-creek storages have been constructed to pool water for use in irrigation. These might include a dam in a clay bed beside a creek, turkey nest dams or tanks. The size of these structures reflects the regular inflows of the spring fed system meaning that they are usually quite small intended to provide some assurance during a dry spell but mainly to overcome the deficit between slow but steady inflows and high, pumped outflows for short but regular irrigation intervals. The constructed systems do not contemplate long periods of inability to extract or pump as would be created by the rule. Increasing the size of these storages is almost impossible for most farmers for one or more of the following reasons:
 - a. Local Government or regulatory approval has become very unlikely because of modern and competing environmental perceptions or standards.

- b. Land upon which a large dam might be constructed is already under crop. Farms are typically quite small but intensively farmed. Diverting more land for water storage has a reverse correlation on productivity and profitability of the business.
 - c. Suitable sites for new storages are limited on each property. It is a particular skill of earthworks experts to obtain a site that has sufficient clay to overcome leakage into the naturally and dominant light soil profile or the porous underlying sandstone. These factors have limited the area and depth of existing dams historically.
 - d. The cost of constructing additional storage is prohibitive to a small family business.
3. There is no necessary environmental benefit that would follow from the risk and loss weighed on farmers and farm industries by the rule. This occurs because:
- a. The spring-fed natural supply in watercourses is such that springs add continuously to the flow of each stream from which water is extracted for irrigation. This means that a flow in any stream is restored shortly after a point of extraction by the inflow provided by one or more springs downstream. So, natural overflows at extraction sites are supplemented by subsequent springs. Even if overflow is not observable for a short time at an extraction site, the catchment system is typically replenished by other spring inputs shortly on down its course.
 - b. Off-creek storages are relatively small and overflow back into the creek routinely. This means that the health of the creek is not adversely affected by large take-out for storage. Flows to the creek typically recommence between irrigations.
 - c. In the course of a creek or catchment there would be several small irrigators extracting different quantities at different times. This random variability means that the call for irrigation water is spread rather than concentrated thereby minimising the impact of extractions on environmental flows.
 - d. The porous nature of the stone, soil, clay and aggregates upon which in-creek works are constructed mean that they leak. Every farmer reports routine leakage from their constructed works. Additionally, Platypus and crayfish maintain tunnels through rock fitches in the adjacent sandstone which diverts water around many built structures. These can become so profuse that earthworks are required to stop a leak in order to restore a capacity to extract. This is an ongoing but unpredictable process. These commonplace imperfections of in-creek and off-creek storage create both additional flow in the creek and additional, observable head pressure on downstream springs.
 - e. In-creek works create ponding at sites where it would otherwise not occur. In combination with leakage and overflow from these works they not only have minimal impact on creek flow and health but they create important breeding and habitat sites for fauna and flora that rely on pools. Many works have existed for so long that they are now a part of the evolved ecosystem.

Conclusion

We are firmly of the view that the cease to pump rule must be removed completely from the plan. It creates an absolute obstruction to continued irrigation practice to such an extent that it would render useless most established irrigation systems and thereby stop commercial farming in those locations. The surface and sub-surface water resource and aquifer structure is both durable and reliable enough to supply existing irrigation practice and use, to afford adequate environmental flow. The rule does not mesh with the peculiarity of the spring-fed system that it seeks to regulate. It is a blunt and ill-considered policy response that is evidence of the total absence of any consultation with any farmer or farmer group. It also reveals a worrying lack of understanding of the local creek system by the drafters of the plan.

The conversion from volumetric to unit measurement of water licence allocation that has occurred should also make the cease to pump rule redundant. The regulating authority currently has the ability to reduce irrigators allocation should the year require. This has the dual purpose of allowing irrigators to irrigate as the season requires, due to efficient irrigation systems, while quarantining a certain percentage of the irrigators allocation for environmental flow should this be necessary.

It is worthy to note the State Government has instigated a Rural Land Use Review in part to enable greater agricultural productivity. The Draft Water Sharing Plan has the potential to do the opposite on the Central Coast Plateau.

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Office use only

Submission number

How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and proposed changes from the current plan have been summarised in this submission form, comments may be provided for any or all of the changes mentioned below. Alternatively, you are welcome to provide comments and feedback on all aspects of the water sharing plan in the space provided at the bottom of the form. If more space is required, attachments may be provided.

Send completed submissions to:

Post: Central Coast WSP Submissions,
Department of Planning, Industry and Environment
PO Box 2213
Dangar NSW 2309

Email: wsp.centralcoast@dpie.nsw.gov.au

Note: Submissions close 31 January 2021

Information on privacy and confidentiality

All submissions received by NSW Department of Planning, Industry and Environment for the proposed draft plan will be reviewed following the public exhibition period to inform the finalisation of the draft water sharing plan. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential

Yes

No

I would like my personal details to be treated as confidential

Yes

No

Name

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

How to fill out this form

Postal Address	[Redacted]		
Telephone	[Redacted]		
Email address	[Redacted]		
Stakeholder Group <small>(please indicate which of the following best represents your interest by ticking one box)</small>	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
If your comments refer to a specific water source, which one?	Concern for our Nation's Future Farms and Environment. Specific Hawkesbury catchment - starting with Ironbark Creek system		
Attach extra pages if required	see attached Notes.		

Establishing the Central Coast Coastal Floodplain Alluvial Groundwater Water Source

The draft plan proposes to establish The Central Coast Coastal Floodplain Alluvial Groundwater Water Source. The long term average annual extraction limit for the proposed water source is greater than current water use levels and will not impact current groundwater users within the proposed water source. Additional water for licensed take may be made available through controlled allocations in the future.

Further details relating to this change can be found in the in Part 1 of the draft plan as well as the background document and the report card for the alluvial water source.

Do you have any comments on this aspect of the draft plan?	Given the porous nature of the alluvial water beds the dryer climate patterns, the importance of marine species and the mining demands (not to mention population increases) it is not acceptable to consider increased extraction. -
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Updated vision, objectives, strategies and performance indicators

The draft plan proposes updates to the vision, objectives and performance indicators. The objectives are better defined and more clearly distinguish between the environmental, economic, social and Aboriginal cultural objectives. The strategies and performance indicators have also been updated and are more clearly linked to objectives so that measuring the success of the plan is easier.

Further details relating to this change can be found in Part 2 of the draft plan and the background document.

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Establishing a 24 hour delay for commence to take rule

The draft plan proposes the following first flush rules to assist in mitigating risks to freshwater ecosystems from low flow extractions.

- For Mangrove Creek and Mooney Mooney Creek Water Sources the proposed rule requires that following a cease to pump event, a 24 hour period of continuous visible flow is required at the pump site before water take can resume.
- For Jilliby Jilliby Creek, Ourimbah Creek and Wyong River Water Sources the proposed rule requires that following a cease to pump event, a 24 hour continuous period of flow is required above the Very Low Flow Class threshold before water take can resume.

Further details relating to this change can be found in Part 8 Division 3 and 4 of the draft plan, the background document as well as the report card for the water sources.

Do you have any comments on the proposed 24 hour delay before pumping can commence?	A worthy suggestion which could help if it was taken seriously.
How does the proposed 24 hour delay impact on your current operations?	If everyone complied it could help. when things are really parched it couldn't be a magic solution.
Do you think the 24 hour delay is practical to implement? Why/why not?	If every one else planned ahead and complied its better than now. those of us with live plants to save are different to H ₂ O extractors, mines who maybe could have a flexi day or so. Or broiler shed/hydroponics who could have stage storage from wet times!!

Prohibiting in-river dams in Jilliby Jilliby Creek and Ourimbah Creek water sources

The draft plan proposes to prohibit construction of new in-river dams in Jilliby Jilliby Creek and Ourimbah Creek water sources. This restriction was previously in place for these water sources, however an administrative error resulted in the provision being missed when the management arrangements were merged into the water sharing plan in 2016. This proposed change provides for the original intended management arrangements for these water sources.

These proposed rules are contained in Part 9 Division 2 of the draft plan as well as in the relevant report cards.

Do you have any comments on this aspect of the draft plan?	Yes, please, but make it everywhere even on Ourimbah Creek and tributaries.
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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Updated vision, objectives, strategies and performance indicators

<p>Do you have any comments on this aspect of the draft plan?</p>	<p>The regulations are not controllable now or ever. the more money the operator has the more he takes and the more not reversable damage he does to us all and our region. because he can afford to and who can say No?</p>
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Establishing 'no visible flow' cease to pump rules in Mangrove Creek and Mooney Mooney Creek water sources

The current plan already applies 'no visible flow' cease to pump (CtP) rules to 5 of the 7 water sources. The draft plan proposes that these rules are now also applied to the Mangrove Creek Water Source and the Mooney Mooney Creek Water Source.

This will mean that licence holders in those two water sources will have to cease pumping when there is no visible flow at the pumping location. If a pump takes from an in-river pool, the pool must not be drawn down. This requirement does not apply if water is being taken from an off-river pool.

Further details relating to this change can be found in Part 8 Division 3 and 4 of the draft plan, the background document as well as the report card for the water sources.

<p>Do you have any comments about the proposed 'no visible flow' cease to pump rule?</p>	<p>A good idea - but what when his offriver pool is on a main gully supplying a creek in wet times or is on a soak or hanging swamp which supplies a creek? It doesn't work and ALL below has NO WATER!!</p>
--	--

<p>How does the proposed "no visible flow" cease to pump rule impact on your current operations?</p>	<p>A good idea - but when there is No flow for weeks and everything is dried out the plants just die.</p>
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<p>Do you think the 'no visible flow' Cease to pump rule is practical to implement? Why/ why not?</p>	<p>No. because the rule is ignored - it takes too long to get action action (months) and then the general method is to find a way around for the water hog. The rest of the community and The environment just dies of thirst!!</p>
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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Prohibiting works approvals near SEPP wetlands

The *State Environmental Planning Policy (Coastal Management) 2018* (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for coastal water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

These proposed rules are contained in Part 9 Division 2 and Division 3 of the draft plan as well as in the relevant report cards.

Do you have any comments on this aspect of the draft plan?

long overdue - need to be sure what minimal harm is - No flexible measure!! and make sure the miners, extractors other NON Farmers have the same values for water cycles etc!!

Prohibiting works approvals near groundwater-dependent ecosystems

Groundwater-dependent ecosystems (GDEs) are those that need access to groundwater to maintain their plant and animal communities and ecological processes. The draft plan proposes to simplify the existing GDE protection provisions by replacing three overly complex distance rules with a single 200m distance rule. In addition to continuing to protect the GDEs in the current plan, the draft plan proposes to expand GDE protection and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply. Exemptions for these rules are also proposed.

These proposed rules are contained in Part 9 Division 3 of the draft plan. Please also refer to the background document for GDE map and additional details about this proposed change.

Do you have any comments on this aspect of the draft plan?

sounds positive - something like the old chain exclusion zone on All water ~~courses~~ courses. Which kept the water cycle healthy. it ~~was~~ definitely worked. Was obeyed mostly.

Inter water source trade provisions updated

The current plan allows, within limits, trade of water into Jiliby Jiliby Creek and Ourimbah Creek water sources. The draft plan proposes to prohibit trade into those water sources. This change aims to reduce potential additional extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

These proposed rules are contained in Part 10 of the draft plan as well as in the relevant report cards.

Do you have any comments on this aspect of the draft plan?

Another sensible plan - but it needs to be general - even the Hawkesbury/Nepean catchments etc.

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

1. Thanks to local MP for Gosford getting me a copy, I am grateful to get this chance to input on H₂O our nation's most precious / scarce thing!!

I am not computer savvy any way don't have one. Do hope in future its not such a drama to have my right to read such plans and comment.

2. It is unacceptable that such an important plan comes out IN a Pandemic with a deadline straight after the holiday period, with Australia day holiday, to cut a mailing day out.

It seems to be a regular pattern for N.S.W Policy!!

3. Congratulations however, on this submission form. Its the best I've ever used,

I must say with a broken wrist, fires, drought, heartwaves and all, its been something that I could have used till February 2021 to do real justice to..

Thank you



Nature Conservation Council
The voice for nature in NSW

29 January 2021

Central Coast WSP Submissions
Department of Planning, Industry and Environment
PO Box 2213
Dangar NSW 2309

Via email: wsp.centralcoast@dpie.nsw.gov.au

To whom it may concern,

Submission on the draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources

The Nature Conservation Council of New South Wales (NCC) is the state's peak environment organisation. We represent over 160 environment groups across NSW. Together we are dedicated to protecting and conserving the wildlife, landscapes and natural resources of NSW.

The Community Environment Network (CEN) is an alliance of community and environment groups from the Central Coast working for Ecologically Sustainable Development and against threats to it. Our membership is approximately 500 with affiliated group memberships of approximately 5000.

Summary of submission

NCC, together with CEN welcome the opportunity to comment on the draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources (the draft Plan). The final Water Sharing Plan could positively influence health and longevity of water flows in the region if it meaningfully pursues environmental objectives. Mining under water catchments and expanding landfill sites are concerning proposals counter to sustainable development and should not progress. We are opposed to full Ministerial discretion on the Plan.

NCC and CEN welcome further discussion on these draft rules. Your key contact point for correspondence is Strategy and Operations Director, Jacquelyn Johnson, available at jjohnson@nature.org.au and on (02) 9516 1488.

Sincerely,

A handwritten signature in blue ink that reads 'Chris Gambian'. The signature is written in a cursive style and is underlined with a blue horizontal line.

Chris Gambian
Chief Executive
Nature Conservation Council of NSW



Nature Conservation Council
The voice for nature in NSW



1. Introduction

1.1 Environmental health as a priority

Regional Water Strategies and Water Sharing Plans across NSW must all reflect the objectives of the *NSW Water Management Act 2000* (the Act). The Act prioritises environmental health of water sources and the principles of ecologically sustainable development. Repairing the ecological health of NSW rivers should therefore be of first-order importance.

1.2 A strategic response to climate change predictions

Water is a scarce resource in Australia. Climate modelling indicates that water resources will diminish further in the future. Rain patterns will change and evaporation, average temperatures and the number of hot days will increase. Sustainable management of water demand under predicted circumstances must be the main objective of all Regional Water Strategies.

The work undertaken by the Water Division of the Department of Planning, Industry and Environment (DPIE-Water) to improve predictive modelling for water availability in regional NSW is important for a strategic response to the impacts of a warming climate. Access to the Chief Scientist's independent review of the modelling would further support informed planning.

The overallocation of water in the context of declining inflows must be addressed. Projections indicate that over-allocation will exacerbate already difficult circumstances. These strategies and plans should work to actively reduce water dependency and use.

The absence of a framework provided by a State Water Strategy impedes the success of any regional plan in NSW to address the declining reliability of water supply across the state.

1.3 Basic information

Water sharing plans all require some basic information about the resilience of water resources as a foundation for decision making. If plans flag any increased water use or dependence on groundwater for town water supply and industry during drought, they must also address the relationship between surface water and groundwater sources. The overlap between High Ecological Value Aquatic Ecosystems and Groundwater Dependent Ecosystems is an essential consideration.

2. Comments on Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources

2.1 Mission statement of the draft Plan

NCC and CEN support the mission statements contained in the draft Plan, particularly, as follows:

- Section 10 1. 'The broad environmental objective of this Plan is to protect and where possible enhance and restore, the condition of the water sources and their water-dependent ecosystems'



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- Section 10 2a (iii) 'The connectivity between and within water sources including to support surface and groundwater exchange and downstream processes including priority fish passages.'
- Section 10 2b 'To contribute to the prevention of structural damage to aquifers of the water sources resulting from groundwater extraction.'
- Section 10 3b 'Reserve a portion of natural flows to partially mitigate alterations to natural flow regimes in the water sources' (as also repeated in 12 (3d) and 12 (3f).
- Section 15 'recognises the effects of climate variability on a long-term basis.'
- Section 41 (2) 'Surface water must not be taken if there is no visible flow at the location from which water is to be taken.'

2.2 Achieving the mission of the Water Sharing Plan

Environmental flows, as suggested in the draft Plan, are essential to water source health and must not be compromised in any way. The final Water Sharing Plan for the Central Coast can achieve improved outcomes for river health, native fish, waterbirds and wetlands, providing it embraces the statements outlined above.

The true health and longevity of water flows and considered extraction for domestic use depend on meaningfully achieving environmental objectives.

NCC and CEN support options for water sharing that recognise the significance of cultural knowledge. Water sharing plans must engage with First Nations sovereignty, knowledge, and expertise in water management. We note that such consultation is yet to occur and consider this work essential to the legitimacy of any future Water Sharing Plan.

2.3 Options opposed by NCC

Extractive industries throughout the Central Coast region, such as coal mining under the Jilliby Jilliby Creek/Wyong River catchment, must not be allowed to damage aquifer systems. The Plan must support connectivity between surface and groundwater. Many water sources in NSW have been damaged or lost to such "unplanned" connectivity, or subsidence, because of mining.ⁱ

The continued use and proposed expansion of the Mangrove Mountain Waste Landfill site, currently before the Land and Environment Court, is seen by residents of the Central Coast as an abomination. The project has already seen the contamination of mountain sourced fresh water supplies. The expansion must be stopped.

The Minister should not be delegated the right to override the principles of this Plan. Such a delegation opens the Plan to the risk of irrelevance and puts water sources at risk of over extraction or non-reversible destruction.

Regardless of the options that the Central Coast Water Sharing Plan seeks to pursue in finalising this policy, each must first be tested for its contribution to/impact on ecological sustainability and biodiversity conservation before it is progressed further.



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ⁱ Independent Expert Panel for Mining in the Catchment, 2019, Report of the Independent Expert Panel for Mining in the Catchment: Part 2, Coal Mining Impacts in the Special Areas of the Greater Sydney Water Catchment, https://www.chiefscientist.nsw.gov.au/_data/assets/pdf_file/0005/281732/IEPMC-Part-2-Report.pdf



Xavier Martin
Vice President

14 February 2020

Central Coast WSP Submissions
Department of Planning, Industry and Environment
PO Box 2213
Dangar NSW 2309

Via Email: wsp.centralcoast@dpi.nsw.gov.au

RE: Draft replacement of the Central Coast Water Sharing Plan

The NSW Farmers' Association (NSW Farmers) is Australia's largest state farming organisation (SFO) representing the interests of its farmer members. Our purpose is to build a profitable and sustainable New South Wales farming sector through promoting productivity, risk management and business continuity in individual farm enterprises.

Our state's diverse geography and climatic conditions mean a wide variety of crops and livestock can be cultivated here. Unlike most other SFOs, we represent the interests of farmers from a broad range of commodities – from avocados and tomatoes, apples, bananas and berries, through grains, pulses and lentils to oysters, cattle, dairy, goats, sheep, pigs and chickens and private native forestry.

The NSW Farmers Central Coast Branch are making a submission to you on the Central Coast Water Sharing Plan (CCWSP), however it is appropriate in this instance that a submission is also made from the Association as a whole, as the CCWSP is an important step in how other coastal water sharing plans will be constructed.

The Central Coast area

The current draft CCWSP does not take into account the landscape of the area, and has imported generic rules that act contrary to the supply of water, quantity used and the modes in which agriculture is undertaken. A key cause of this is the appearance of unproductive consultation by the Department; a fact that the Department itself freely admits, due to COVID. This has led to outcomes, again admitted by the Department that may be contrary to both the aims of the rules with the CCWSP and on the ground common sense.

Water supply in the CCWSP

The incomplete consultation by the Department has directly led to a draft Water Sharing Plan (WSP) that may fail to address the very intrinsic aim of an area plan. That is to make rules that are subject to, and in response to, the physical characteristic of that area, the availability of water in quantity and source, and the nature of the use of water available in allocations to agriculture.

NSW Farmers' Association

ABN 31 000 004 651 PO Box 459 St Leonards NSW 1590 Level 4 154 Pacific Highway St Leonards NSW 2065
Member Service Centre 1300 794 000 T 02 9478 1000 F 02 8282 4500 www.nswfarmers.org.au

The equitable allocation and supply rules of water in a WSP, cannot be properly undertaken if there is not a locally informed knowledge of how water sources are supplied and located to the areas of use. In this Plan area, water from springs, that are common across the whole area, are quite different to the supply in other plan areas that rely on delivery from rainfall and water courses. This is a significant issue that is not addressed in the draft CCWSP.

The effect of this omission is that the proposed cease to pump rule in the CCWSP is not based on the actual availability of water, but on the incorrect premise that a lack of visible flow equates to a diminution of quantity of water available at that location. In this area covered by the plan springs can fill a stream, and the water can then take a subterranean route through sandstone crevices, to reappear a matter of meters away. In these instances a cease to pump order under the current draft would be implemented, while in effect, supply has not reduced.

Other outcomes of the spring fed system is that, when extracting water from in stream weirs, levels can drop to display a lack of flow over the structure. This is not a situation, as is mandated in the draft CCWSP that is one of reduced supply that requires recovery. The nature of spring fed water courses is that, at correct pumping extraction levels, there will be immediate recovery to a visible flow on cessation of take. To impose a 24 hour cease to pump order in these circumstances is illogical and ignores the key rationale of the order; supply is not diminished to down-stream users, and an interruption to extraction has no additional benefit downstream.

Agricultural use of water in the CCWSP area

This area has a sustained agricultural production base for over 120 years, with plantings in citrus, vegetables and avocados being prominent. The soil is clay based, over the surface sandstone, with a sandy topsoil.

Due to the sandy topsoil, irrigation has been and continues to be the vital component of crop production. With increased efficiency through technology, water quantities required are sufficient in allocations across the plan area, and of most significance is the availability at critical decision times, not quantity of water.

This is the area where the lack of knowledge and adaptation to the plan area is most evident in the CCWSP. As sandy soil bases drain rapidly, at key growth time and times of heat stress, water must be available for targeted irrigation. With the variety of seasonal crops grown in the area, demand is not at peaks similar to large area cropping. Demand is crop timing, and weather specific, and water must be available when needed. A cease to pump order for 24 hours, made at a time of these key events, would lead to crop failure, or yield damage, while, as previously mentioned, no actual water shortage is at hand.

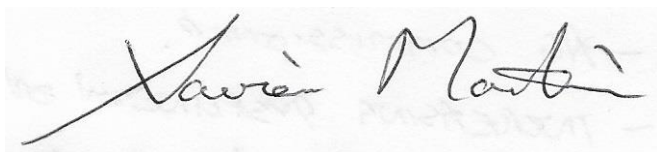
Draft CCWSP

This brief outline demonstrates the draft CCWSP must undertake further on ground consultation in the area to remedy its serious flaws, and lack of suitability to the area to which it is to be applied. The damage to agricultural productivity in this area if this draft plan were to be implemented would be significant and permanent, interrupting the viability of generations of successful businesses.

The Department has agreed that the consultation process has highlighted areas where there is lack of understanding of the way water is delivered and replenished in the plan area. Further, the outcomes of the draft plan, if implemented, would cause unintended harm. To address this the NSW Farmers Association and our members on the ground are willing to work with the Department. The CCWSP as it is drafted is not suitable, and cannot be implemented in the area.

We are happy to provide further information about the issues raised in this submission, if this would be helpful.

Yours sincerely

A handwritten signature in black ink that reads "Xavier Martin". The signature is written in a cursive style with a long, sweeping underline.

Xavier Martin
Vice President
NSW Farmers Water Taskforce Chair

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Office use only

Submission number

How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and proposed changes from the current plan have been summarised in this submission form, comments may be provided for any or all of the changes mentioned below. Alternatively, you are welcome to provide comments and feedback on all aspects of the water sharing plan in the space provided at the bottom of the form. If more space is required, attachments may be provided.

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Name

[Redacted Name]

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

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Telephone	[Redacted]		
Email address	[Redacted]		
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If your comments refer to a specific water source, which one?	Ironbark Cr. Mangrove Mtn		

Attach extra pages if required

Establishing the Central Coast Coastal Floodplain Alluvial Groundwater Water Source

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The draft plan proposes updates to the vision, objectives and performance indicators. The objectives are better defined and more clearly distinguish between the environmental, economic, social and Aboriginal cultural objectives. The strategies and performance indicators have also been updated and are more clearly linked to objectives so that measuring the success of the plan is easier.

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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

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Do you have any comments about the proposed 'no visible flow' cease to pump rule?

IT IS JUST COMMON SENSE

How does the proposed "no visible flow" cease to pump rule impact on your current operations?

YOU CAN SEE THE DEAD ROWS OF TREES AND SHRUBS THAT DIED LAST SUMMER.

Do you think the 'no visible flow' Cease to pump rule is practical to implement? Why/ why not?

IN CREEK POOLS ARE FULL OF LIFE THEY DESERVE TO LIVE ASS WELL AS US

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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These proposed rules are contained in Part 9 Division 2 of the draft plan as well as in the relevant report cards.

Do you have any comments on this aspect of the draft plan?	<p>I feel this would depend on the circumstance of each indivisible sight I am talking now of the 24 hours delay</p>
--	--

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Prohibiting works approvals near SEPP wetlands

The *State Environmental Planning Policy (Coastal Management) 2018* (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for coastal water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

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These proposed rules are contained in Part 10 of the draft plan as well as in the relevant report cards.

Do you have any comments on this aspect of the draft plan?

I do not agree with Licence Holders being able to sell their Licence or part of. The water should be tied to the land

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan? *yes*

you talk at one point of no visible flow what about when there is flow and people pump all the flow and leave the legal licence holders with no flow down stream.

It may be in here some where I dont believe people should be able to put dams across creeks or wet weather creeks. Use by duct dams or solar driven pump that fills and off creek storage dam or tanks.

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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If your comments refer to a specific water source, which one?			

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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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Do you have any comments about the proposed 'no visible flow' cease to pump rule?

How does the proposed "no visible flow" cease to pump rule impact on your current operations?

Do you think the 'no visible flow' Cease to pump rule is practical to implement? Why/why not?

Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



Submission form

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Do you have any comments on this aspect of the draft plan?	
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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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Draft Water Sharing Plan for the Central Coast Unregulated and Alluvial Water Sources 2021



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