



Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources Amendment Order 2011

under the

Water Management Act 2000

I, the Minister for Primary Industries, in pursuance of section 45 (1) (a) of the *Water Management Act 2000*, being satisfied it is in the public interest to do so, make the following Order to amend the *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2008*.

Dated this 2nd day of August, 2011.

KATRINA HODGKINSON, MP
Minister for Primary Industries

Explanatory note

Section 45 (1) (a) of the *Water Management Act 2000* provides that the Minister may, at any time, by order published on the NSW legislation website, amend a management plan if satisfied it is in the public interest to do so. The purpose of this Order is to amend the *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2008*. The concurrence of the Minister for the Environment was obtained prior to the making of this Order.

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1 Name of Order

This Order is the *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources Amendment Order 2011*.

2 Commencement

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

3 Amendment

The *Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2008* is amended as set out in Schedule 1.

Schedule 1 Amendment of Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2008

[1] Clause 22 Share component of domestic and stock (conveyance) access licences

Omit the note. Insert instead:

Note. From 1 July 2013, a new requirement will be introduced to require a domestic and stock (conveyance) access licence for persons taking water for domestic consumption and stock watering under section 52 of the Act who are not taking the water through an efficient water distribution system. The delay in introducing this requirement is to allow time for these persons to make their water use efficient. Charges may be imposed for domestic and stock (conveyance) access licences consistent with any determination by the Independent Pricing and Regulatory Tribunal.

[2] Clause 27 Changes to total share components

Omit “no.” from clause 27 (3).

Insert instead “each supplementary water access licence will be cancelled during year 10 of this Plan”.

[3] Clause 28 Rules for granting access licences

Omit clause 28 (2). Insert instead:

(2) Applications for access licences may be made in these groundwater sources, if the application is for:

- (a) an aquifer access licence of the subcategory Aboriginal community development, or
- (b) an access licence that may be granted in accordance with a dealing, or
- (c) an aquifer (interference) access licence in the Surat, Warrego or Central Groundwater Sources.

[4] Clause 28, Note

Insert at the end of the Note:

Supplementary water access licences may be granted in accordance with clause 27 (2).

[5] Clause 29 Rules for granting or amending water supply works approvals

Insert “of the Act” after “sections 21 (b) and (d)” in clause 29 (1).

[6] Clause 29 (2)

Re-number paragraphs (b) and (c) as (a) and (b), respectively.

[7] Clause 29 (10)

Omit the subclause. Insert instead:

(10) Until entitlements have been reduced under clause 27 (1), or year 6 of this Plan, whichever is the sooner, the Minister must not:

- (a) grant an approval for a water supply work that is a water bore, or
- (b) amend an approval for a water supply work that is a water bore, or
- (c) consent to the nomination of a water supply work that is a water bore on an access licence,

if the water supply work is used, or is to be used, to take water under an access licence in the Eastern Recharge Groundwater Source.

[8] Clause 29 (10A)

Insert after clause 29 (10):

(10A) Subclause (10) does not apply to:

- (a) a water supply work solely for basic landholder rights, a local water utility access licence, or an access licence of the subcategory town water supply, or
- (b) the withdrawal of a nomination of a specified water supply work, or group of water supply works, as a work or group of works by means of which water allocations under an access licence may be taken.

[9] Clause 34 Available water determinations

Omit “aquifer” from clause 34 (5). Insert instead “aquifer”.

[10] Clause 34 (7)

Omit “clause 25 (1)”. Insert instead “clause 27 (2)”.

[11] Clause 34 (10)

Insert after clause 34 (9):

(10) For the purpose of this Plan, a domestic and stock (conveyance) licence has the same priority as a domestic and stock access licence.

[12] Clause 36 Annual accounting for water extraction

Omit clause 36 (4) and (5).

[13] Clause 36 (7)

Omit the subclause. Insert instead:

(7) The maximum water allocation that can be carried over from one water accounting year to the next in the water allocation account for an aquifer access licence is 0.6 ML per unit of access licence share component.

[14] Clause 36 (8)

Omit “from the water allocation account of”. Insert instead “under”.

[15] Clause 36 (9)

Omit the subclause.

[16] Clause 36 (6) – (9)

Renumber subclauses (6) - (8) as (4) – (6), respectively.

[17] Clause 40 Group registration of access licences

Omit “the” after “the Minister has the” in clause 40 (f).

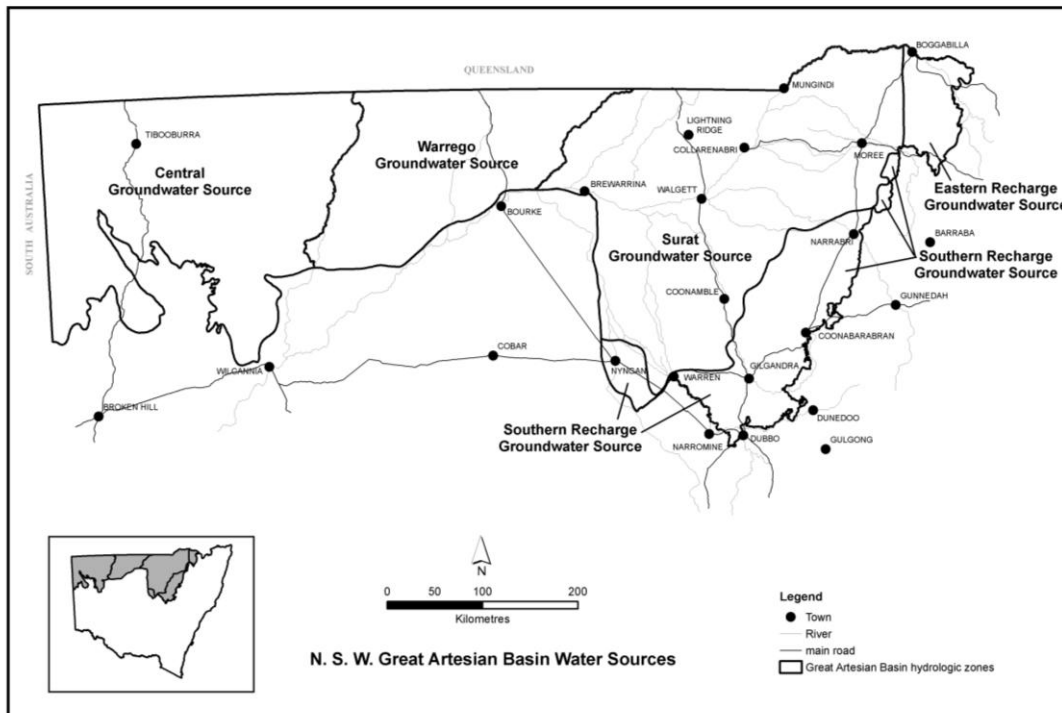
[18] Clause 43 Rules relating to constraints within a groundwater source

Omit clause 43 (3). Insert instead:

- (3) Applications for dealings under sections 71Q, 71S and 71T of the Act in the Eastern Groundwater Source are prohibited until either the share components of aquifer access licences in these groundwater sources are reduced under clause 27 (1) or the commencement of year 6 of this Plan, whichever is the sooner.

[19] Schedule 2 Plan area

Omit the map. Insert instead:



[20] Schedule 4

Omit the heading “Schedule 4 Amendments”.

Insert instead “Schedule 4 High Priority Groundwater Dependent Ecosystems”.

[21] Schedule 4

Omit the heading “Latitude E” in the Table to the Schedule. Insert instead “Longitude E”.

[22] Schedule 4

Omit the following entries from the Table:

Cuddie Spring	Geothermal springs	30	23	147	20
Cumborah Springs	Geothermal springs	29	44	147	46