



Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources Amendment Order (No 2) 2013

under the

Water Management Act 2000

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

Dated this Sixth day of December 2013.

KATRINA HODGKINSON, MP
Minister for Primary Industries

Explanatory note

This Order is made under section 45 (1) (a) of the *Water Management Act 2000*. The object of this Order is to amend the *Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003*. 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 Upper and Lower Namoi Groundwater Sources Amendment Order (No 2) 2013*.

2 Commencement

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

Schedule 1 Amendment of the Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003

[1] Clause 36 Extraction interference between neighbouring bores

Omit clause 36 (4). Insert instead:

- (4) A new water supply work (bore) that is not a replacement water supply work (bore) or a water supply work (bore) for the supply of basic landholder rights only shall be located no closer than 200 metres from a property boundary.

[2] Clause 36 (5)

Omit the subclause. Insert instead:

- (5) Notwithstanding the provisions of subclauses (3) and (4), the Minister may, upon request of the applicant for the water supply work approval, vary the distance restrictions specified in subclauses (3) and (4) if the Minister is satisfied that:
- (a) a hydrogeological study undertaken by the applicant, assessed as adequate by the Minister, demonstrates that the location of the new water supply work (bore) will have no more than minimal potential for adverse impact on existing authorised extraction, including consideration of cumulative impact, and
 - (b) written consent has been obtained by the applicant from adjacent landowners, and
 - (c) there is a process for remediation in the event that an adverse impact occurs in the future, specified as conditions on the water supply work approval.

[3] Clause 36 (6)

Omit the subclause. Insert instead:

- (6) In the event that there is a dispute between neighbours as to whether the new water supply work has had an impact on overall water security, the Minister may impose or amend conditions on the water supply work approval of any or all parties to address such impact, including requiring the construction of an additional monitoring bore on the property boundary in order to establish conditions to limit the level of drawdown off-site.

[4] Schedule 1 Dictionary

Insert in alphabetical order:

water supply work (bore) means a water supply work that is a bore.