



New South Wales  
Government

## **Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources Amendment Order 2023**

under the

Water Management Act 2000

I, ROSE JACKSON MLC, Minister for Water, in pursuance of section 45 (1) 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 Bellinger River Area Unregulated and Alluvial Water Sources 2020*.

Dated 16 June 2023

ROSE JACKSON, MLC  
**Minister for Water**

### **Explanatory note**

This Order is made under section 45 (1) of the *Water Management Act 2000*. The object of this Order is to amend the *Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020*. The concurrence of the Minister for the Environment was obtained prior to the making of this Order as required under section 45 of the *Water Management Act 2000*.

**1 Name of Order**

This Order is the *Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources Amendment Order 2023*.

**2 Commencement**

This Order commences on 1 July 2023.

## Schedule 1 Amendment of Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020

### [1] Clause 4 Application of Plan

Delete clauses 4(3)–(4), including the Notes, and insert instead:

- (3) The water sources, other than the Bellinger River Coastal Floodplain Alluvial Groundwater Water Source include—
  - (a) surface water,
  - (b) groundwater contained in Cenozoic sediments, other than groundwater—
    - (i) contained in the Bellinger River Coastal Floodplain Alluvial Groundwater Source, and
    - (ii) to which the *Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources 2016* applies.
- (4) The Bellinger River Coastal Floodplain Alluvial Groundwater Water Source—
  - (a) includes groundwater contained in Cenozoic sediments, and
  - (b) does not include surface water.

### [2] Clause 40 Limits on carryover

Delete clause 40 and insert instead:

#### 40 Limits on carryover

- (1) Water allocations remaining in the water allocation account of an access licence, other than an access licence in the Bellinger River Coastal Floodplain Alluvial Groundwater Water Source, must be carried over from one water year to the next water year up to an amount that is equal to the following—
  - (a) for access licences with share components expressed as ML/year—100% of the share component,
  - (b) for access licences with share components expressed as a number of unit shares—1 ML per share.

### [3] Clause 75 Water supply work decommissioning condition

Delete clause 75 and insert instead:

#### 75 Water bore decommissioning condition

- (1) An approval holder must, at least 60 days before decommissioning a water bore, give written notice to the Minister of the intention to decommission the water bore.
- (2) The written notice must include a work plan for the decommission.

- (3) The work plan must be prepared in accordance with the *Minimum Construction Requirements for Water Bores in Australia*.
- (4) The Minister may, within 60 days of receiving notice under this section, give a direction that the water bore—
  - (a) must not be decommissioned, or
  - (b) must be decommissioned in accordance with the requirements specified in the direction.
- (5) The approval holder must not decommission the water bore if the Minister has given a direction that the water bore must not be decommissioned.
- (6) In decommissioning the water bore, the approval holder must comply with—
  - (a) the work plan, and
  - (b) if the Minister has given a direction—the requirements specified in the direction.
- (7) The approval holder must, no later than 60 days after decommissioning the water bore, give the Minister written notice of—
  - (a) the decommissioning of the water bore, and
  - (b) the name of the driller who decommissioned the water bore.

**[4] Dictionary**

Delete the definition for *unconsolidated alluvial sediments*.

**[5] Dictionary**

Insert:

*groundwater* means water occurring beneath the ground surface in the saturated zone, being the area below the water table where all soil spaces, pores, fractures and voids are filled with water.

**[6] Dictionary**

Insert:

*surface water* means all water occurring on the surface of the land, including all rivers, lakes and wetlands, within the boundaries of the water sources shown on the Plan Map.

**[7] Appendix 2 Overview of the High Priority Groundwater-Dependent Ecosystem Map**

Delete “Overview of the Plan Map (WSP002\_Version 2) Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020” and insert instead:

Overview of the High Priority Groundwater-Dependent Ecosystem Map (GDE026\_Version 1) Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020.