

57 Water quality condition

If directed by the Minister by notice in writing, the approval holder must provide a report in the form specified in the notice detailing the quality of any water obtained using the water supply work, within the timeframe (if any) specified in the written notice.

Notes.

- 1 An approval holder is responsible for monitoring water quality from the water supply work to ensure it is suitable for its intended purpose for the duration of the approval.
- 2 Inherent water quality and land use activities may make the water in some areas unsuitable for use. Water from the groundwater sources should not be used without first being tested and, if necessary, appropriately treated to ensure it is fit for purpose. Such testing and treatment is the responsibility of the water user.

58 Water supply work decommissioning condition

- (1) A water supply work that is no longer intended to be used must be decommissioned in accordance with this clause.
- (2) The approval holder must notify the Minister in writing of any intention to decommission the water supply work at least 60 days before commencing decommissioning. The notice must include a work plan for decommissioning in accordance with the *Minimum Construction Requirements for Water Bores in Australia*.
- (3) The approval holder must comply with any notice from the Minister received within 60 days of the notice referred to in subclause (2) stating that the water supply work:
 - (a) must not be decommissioned, or
 - (b) must be decommissioned in accordance with the requirements specified in the notice.
- (4) In decommissioning the water supply work, the approval holder must comply with the work plan referred to in subclause (2) or requirement referred to in subclause (3) (b).
- (5) Within 60 days of the water supply work being decommissioned, the approval holder must notify the Minister in writing that the water supply work has been decommissioned and provide the name of the driller who decommissioned the work.

Part 12 Amendment of this Plan

Notes.

- 1 This Part sets out amendments authorised by this Plan.
- 2 For the purposes of section 87 of the Act, the initial period for the groundwater sources expires on 1 July 2022.

59 General

For the purposes of section 45 (1) (b) of the Act, this Part provides for when this Plan may be amended and any such amendments are taken to be authorised by this Plan.

60 Amendments relating to Part 1

Part 1 may be amended to do any of the following:

- (a) apply this Plan to new or additional groundwater sources or water management areas (including part thereof), or modify (including to amend the boundaries) or remove an existing groundwater source or water management area (including part thereof) from this Plan,
- (b) add, remove or modify a management zone, including the groundwater sources to which a management zone applies and the boundaries of such a zone,
Note. *Management zone* is defined in the Dictionary.
- (c) amend the Plan Map,
- (d) amend the High Priority Groundwater-Dependent Ecosystem Map.

61 Amendments relating to limits to the availability of water

- (1) This Plan may be amended to give effect to adjustments proposed under Part 4 of Chapter 7 of the Basin Plan, including adjustment to the limits in Part 6 and the planned environmental water in Part 4.

Note. Part 4 of Chapter 7 of the Basin Plan allows SDLs for groundwater SDL resource units to be adjusted by up to 5% to reflect new or improved information about the groundwater resources, including recharge rates, connectivity with surface water, usage patterns, or state policy and planning settings.

- (2) Part 6 may be amended to increase the long-term annual average extraction limit for the NSW Border Rivers Upstream Keetah Bridge Alluvial Groundwater Source following any new information from further studies.

Note. The NSW Border Rivers Upstream Keetah Bridge Alluvial Groundwater Source is part of an aquifer that extends into Queensland. Queensland has a legislative requirement to develop a groundwater model to inform their equivalent long-term average annual extraction limit. This amendment provision relates to the opportunity to consider new information from the work

undertaken by Queensland with regard to modelling of the aquifer. This modelling work could inform better estimates of water usage patterns and surface/groundwater connectivity in relation to the determination of the long-term average annual extraction limit, which has been based on the history of extraction over a specified period.

62 Amendments relating to the granting of access licences

This Plan may be amended to establish or modify provisions for the granting of aquifer (Aboriginal community development) access licences.

63 Amendments relating to interstate dealings

This plan may be amended to allow interstate trade between NSW and Queensland, subject to there being in place an inter-state agreement and appropriate administrative systems and processes.

64 Amendments relating to mandatory conditions

This Plan may be amended with respect to mandatory conditions to specify different standards or requirements for the construction or decommissioning of water supply works.

65 Dictionary

The Dictionary may be amended to add, modify or remove a definition.

66 Schedules

Schedule 1 may be amended to add or remove a contamination source.

67 Other amendments (general)

- (1) This Plan may be amended to include provisions for the following:
 - (a) managed aquifer recharge,

Note. Managed aquifer recharge schemes involve taking water such as recycled water or urban stormwater, treating it and then storing it in aquifers under controlled conditions. This water can then be extracted at a later time.
 - (b) the interception of water before it reaches a stream or aquifer by plantations or other means,
 - (c) the management of salt interception schemes,
 - (d) the management of aquifer interference activities, including the granting of aquifer interference approvals,
 - (e) water return flows, as referred to in Division 5 of Part 2 of Chapter 3 of the Act,
 - (f) the protection of groundwater-dependent culturally significant areas.

- (2) This Plan may be amended to give effect to, or in connection with, a determination of native title under the *Native Title Act 1993* of the Commonwealth.
- (3) An amendment authorised by this Plan is taken to include any consequential amendments required to be made to this Plan to give effect to that particular amendment.
Note. For example, if Part 1 is amended to add a new management zone, this may require amendments to other parts of this Plan to include provisions for that management zone.
- (4) Consequential amendments may be made to this Plan as a result of an amendment to the Act or regulations.

Dictionary

Note. Unless otherwise defined in this Plan, words and expressions that are defined in the Act or in the regulations have the same meaning in this Plan.

Aboriginal person has the same meaning as it has in the *Aboriginal Land Rights Act 1983*.

Basin Plan means the *Basin Plan 2012* made under section 44 (3) (b) (i) of the *Water Act 2007* of the Commonwealth.

borehole annulus means the space between the bore casing and the wall of the borehole.

excavation footprint means the authorised dimensions of an unlined excavation constructed for the purposes of water supply only.

Government monitoring or observation bore means a bore owned or operated by or on behalf of the Minister, the Ministerial Corporation, the Department or WaterNSW and used for observation or monitoring purposes.

groundwater-dependent culturally significant area means a groundwater-dependent culturally significant area, as determined by the Minister.

groundwater-dependent ecosystem is an ecosystem that has its species composition and natural ecological processes wholly or partially determined by groundwater.

groundwater SDL resource unit for groundwater has the same meaning as provided for in section 6.03 of the Basin Plan.

high priority groundwater-dependent ecosystems may include:

- (a) any instream ecosystem associated with rivers that have a base flow component to their flow regime,
- (b) vegetation that has a high probability of being groundwater-dependent, and is of very high or high ecological value,
- (c) Ramsar wetlands, or wetlands listed in the Directory of Important Wetlands in Australia: Third edition, Environment Australia, 2001 (ISBN 0 642 54721 1).

internal diameter means the diameter of the inside of the casing of a water bore.

logbook, in relation to an access licence or water supply work approval, means a record in the manner and form approved by the Minister that is notified on the Department's website.

long-term average sustainable diversion limit has the same meaning as it has in section 4 of the *Water Act 2007* of the Commonwealth.

management zone is an area within a water source in which provisions particular to that area will apply, for example, restrictions on dealings.

Minimum Construction Requirements for Water Bores in Australia means the document published by the National Uniform Drillers Licensing Committee entitled *Minimum Construction Requirements for Water Bores in Australia*, as published from time to time.

replacement groundwater work has the meaning given by clause 43.

SDL resource unit has the same meaning as it has in section 1.07 of the Basin Plan.

structural damage to an aquifer includes any permanent compaction of sediments within the groundwater sources, resulting from depressurisation or dewatering.

top of the high bank of a river means, in relation to the location of a water supply work, the top of the highest bank on the side of the river where the work is located, unless otherwise determined by the Minister.

unconsolidated alluvial sediments are sediments that are not bound or hardened by mineral cement, pressure, or thermal alteration of the grains and include gravel, sand, silt and clay.

water account debit has the meaning given by clause 35.

weighted average unit price means the total price of all units sold divided by the number of units sold.

Schedule 1 Contamination sources

(clause 39)

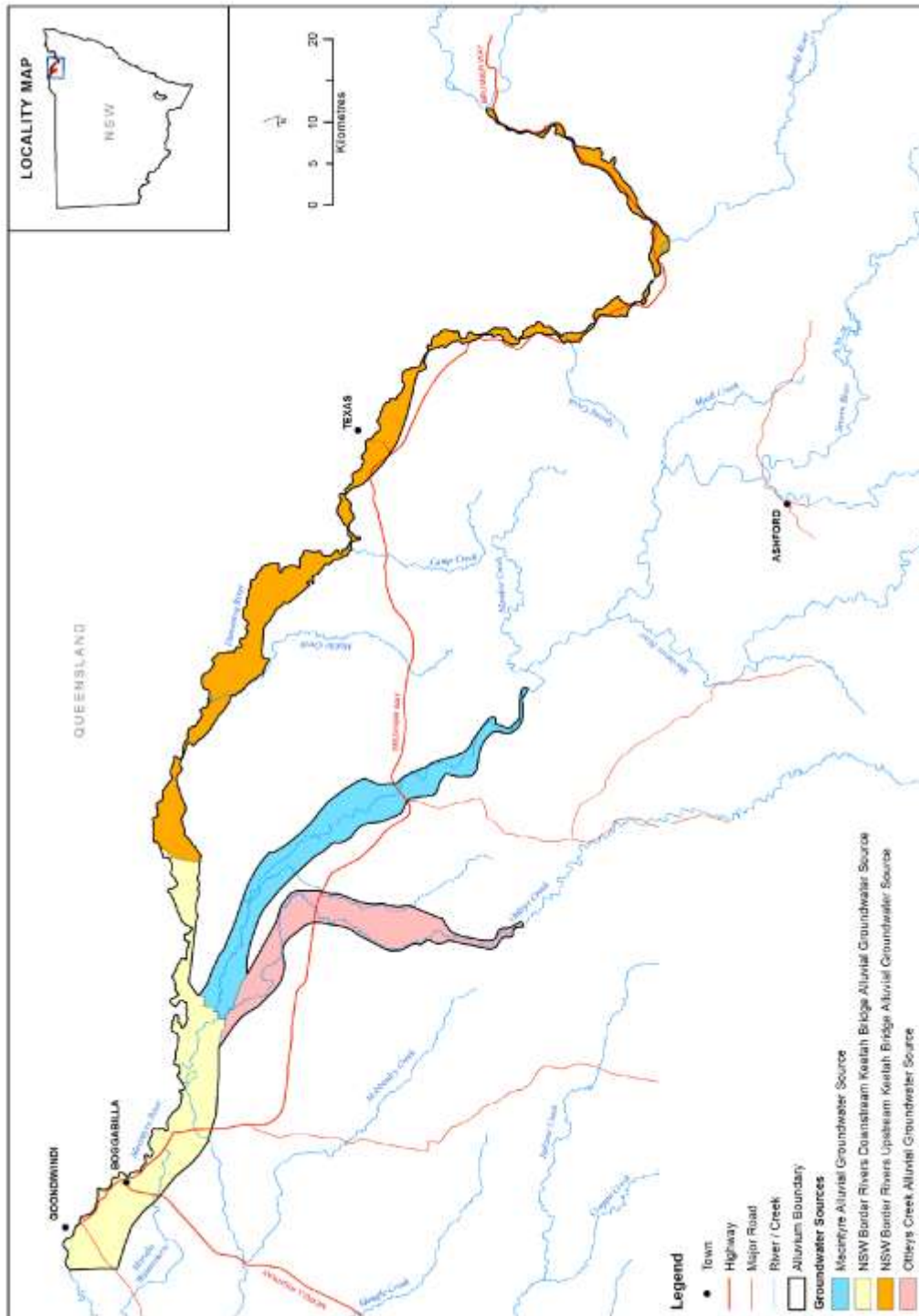
A contamination source in the groundwater sources is any of the following:

- (a) any site that has been declared to be significantly contaminated land under the *Contaminated Land Management Act 1997*,
- (b) any site that has been notified to the Environment Protection Authority under section 60 of the *Contaminated Land Management Act 1997*,
- (c) any site that is or has been the subject of an activity listed in Table 1 of the contaminated land planning guidelines published under the *Environmental Planning and Assessment Act 1979* from time to time.

Appendix 1 Overview of the Plan Map

(clause 4)

Overview of the *Plan Map (WSP053_Version 1)*, *Water Sharing Plan for the NSW Border Rivers Alluvial Groundwater Sources 2020*



Appendix 2 Overview of the High Priority Groundwater-Dependent Ecosystem Map

(clauses 4, 40 and 42)

Overview of the *High Priority Groundwater-Dependent Ecosystem Map (GDE020_Version 1)*, Water Sharing Plan for the NSW Border Rivers Alluvial Groundwater Sources 2020

