

direction by the Minister to modify or remove the dam to ensure that the capability of the dam to capture water is reduced to reflect any reduction in share components arising from:

- (a) a dealing under section 71Q or 71W of the Act,
- (b) the surrender under section 77 (4) of the Act of an access licence and then the subsequent cancellation of that access licence under section 77A (6) of the Act,
- (c) the amendment of the share component of an access licence by the Minister under section 68A of the Act, or
- (d) the cancellation of an access licence under section 78 of the Act or via the compulsory acquisition of an access licence under section 79 of the Act.

[62] Clause 66 Water supply works authorised to take water from the Upper Gwydir Alluvial Groundwater Source

Omit the clause.

[63] Clause 69 Part 4

Omit the clause.

[64] Clause 70 Part 6

Omit the clause. Insert Instead:

70 Part 6

- (1) Following the surrender under section 77 of the Act of an access licence and then the cancellation under section 77A (6) of the Act of an access licence in one of these water sources, the Minister may vary the long-term average annual extraction limit that applies to these water sources.
- (2) Division 3 of Part 6 may be amended to combine the long-term average sustainable diversion limit for these water sources with the long-term average sustainable diversion limit for the Gwydir Regulated River Water source.

[65] Clause 71 Part 8

Omit subclause (c).

[66] Clause 72 Part 9

Omit the clause. Insert instead:

72 Part 9

Part 9 may be amended to do any of the following:

- (a) amend clause 47 to specify water sources or management zones where water supply work approvals must not be granted or amended to authorise an in-river dam on a third or higher order stream,
- (b) amend the definition of a replacement surface water supply work in clause 47 (4).

[67] Clause 73 Part 10

Omit the clause. Insert instead:

73 Part 10

Part 10 may be amended to do any of the following:

- (a) to specify different dealing rules, taking into account any review that may be conducted or assessed as adequate by the Department including in relation to:
 - (i) the impact of alternate dealing rules on hydrological stress over a range of flows, in-stream values, stream health and Aboriginal cultural assets,
 - (ii) the identification of water sources where dealing limits for trade are needed,
 - (iii) the identification of water sources which have hydrological connectivity and where dealing limits are not needed, and
 - (iv) the types of trade that may be made available between certain water sources,
- (b) amend the access licence dealing rules to provide for the conversion of regulated river (high security) access licences that specify regulated river water sources connected to, and downstream of, these water sources to access licences with share components that specify these water sources.

[68] Clause 74 Part 11

Omit the clause. Insert instead:

74 Part 11

Part 11 may be amended relation to metering and record keeping including amendments in relation to requirements for Logbooks.

[69] Clause 76 Schedules

Omit subclause (1).

[70] Clause 76 (5)

Omit “pool, wetland, lagoon or lake.”. Insert instead “lagoon, wetlands, waterhole or swamp.”

[71] Clause 76 (6)

Omit “a contamination source”. Insert instead “an office”

[72] Clause 76 (7)

Omit the subclause.

[73] Clause 76 (8)

Omit “Schedule 8”. Insert “The Plan Map” instead.

[74] Clause 77 Other

Omit subclause (1). Insert instead:

- (1) This Plan may be amended to include rules for any of the following:
 - (a) the management of floodplain harvesting within these water sources,
 - (b) the shepherding of water,

Note. *Shepherding* is defined in the Dictionary.

- (c) any new category of access licence established for the purpose of urban stormwater harvesting,
- (d) the interception of water before it reaches a stream or aquifer by plantations or other means.

[75] Clause 77

Insert after subclause (7):

- (8) This Plan may be amended to include or amend access rules for unregulated river access licences so as to protect Active Environmental Water from extraction.

[76] Dictionary

Omit the following definitions:

alluvial sediments, drawdown, fractured rock, grazeable area, groundwater dependent ecosystems, high environmental value areas, Minimum Construction Requirements for Water Bores in Australia, porous rock, recharge

[77] Dictionary

Insert the following in alphabetical order:

Active Environmental Water is the water in these water sources identified or determined by the Minister on any given day as requiring protection from extraction, in accordance with the Active Management Procedures Manual, that arises from the following:

- (a) held environmental water flowing from a water source that is upstream of either the Upper Gingham Watercourse Management Zone, the Lower Gingham Watercourse Management Zone, or the Mallowa Creek Management Zone,
- (b) a notification by a licence holder to the Minister of the licence holder's intention to protect the water from extraction under clause 40 of this Plan.

Active Management Procedures Manual means the manual established by the Minister under clause 45A.

annual actual take has the same meaning as it has in section 6.10 of the Basin Plan.

annual permitted take has the same meaning as it has in section 6.10 of the Basin Plan.

approved EP&A Act development means:

- (a) a project approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (whether before or after its repeal), or
- (b) State significant development authorised by a development consent under Part 4 of that Act, or
- (c) State significant infrastructure approved under Part 5 of that Act.

baseline diversion limit has the same meaning as it has in section 1.07 of the Basin Plan.

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

cease to take condition means any term or condition on a water supply work approval, access licence or *Water Act 1912* entitlement that prohibits the taking of water in a particular circumstance.

floodplain harvesting means the collection, extraction or impoundment of water flowing across floodplains, including rainfall runoff and overbank flow, excluding the take of water pursuant to any of the following:

- (a) a water access licence other than a floodplain harvesting access licence,
- (b) a basic landholder right,
- (c) an exemption from the need to hold a licence to take water under the Act.

flow regimes mean, collectively, the magnitudes, durations, frequency and patterns of flows that characterise a river or water source.

Gwydir SDL resource unit has the same meaning as provided for in section 6.02 of the Basin Plan.

plantation forestry means a commercial plantation as defined in section 1.07 of the Basin Plan.

replacement surface water supply work has the meaning given to that term in clause 47(4) of this Plan.

target ecological populations means communities of one or more species that are monitored to evaluate the success of targeted objectives for the environment. Populations must be easily monitored (i.e. not rare or cryptic) and may be linked to conservation or other environmental priorities.

[78] Schedule 1 Watercourses to which this Plan does not apply.

Omit the Schedule.

[79] Schedule 6 Contamination in these water sources

Omit the Schedule. Insert instead:

Schedule 6 Office

Department of Planning, Industry and Environment - Water

66–68 Frome Street

MOREE NSW 2400

[80] Schedule 7 High priority groundwater dependent ecosystems

Omit the Schedule.

[81] Schedule 8 Trading zones

Omit the Schedule.

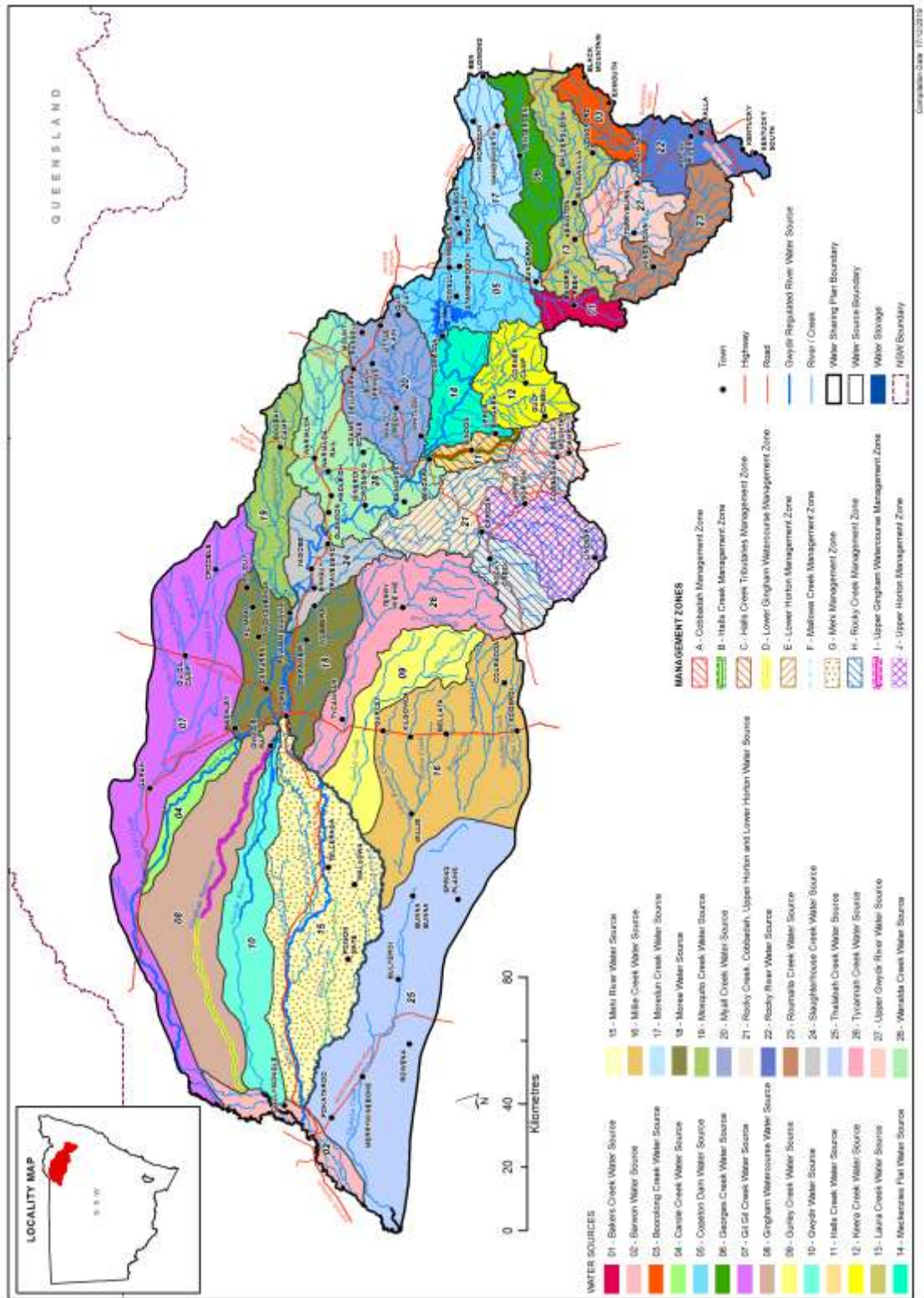
[82] Appendix 1 Overview of the Plan Map

Omit the Appendix. Insert instead:

Appendix 1 Overview of the Plan Map

Overview of the Plan Map (WSP019_Version 4), Water Sharing Plan for the Gwydir

Unregulated River Water Sources 2012



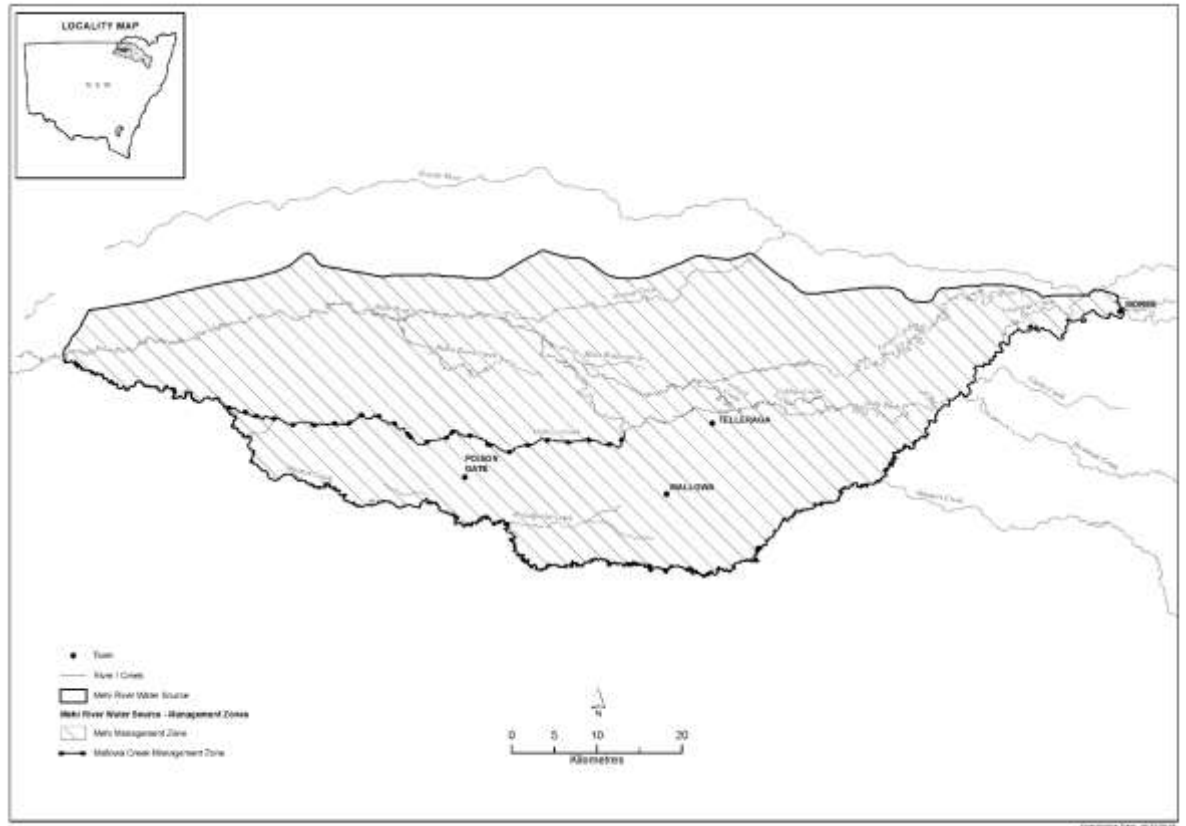
[83] **Appendix 2 Inspection of Plan Map**

Omit the Appendix.

[84] **Appendix 3 Overview of the management zones covered by this Plan**

Insert at the end of the Appendix:

Overview of the Mehi River Water Source management zones



[85] Appendix 5 Office

Omit the Appendix.