



New South Wales

## Order under section 45 (1) (a)

under the

Water Management Act 2000

Amendment to Management Plan Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003

Clause 36 'Extraction interference between neighbouring bores'

PURSUANT to section 45 (1) (a) of the *Water Management Act 2000*, I, NATHAN REES, M.P., Minister for Water, with the concurrence of the Minister for Primary Industries, being satisfied it is in the public interest to do so, do, by this Order, amend clause 36 of the *Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003* as set out in Schedule 1.

This Order takes effect from the date that it is published in the *New South Wales Government Gazette*.

This Order repeals the previous order relating to clause 36 of the *Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003* made on 27 August 2007 and published in the *New South Wales Government Gazette* on 21 September 2007.

Dated this 16th day of June 2008.

NATHAN REES, M.P.,  
Minister for Water

## 2008 No 270

Water Management Act 2000

Schedule 1 Amendments to clause 36 'Extraction interference between neighbouring bores'

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### **Schedule 1 Amendments to clause 36 'Extraction interference between neighbouring bores'**

**[1] Omit subclause 36 (3) and insert instead:**

- (3) A minimum distance of 400 metres is to be maintained between all new water supply works (bores), except for a replacement water supply work (bore) and those for the supply of basic landholder rights only.

**[2] Omit subclause 36 (4) and insert instead:**

- (4) A new water supply work (bore) that is not a replacement water supply work (bore) shall be located no closer than 200 metres from a property boundary.

**[3] Omit subclause 36 (5) and insert instead:**

- (5) Notwithstanding the provisions of subclauses (3) and (4), the Minister may, upon application by an access licence holder, vary the distance restrictions specified in subclauses (3) and (4) if:
- (a) a hydrogeological study undertaken by the licence holder, assessed as adequate by the Minister, demonstrates minimal potential for adverse impact on existing licensed extraction, including consideration of cumulative impact,
  - (b) written consent is 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 licence.

**[4] Omit subclause 36 (7) and insert instead:**

- (7) A new water supply work (bore) with the exception of a replacement water supply work (bore) or a water supply work (bore) for the supply of basic landholder rights only, cannot be constructed within a minimum distance of:
- (a) 500 metres of a bore nominated by a local water utility access licence,
  - (b) 400 metres of a Departmental monitoring bore,
  - (c) 400 metres of a bore extracting from the Great Artesian Basin,
  - (d) 500 metres of a wetland, or
  - (e) 200 metres of a river.

Water Management Act 2000

Amendments to clause 36 'Extraction interference between neighbouring bores'

Schedule 1

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**[5] Insert the following into the Dictionary at Schedule 1:**

*replacement water supply work (bore)* is a bore constructed within 20 metres of, and which replaces, an existing water supply work (bore) licensed under the Act and which has an internal diameter no greater than 110 percent of the internal diameter of the bore it replaces.