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New South Wales  
Government

## Temporary Water Restriction (NSW Border Rivers) Amendment Order 2019

under the

### Water Management Act 2000

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 30 October 2019

**EMMA SOLOMON**

**A/Executive Director, Policy, Planning and Science  
Department of Planning, Industry and Environment  
By delegation**

### Explanatory note

The restricted water under the *Temporary Water Restriction (NSW Border Rivers) Order 2019* may now be assigned to other licence holders on the repeal of the *Access Licence Dealing Principles (NSW Border Rivers) Order 2019*.

The objects of this Order are as follows:

- (a) to extend the existing temporary water restriction to prohibit all licence holders within the NSW Border Rivers from taking the restricted water if assigned to their licences from the regulated river (general) security licence holders,
- (b) to make minor typographical corrections.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to cope with a water shortage. Section 43 (2) of the *Interpretation Act 1987* provides that the power to make an order under an Act includes the power to amend the order.

The *Temporary Water Restriction (NSW Border Rivers) Order 2019* as amended by this Order expires on 30 June 2020.

INT19/168866

## **Temporary Water Restriction (NSW Border Rivers) Amendment Order 2019**

under the

### **Water Management Act 2000**

#### **1 Name of Order**

This Order is the *Temporary Water Restriction (NSW Border Rivers) Amendment Order 2019*.

#### **2 Commencement**

This Order commences the day on which it is published in the Gazette.

#### **3 Amendment**

This Order amends the *Temporary Water Restriction (NSW Border Rivers) Order 2019* as set out in Schedule 1.

#### **4 Consolidated version of Temporary Water Restriction (NSW Border Rivers) Order 2019**

The Appendix to this Order provides a consolidated version of the *Temporary Water Restriction (NSW Border Rivers) Order 2019* on the making of the *Temporary Water Restriction (NSW Border Rivers) Amendment Order 2019* and is for guidance only.

# Schedule 1 Amendment of Temporary Water Restriction (NSW Border Rivers) Order 2019

## [1] Clause 5 Interpretation

Insert “access” before “licence” wherever occurring in subclause (1).

## [2] Schedule 2 Restrictions

Insert “access” before “licence” in paragraphs (a) and (b) of subclause 1 (1).

## [3] Schedule 2 Restrictions

Insert after clause 1 (1):

- (2) The holder of an access licence must not take water under that licence from the Border Rivers Regulated River in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 2.

## 2 Take of water permitted for testing metering equipment

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**[4] Schedule 2, Note**

Omit “1,200” where it first occurs in the Note. Insert instead “600”.

# APPENDIX Consolidated Version of Temporary Water Restriction (NSW Border Rivers) 2019

**Note.** The consolidated version is for guidance only.

## Temporary Water Restriction (NSW Border Rivers) Order 2019

under the

## Water Management Act 2000

### 1 Name of Order

This Order is the *Temporary Water Restriction (NSW Border Rivers) Order 2019*.

### 2 Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

### 3 Duration

This Order will remain in force up to, and including, 30 June 2020, unless it is repealed or amended by further order before that date.

### 4 Temporary water restrictions

The taking of water from the water sources specified in Schedule 1 is restricted as specified in Schedule 2.

### 5 Interpretation

(1) In this order:

***Border Rivers Regulated River*** means the Border Rivers Regulated River Water Source as described in the *Water Sharing Plan for the NSW Border Rivers Regulated River Water Source 2009*.

***regulated river (general security—A class) access licence*** means a regulated river (general security—A class) access licence that permits the taking of water from the Border Rivers Regulated River.

***regulated river (general security—B class) access licence*** means a regulated river (general security—B class) access licence that permits the taking of water from the Border Rivers Regulated River.

(2) Unless otherwise defined, words and expressions that are defined in the *Water Management Act 2000* or in regulations made under that Act have the same meaning in this Order.

## Schedule 1 Water Sources

This Order applies to the Border Rivers Regulated River.

## Schedule 2 Restrictions

### 1 Restrictions for the Border Rivers Regulated River Water Source

- (1) On and from 1 July 2019, a holder of any of the following licences must not take, under the licence, 50% of the volume of water in the water allocation account of the licence as of immediately before 1 July 2019:
  - (a) regulated river (general security—A class) access licence,
  - (b) regulated river (general security—B class) access licence.
- (2) The holder of an access licence must not take water under that licence from the Border Rivers Regulated River in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 2.

### 2 Take of water permitted for testing metering equipment

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**Note.** It is an offence, under section 336C of the *Water Management Act 2000*, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the

case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110.



New South Wales  
Government

## Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Amendment Order 2019

under the

### Water Management Act 2000

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 30 October 2019

**EMMA SOLOMON**

**A/Executive Director, Policy, Planning and Science  
Department of Planning, Industry and Environment  
By delegation**

### Explanatory note

The restricted water under the *Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019* may now be assigned to other licence holders on the repeal of the *Access Licence Dealing Principles (Upper and Lower Namoi Regulated River Water Sources) Order 2019*.

The objects of this Order are as follows:

- (a) to extend the existing temporary water restriction to prohibit all licence holders within the Upper and Lower Namoi Regulated River Water Sources from taking the restricted water if assigned to their licences from the regulated river (general) security licence holders,
- (b) to permit the taking of water for the purposes of testing metering equipment,
- (c) to make minor typographical corrections.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to cope with a water shortage. Section 43 (2) of the *Interpretation Act 1987* provides that the power to make an order under an Act includes the power to amend the order.

The *Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019* as amended by this Order expires on 30 June 2020.

INT 19/168868

# **Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Amendment Order 2019**

under the

## **Water Management Act 2000**

### **1 Name of Order**

This Order is the *Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Amendment Order 2019*.

### **2 Commencement**

This Order commences the day on which it is published in the Gazette.

### **3 Amendment**

This Order amends the *Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019* as set out in Schedule 1.

### **4 Consolidated version of Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019**

The Appendix to this Order provides a consolidated version of the *Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019* on the making of the *Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Amendment Order 2019* and is for guidance only.

# Schedule 1 Amendment of Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019

## [1] Clause 5 Interpretation

Insert “access” before “licence that permits” wherever occurring in subclause (1).

## [2] Schedule 1 Water Sources

Omit “Lower” where occurring for the first time in the Schedule.

## [3] Schedule 2 Restrictions

Insert “access” after “(general security)” wherever occurring in clauses 1 and 2.

## [4] Schedule 2 Restrictions

Insert the subclauses at the end of clause 1 and renumber accordingly:

- (2) The holder of an access licence must not take water under that licence from either the Lower Namoi Regulated River Water Source or the Upper Namoi Regulated River Water Source in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 3.

## [5] Schedule 2 Restrictions

Insert at the end of clause 2 and renumber accordingly:

- (2) The holder of an access licence must not take water under that licence from either the Lower Namoi Regulated River Water Source or the Upper Namoi Regulated River Water Source in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 3.

## 3 Take of water permitted for testing metering equipment

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,

- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**[6] Schedule 2, Note**

Omit “1,200” where it first occurs in the note. Insert instead “600”.

# APPENDIX Consolidated Version of Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) 2019

**Note.** The consolidated version is for guidance only.

## Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019

under the

### Water Management Act 2000

#### 1 Name of Order

This Order is the *Temporary Water Restriction (Upper and Lower Namoi Regulated River Water Sources) Order 2019*.

#### 2 Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

#### 3 Duration

This Order will remain in force up to, and including, 30 June 2020, unless it is repealed or amended by further order before that date.

#### 4 Temporary water restrictions

The taking of water from the water sources specified in Schedule 1 is restricted as specified in Schedule 2.

#### 5 Interpretation

(1) In this order:

***Lower Namoi regulated river (general security) access licence*** means a regulated river (general security) access licence that permits the taking of water from the Lower Namoi Regulated River Water Source.

***Lower Namoi Regulated River Water Source*** means the Lower Namoi Regulated River Water Source as described in the *Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2016*.

***Upper Namoi regulated river (general security) access licence*** means a regulated river (general security) access licence that permits the taking of water from the Upper Namoi Regulated River Water Source.

***Upper Namoi Regulated River Water Source*** means the Upper Namoi Regulated River Water Source as described in the *Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2016*.

(2) Unless otherwise defined, words and expressions that are defined in the *Water Management Act 2000* or in regulations made under that Act have the same meaning in this Order.

## **Schedule 1 Water Sources**

This Order applies to the Upper Namoi Regulated River Water Source and the Lower Namoi Regulated River Water Source.

## **Schedule 2 Restrictions**

### **1 Restrictions for the Lower Namoi Regulated River Water Source**

- (1) On and from 1 July 2019, the holder of a Lower Namoi regulated river (general security) access licence must not take, under the licence, 100% of the volume of water in the water allocation account of the licence as of immediately before 1 July 2019.
- (2) The holder of an access licence must not take water under that licence from either the Lower Namoi Regulated River Water Source or the Upper Namoi Regulated River Water Source in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 3.

### **2 Restrictions for the Upper Namoi Regulated River Water Source**

- (1) On and from 1 July 2019, the holder of an Upper Namoi regulated river (general security) access licence must not take, under the licence, 25% of the volume of water in the water allocation account of the licence as of immediately before 1 July 2019.
- (2) The holder of an access licence must not take water under that licence from either the Lower Namoi Regulated River Water Source or the Upper Namoi Regulated River Water Source in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 3.

### **3 Take of water permitted for testing metering equipment**

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,

- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**Note.** It is an offence, under section 336C of the *Water Management Act 2000*, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110.



New South Wales  
Government

## Temporary Water Restriction (Lachlan Regulated River Water Source) Amendment Order 2019

under the

### Water Management Act 2000

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 30 October 2019

**EMMA SOLOMON**

**A/Executive Director, Policy, Planning and Science  
Department of Planning, Industry and Environment  
By delegation**

### Explanatory note

The restricted water under the *Temporary Water Restriction (Lachlan Regulated River Water Source) 2019* may now be assigned to other licence holders on the repeal of the *Access Licence Dealing Principles (Lachlan Regulated River Water Source) Order 2019*.

The objects of this Order are as follows:

- (a) to extend the existing temporary water restriction to prohibit all licence holders within the Lachlan Regulated River Water Source from taking the restricted water if assigned to their licences from the regulated river (general) security licence holders,
- (b) to make minor typographical corrections.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to cope with a water shortage. Section 43 (2) of the *Interpretation Act 1987* provides that the power to make an order under an Act includes the power to amend the order.

The *Temporary Water Restriction (Lachlan Regulated River Water Source) 2019* as amended by this Order expires on 30 June 2020.

INT19/168871

# **Temporary Water Restriction (Lachlan Regulated River Water Source) Amendment Order 2019**

under the

## **Water Management Act 2000**

### **1 Name of Order**

This Order is the *Temporary Water Restriction (Lachlan Regulated River Water Source) Amendment Order 2019*.

### **2 Commencement**

This Order commences the day on which it is published in the Gazette.

### **3 Amendment**

This Order amends the *Temporary Water Restriction (Lachlan Regulated River Water Source) Order 2019* as set out in Schedule 1.

### **4 Consolidated version of Temporary Water Restriction (Lachlan Regulated River Water Source) Order 2019**

The Appendix to this Order provides a consolidated version of the *Temporary Water Restriction (Lachlan Regulated River Water Source) Order 2019* on the making of the *Temporary Water Restriction (Lachlan Regulated River Water Source) Amendment Order 2019* and is for guidance only.

# Schedule 1 Amendment of Temporary Water Restriction (Lachlan Regulated River Water Source) Order 2019

## [1] clause 5 Interpretation

Insert “access” before “licence” wherever occurring in subclause (1).

## [2] Schedule 2 Restrictions

Insert “access” after “(general security)” in subclause 1 (1).

## [3] Schedule 2 Restrictions

Insert after clause 1 (1) and renumber accordingly:

- (2) The holder of an access licence must not take water under that licence from the Lachlan Regulated River in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 2.

## [4] Schedule 2 Restrictions

Insert after clause 1:

### **2 Take of water permitted for testing metering equipment**

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:

- (i) phone on 1800 633 362, or
- (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**[5] Schedule 2, Note**

Omit “1,200” where it first occurs in the note. Insert instead “600”.

# APPENDIX Consolidated Version of Temporary Water Restriction (Lachlan Regulated River Water Source) 2019

**Note.** The consolidated version is for guidance only.

## Temporary Water Restriction (Lachlan Regulated River Water Source) Order 2019

under the

## Water Management Act 2000

### 1 Name of Order

This Order is the *Temporary Water Restriction (Lachlan Regulated River Water Source) Order 2019*

### 2 Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

### 3 Duration

This Order remains in force up to, and including 30 June 2020, unless it is repealed or amended by further order before that date.

### 4 Temporary water restrictions

The taking of water from the water sources specified in Schedule 1 is restricted as specified in Schedule 2.

### 5 Interpretation

(1) In this order:

***Lachlan Regulated River*** means the Lachlan Regulated River Water Source as described in the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*.

***regulated river (general security) access licence*** means a regulated river (general security) access licence that permits the taking of water from the Lachlan Regulated River.

(2) Unless otherwise defined, words and expressions that are defined in the *Water Management Act 2000* or in regulations made under that Act have the same meaning in this Order.

## **Schedule 1 Water Sources**

This Order applies to the Lachlan Regulated River.

## **Schedule 2 Restrictions**

### **1 Restrictions for Lachlan Regulated River Water Source**

- (1) On and from 1 July 2019, a holder of a regulated river (general security) access licence must not take, under the licence, 43% of the volume of water held in the water allocation account of the licence as of immediately before 1 July 2019.
- (2) The holder of an access licence must not take water under that licence from the Lachlan Regulated River in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 2.
- (4) For avoidance of doubt, a reference to the volume of water held in the water allocation account in this clause includes the volumes of water held in the Take subaccount and the Hold subaccount of the water allocation account.

### **2 Take of water permitted for testing metering equipment**

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**Note.** It is an offence, under section 336C of the *Water Management Act 2000*, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110



New South Wales  
Government

## **Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2019**

under the

### **Water Management Act 2000**

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 30 October 2019

**EMMA SOLOMON**

**A/Executive Director, Policy, Planning and Science  
Department of Planning, Industry and Environment  
By delegation**

### **Explanatory note**

The restricted water under the *Temporary Water Restriction (Macquarie Regulated River) Order 2019* may now be assigned to other licence holders on the repeal of the *Access Licence Dealing Principles (Macquarie Regulated River) Order 2019*.

The objects of this Order are as follows:

- (a) to extend the existing temporary water restriction to prohibit all licence holders within the Macquarie and Cudgegong Regulated Rivers Water Source from taking the restricted water if assigned to their licences from the restricted regulated river (general) security licence holders,
- (b) to make minor typographical corrections.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to cope with a water shortage. Section 43 (2) of the *Interpretation Act 1987* provides that the power to make an order under an Act includes the power to amend the order.

The *Temporary Water Restriction (Macquarie Regulated River) Order 2019* as amended by this Order expires on 30 June 2020.

INT19/168871

## **Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2019**

under the

### **Water Management Act 2000**

#### **1 Name of Order**

This Order is the *Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2019*.

#### **2 Commencement**

This Order commences the day on which it is published in the Gazette.

#### **3 Amendment**

This Order amends the *Temporary Water Restriction (Macquarie Regulated River) Order 2019* as set out in Schedule 1.

#### **4 Consolidated version of Temporary Water Restriction (Macquarie Regulated River) Order 2019**

The Appendix to this Order provides a consolidated version of the *Temporary Water Restriction (Macquarie Regulated River) Order 2019* on the making of the *Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2019* and is for guidance only.

# Schedule 1 Amendment of Temporary Water Restriction (Macquarie Regulated River) Order 2019

## [1] Clause 5 Interpretation

Insert “access” before “licence that permits” in subclause 5 (1).

## [2] Schedule 2 Restrictions

Omit “Macquarie Regulated River Water Source” from the heading to clause 1. Insert instead “Macquarie and Cudgegong Regulated Rivers Water Source”.

## [3] Schedule 2 Restrictions

Insert after clause 1 (1) and renumber accordingly:

- (2) The holder of an access licence must not take water under that licence from the Macquarie and Cudgegong Regulated Rivers Water Source in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 2.

## [4] Schedule 2 Restrictions

Insert after clause 1:

### **2 Take of water permitted for testing metering equipment**

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,

- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**[5] Schedule 2, Note**

Omit “1,200” where first occurring in the note. Insert instead “600”.

# APPENDIX Consolidated Version of Temporary Water Restriction (Macquarie Regulated River) 2019

**Note.** The consolidated version is for guidance only.

## Temporary Water Restriction (Macquarie Regulated River) Order 2019

under the

### Water Management Act 2000

#### 1 Name of Order

This Order is the *Temporary Water Restriction (Macquarie Regulated River) Order 2019*.

#### 2 Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

#### 3 Duration

This Order will remain in force up to, and including, 30 June 2020, unless it is repealed or amended by further order before that date.

#### 4 Temporary water restrictions

The taking of water from the water sources specified in Schedule 1 is restricted as specified in Schedule 2.

#### 5 Interpretation

(1) In this order:

***Macquarie and Cudgegong Regulated Rivers Water Source*** means the Macquarie and Cudgegong Regulated Rivers Water Source as described in the *Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2016*.

***Macquarie Regulated River (general security) access licence*** means a regulated river (general security) access licence that permits the taking of water from the Macquarie and Cudgegong Regulated Rivers Water Source downstream of Burrendong Dam water storage.

(2) Unless otherwise defined, words and expressions that are defined in the *Water Management Act 2000* or in regulations made under that Act have the same meaning in this Order.

## Schedule 1 Water Sources

This Order applies to the Macquarie and Cudgegong Regulated Rivers Water Source.

## Schedule 2 Restrictions

### 1 Restrictions for the Macquarie and Cudgegong Regulated Rivers Water Source

- (1) On and from 1 July 2019, a holder of a Macquarie Regulated River (general security) access licence must not take, under the licence, 100% of the volume of water in the water allocation account of the licence as of immediately before 1 July 2019.
- (2) The holder of an access licence must not take water under that licence from the Macquarie and Cudgegong Regulated Rivers Water Source in accordance with any water allocations assigned, directly or indirectly, from a holder of an access licence who is not permitted to take water under those allocations under subclause (1).
- (3) The restrictions in subclauses (1) and (2) do not apply for the purposes of testing metering equipment in accordance with clause 2.
- (4) For avoidance of doubt, a reference to the volume of water held in the water allocation account in this clause includes the volumes of water held in the AWD sub-account and the carryover sub-account of the water allocation account.

### 2 Take of water permitted for testing metering equipment

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (d) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (e) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**Note.** It is an offence, under section 336C of the *Water Management Act 2000*, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the INT19/168871

case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110.



New South Wales  
Government

## Temporary Water Restrictions (Lower Darling Regulated River Water Source) Amendment Order No. 2 2019

under the

### Water Management Act 2000

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 30 October 2019

**EMMA SOLOMON**

**A/Executive Director, Policy, Planning and Science  
Department of Planning, Industry and Environment  
By delegation**

### Explanatory note

The object of this Order is to amend the existing temporary water restriction under the *Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018* to permit the taking of water for the purposes of testing metering equipment.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to cope with a water shortage. Section 43 (2) of the *Interpretation Act 1987* provides that the power to make an order under an Act includes the power to amend the order.

The *Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018* as amended by this Order expires on 30 June 2020.

INT19/168872

**Temporary Water Restrictions (Lower Darling Regulated River Water Source)  
Amendment Order No. 2 2019**

under the

**Water Management Act 2000**

**1 Name of Order**

This Order is the *Temporary Water Restriction (Lower Darling Regulated River Water Source) Amendment Order No. 2 2019*.

**2 Commencement**

This Order commences the day on which it is published in the Gazette.

**3 Amendment**

This Order amends the *Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018* as set out in Schedule 1.

**4 Consolidated version of Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018**

The Appendix to this Order provides a consolidated version of the *Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018*, the *Temporary Water Restrictions (Lower Darling Regulated River Water Source) Amendment Order 2019* and the *Temporary Water Restrictions (Lower Darling Regulated River Water Source) Amendment Order No. 2 2019* and is for guidance only.

# Schedule 1 Amendment of Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018

## [1] Schedule 2 Restrictions

Insert clause 2 after clause 1:

### 2 Take of water permitted for testing metering equipment

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (c) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (d) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

## [2] Schedule 2, Note

Omit “1,200” where it first occurs in the note. Insert instead “600”.

# **APPENDIX Consolidated Version of Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018**

**Note.** The consolidated version is for guidance only.

## **Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018**

under the

### **Water Management Act 2000**

#### **1 Name of Order**

This Order is the *Temporary Water Restrictions (Lower Darling Regulated River Water Source) Order 2018*.

#### **2 Commencement**

This Order commences on the day on which it is published in the NSW Government Gazette.

#### **3 Duration**

This Order remains in force up to, and including 30 June 2020, unless it is repealed or amended by further order before that date.

#### **4 Temporary water restrictions**

The taking of water from the water sources specified in Schedule 1 is restricted as specified in Schedule 2.

#### **5 Interpretation**

Unless otherwise defined, words and expressions that are defined in the *Water Management Act 2000* or in regulations to that Act have the same meaning in this Order.

## Schedule 1 Water Sources

This Order applies to the Lower Darling Regulated River Water Source as described in the *Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2016* (the **Water Source**).

## Schedule 2 Restrictions

### 1 Restrictions for Lower Darling Regulated River Water Source

- (1) The taking of water from any part of the Water Source is restricted to the taking of water for the following purposes only:
  - (a) town water supply,
  - (b) domestic use,
  - (c) stock watering,
  - (d) irrigation of existing permanent plantings such as vineyards and orchards.

### 2 Take of water permitted for testing metering equipment

This order does not restrict the take of water if the following applies:

- (a) the holder of the access licence is, or will be, required to comply with the mandatory metering equipment condition,
- (b) the take of water is done in compliance with the conditions of the licence and the relevant approval, including in accordance with any cease to pump, reporting and recording conditions on the licence,
- (c) the take of water is for the purpose of a duly qualified person validating, or checking the accuracy of, metering equipment for compliance with the mandatory metering equipment condition,
- (c) the total take of water for the purpose under subclause (c) from 25 October 2019 until 30 June 2020 must be:
  - (i) no more than 0.5ML, or
  - (ii) if take is from a pump that is greater than 500mm, no more than 1ML,
- (d) the duly qualified person notifies the Natural Resources Access Regulator within 24 hours of the take of water for the validation or accuracy checking by:
  - (i) phone on 1800 633 362, or
  - (ii) email to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au).

**Note.** It is an offence, under section 336C of the *Water Management Act 2000*, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110