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LOCAL GOVERNMENT ACT 1993

Order under section 318B

I, the Hon. Shelley Hancock MP, Minister for Local Government, in pursuance of sections 318B(1)(a1) and 318(2)(b) of the *Local Government Act 1993 (Act)*, do hereby further order that the election requirements of the Act in relation to the ordinary election that was due to be held on 12 September 2020 for all councils in New South Wales and which, by order made under section 318B(1)(a1) of the Act on 12 June 2020 was postponed for twelve months after that order was published, be further postponed to 4 September 2021.

This further order is made by reason of my belief, having regard to the continuance of the COVID-19 pandemic, that it is reasonable in the circumstances to order the extending of the postponement.

For the avoidance of doubt, the postponement of the ordinary election extends to and suspends an election requirement for a by-election referred to in section 292 of the Act arising between the date of this Order and the date of the ordinary election to be held on 4 September 2021.

Dated this 26th day of June 2020.

SHELLEY HANCOCK MP

Minister for Local Government

Reference number:(n2020-2086)



New South Wales
Government

Temporary Water Restriction (Lachlan Regulated River Water Source) Amendment Order 2020

under the

Water Management Act 2000

I, Allan Raine, 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 26 June 2020

ALLAN RAINE
A/Director, Water Planning Implementation
Department of Planning, Industry and Environment
By delegation

Explanatory note

The object of this Order is to extend, until 30 June 2021, the *Temporary Water Restriction (Lachlan Regulated River Water Source) Order 2019* as amended (Gazette No 66 of 28.06.2019 and Gazette No 132 of 01.11.2019) and apply additional restrictions for the taking of water from the Lachlan Regulated River Water Source under general security (access licences).

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.

Temporary Water Restriction (Lachlan Regulated River Water Source) Amendment Order 2020

under the

Water Management Act 2000

1 Name of Order

This Order is the *Temporary Water Restriction (Lachlan Regulated River Water Source) Amendment Order 2020*.

2 Commencement

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

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 2020* and is for guidance only.

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

[1] Clause 3 Duration

Omit “30 June 2020”. Insert instead “30 June 2021”.

[2] Schedule 2 Restrictions

Omit the heading of clause 1. Insert instead:

1 Continuation of 1 July 2019 restrictions for Lachlan Regulated River Water Source

[3] Schedule 2

Insert after clause 1:

1A Additional Restrictions for Lachlan Regulated River Water Source from 1 July 2020

- (1) On and from 1 July 2020, a holder of a regulated river (general security) access licence must not take, under the licence, 50% of the volume of water held in the water allocation account of the licence that the holder was otherwise permitted to take in accordance with this order immediately before 1 July 2020.
- (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 3
- (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.

Note. This additional restriction from 1 July 2020 means that a licence holder can only take 50% of the remaining water allocations left in their account on 30 June 2020 that they were permitted to take under this restriction between 1 July 2019 to 1 July 2020. For example, if a licence holder has taken half of their permitted 57% of water allocations by 30 June 2020, they can only take 14.25% of these water allocations from 1 July 2020.

[4] Schedule 2, clause 2

Omit “30 June 2020”. Insert instead “30 June 2021”.

APPENDIX Consolidated Version of Temporary Water Restriction (Lachlan Regulated River Water Source) Order 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 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 2021, 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 Continuation of 1 July 2019 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 3.
- (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.

1A Additional restrictions for Lachlan Regulated River Water Source from 1 July 2020

- (1) On and from 1 July 2020, a holder of a regulated river (general security) access licence must not take, under the licence, 50% of the volume of water held in the water allocation account of the licence that the holder was otherwise permitted to take in accordance with this order immediately before 1 July 2020.
- (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 3.
- (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.

Note. This additional restriction from 1 July 2020 means that a licence holder can only take 50% of the remaining water allocations left in their account on 30 June 2020 that they were permitted to take under this restriction between 1 July 2019 to 1 July 2020. For example, if a licence holder has taken half of their permitted 57% of water allocations by 30 June 2020, they can only take 14.25% of these water allocations from 1 July 2020.

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 2021 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.

Reference number:(n2020-2087)



New South Wales
Government

Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2020

under the

Water Management Act 2000

I, Allan Raine, 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 26 June 2020

ALLAN RAINE
A/Director, Water Planning Implementation
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 Restriction (Macquarie Regulated River) Order 2019* as amended (Gazette No 66 of 28 June 2019 and Gazette No 132 of 1 November 2019) to ease the restriction for the take of water from 100% to 60% of the volume of water in the water allocation accounts of Macquarie Regulated River (general security) access licences.

This Order is made under section 324 (1) of the *Water Management Act 2000* in response to rainfall events during 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.

Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2020

under the

Water Management Act 2000

1 Name of Order

This Order is the *Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2020*

2 Commencement

This Order commences on the day on which it is published in the NSW Gazette except subclauses 3(2) – (4) which commence on 1 July 2020.

3 Amendment of Temporary Water Restriction (Macquarie Regulated River) Order 2019

(1) Clause 3 Duration

Omit “30 June 2020”. Insert instead “30 September 2020”.

(2) Schedule 2 Restrictions

Omit “On and from 1 July 2019, a” in clause 1 (1). Insert instead “A”.

(3) Schedule 2 Restrictions

Omit “100%” in clause 1 (1). Insert instead “60%”.

(4) Schedule 2 Restrictions

Omit “30 June 2020” in clause 2 (d). Insert instead “30 September 2020”.

4 Consolidated Version

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 *Temporary Water Restriction (Macquarie Regulated River) Amendment Order 2020* and is for guidance only.

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 September 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) A holder of a Macquarie Regulated River (general security) access licence must not take, under the licence, 60% 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 September 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.

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

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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.

Reference number:(n2020-2088)