



# *Government Gazette*

of the State of

New South Wales

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# GOVERNMENT NOTICES

## Water Notices

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New South Wales  
Government

### **Temporary Water Restriction (Bega and Brogo Regulated Rivers Water Source) Order 2020**

under the

#### **Water Management Act 2000**

I, Beth Overton, 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 7 January 2020

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

#### **Explanatory note**

The object of this Order is to impose a temporary water restriction on the take of water from the Bega and Brogo Regulated Rivers Water Source by regulated river (general security) access licences and to prohibit any other licence holder from taking that water from the Bega and Brogo Regulated Rivers Water Source on its assignment.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to cope with a water shortage.

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## **Temporary Water Restriction (Bega and Brogo Regulated Rivers Water Source) Order 2020**

under the

### **Water Management Act 2000**

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

This Order is the *Temporary Water Restriction (Bega and Brogo Regulated Rivers Water Source) Order 2020*.

#### **2 Commencement**

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

#### **3 Duration**

This Order will remain in force until 30 June 2020 unless that date is amended or the order is repealed before that date.

#### **3 Temporary water restrictions**

This Order is a direction to restrict the take of water from the water source specified in Schedule 1 in accordance with the restriction specified in Schedule 1.

#### **4 Interpretation**

(1) In this order:

***Bega and Brogo Regulated Rivers Water Source*** means the Bega and Brogo Regulated Rivers Water Source as described in the *Water Sharing Plan for the Bega and Brogo Rivers Area Regulated, Unregulated and Alluvial Water Sources 2011*.

(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 Restrictions

### 1 Restrictions for the Bega and Brogo Regulated Rivers Water Source

- (1) The holder of a regulated river (general security) access licence must not take, under the licence, any volume of water in the water allocation account of the licence as of immediately before the commencement of this Order from the Bega and Brogo Regulated Rivers Water Source.
- (2) The holder of an access licence must not take any water under the licence from the Bega and Brogo Regulated Rivers Water Source in accordance with any water allocations:
  - (a) that have been assigned from a regulated river (general security) access licence to the access licence, or any other access licence, and
  - (b) that at the time of the assignment from the holder of the regulated river (general security) access licence, the holder was restricted from taking the water allocations under this Order.
- (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 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 the commencement of this order 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

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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.

(n2020-3)

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