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GOVERNMENT NOTICES

Water Notices



New South Wales
Government

Temporary Water Restriction (Belubula) Order 2019

under the

Water Management Act 2000

I, Vanessa O'Keefe, 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 1 October 2019

VANESSA O'KEEFE
A/Executive Director, Policy, Planning & Sciences
Department of Planning, Industry and Environment
By delegation

Explanatory note

The object of this Order is to impose a temporary water restriction on the taking of a certain amount of water from the Belubula Regulated River Water Source by regulated river (general security) licence holders, and by any licence holders who hold that restricted water from an assignment of allocations, to protect critical human needs and environmental needs.

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

INT19/160768

Temporary Water Restriction (Belubula) Order 2019

under the

Water Management Act 2000

1 Name of Order

This Order is the *Temporary Water Restriction (Belubula) Order 2019*.

2 Commencement

This Order commences on 1 October 2019.

3 Duration

This Order will remain in force until 30 June 2020, unless it is repealed or amended by further order before that date.

3 Temporary water restriction

This Order is a direction not take water from the water source specified in Schedule 1 in accordance with the restriction specified in Schedule 2.

4 Interpretation

(1) In this order:

Belubula Regulated River Water Source means the Belubula Regulated River Water Source as described in the *Water Sharing Plan for the Belubula Regulated River Water Source 2012*.

mandatory metering equipment condition has the same meaning as in clause 228(1) of the *Water Management (General) Regulation 2018*.

regulated river (general security) licence means a regulated river (general security) licence with an extraction component that permits the taking of water from the Belubula Regulated River Water Source.

(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.

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Schedule 1 Water Source

This Order applies to the Belubula Regulated River Water Source.

Schedule 2 Restriction

1 Restriction for the Belubula Regulated River Water Source

- (1) A holder of a regulated river (general security) access licence must take no more than 40% of the volume of water held in the water allocation account of the licence, as of immediately before 1 October 2019, from the Belubula Regulated River Water Source.
- (2) A holder of an access licence must not take water from the Belubula Regulated River Water Source in accordance with any water allocations assigned from a regulated river (general security) access licence if the holder of the regulated river (general security) access licence was not permitted to take water under those allocations in accordance with 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 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 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,
- (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.

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.

INT19/160768

(n2019-2977)