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GOVERNMENT NOTICES

Water Notices



WATER MANAGEMENT ACT 2000

Temporary Water Restriction (Macquarie Bogan Unregulated Water Sources) 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 object of this Order is to impose temporary water restrictions on unregulated river access licences within parts of the Macquarie Bogan Unregulated Water Sources to protect town water supplies for Bathurst.

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

Temporary Water Restriction (Macquarie Bogan Unregulated Water Sources) Order 2019

under the

Water Management Act 2000

1 Name of Order

This Order is the *Temporary Water Restriction (Macquarie Bogan Unregulated Water Sources) Order 2019*.

2 Commencement

This Order commences on 1 November 2019.

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This Order will remain in force until 30 June 2020, unless that date is amended or the order is repealed before that date.

4 Temporary water restrictions

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

5 Interpretation

(1) In this order:

Campbells River Water Source means the Campbells River Water Source as described in the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*.

Fish River Water Source means the Fish River Water Source as described in the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*.

Macquarie Bogan Unregulated Water Sources means the Macquarie Bogan Unregulated Water Sources as described in the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*

Macquarie River above Burrendong Water Source means the Macquarie River above Burrendong Water Source as described in the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*.

(2) References to a management zone in this order have the same meaning as references to that management zone in the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*.

(3) 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 Restriction

1 Restriction for the Macquarie Bogan Unregulated Water Sources

(1) From 1 November 2019, a holder of an unregulated river access licence must not take more than the equivalent of 20% of the volume of water that was credited under the available water determination commencing on 1 July 2019 to the water allocation account of the licence from any of the following water sources within the Macquarie Bogan Unregulated Water Sources:

- (a) that part of Campbells River Water Source in the Campbells River Downstream Management Zone,
- (b) that part of the Macquarie River above Burrendong Water Source in the Macquarie River above Bathurst Management Zone,
- (c) that part of Fish River Water Source from downstream of Lake Oberon to the confluence with Macquarie River.

(2) For avoidance of doubt, the reference in subclause (1) to the volume of water that was credited under the available determination commencing on 1 July 2019 does not include any water carried over from previous water years or assigned from any dealings.

Note. The available water determination commencing on 1 July 2019 for unregulated river access licences in the Macquarie Bogan Unregulated Water Sources credited a 100% allocation of the share component entitlement, ie.1.0 megalitre per unit of access licence share component. See the available water determination on the Department's website site at www.industry.nsw.gov.au.

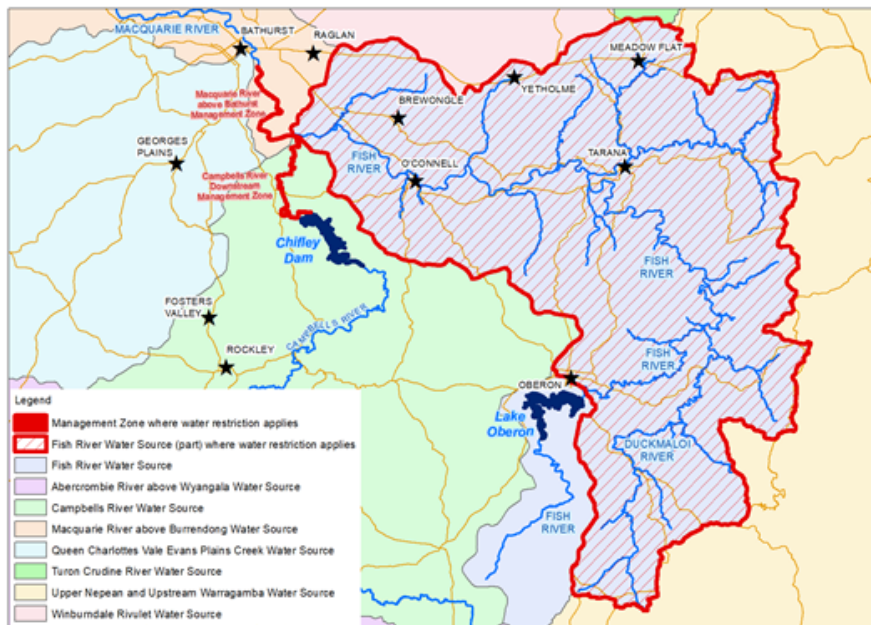
2 Take of water permitted for testing metering equipment

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 0.5 ML, or
 - (ii) if take is from a pump that is greater than 500 mm, no more than 1 ML,
- (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.

Schedule 2 Map

Note. This is a map showing the areas subject to the restriction. This map is for guidance only.



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.

(n2019-3290)