



New South Wales

# Order amending Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003

under the

Water Management Act 2000

Amendment to Management Plan

Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003

PURSUANT to section 45 (1) (a) of the *Water Management Act 2000*, I, Phillip Costa, MP, Minister for Water, with the concurrence of the Minister for Climate Change and Environment, by this Order, amend the *Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003* in the manner set out in Schedule 1.

This Order takes effect on the date it is published in the *Gazette*.

Dated this 12th day of November 2008.

PHILLIP COSTA, M.P.,  
Minister for Water

## 2008 No 535

Order amending Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003

Schedule 1

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### Schedule 1

#### [1] Clause 31 Volume of the long-term extraction limit

Omit subclause 31 (1). Insert instead:

(1) This Plan establishes a long-term extraction limit for each of these water sources which:

(a) for the Murray Water Source is the lesser of:

(i) the long-term average annual extraction from the water source that would occur with the water storages, share components and water use development that existed in the water source in 2000/2001, and the water management rules defined in this Plan, minus 17,800 ML per year, and

(ii) the long-term average annual extraction from the water source that would occur under the development and management conditions used to define Cap in Schedule F of the Murray Darling Basin Agreement, minus 17,800 ML per year,

**Note.** The 17,800 ML subtracted in subclause (ii) is the estimated long-term extraction associated with the 100 GL of supplementary water share component purchased under the Living Murray Program and retired from the bulk access regime. However, the purchased supplementary water access licence share component will continue to attract water allocations in accordance with the available water determinations made to all supplementary water access licences. The taking of water allocations under this licence will not be accounted for against the long-term extraction limit.

(b) for the Lower Darling Water Source is the lesser of:

(i) the long-term average annual extraction from the water source that would occur with the water storages, share components and water use development that existed in the water source in 2000/2001, and the share components of the access licences issued as part of the arrangements that replaced the replenishment flow provisions in clause 60 of this Plan, and the water management rules defined in this Plan, and

(ii) the long-term average annual extraction from the water source that would occur under the development and management conditions used to define Cap in Schedule F of the Murray Darling Basin Agreement.

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**[2] Clause 33 Compliance with the long-term extraction limit**

Omit subclauses 33 (1), (2) and (4). Insert instead:

- (1) The long-term average annual extraction from each of these water sources may not exceed the long-term extraction limit for the respective water source, specified in clause 31.
- (2) Pursuant to subclause (1):
  - (a) if it has been assessed that the current long-term average annual extraction from the Murray Water Source, exceeds:
    - (i) the volume specified in clause 31 (1) (a) (i) by 3% or more, or
    - (ii) the volume specified in clause 31 (1) (a) (i) by more than half the difference between the volume specified in clause 31 (1) (a) (i) and the volume specified in clause 31 (1) (a) (ii), or
  - (iii) the volume specified in clause 30 (1) (a) (ii), then
  - (iv) the maximum available water determination made for supplementary water access licences in the relevant water source, under clause 40, shall be reduced, and
  - (v) once the maximum available water determination for supplementary water access licences in the water source has reduced to zero, the maximum available water determination for regulated river (general security) access licences in the relevant water source, under clause 39, shall be reduced.
- (b) if it has been assessed that the current long-term average annual extraction from the Lower Darling Water Source, exceeds:
  - (i) the volume specified in clause 31 (1) (b) (i) by 3% or more, or
  - (ii) the volume specified in clause 31 (1) (b) (i) by more than half the difference between the volume specified in clause 31 (1) (b) (i) and the volume specified in clause 31 (1) (b) (ii), or
- (iii) the volume specified in clause 30 (1) (b) (ii), then
- (iv) the maximum available water determination made for supplementary water access licences in the relevant water source, under clause 40, shall be reduced, and

**2008 No 535**

Order amending Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003

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- (v) once the maximum available water determination for supplementary water access licences in the water source has reduced to zero, the maximum available water determination for regulated river (general security) access licences in the relevant water source, under clause 39, shall be reduced.
- (4) If action has been taken under subclause (2) in either of these water sources, and a subsequent assessment under clause 32 indicates that the current long-term average annual extraction from the water source is below the long-term extraction limit for that water source by more than 3%, then previous reductions to maximum available water determinations in that water source made under subclause (2) may be reversed to the degree that it is assessed necessary to return long-term average annual water extractions to the long-term extraction limit for the water source.

BY AUTHORITY

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