



New South Wales

Water Sharing Plan for the Lachlan Regulated River Water Source Amendment Order 2011

under the

Water Management Act 2000

I, the Minister for Primary Industries, in pursuance of section 45 (1) (a) of the *Water Management Act 2000*, being satisfied it is in the public interest to do so, make the following Order to amend the *Water Sharing Plan for the Lachlan Regulated River Water Source 2003*.

Dated this 29th day of June, 2011.

KATRINA HODGKINSON, MP
Minister for Primary Industries

Explanatory note

Section 45 (1) (a) of the *Water Management Act 2000* provides that the Minister may, at any time, by order published on the NSW legislation website, amend a management plan if satisfied it is in the public interest to do so. The purpose of this Order is to amend the *Water Sharing Plan for the Lachlan Regulated River Water Source 2003*. The concurrence of the Minister for the Environment was obtained prior to the making of this Order.

Water Sharing Plan for the Lachlan Regulated River Water Source Amendment Order 2011

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Water Management Act 2000

1 Name of Order

This Order is the *Water Sharing Plan for the Lachlan Regulated River Water Source Amendment Order 2011*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

3 Amendment

The *Water Sharing Plan for the Lachlan Regulated River Water Source 2003* is amended as set out in Schedule 1.

**Schedule 1 Amendment of Water Sharing Plan for the Lachlan Regulated River
Water Source 2003**

[1] Clause 36 Available water determinations

Insert after subclause (2):

- (3) In making available water determinations under section 59 of the Act for access licences with share components that specify this water source, the Minister should consider the requirements of this Division.

[2] Clause 40 (2), Note

Omit the Note. Insert instead:

The effect of clause 47 (7) and subclause (2) is that when Wyangala Dam spills or is deemed to have effectively spilled or water is released to create or maintain airspace and Lake Brewster and Lake Cargelligo are full or are deemed to be full or they will fill, as defined in clause 47 (7), all general security access licence accounts will be equalised. Assessments indicate that when Wyangala Dam, Lake Brewster and Lake Cargelligo are full it should be possible for each general security access licence account to hold a maximum 1.36 megalitres per unit share.

[3] Clause 41 Available water determinations for regulated river (conveyance) access licences

Omit “under section 45 (1) (b) of the Act and by notice published in the Gazette” from subclause (2).
Insert instead “amend this Plan to”.

[4] Clause 41, Note

Omit “Within the first year of the Plan” from the Note.
Insert instead “Within the first year of operation of the Plan”.

[5] Clause 47 Carrying over of water allocation credits, water allocation account limits and withdrawal of water allocations

Renumber subclause (6) as subclause (8).

In the new subclause (8), omit “under section 45 (1) (b) of the Act and in accordance with clause 69 of this Plan,”. Insert instead: “in accordance with clause 69, amend this Plan to”.

[6] Clause 47 (6)

Insert after subclause (5):

- (6) The following rules apply to the management of water allocations in the water allocation accounts of regulated river (conveyance) access licences:
- (a) water allocations remaining in the water allocation account at the end of the 2010/11 water year may be carried over to the 2011/12 water year only, and
 - (b) the maximum volume that may be held in the water allocation account at any time is 2 megalitres per unit share.

[7] Clause 47 (7)

Omit the subclause and the Note to the subclause. Insert instead:

Whenever:

- (a) a spill of water occurs from Wyangala Dam, or
- (b) the Minister deems that a spill of water has occurred from Wyangala Dam, or
- (c) water is released to create or maintain air space at Wyangala Dam,

and Lake Brewster and Lake Cargelligo are:

- (d) full, or
- (e) deemed by the Minister to be full, or
- (f) the Minister is satisfied they will fill from flows already in this water source or its tributaries;

then all water allocations remaining in the water allocation accounts of regulated river (general security) access licences shall be withdrawn.

[8] Clause 47 (7)

Insert after subclause (7):

Note 1: The effect of subclause (7) and clause 40 (2) is that when Wyangala Dam spills or is deemed to have effectively spilled or water is released to create or maintain airspace and Lake Brewster and Lake Cargelligo are full or are deemed to be full or they will fill, as defined in subclause (7), all general security access licence accounts will be equalised. Assessments indicate that when Wyangala Dam, Lake Brewster and Lake Cargelligo are full it should be possible for each general security access licence account to hold a maximum 1.36 megalitres per unit share.

Note 2. Airspace requirements at Wyangala Dam are determined in accordance with clause 65.

Note 3. Under subclause (7), the Minister may from time to time, deem that the full volume of Lake Brewster and Lake Cargelligo is less than their physical full capacity. The reasons for this may include supporting a bird breeding event.

[9] Clause 69 Amendment of regulated river (conveyance) access licence rules

Omit “clause 47 (6)” from clause 69 (1) (b).

Insert instead “clause 47 (8)”.