



Water Sharing Plan for the Lachlan Regulated River Water Source Amendment Order 2014

under the

Water Management Act 2000

I, Kevin Humphries, the Minister for Natural Resources, Lands and Water, 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 17th day of September 2014.

KEVIN HUMPHRIES, MP
Minister for Natural Resources, Lands and Water

Explanatory note

This Order is made under section 45 (1) (a) of the *Water Management Act 2000*. The object 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.

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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 2014*.

2 Commencement

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

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

[1] Clause 43 Water allocation accounts

Insert after clause 43 (2):

- (3) The water allocation accounts of all regulated river (high security) access licences shall be comprised of two sub-accounts, referred to hereafter as the available water determination sub-account (*AWD sub-account*) and the Spillable sub-account.

Note. The Spillable sub-account holds water allocations that are assigned to the regulated river (high security) access licence from the A sub-account of a regulated river (general security) access licence during that water year under section 71T of the Act. The water in the Spillable sub-account will be withdrawn when Wyangala Dam and other storages spill. The AWD sub-account holds water allocations credited following an available water determination during that water year and any water allocations assigned from other access licences under section 71T of the Act and is unaffected when Wyangala Dam and other storages spill.

[2] Clause 44 Accrual of water allocations

Insert after clause 44 (2):

- (3) Water allocations for regulated river (high security) access licences shall be accrued into the AWD sub-account of each regulated river (high security) access licence in accordance with the available water determinations made.

[3] Clause 45 Volume taken under access licences

Insert after clause 45 (3):

- (4) The water allocations taken under a regulated river (high security) access licence are to be debited from the Spillable sub-account until the volume in that sub-account reaches zero, and then from the AWD sub-account.

[4] Clause 46 Accounting of assigned water allocations and return flows

Insert after clause 46 (6):

- (7) Water allocations assigned from the A sub-account of a regulated river (general security) access licence or a regulated river (conveyance) access licence to a regulated river (high security) access licence shall be credited to the Spillable sub-account of the regulated river (high security) access licence.

Note. Clause 51(10) prevents the assignment of water allocations held in the B sub account of a regulated river (general security) access licence to a regulated river (high security) access licence.

- (8) Water allocations assigned from an AWD sub-account of a regulated river (high security) access licence to another regulated river (high security) access licence shall be credited to the AWD sub-account of the access licence.
- (9) Water allocations assigned from a Spillable sub-account of a regulated river (high security) access licence to another regulated river (high security) access licence shall be credited to the Spillable sub-account of the access licence.

- (10) Water allocations assigned from the Spillable sub-account of a regulated river (high security) access licence to a regulated river (general security) access licence shall be credited to the A sub-account of the regulated river (general security) access licence.

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

Omit clause 47 (7). Insert instead:

- (7) 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
 - (d) Lake Brewster and Lake Cargelligo are:
 - (i) full, or
 - (ii) deemed by the Minister to be full, or
 - (iii) 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, regulated river (conveyance) access licences and the Spillable sub-accounts of regulated river (high security) access licences shall be withdrawn.

Notes.

- 1 The effect of subclause (7), clause 40 (2) and clause 41 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 and conveyance access licence accounts will be equalised. Water remaining in the Spillable sub-accounts of regulated river (high security) access licences shall be withdrawn. Water remaining in the AWD sub-accounts of regulated river (high security) access licences shall remain. Assessments indicate that when Wyangala Dam, Lake Brewster and Lake Cargelligo are full it should be possible for each regulated river (general security) access licence account to hold a maximum 1.36 megalitres per unit share.
- 2 Airspace requirements at Wyangala Dam are determined in accordance with clause 65.
- 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.