



New South Wales

Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers 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 Macquarie and Cudgegong Regulated Rivers 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 Macquarie and Cudgegong Regulated Rivers Water Source 2003*. The concurrence of the Minister for the Environment was obtained prior to the making of this Order.

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1 Name of Order

This Order is the *Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers 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 Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2003

Clause 43

Omit the clause. Insert instead:

Clause 43 Volume taken under access licences

Note. It is an offence under the Act to take water under an access licence for which there is no or insufficient water allocation.

- (1) Subject to subclause (2), the water allocation taken under domestic and stock access licences, local water utility access licences, regulated river (high security) access licences and regulated river (general security) access licences shall be assessed as the volume of water extracted by the approved water supply works nominated by the access licence.
- (2) Upon written notice from the Minister to the licence holder, the water allocation taken under a regulated river (high security) access licence or a regulated river (general security) access licence shall be assessed as the greater of:
 - (a) the volume of water extracted by the approved water supply works nominated by the access licence, or
 - (b) the volume of water ordered for extraction by the approved water supply works nominated by the access licence,

for the term specified by the Minister.

- (3) The Minister should only take action under subclause (2) in accordance with the procedures specified in a water order debiting protocol approved by the Minister.

Note. It is intended that the Minister may take action under subclause (2) where water orders have been exceeding the volume of water being taken under an access licence and this cannot be explained by rainfall or other unavoidable factors, as set out in the Macquarie-Cudgegong Water Order Debiting Protocol developed in consultation between the NSW Office of Water, State Water and the Macquarie-Cudgegong Customer Service Committee.

- (4) The water allocation taken under regulated river (high security) access licences or regulated river (general security) access licences shall be debited from the carryover sub-account until the volume in that sub-account reaches zero, and then from the AWD sub-account.
- (5) The water allocation taken under supplementary water access licences will be the volume of water extracted, in accordance with announcements made and access licence conditions, by the approved water supply works nominated by the access licence.