



New South Wales

Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 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 Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010*.

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 Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010*. 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 Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 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 Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010

[1] Clause 69

Omit the clause. Insert instead:

Clause 69 Works in the Peel Alluvium Water Source

The following rules apply to an access licence that nominates a water supply work that may be used to take water from the Cockburn River Alluvium Management Zone and the Goonoo Goonoo Creek Alluvium Management Zone:

- (a) for the first six years of this Plan, a domestic and stock access licence or an aquifer access licence which arises from an access licence dealing under Part 11 of this Plan or is granted in accordance with Part 8 of this Plan:
 - (i) in the Cockburn River Alluvium Management Zone, must not take water after the flow level of the Cockburn River at Kootingal gauge has been equal to or lower than 0.25 metres for 28 consecutive days, and
 - (ii) in the Goonoo Goonoo Creek Alluvium Management Zone, must not take water after there has been zero flow in Goonoo Goonoo Creek at Timbumburi gauge for 14 consecutive days,
- (b) subject to paragraph (c), commencing in year 7 of the Plan, all domestic and stock access licences and aquifer access licences shall be subject to the following rules, providing that a review of this access rule has been completed in accordance with clause 94 (3) (c):
 - (i) in the Cockburn River Alluvium Management Zone, must not take water after the flow level of the Cockburn River at Kootingal gauge has been equal to or lower than 0.25 metres for 28 consecutive days, and
 - (ii) in the Goonoo Goonoo Creek Alluvium Management Zone, must not take water after there has been zero flow in Goonoo Goonoo Creek at Timbumburi gauge for 14 consecutive days,
- (c) paragraph (b) does not apply to the taking of water under an access licence to which clause 1 of Schedule 6 applies, for a purpose listed below, provided that water taken does not exceed 20 kilolitres per day per access licence, or such lower amount specified on the access licence in accordance with paragraph (d):

- (i) fruit washing,
 - (ii) cleaning of dairy plant and equipment for the purpose of hygiene,
 - (iii) poultry watering and misting, or
 - (iv) cleaning of enclosures used for intensive animal production for the purposes of hygiene,
- (d) the Minister may, in relation to an access licence to which paragraph (c) applies, amend the licence to reduce the maximum daily volume limit, if the Minister is satisfied that the reduced volume is satisfactory to meet the purpose for the licence as referred to in paragraph (c),
- (e) subject to paragraph (f), a local water utility access licence shall be subject to the following rules:
- (i) in the Cockburn River Alluvium Management Zone, water must not be taken after the flow level of the Cockburn River at Kootingal gauge has been equal to or lower than 0.25 metres for 28 consecutive days, and
 - (ii) in the Goonoo Goonoo Creek Alluvium Management Zone, water must not be taken after there has been zero flow in Goonoo Goonoo Creek at Timbumburi gauge for 14 consecutive days,
- (f) paragraph (e) does not apply to those local water utility access licences listed in clause 2 of Schedule 6 until such time as the Minister is satisfied that major augmentation of the access licence holder's water supply system has occurred and are removed from clause 2 of Schedule 6, and
- (g) access licences to which paragraphs (a), (b) and (e) apply are not subject to access rules that refer to a visible flow in the water source at the location at which water is proposed to be taken.

[2] Clause 94 Part 9

Omit clause 94 (3). Insert instead:

- (3) Division 4 of Part 9 may be amended to:
- (a) include new rules so that access licences which nominate a water supply work located in the Dungowan Creek Alluvium must not take water after there has been zero flow at the end of Dungowan Creek for 14 consecutive days following an amendment made under clause 94 (2) (c), and

- (b) allow a domestic and stock access licence or a domestic and stock (subcategory “domestic”) access licence with a share component that specifies a water source or management zone with a Very Low Flow Class to continue taking water for domestic consumption when flows are in the Very Low Flow Class, and
- (c) amend the access rules for access licences located in the Cockburn River Alluvium Management Zone and the Goonoo Goonoo Creek Alluvium Management Zone if a review of the access rules finds that these are having a significant socio-economic impact on water users. Any amendments must take into account any environmental impacts of the proposed change.