



New South Wales

# Water Management (General) Amendment (Miscellaneous) Regulation 2012

under the

Water Management Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Management Act 2000*.

KATRINA HODGKINSON, MP  
Minister for Primary Industries

## Explanatory note

The objects of this Regulation are as follows:

- (a) to prescribe certain requirements for consent by co-holders of access licences to the appointment or revocation of appointment of nominees in relation to certain dealings under the *Water Management Act 2000* (*the Act*),
- (b) to make provision with respect to entitlements under the *Water Act 1912* that authorise the taking of water from the Gwydir Unregulated and Alluvial Water Sources, being entitlements that are to become access licences to which Part 2 of Chapter 3 of the Act applies,
- (c) to create an exemption from the need for an approval under the Act for the construction or use of certain water supply works that are included in a project under the *Soil Conservation Act 1938*,
- (d) to update a cross reference and clarify the application of an exemption.

This Regulation is made under the *Water Management Act 2000*, including sections 72A and 400 (the general regulation-making power) and clause 1 of Schedule 9.

**2012 No 353**

Water Management (General) Amendment (Miscellaneous) Regulation  
Clause 1 2012

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**Water Management (General) Amendment  
(Miscellaneous) Regulation 2012**

under the

Water Management Act 2000

**1 Name of Regulation**

This Regulation is the *Water Management (General) Amendment (Miscellaneous) Regulation 2012*.

**2 Commencement**

This Regulation commences on 3 August 2012 and is required to be published on the NSW legislation website.

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## **Schedule 1      Amendment of Water Management (General) Regulation 2011**

**[1]    Clause 15A**

Insert after clause 15:

**15A    Requirements for consent by co-holders of access licences**

An appointment, or a revocation of appointment, of a nominee of a co-holder of an access licence under section 72A (2) of the Act:

- (a) must be in the approved form, and
- (b) must be signed by the co-holder making or revoking the appointment, and
- (c) must be lodged at, or sent by post to an office of the Department.

**[2]    Clause 32 Water used for particular purposes**

Omit “and stock watering” from clause 32 (b).

Insert instead “or stock watering”.

**[3]    Clause 36 Exemptions relating to both construction and use of water supply works**

Insert after clause 36 (1) (f):

- (g) any person, in relation to the construction or use of a water supply work for the control or prevention of soil erosion that is included in a project in existence under section 10 of the *Soil Conservation Act 1938*, for the purpose of giving effect to the project.

**[4]    Clause 41 Exemption from operation of section 106**

Omit “clause 19” from clause 41 (a). Insert instead “clause 18”.

## 2012 No 353

Water Management (General) Amendment (Miscellaneous) Regulation 2012

Schedule 1 Amendment of Water Management (General) Regulation 2011

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### [5] Schedule 4 Access licences and approvals arising from former entitlements, and certain deemed approvals—particular provisions

Insert after Division 18 in Part 2:

#### **Division 19 Replacement access licences for certain entitlements for Gwydir Unregulated and Alluvial Water Sources (3 August 2012)**

##### **84L Application of Division**

This Division applies to and in respect of each of the following entitlements with respect to water sources to which the *Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012* applies:

90BL154675	90BL246759
90BL130269	90BL150009
90BL246347	90BL120455
90BL246378	90BL253075
90BL246647	90BL252989

##### **84M Aquifer (high security) access licences**

- (1) Pursuant to clause 1 of Schedule 9 to the Act, the following subclause is taken to be inserted after clause 4 (4) of Schedule 10 to the Act:
  - (5) This clause does not apply to an entitlement referred to in clause 84L of Schedule 4 to the *Water Management (General) Regulation 2011*.
- (2) Pursuant to clause 1 of Schedule 9 to the Act, the following clause is taken to be inserted after clause 4 of Schedule 10 to the Act:

##### **4A Aquifer (high security) access licences**

An entitlement referred to in clause 84L of Schedule 4 to the *Water Management (General) Regulation 2011* is taken to have been replaced by an aquifer (high security) access licence.

- (3) Pursuant to clause 1 of Schedule 9 to the Act, the following subclause is taken to be inserted after clause 5 (4) of Schedule 10 to the Act:
- (5) Subclause (1) does not apply to an entitlement referred to in clause 84L of Schedule 4 to the *Water Management (General) Regulation 2011*.