



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 159A**  
**Monday, 22 December 2008**

Published under authority by Government Advertising

## SPECIAL SUPPLEMENT

### WATER ACT 1912

#### Order under section 113A

#### Embargo on any further applications for Part 5 Water Licences

#### New South Wales Inland Groundwater Shortage Zones Order No. 2 2008

Pursuant to section 113A of the *Water Act 1912*, I, Alexandra O'Mara, having delegated authority from the Water Administration Ministerial Corporation, upon being satisfied that the Water Shortage Zones specified in Schedule 1 are unlikely to have more water available than is sufficient to meet the requirements of the licensees of the bores situated within the Water Shortage Zones, and the other requirements determined for water from the Water Shortage Zones, do, by this order, place an embargo to prevent any further applications for licences being made under Part 5 of the *Water Act 1912* with respect to the Water Shortage Zones specified in Schedule 1, except as specified in Schedule 2 of this Order.

Any terms that are defined in Schedule 3 of this Order have the meanings set out in that Schedule.

This Order takes effect on and from the date it is published in the *NSW Government Gazette* and remains in force until this Order is revoked by a subsequent Order published in the *NSW Government Gazette*.

This Order repeals any previous Orders made under section 113A of the *Water Act 1912* for those water shortage zones specified in Schedule 1 of this Order.

Dated at Sydney this twenty second day of December 2008.

**Alexandra O'Mara**  
**Manager of Legislation and Implementation**  
**NSW Department of Water and Energy**  
Signed for the Water Administration Ministerial Corporation  
(by delegation).

Note:

In accordance with s. 113A(6) of the *Water Act 1912* this order does not apply to:

- a) an application for a renewal of a licence, or
- b) an application for a licence for a bore to replace some other licensed bore that the applicant has ceased to use, or
- c) an application for a licence for a bore to produce water to satisfy a water allocation arising from the transfer of a water allocation under section 117J.

## Schedule 1

### ***Water Shortage Zones***

This order applies to any groundwater located within those parts of the State of New South Wales falling within the eastern boundary of the Murray Darling Basin and the Queensland, South Australian and Victorian borders as shown by the shaded areas in Map 1, except for:

1. groundwater within those groundwater management areas and parishes listed in Table 1; and
2. groundwater within the water sources to which the following water sharing plans apply:
  - a) Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003
  - b) Water Sharing Plan for the Lower Gwydir Groundwater Sources 2003
  - c) Water Sharing Plan for the Lower Lachlan Groundwater Sources 2003
  - d) Water Sharing Plan for the Lower Macquarie Groundwater Sources 2003
  - e) Water Sharing Plan for the Lower Murray Groundwater Sources 2003
  - f) Water Sharing Plan for the Lower Murrumbidgee Groundwater Sources 2003
  - g) Water Sharing Plan for the NSW Great Artesian Basin Groundwater Sources 2008.

## Schedule 2

### ***Exemptions***

Applications for licences under Part 5 of the *Water Act 1912* can continue to be made for the following purposes:

1. A bore to supply water for stock watering or domestic consumption.
2. Water supply for town water supply by a water supply authority, or a council or county council exercising water supply functions under Division 2 or Part 3 of Chapter 6 of the *Local Government Act 1993*.
3. Water supply for community recreational facilities located on public land up to 5 megalitres per annum.
4. Monitoring and test bores for groundwater investigation and/or environmental management purposes.
5. Bores for environmental management purposes including control of saline water table mounds.
6. Water supply for Aboriginal cultural purposes provided that the annual extraction does not exceed 10 megalitres per annum.
7. Bores on property where there is an existing licence under Part 5 of the *Water Act 1912* and there is no increase in entitlement.

8. Bores providing water supply for emergency services including, but not limited to fire fighting.
9. Conversion to a production bore licence where a test bore licence is currently in force and was granted on or before 1 July 2007. This exemption expires on 30 June 2009.
10. Bores required for integrated development where general terms of approval with respect to such bores have been provided by the Department of Water and Energy prior to the commencement of this Order and for which a development consent has been granted.
11. Water supply for a person where the Minister determines that a failure to supply the water would cause a prohibitively high social, economic or national security cost and the supply of the water will cause no more than minimal environmental harm to any aquifer, or its dependent ecosystems.
12. A dewatering activity provided that the annual extraction does not exceed 10 megalitres per annum.
13. Water supply for the purpose of dust suppression in the construction of a public road provided that the annual extraction does not exceed 10 megalitres per annum.
14. Bores for the use of saline water where the salinity level exceeds 14,000 milligrams per litre (ppm).
15. Water supply for teaching purposes up to 3 megalitres per annum.

### Schedule 3

#### Dictionary

**Development consent:** has the same meaning as defined in the *Environmental Planning and Assessment Act 1979*;

**Domestic consumption:** has the same meaning as defined in section 52 of the *Water Management Act 2000*;

**Groundwater management areas:** Area defined by maps held by the Department of Water and Energy and for the purposes of this order includes all groundwater below the ground surface within these mapped boundaries;

**Integrated development:** has the same meaning as defined in the *Environmental Planning and Assessment Act 1979*;

**Murray Darling Basin:** has the same meaning as defined in section 4 of the *Water Act 2007 (Cth)*;

**Public land:** has the same meaning as defined in the *Local Government Act 1993 Dictionary*;

**Public road:** has the same meaning as defined in the *Roads Act 1993*;

**Recreational facilities:** includes, but is not limited to parks, playgrounds, ovals, sporting grounds, golf courses and gymnasiums but excludes any commercial operations relating to those activities;

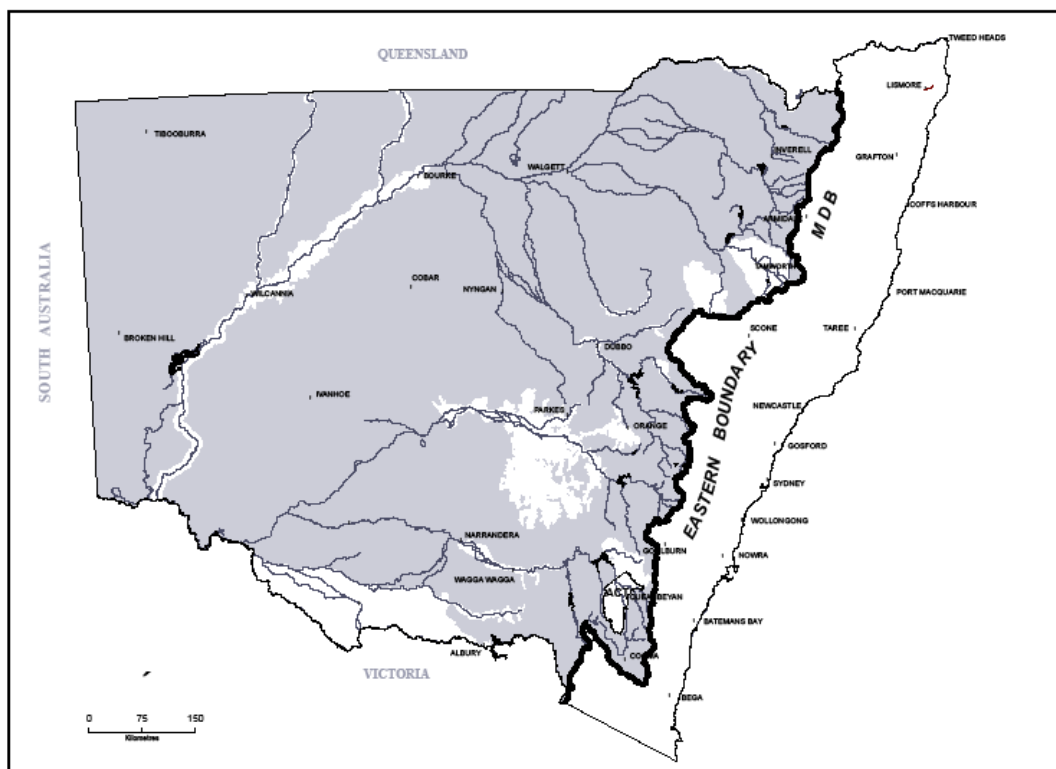
**Stock watering:** has the same meaning as defined in section 52 of the *Water Management Act 2000*;

**Table 1**

<b>Ground Water Management Area (GWMA)</b>	<b>GMMA No.</b>
Peel Valley Alluvium	005
Upper Macquarie Alluvium	009
Cudgegong Valley Alluvium	10
Upper Lachlan Alluvium	11
Mid Murrumbidgee Alluvium	13
Billabong Creek Alluvium	14
Upper Murray Alluvium	15
Lower Murray Alluvium (d/s Corowa)	16 (shallow)
Coolaburragundy-Talbrager Valley	19
Bell Valley Alluvium	20
Belubula Valley Alluvium	21
Border Rivers Alluvium	22
Miscellaneous Alluvium of Barwon Region	23
Lower Darling Alluvium	45
Upper Darling Alluvium	46
Bungendore Alluvium	54
Great Artesian Basin Alluvial	63

Castlereagh Alluvium	66
Orange Basalt	801
Young Granite	802
Yass Catchment	806
Peel Valley Fractured Rock	819
<b>Parishes</b>	
The Parishes of Goran, Brothers, Howes Hill, Calala, Merrigula, Tamarang, Trinkey, Coolanbilla, Springfield, Weston, Doona, Mema, Rodd, Pringle, Lawson, Moredevil, Coomoo Coomoo, Yarraman and Kickerbell in the County of Pottinger, all being within the Oxley Basin.	Part 608
The Parishes of Windy, Telford, Hudson and Moan in the County of Bucklan, all being within the Oxley Basin.	Part 608
The Parishes of Galambine, Wilbertree, Eurundury and Bumberra in the County of Phillip, all being within the Lachlan Fold Belt.	Part 811

Map 1



ISSN 0155-6320

\_\_\_\_\_  
Authorised to be printed  
DENIS H. HELM, Government Printer.