



New South Wales
Government

Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2018

under the

Water Management Act 2000

I, Frank Garofalow, having delegated authority from the Minister for Regional Water, in pursuance of section 324(1) of the *Water Management Act 2000*, on being satisfied that it is necessary to do so in the public interest to cope with a threat to public health and safety, make the following Order.

Dated this 21 day of February, 2018.

Frank Garofalow
Director Water Regulation
Crown Land and Water Division - Department of Industry
Signed for the Minister for Regional Water
(by delegation)

Explanatory note

This Order is made under section 324(1) of the *Water Management Act 2000*. The object of this Order is to impose temporary water restrictions for the Botany Sands Groundwater Source.

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1 Name of Order

This Order is the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2018*.

2 Commencement

This Order commences on the day on which notice of the Order is first published in accordance with section 324 (3) of the *Water Management Act 2000* and will remain in force until 30th June 2024, unless it is repealed or modified by further order before that date.

3 Repeal of previous order

This Order repeals the order made under the former section 323 of the *Water Management Act 2000* dated 24 August 2006 and published in the NSW Government Gazette on 1 September 2006 at page 7774.

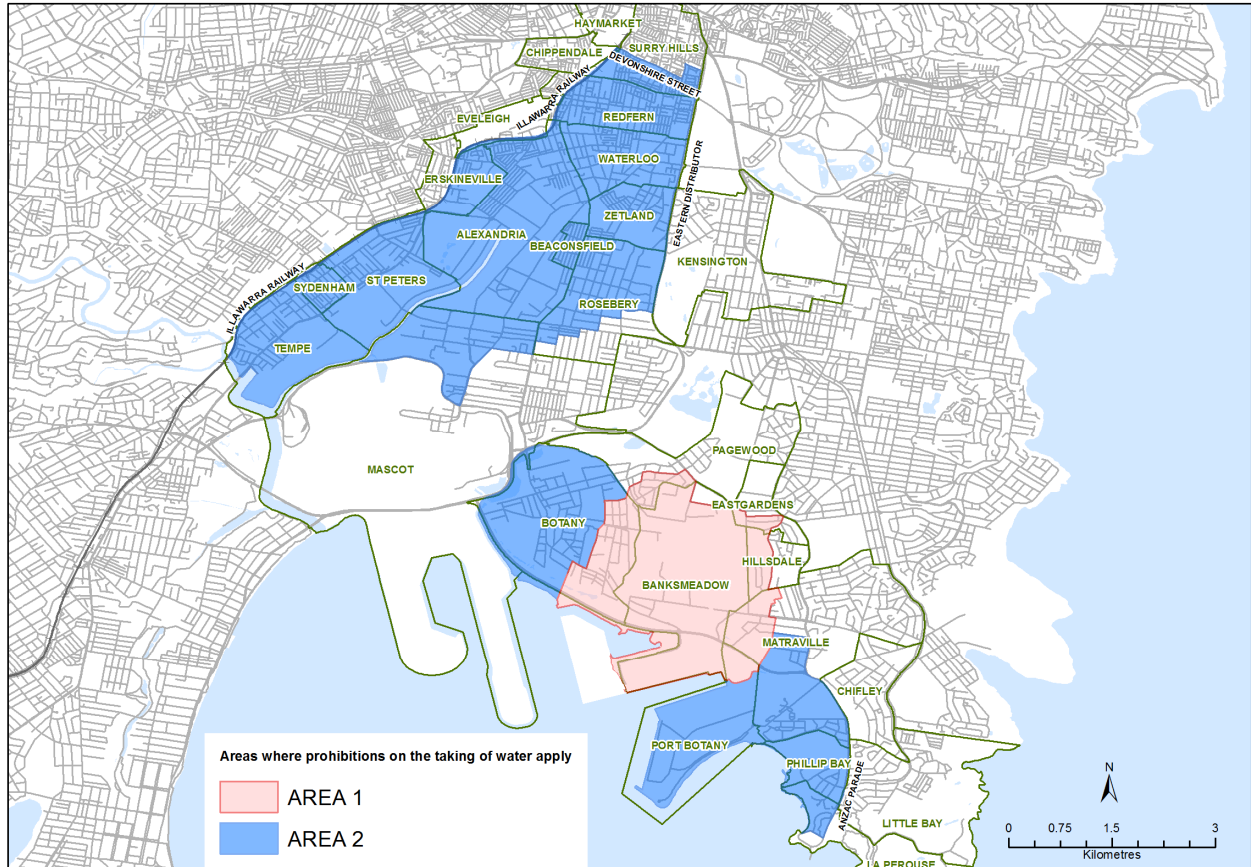
4 Temporary water restrictions

The taking of water from the water source specified in Schedule 1 is prohibited as specified in Schedules 2 and 3.

Schedule 1 Water Source

This Order applies to those parts of the Botany Sands Groundwater Source identified within Area 1 and Area 2 on Map A to this Schedule. The Botany Sands Groundwater Source is identified in the *Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2011*.

Map A to Schedule 1



Schedule 2 Prohibitions in Area 1

1. The taking of water from those parts of the Botany Sands Groundwater Source within Area 1 on Map A is prohibited.
2. The prohibition in paragraph (1) does not apply to:
 - a. the taking of water for remediation, temporary construction dewatering, testing or monitoring purposes; or
 - b. the taking of water using a water supply work nominated by water access licence 24611, 24613, 24566, 24600, 24564, 24583, 24545, or 24588, provided that the water is **fit for purpose**.
3. A person taking water under paragraph (2)(b) must:
 - a. keep records of all testing of water undertaken for the duration of this order; and
 - b. provide to an authorised officer, within 7 days of a request, written details of the results of any testing of water undertaken as requested by that officer.

4. In this Schedule:
 - a. **Fit for purpose** means:
 - i. There is a site testing plan certified by a site auditor accredited under the *Contaminated Land Management Act 1997* as being appropriate to determine if the groundwater is safe and suitable for its intended use. This site testing plan must be certified and in place prior to water being used, and
 - ii. The site testing plan includes for each proposed use of water the method of sampling, method of testing, frequency of testing, the analytes to be tested and the prescribed threshold level for each analyte above which water must not be taken, and
 - iii. Once sampled in accordance with the site testing plan, a consultant certified under a NSW Environment Protection Authority (NSW EPA) recognised contaminated land consultant certification scheme ('the consultant') must assess the results and provide a written record as to whether the groundwater is safe and suitable for its intended use as defined in the site testing plan, and
 - iv. All works in relation to the preparation and implementation of the site testing plan must be carried out consistent with guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*.
 - b. **Authorised officer** has the same meaning it has under the *Water Management Act 2000*.

Schedule 3 Prohibitions in Area 2

1. The taking of water from those parts of the Botany Sands Groundwater Source within Area 2 on Map A is prohibited for any of the following purposes:
 - a. human consumption;
 - b. consumption by animals;
 - c. domestic purposes;
 - d. any other purpose.
2. The prohibition in paragraph (1) (d) does not apply:
 - a. if the water is **fit for purpose**; or
 - b. to the taking of water for remediation, temporary construction dewatering, testing or monitoring purposes.
3. A person taking water under paragraph (2)(a) must:
 - a. keep records of all testing of water undertaken for the duration of this order; and
 - b. provide to an authorised officer, within 7 days of a request, written details of the results of any testing of water undertaken as requested by that officer.
4. In this Schedule, **fit for purpose** and **authorised officer** have the same meanings as in Schedule 2.