



New South Wales
Government

Access Licence Dealing Principles (NSW Border Rivers) Order 2019

under the

Water Management Act 2000

I, Rachel Connell, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 71Z of the *Water Management Act 2000*, make the following Order.

Dated 26th of June 2019

RACHEL CONNELL
Executive Director, Water
Department of Industry
By delegation

Explanatory note

This Order imposes a prohibition of the assignment of water allocations from regulated river (general security-A class) and regulated river (general security B-class) access licences to any other access licence in the NSW Border Rivers water source where those water allocations cannot be taken pursuant to the *Temporary Water Restriction (NSW Border Rivers) Order 2019*.

This Order is made under section 71Z of the *Water Management Act 2000*.

Access Licence Dealing Principles (NSW Border Rivers) Order 2019

under the

Water Management Act 2000

1 Name of Order

This Order is the *Access Licence Dealing Principles (NSW Border Rivers) Order 2019*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

3 Duration

This Order ceases to have effect on the expiry or repeal of the *Temporary Water Restriction (NSW Border Rivers) Order 2019* as published in the NSW Government Gazette, whichever occurs first.

4 Dealings prohibited

This Order prohibits certain dealings as set out in Schedule 1.

5 Interpretation

(1) In this Order:

regulated river (general security—A class) licence means a regulated river (general security—A class) licence that permits the taking of water from the water source.

regulated river (general security—B class) licence means a regulated river (general security—B class) licence that permits the taking of water from the water source.

section 324 order means the *Temporary Water Restriction (NSW Border Rivers) Order 2019* as published in the NSW Government Gazette and amended from time to time.

water source means the Border Rivers Regulated River Water Source as described in the *Water Sharing Plan for the NSW Border Rivers Regulated River Water Source 2009*.

(2) Unless otherwise defined, words and expressions that are defined in the *Water Management Act 2000* or in regulations made under that Act have the same meaning in this Order.

Schedule 1 Dealings prohibited

1 Prohibition on assignment of water allocations from regulated river (general security-A class) access licence where take is restricted

On and from 1 July 2019, an assignment of water allocations in accordance with section 71T of the Act is prohibited if:

- (a) the proposed assignment of water allocations is from a regulated river (general security—A class) access licence to any other access licence within the water source, and
- (b) the holder of the regulated river (general security-A class) access licence, from which the water allocations are proposed to be assigned, is restricted from taking those water allocations under the section 324 order.

2 Prohibition on assignment of water allocations from regulated river (general security- B class) access licence where take is restricted

On and from 1 July 2019, an assignment of water allocations in accordance with section 71T of the Act is prohibited if:

- (a) the proposed assignment of water allocations is from a regulated river (general security-B class) access licence to any other access licence within the water source, and
- (b) the holder of the regulated river (general security-B class) access licence, from which the water allocations are proposed to be assigned, is restricted from taking the water allocations under the section 324 order

3 Interaction with Access Licence Dealing Principles Order 2004

For the avoidance of doubt, this Order prevails to the extent of any inconsistency with the *Access Licence Dealing Principles Order 2004* or the access licence dealing rules.