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Temporary Water Restriction (Thule Creek) Order 2020

under the

Water Management Act 2000

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 11 September 2020

EMMA SOLOMON
Executive Director, Policy, Planning & Sciences
Department of Planning, Industry and Environment
By delegation

Explanatory note

The object of this Order is to impose a temporary water restriction on the take of water from parts of Thule Creek under unregulated river access licences in the Murray Below Mulwala Water Source to protect environmental flows.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to manage water for environmental purposes.

INT 20/288837

Temporary Water Restriction (Thule Creek) Order 2020

under the

Water Management Act 2000

1 Name of Order

This Order is the *Temporary Water Restriction (Thule Creek) Order 2020*.

2 Commencement

This Order commences on 15 September 2020.

3 Duration

This Order will remain in force up to and including 30 June 2021 unless that date is amended or this Order is repealed before that date.

4 Temporary water restrictions

This Order is a direction to restrict the take of water from the water source specified in Schedule 1 in accordance with the restriction specified in Schedule 2.

5 Interpretation

(1) In this Order:

Director means any of the following:

- (a) Director, Water Planning Implementation, Water Group within the Department of Planning, Industry and Environment,
- (b) Executive Director, Policy, Planning & Sciences, Water Group within the Department of Planning, Industry and Environment,
- (c) any person who is for the time being acting or performing the duties and responsibilities of the role specified in paragraph (a) or (b).

unregulated river access licence means an unregulated river access licence that permits the taking of water from the Murray Below Mulwala Water Source.

Murray Below Mulwala Water Source means the Murray Below Mulwala Water Source as described in the *Water Sharing Plan for the Murray Unregulated River Water Sources 2011*.

Thule Creek means the water source within that part of Thule Creek from the Thule Creek regulator to the junction of Thule Creek and Wakool River as identified by the dark thick blue line on the map in Schedule 3.

- (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 Water Source

Thule Creek within the Murray Below Mulwala Water Source.

Schedule 2 Restriction

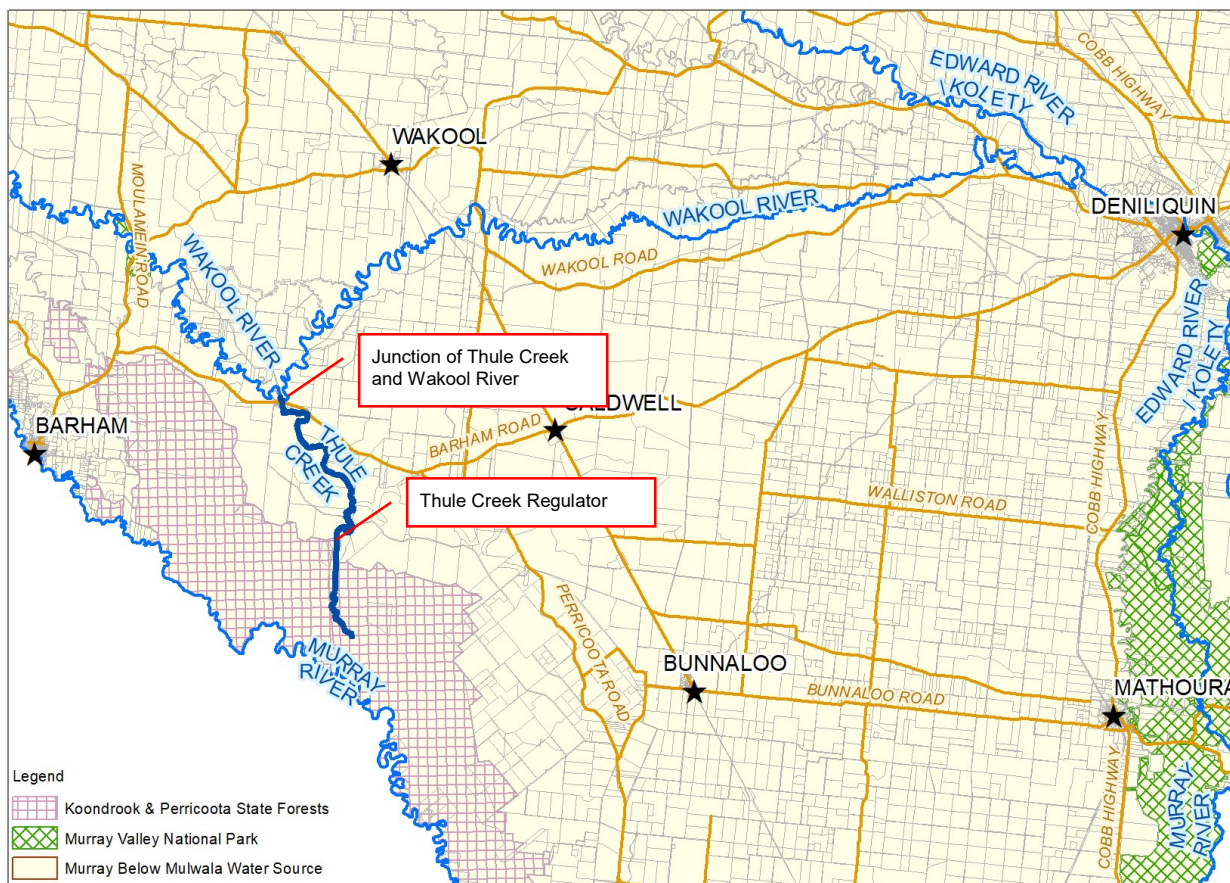
1 Restriction for parts of Thule Creek

- (1) Unless approved by the Director, the holder of an unregulated river access licence must not take water under that licence from Thule Creek.
- (2) The Director may approve, in any manner, the licence holder taking water for any period during which the Director is of the opinion that there is, or is forecasted to be, *water available to take for consumptive use* from Thule Creek by the licence holder on or after a day on which a flow of 23,000 ML/day or more occurs at Torrumbarry Weir downstream from Thule Creek.
- (3) For the purposes of subclause (1), the holder of the licence is taken to have approval:
 - (a) from the day on which the Director notifies, in any manner, the holder that the approval is given,
 - (b) until the day on which the Director notifies, in any manner, the holder that the approval has ceased.
- (4) In this clause:

water available to take for consumptive use does not include water in Thule Creek released on request by a licence holder for the purpose of achieving environmental outcomes.

Schedule 3

Map of Thule Creek



Note. It is an offence, under section 336C of the Water Management Act 2000, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110.



Temporary Water Restriction (Tuppal Creek) Order 2020

under the

Water Management Act 2000

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 11 September 2020

EMMA SOLOMON
Executive Director, Policy, Planning & Sciences
Department of Planning, Industry and Environment
By delegation

Explanatory note

The object of this Order is to impose a temporary water restriction on the take of water from parts of Tuppal Creek under unregulated river access licences in the Murray Below Mulwala Water Source to protect environmental flows.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to manage water for environmental purposes.

INT 20/288838

Temporary Water Restriction (Tuppal Creek) Order 2020

under the

Water Management Act 2000

1 Name of Order

This Order is the *Temporary Water Restriction (Tuppal Creek) Order 2020*.

2 Commencement

This Order commences the day on 15 September 2020.

3 Duration

This Order will remain in force up to and including 30 June 2021 unless that date is amended or this Order is repealed before that date.

4 Temporary water restrictions

This Order is a direction to restrict the take of water from the water source specified in Schedule 1 in accordance with the restriction specified in Schedule 2.

5 Interpretation

(1) In this order:

Director means any of the following:

- (a) Director, Water Planning Implementation, Water Group for the Department of Planning, Industry and Environment,
- (b) Executive Director, Policy, Planning & Sciences, Water Group for the Department of Planning, Industry and Environment,
- (c) any person who is for the time being acting or performing the duties and responsibilities of the role specified in paragraph (a) or (b).

unregulated river access licence means an unregulated river access licence that permits the taking of water from the Murray Below Mulwala Water Source.

Murray Below Mulwala Water Source means the Murray Below Mulwala Water Source as described in the *Water Sharing Plan for the Murray Unregulated River Water Sources 2011*.

Tuppal Creek means the water source within that part of Tuppal Creek from the junction of Tuppal Creek and Tocumwal Escape to the junction of Tuppal Creek and Edward River as identified by the dark thick blue line on the map in Schedule 3.

- (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 Water Sources

Tuppal Creek within the Murray Below Mulwala Water Source.

Schedule 2 Restriction

1 Restriction for parts of Tuppal Creek

- (1) Unless approved by the Director, the holder of an unregulated river access licence must not take water under that licence from Tuppal Creek.
- (2) The Director may approve, in any manner, the licence holder to take water for any period during which the Director is of the opinion that there is, or is forecasted to be, ***water available to take for consumptive use*** from Tuppal Creek by the licence holder on or after a day on which a flow of 35,000ML/day or more occurs at Yarrowonga Weir downstream from Tuppal Creek.
- (3) For the purposes of subclause (1), the holder of the licence is taken to have approval:
 - (a) from the day on which the Director notifies, in any manner, the holder that the approval is given,
 - (b) until the day on which the Director notifies, in any manner, the holder that the approval has ceased.
- (4) In this clause:

water available to take for consumptive use does not include water in Tuppal Creek released on request by a licence holder for the purpose of achieving environmental outcomes.

Schedule 3

Map of Tuppal Creek



Note. It is an offence, under section 336C of the Water Management Act 2000, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110.



Temporary Water Restriction (Buccaneit and Cunninyeuk Creeks) (No 2) Order 2020

under the

Water Management Act 2000

I, Emma Solomon, by delegation from the Minister administering the *Water Management Act 2000*, in pursuance of section 324 (1) of the *Water Management Act 2000* and being satisfied that it is necessary in the public interest to do so, make the following Order.

Dated 11 September 2020

EMMA SOLOMON
Executive Director, Policy, Planning & Sciences
Department of Planning, Industry and Environment
By delegation

Explanatory note

The object of this Order is to impose a temporary restriction on the take of water from parts of Buccaneit Creek and Cunninyeuk Creek under unregulated river access licences in the Murray Below Mulwala Water Source to protect environmental flows.

This Order is made under section 324 (1) of the *Water Management Act 2000* in order to manage water for environmental purposes.

Temporary Water Restriction (Buccaneit and Cunninyeuk Creeks) (No 2) Order 2020

under the

Water Management Act 2000

1 Name of Order

This Order is the *Temporary Water Restriction (Buccaneit and Cunninyeuk Creeks) (No 2) Order 2020*.

2 Commencement

This Order commences on 15 September 2020.

3 Duration

This Order will remain in force up to and including 30 June 2021 unless that date is amended or the order is repealed before that date.

4 Temporary water restrictions

This Order is a direction to restrict the take of water from those parts of the Buccaneit Creek and Cunninyeuk Creek specified in Schedule 1 in accordance with the restriction specified in Schedule 1.

5 Interpretation

(1) In this order:

Murray Below Mulwala Water Source means the Murray Below Mulwala Water Source as described in the *Water Sharing Plan for the Murray Unregulated River Water Sources 2011*.

Director means any of the following:

- (a) Director, Water Planning Implementation, Water Group within the Department of Planning, Industry and Environment,
- (b) Executive Director, Policy, Planning & Sciences, Water Group within the Department of Planning, Industry and Environment,
- (c) any person who is for the time being acting or performing the duties and responsibilities of the role specified in paragraph (a) or (b).

environmental flow event means the replenishment of Buccaneit Creek and Cunninyeuk Creek arising from the release of water at the request the Department of Planning, Industry and Environment – Environment, Energy & Science.

forecast includes a qualitative assessment or quantitative assessment.

(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.

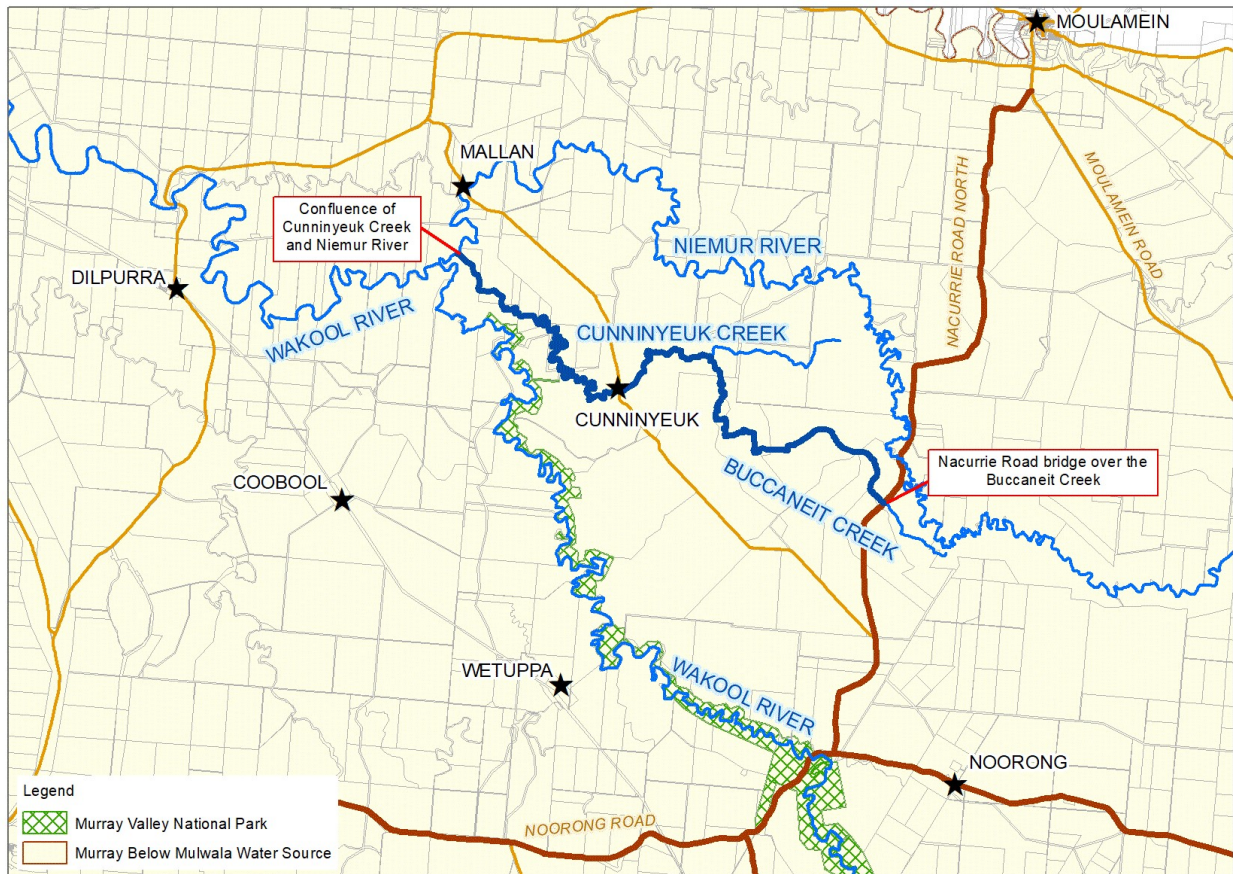
Schedule 1 Restriction

1 Restriction for parts of the Buccaneit Creek and Cunninyeuk Creek

- (1) Unless approved by the Director, the holder of an unregulated river access licence must not take water under that licence from the following water sources within the Murray Below Mulwala Water Source as identified by the thick blue line on the Map in Schedule 2:
 - (a) that part of Buccaneit Creek between the Nacurrie Road Bridge and its confluence with Cunninyeuk Creek,
 - (b) that part of Cunninyeuk Creek between its confluence with Buccaneit Creek and its confluence with Niemur River.
- (2) The Director may approve, in any manner, the licence holder taking water for any period during which the Director is of the opinion that there is, or is forecasted to be, ***water available to take for consumptive use*** by the licence holder and such take would not have an adverse effect on the environmental flow event.
- (3) For the purposes of subclause (1), the holder of the licence is taken to have approval:
 - (a) from the day on which the holder is notified, in any manner, that the approval is given,
 - (b) until the day on which the holder is notified, in any manner, that the approval has ceased.
- (4) In this clause:

water available to take for consumptive use does not include water in those parts of Buccaneit Creek and Cunninyeuk Creek specified in subclause (1) that forms part of the environmental flow event.

Schedule 2 Map



Note. It is an offence, under section 336C of the Water Management Act 2000, to fail to comply with this direction. An individual found guilty of an offence under section 336C is liable to a penalty not exceeding 4,550 penalty units and, in the case of a continuing offence, a further penalty not exceeding 600 penalty units for each day the offence continues. A corporation found guilty of an offence under section 336C is liable to a penalty not exceeding 18,200 penalty units and, in the case of a continuing offence, a further penalty not exceeding 1,200 penalty units for each day the offence continues. As at the commencement of this Order, a penalty unit is \$110.