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ADELAIDE, WEDNESDAY, 25 JULY 2007

NATURAL RESOURCES MANAGEMENT ACT 2004

Revocation of Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse

and

Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse

1. Pursuant to section 132 (9) of the Natural Resources Management Act 2004 ('the Act') and pursuant to the delegation of the powers under section 132 of the Act made to me by the Minister for Environment and Conservation (under section 9 (1) of the Administrative Arrangements Act 1994 and by the notice published in the *Government Gazette*, page 3307 of 15 September 2005), I, Karlene Maywald, Minister for the River Murray revoke the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse dated 21 June 2007 and published in the *Government Gazette*, page 2727 of 21 June 2007.

2. The revocation made in Paragraph 1 of this Notice takes effect at the expiration of seven days from the publication of this notice.

3. Pursuant to section 132 (1) of the Natural Resources Management Act 2004 ('the Act') and pursuant to the delegation of the powers under section 132 of the Act made to me by the Minister for Environment and Conservation (under section 9 (1) of the Administrative Arrangements Act 1994 and by the notice published in the *Government Gazette*, page 3307 of 15 September 2005), I, Karlene Maywald, Minister for the River Murray being of the opinion that due to reduced River Murray flow to South Australia, the rate at which water is being taken from the River Murray Prescribed Watercourse as described in Schedule 1:

- is such that the quantity of water available can no longer meet the demand;

- is such that there is a risk that the available water will not be sufficient to meet future demand; and

- is affecting the quality of water in the watercourse,

hereby restrict the taking of water from the River Murray Prescribed Watercourse in the manner and subject to the conditions specified in Schedule 2.

SCHEDULE 1

The River Murray Prescribed Watercourse established by proclamation under the Water Resources Act 1976 and continued in existence as if it had been proclaimed under the Water Resources Act 1990 and continued in existence by virtue of Clause 2 (1) (a) of Schedule 3 of the Water Resources Act 1997 and Clause 52 (a) of Schedule 4 of the Natural Resources Management Act 2004 and described in the General Registry Office Plan No. 926/78, sheets 1-13.

SCHEDULE 2

1. Water may only be taken from the River Murray Prescribed Watercourse in the following circumstances:

- (a) If a person holds a water licence endorsed with a water (taking) allocation to take water from the River Murray Prescribed Watercourse for purposes other than domestic, stock or industrial purposes, as defined in the Act and the Water Allocation Plan for the River Murray Prescribed Watercourse adopted on 1 July 2002 (as amended on 12 January 2004), that person is entitled to take a quantity of water equivalent to 13% of the water (taking) allocation endorsed on the water licence, subject to the provisions of paragraphs 2-7 inclusive of this Schedule.

- (b) In respect of its water licence (Metropolitan Adelaide) for the taking of water for urban water supply through reticulated water supply infrastructure under the Waterworks Act 1932, the South Australian Water Corporation is entitled to take 90 gigalitres.
- (c) In respect of its water licence (Country Towns) for the taking of water for urban water supply through reticulated water supply infrastructure under the Waterworks Act 1932, the South Australian Water Corporation is entitled to take 31 gigalitres.
- (d) If, during the period of this Notice, a person receives approval under the Act to convert a water (holding) allocation to a water (taking) allocation, that person is entitled to take a quantity of water equivalent to 13% of the water (taking) allocation endorsed on the water licence after conversion, subject to the provisions of paragraphs 2-7 inclusive of this Schedule.
- (e) If a person holds a water licence endorsed with a water (taking) allocation to take water from the River Murray Prescribed Watercourse and that person has been authorised, in writing, to take a specified volume of carry-over water during a period or periods in 2007-2008, that person is entitled to take that volume of carry-over water in accordance with any carry-over arrangements adopted by the Minister for Environment and Conservation.
2. Where a South Australian water licence holder (the transferor) temporarily transfers a water (taking) allocation for 2007-2008 only to another South Australian water licence holder (the transferee) and that allocation is equal to or less than the volume of water authorised to be taken by the transferor under Clauses 1 (a), (b), (c) or (d) of this Schedule, the total water allocation transferred can be taken by the transferee. The volume of water authorised to be taken by the transferor under Clauses 1 (a), (b), (c) or (d) of this Schedule is reduced by the volume transferred.
3. Where a South Australian water licence holder (the transferor) permanently transfers a water (taking) allocation during the term of this Notice to another South Australian water licence holder; or temporarily transfers a water (taking) allocation to another South Australian water licence holder and the allocation transferred exceeds the volume of water authorised to be taken by the transferor under Clauses 1 (a), (b), (c) or (d) of this Schedule, the taking of the water transferred is subject to the provisions of Clause 1 (a), (b), (c) or (d) of this Schedule.
4. Where an annual water allocation is temporarily transferred to the State of South Australia for taking purposes from interstate, the total volume transferred may be taken by the transferee.
5. Where a volume of carry-over water is authorised to be taken in accordance with the adopted River Murray Carry-over Transfer Scheme, the total volume authorised for use as carry-over during a specified period or periods may be taken by the receiving licence holder, subject to any carry-over arrangements adopted by the Minister for Environment and Conservation.
6. Where water is approved for use in the State of South Australia under an Interstate Water Entitlement Transfer Scheme, only the allocation volume authorised for use in the State of Origin may be taken.
7. Where a South Australian water licence holder (the transferor) temporarily transfers a water (taking) allocation for use in New South Wales or Victoria during 2007-2008 only, a volume that is the equal to or less than the volume of water able to be taken under Clauses 1 (a), (b), (c) or (d) of this Schedule can be transferred. The volume of water authorised to be taken by the transferor under Clauses 1 (a), (b), (c) or (d) of this Schedule is reduced by the volume transferred.
8. The following condition applies to the taking of all water in accordance with this Notice:
- The water may only be taken through a meter that accurately measures the quantity of water taken and is at all times in good working condition, unless otherwise authorised by the Minister for Environment and Conservation or that Minister's agents.
9. This Notice of Restriction does not apply to the taking of water for fire-fighting, road making, stock, domestic or industrial purposes, or for the application of chemicals for the control of pest plants and animals to non-irrigated crops or non-irrigated pasture.
- The restriction on the taking of water from the River Murray Prescribed Watercourse made in Paragraph 3 of this Notice will remain in effect up to and including 30 June 2008, unless earlier varied or revoked.

Dated 23 July 2007.

K. MAYWALD, Minister for the River Murray
