

Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources Amendment Order 2020

under the

Water Management Act 2000

I, Melinda Pavey, Minister for Water, Property and Housing, in pursuance of section 45 (1) of the *Water Management Act 2000*, make the following Order to amend the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*.

Dated 29th June 2020

Melinda Pavey MP
Minister for Water, Property and Housing

Explanatory note

This Order is made under section 45 (1) of the *Water Management Act 2000*. The object of this Order is to amend the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*. The concurrence of the Minister for Energy and Environment was obtained prior to the making of this Order as required under section 45 of the *Water Management Act 2000*.

1 Name of Order

This Order is the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources Amendment Order 2020*.

2 Commencement

This Order commences on 1 July 2020.

Schedule 1 Amendment of Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012

[1] Part 1 Introduction

Omit the note. Insert instead:

Notes.

- 1 Part 12 allows for amendments to be made to this Part.
- 2 In accordance with section 48 of the *Water Management Act 2000*, the Minister must take all reasonable steps to give effect to the provisions of this Plan when exercising functions under the Act.
- 3 In accordance with section 49 of the *Water Management Act 2000*, public authorities must also have regard to the provisions of this Plan to the extent they apply to the public authority.
- 4 The Minister may amend this Plan at any time under section 45 of the *Water Management Act 2000*, including if satisfied it is in the public interest to do so, or in such circumstances, in relation to such matters and to such extent as Part 12 of this Plan provides.

[2] Clause 1 Name of Plan

Omit “and Alluvial”. Insert instead “Rivers”.

[3] Clause 3

Omit the clause. Insert instead:

3 Commencement of this Plan

- (1) This Plan commences on 4 October 2012.

Notes.

- 1 In accordance with section 43 of the Act, this Plan will have effect for 10 years from 1 July 2013.
- 2 The Minister may extend this Plan for a further period of 10 years after it is due to expire, in accordance with section 43A of the Act.
- 3 Under the *Intergovernmental Agreement on Implementing Water Reform in the Murray-Darling Basin* and the associated National Partnership Agreement, NSW has agreed to develop water resource plans for Murray-Darling Basin water resources that are consistent with the requirements of the Basin Plan. This Plan was amended in 2020, partly to meet NSW’s commitments under these arrangements. Certain provisions of this Plan form part of the water resource plan for the Macquarie-Castlereagh surface water resource plan area.
- 4 **Basin Plan** is defined in the Dictionary.

- (2) Despite subclause (1), the following provisions of this Plan commence on 1 December 2020:

- (a) clause 51,
- (b) clause 53A,
- (c) clause 55A.

Notes.

- 1 This means that the rules to protect Active Environmental Water will not commence until 1 December 2020.
- 2 **Active Environmental Water** is defined in the Dictionary.

[4] Clause 4

Omit the clause. Insert instead:

4 Application of this Plan

- (1) This Plan applies to the following water sources known as the Macquarie Bogan Unregulated Rivers Water Sources (hereafter **these water sources**) within the Central West Water Management Area:

- (a) Backwater Boggy Cowal Water Source,
- (b) Bell River Water Source,
- (c) Bulbodney Grahway Creek Water Source,
- (d) Burrendong Dam Tributaries Water Source,

- (e) Campbells River Water Source,
- (f) Coolbaggie Creek Water Source,
- (g) Cooyal Wialdra Creek Water Source,
- (h) Ewenmar Creek Water Source,
- (i) Fish River Water Source,
- (j) Goolma Creek Water Source,
- (k) Lawsons Creek Water Source,
- (l) Little River Water Source,
- (m) Lower Bogan River Water Source,
- (n) Lower Macquarie River Water Source,
- (o) Lower Talbragar River Water Source,
- (p) Macquarie River above Burrendong Water Source,
- (q) Marra Creek Water Source,
- (r) Marthaguy Creek Water Source,
- (s) Maryvale Geurie Creek Water Source,
- (t) Molong Creek Water Source,
- (u) Piambong Creek Water Source,
- (v) Pipeclay Creek Water Source,
- (w) Queen Charlottes Vale Evans Plains Creek Water Source,
- (x) Summerhill Creek Water Source,
- (y) Turon Crudine River Water Source,
- (z) Upper Bogan River Water Source,
- (aa) Upper Cudgegong River Water Source,
- (ab) Upper Talbragar River Water Source,
- (ac) Wambalong Whylandra Creek Water Source, and
- (ad) Winburndale Rivulet Water Source.

Note. The Central West Water Management Area was constituted by Ministerial order made under section 11 of the *Water Management Act 2000* and published in the NSW Government Gazette No 180 on 23 November 2001 at page 9389.

- (2) These water sources are shown on the Plan Map called *Plan Map (WSP026_Version 2), Water Sharing Plan for the Macquarie Bogan Unregulated Rivers Water Sources 2012* (hereafter ***the Plan Map***) held by the Department.
Note. The Plan Map is part of this Plan and is available at the NSW Legislation website. An overview of the Plan Map is shown in Appendix 1.
- (3) Subject to subclause (5), these water sources include all water:
 - (a) occurring naturally on the surface of the ground within the boundaries of these water sources as shown on the Plan Map, and
 - (b) in rivers, lakes, and wetlands within the boundaries of these water sources as shown on the Plan Map.
- (4) (Repealed)
- (5) These water sources do not include water:
 - (a) (repealed)
 - (b) contained in the Macquarie and Cudgegong Regulated Rivers Water Source to which the *Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2016* applies,
 - (c) contained in the Barwon-Darling Unregulated River Water Source to which the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012* applies,
 - (d) taken in the course of floodplain harvesting under a floodplain harvesting (regulated river) access licence.

Note. ***Floodplain harvesting*** is defined in the Dictionary.

Note. This Plan, as amended by the Water Sharing Plan for the *Macquarie Bogan Unregulated and Alluvial Water Sources Amendment Order 2020*, does not apply to the Bell Alluvial Groundwater Source, Cudgegong Alluvial Groundwater Source, Talbragar Alluvial Groundwater Source and Upper Macquarie Alluvial Groundwater Source. The *Water Sharing Plan for the Macquarie-Castlereagh Groundwater Sources 2020* now applies to those water sources.

[5] Clause 5 Management zones

Omit clause 5 (1) (f). Insert instead:

- (f) Marthaguy Creek Water Source:
 - (i) Upper Marthaguy Creek Management Zone, and
 - (ii) Lower Marthaguy Creek Management Zone.

[6] Clause 6

Omit the clause.

[7] Clause 8 Interpretation

Insert after clause 8 (4):

- (4A) The Plan Map forms part of this Plan.
- (4B) A number in brackets following the name of a gauge is the gauge number.

[8] Part 2 Vision, objectives, strategies and performance indicators

Omit the Part. Insert instead:

Part 2 Vision, objectives, strategies and performance indicators

Notes.

- 1 This Part is made in accordance with section 35 (1) of the Act.
- 2 This Part describes broad objectives, which are the long term outcomes sought by this Plan and are not directly measured but evaluated by considering the cumulative achievement of the associated targeted objectives. Targeted objectives described in this Part are specific outcomes that can be achieved by the strategies in this Plan and can be directly measured so that success or failure to achieve the objective can be quantified.

8A Acknowledgement

Respect is paid to the traditional owners of this country, who are acknowledged as the first natural resource managers within the Central West Water Management Area.

9 Vision statement

The vision for this Plan is to provide for the following:

- (a) the health and enhancement of these water sources and their water-dependent ecosystems,
- (b) the continuing productive extraction of surface water for economic benefit,
- (c) the spiritual, social, customary and economic benefits of surface water to Aboriginal communities,
- (d) the social and cultural benefits to urban and rural communities that result from surface water.

10 Environmental objectives

- (1) The broad environmental objective of this Plan is to protect, and contribute to the enhancement of, the ecological condition of these water sources and their water-dependent ecosystems over the term of this Plan.

Note. The ecological condition of these water sources will be assessed by reference to the condition of high ecological value aquatic ecosystems, target species, communities, populations and key ecosystem

functions as defined in the MER plan for these water sources. Water-dependent ecosystems in these water sources include instream riparian and floodplain ecosystems.

- (2) The targeted environmental objective of this Plan is to protect, and contribute to the enhancement of, the following over the term of this Plan:
- (a) the recorded distribution or extent, and population structure, of target ecological populations,
- Notes.**
- 1 **Target ecological populations** is defined in the Dictionary.
 - 2 Target ecological populations in these water sources may include known or predicted populations of the following:
 - (a) native fish including eel-tailed catfish, Murray cod, purple-spotted gudgeon and olive perchlet,
 - (b) native vegetation including river red gum woodland and black box-coolibah woodland,
 - (c) high diversity hotspots and significant habitat for native fish, frogs, waterbirds, native vegetation and low flow macroinvertebrate communities in water sources that are susceptible to increased frequency and duration of low flows and drying.
 - 3 Ramsar wetlands, and the associated ecological communities such as waterbirds and lignum shrublands, are primarily managed by the NSW Environmental Water Manager. The targeted objectives and monitoring activities for these assets and communities are provided in the MER Plan for these water sources.
 - 4 Measures of population structure may include the abundance or spatial extent of a species, different age classes or life stages within a species population, or measures that describe the health and condition of species or populations.
- (b) the longitudinal and lateral connectivity within and between water sources to support target ecological processes,
- Notes.**
- 1 Longitudinal connectivity means flows along the length of the river and between hydrologically connected rivers. Lateral connectivity means flows between the river and its anabranches, riparian zones, wetlands and floodplains.
 - 2 Target ecological processes in these water sources include fish movement across significant barriers, as identified by NSW Department of Primary Industries (Fisheries) and described in the MER plan for these water sources.
 - 3 Connectivity may be within or between these water sources or between these water sources and other water sources.
- (c) water quality within these water sources to support water-dependent ecosystems and ecosystem functions,
- Note.** Water quality target ranges for these water sources are defined in the Water Quality Management Plan for the Macquarie-Castlereagh Water Resource Plan Area SW11 and the NSW State Water Quality Assessment and Monitoring Plan.
- (3) The strategies for reaching the targeted environmental objective of this Plan are as follows:
- (a) establish and maintain compliance with a long-term average annual extraction limit and a long-term average sustainable diversion limit,
- Note.** Part 6 of this Plan sets out the provisions for maintaining compliance with the long-term average annual extraction limit and the long-term average sustainable diversion limit.
- (b) reserve a portion of flows to partially mitigate alterations to natural flow regimes in these water sources,
- Notes.**
- 1 **Flow regimes** is defined in the Dictionary.
 - 2 The rules in Division 2 of Part 8 of this Plan establish daily access rules that manage the take of water for each water source. These rules contribute to all the objectives in subclause (2).
- (c) restrict the take of water from in-river and off-river pools when the volume of that water is less than full capacity,
- Notes.**
- 1 **In-river pool** and **off-river pool** are defined in the Dictionary.
 - 2 The provisions in clause 53 of this Plan restrict the take of water from in-river and off-river pools when the volume is less than full capacity.

- (d) restrict or prevent water supply work approvals on third order or higher streams,
Notes.
 - 1 The provisions in Part 9 of this Plan prevent the granting or amendment of a water supply work approval for an in-river dam on a third order or higher stream in the water sources listed in clause 57 (2).
 - 2 References in this Plan to a third order or higher stream relate to the stream order defined by the Strahler stream ordering method. The Strahler stream ordering method is as described in Schedule 2 to the *Water Management (General) Regulation 2018*.
 - (e) reserve a portion of flows to maintain hydrological connectivity within and between these water sources and other connected water sources including the Macquarie and Cudgegong Regulated River Water Source,
Note. The provisions in clause 53 of this Plan ensure that very low flows are protected from extraction.
 - (f) restrict the take of water to protect Active Environmental Water.
- (4) The performance indicator used to measure the success of the strategies for reaching the broad environmental objective in subclause (1) is an evaluation of the extent to which the combined outcomes of the targeted objectives in subclause (2) has have contributed to achieving the broad objective.
 - (5) The performance indicators used to measure the success of the strategies for reaching the targeted environmental objectives in subclause (2) are the changes or trends in ecological condition during the term of this Plan, as assessed using one or more of the following:
 - (a) the recorded range, extent or condition of target ecological populations,
 - (b) measurements of fish movements through priority fish passage areas,
 - (c) the recorded values of water quality measurements including salinity, turbidity, total nitrogen, total phosphorous, pH, water temperature and dissolved oxygen.
 - (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause, the following will be relevant:
 - (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
 - (b) the extent to which changes in the performance indicators can be attributed to the strategies in subclause (3) and provisions in this Plan,
 - (c) the extent to which the strategies in subclause (3) support achievement of the environmental objectives,
 - (d) the extent to which Schedule 2 of this Plan has accurately identified, and the provisions in this Plan have adequately protected, the off-river pools and off-river dam pools that have been recipients of environmental water deliveries,
 - (e) the extent to which external influences on these water sources during the term of this Plan have affected progress toward achieving the environmental objectives.
Note. External influences may include climate trends, land use patterns, decisions made by the NSW Environmental Water Manager and other factors.

11 Economic objectives

- (1) The broad economic objective of this Plan is to maintain, and where possible improve, access to water to optimise economic benefits for agriculture, surface water-dependent industries and local economies.
- (2) The targeted economic objectives of this Plan are as follows:
 - (a) to maintain, and where possible improve, water trading opportunities for surface water-dependent businesses,

- (b) to maintain, and where possible improve, access to water for agriculture, surface water-dependent businesses and landholders,
 - (c) to contribute to maintaining water quality within target ranges for agriculture, surface water-dependent businesses and landholders.
- (3) The strategies for reaching the targeted economic objectives of this Plan are as follows:
- (a) provide for trade of water allocations and share components subject to environmental constraints.
Note. The provisions in Part 10 of this Plan permit a variety of dealings within environmental constraints, including assignment of rights under access licences, assignment of water allocations between access licences, and the ability to move the share component of an access licence from one water source, or management zone within a water source, to another.
 - (b) provide a stable and predictable framework for sharing water among water users,
Note. The compliance with extraction and diversion limit provisions in Part 6 of this Plan and the access provisions in Part 8 of this Plan provide certainty in how water access will be shared between different categories of access licences.
 - (c) provide flexibility of access to water,
Note. The individual account management rules in clause 50, including the limit on the volume of water that can be taken in any water year or over three consecutive water years and the amount of water that may be carried over from one water year to the next, provide flexibility that reflects the characteristics of the licence category.
 - (d) manage extractions to the long-term extraction limit and the long-term average sustainable diversion limit.
Note. Part 6 of this Plan manages the extraction of water within the long-term average annual extraction limits and the long-term average sustainable diversion limits.
- (4) The performance indicator used to measure the success of the strategies for reaching the broad economic objective in subclause (1) is an evaluation of the extent to which the combined outcomes of the targeted economic objectives in subclause (2) have contributed to achieving the broad objective.
- (5) The performance indicators used to measure the success of the strategies for reaching the targeted economic objectives in subclause (2) are the changes or trends in economic benefits during the term of this Plan, as assessed using one or more of the following:
- (a) the economic benefits of surface water extraction and use,
 - (b) the economic benefits of water trading as demonstrated by:
 - (i) the annual number or volume of share components of access licences transferred or assigned,
 - (ii) the weighted average unit price of share components of access licences transferred or assigned,
Note. *Weighted average unit price* is defined in the Dictionary.
 - (iii) the annual volume of water allocations assigned,
 - (iv) the weighted average unit price of water allocations assigned,
 - (c) the recorded values of water quality measurements including salinity, sodium adsorption ratio, harmful algal blooms, total nitrogen, total phosphorus, pH and dissolved oxygen.
- (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause, the following will be relevant:
- (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
 - (b) the extent to which the changes in the economic benefits of surface water extraction and use can be attributed to the strategies in subclause (3) and provisions in this Plan,

- (c) the extent to which the strategies in subclause (3) support achievement of the economic objectives,
- (d) the extent to which external influences on surface water-dependent businesses during the term of this Plan have affected progress toward achieving the economic objectives.

Note. External influences may include trends in urban, agricultural and industrial development, energy costs, commodity prices, interest rates, technology advances, climate or changes in industry policy or regulation.

12 Aboriginal cultural objectives

- (1) The broad Aboriginal cultural objective of this Plan is to maintain, and where possible improve, the spiritual, social, customary and economic values and uses of water by Aboriginal people.
- (2) The targeted Aboriginal cultural objectives of this Plan are as follows:
 - (a) to provide access to water in the exercise of native title rights,
 - (b) to provide access to water for Aboriginal cultural use, including fishing,
 - (c) to protect, and where possible improve, identified surface water-dependent culturally significant areas, including important riparian vegetation communities,
 - (d) to contribute to the maintenance of water quality within target ranges to ensure suitability of water for Aboriginal cultural use.
- (3) The strategies for reaching the targeted Aboriginal cultural objectives of this Plan are as follows:
 - (a) manage access to water consistently with the exercise of native title rights,
 - (b) provide for water associated with Aboriginal cultural values and uses,

Note. The provisions in Part 7 of this Plan provide opportunities for Aboriginal people to access water by allowing for the granting of an access licence of the subcategory 'Aboriginal cultural'.
 - (c) reserve a portion of natural flows to partially mitigate alterations to natural flow regimes in these water sources,
 - (d) restrict the take of water from in-river and off-river pools when the volume of that water is less than full capacity,

Note. The provisions in clause 53 of this Plan restrict the take of water from in-river and off-river pools when the volume is less than full capacity, thereby contributing to the protection of native fish populations, swimming and recreational areas and riparian vegetation.
 - (e) reserve a portion of natural flows to maintain longitudinal connectivity within and between these water sources, and between these water sources and other connected water sources.

Note. The provisions in clause 53 of this Plan ensure that a portion of natural flows are protected from extraction.
- (4) The performance indicator used to measure the success of the strategies for reaching the broad Aboriginal cultural objective in subclause (1) is an evaluation of the extent to which the combined outcomes of the targeted Aboriginal cultural objectives in subclause (2) have contributed to achieving the broad objective.
- (5) The performance indicators used to measure the success of the strategies for reaching the targeted Aboriginal cultural objectives in subclause (2) are the changes or trends in Aboriginal cultural benefits during the term of this Plan, as assessed using one or more of the following:
 - (a) the use of water by Aboriginal people by measuring factors including:
 - (i) the extent to which native title rights are capable of being exercised, consistently with any determination of native title or indigenous land use agreement,

- (ii) the extent to which access to water has contributed to achieving Aboriginal cultural outcomes,
 - (b) the recorded range or extent of target populations of native fish,
 - (c) the recorded range or condition of target populations of riparian vegetation,
 - (d) the recorded values of water quality measurements including salinity, harmful algal blooms, total nitrogen, total phosphorus, pH, water temperature and dissolved oxygen.
- (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause, the following will be relevant:
 - (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
 - (b) the extent to which changes in the performance indicators can be attributed to the strategies in subclause (3) and provisions in this Plan,
 - (c) the extent to which the strategies in subclause (3) support achievement of the Aboriginal cultural objectives,
 - (d) the water made available for Aboriginal cultural values and uses during the term of this Plan through available water determinations and the granting of new access licences,
 - (e) the extent to which external influences on surface water-dependent Aboriginal cultural activities during the term of this Plan have affected progress toward achieving the Aboriginal cultural objectives.
Note. External influences may include trends in Aboriginal cultural activity, urban, agricultural and industrial development, climate or changes in policy or regulation.

12A Social and cultural objectives

- (1) The broad social and cultural objective of this Plan is to provide access to surface water to support surface water-dependent social and cultural values.
- (2) The targeted social and cultural objectives of this Plan are to maintain, and where possible improve, the following:
 - (a) access to water for basic landholder rights, town water supply and licensed domestic and stock purposes,
 - (b) access to water for surface water-dependent cultural, heritage and recreational uses, including recreational fishing,
 - (c) water quality within target ranges for basic landholder rights, town water supply, domestic and stock purposes and surface water-dependent cultural, heritage and recreational uses, including recreational fishing.
- (3) The strategies for reaching the targeted social and cultural objectives of this Plan are as follows:
 - (a) provide water access for basic landholder rights, town water supply, and for licensed domestic and stock purposes,
 - (b) reserve a portion of natural flows to partially mitigate alterations to natural flow regimes in these water sources,
 - (c) restrict the take of water from in-river and off-river pools when the volume of that water is less than full capacity,
 - (d) reserve a portion of natural flows to maintain longitudinal connectivity within and between these water sources, and between these water sources and other connected water sources.
- (4) The performance indicator used to measure the success of the strategies for reaching the broad social and cultural objective in subclause (1) is an evaluation of the extent to which the combined outcomes of the targeted social and cultural objectives in subclause (2) have contributed to achieving the broad objective.

- (5) The performance indicators used to measure the success of the strategies for reaching the targeted social and cultural objectives in subclause (2) are the changes or trends in social and cultural benefits during the term of this Plan, as assessed using one or more of the following:
- (a) the social and cultural uses of water during the term of this Plan, by measuring factors including:
 - (i) the extent to which basic landholder rights and licensed domestic and stock requirements have been met, and
 - (ii) the extent to which major utility access licence and local utility access licence requirements have been met,
 - (b) the recorded range or extent of target populations of native fish that are important for recreational fishing,
 - (c) the recorded takes of native fish that are important for recreational fishing within legal age and size classes,
 - (d) the recorded values of water quality measurements including salinity, harmful algal blooms, total nitrogen, total phosphorus, pH, water temperature and dissolved oxygen.
- (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause the following will be relevant:
- (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
 - (b) the extent to which the changes in the performance indicators can be attributed to the strategies in subclause (3) and provisions in this Plan,
 - (c) the extent to which the strategies in subclause (3) support achievement of the social and cultural objectives,
 - (d) the extent to which external influences on surface water-dependent social and cultural activities during the term of this Plan have affected progress toward achieving the social and cultural objectives.
- Note.** External influences may include trends in urban, agricultural and industrial development, social or cultural behaviour, climate or changes in policy or regulation.

[9] Clause 13 Bulk access regime

Omit the words 'Division 1 of' from subclause (2) (a).

[10] Clause 13 (2) (b)

Omit the paragraph. Insert instead:

- (b) establishes rules according to which access licences are to be granted and managed, contained in Parts 7 and 8 of this Plan, and available water determinations are to be made, contained in Part 6 of this Plan,

[11] Clause 13 (2) (d)

Omit the words 'contained in Division 1 of'. Insert instead 'and long-term average sustainable diversion limit contained in'.

[12] Clause 14

Omit the clause. Insert instead:

14 Climatic variability

This Plan recognises the effects of climatic variability on river flow in these water sources by having provisions that:

- (a) manage the sharing of water within the limits of water availability on a long-term average annual basis and the priorities according to which water allocations are to be

adjusted as a consequence of any reductions in the availability of water due to an increase in average annual extraction against the long-term average annual extraction limit and long-term average sustainable diversion limit, contained in Part 6 of this Plan, and

- (b) manage the sharing of water in specified water sources on a daily basis, contained in Division 2 of Part 8 of this Plan.

Note. Other statutory tools are available to manage for climatic variability within a water source, for example, temporary water restrictions under section 324 of the Act.

[13] **Part 4 Planned environmental water provisions**

Omit the notes. Insert instead:

Note. This Part is made in accordance with section 8 of the Act.

[14] **Clause 16 Commitment and identification of planned environmental water**

Omit the clause. Insert instead:

16 Commitment and identification of planned environmental water

Water is committed and identified as planned environmental water in these water sources in the following ways:

- (a) by reference to the commitment of the physical presence of water in the relevant water source,
- (b) by reference to the long-term average annual commitment of water as planned environmental water, and
- (c) by reference to the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met.

[15] **Clause 17 Establishment and maintenance of planned environmental water**

Omit the clause. Insert instead:

17 Establishment and maintenance of planned environmental water

- (1) This Plan establishes planned environmental water in these water sources as follows:

- (a) the physical presence of water resulting from the access rules specified in clause 53 of this Plan,

Note. The rules in clause 53 of this Plan set flow levels below which the taking of water is not permitted. Some limited exemptions apply.

- (b) the long-term average annual commitment of water as planned environmental water resulting from compliance with the long-term average annual extraction limit and long-term average sustainable diversion limit as specified in Part 6 of this Plan, and
- (c) the water remaining after water has been taken under basic landholder rights and access licences and any other rights under the Act in accordance with the rules specified in Parts 6 and 8 of this Plan.

- (2) The planned environmental water established under subclause (1) (a) is maintained by the rules specified in Division 2 of Part 8 of this Plan.

- (3) The planned environmental water established under subclause (1) (b) is maintained by the provisions specified in Part 6 of this Plan.

- (4) The planned environmental water established under subclause (1) (c) is maintained by the provisions specified in Parts 6 and 8 of this Plan.

Note. The provisions in Part 6 of this Plan ensure that there will be water remaining in these water sources over the long term by maintaining compliance with the long-term average annual extraction limit and the long-term average sustainable diversion

limit. The provisions in Part 6 of this Plan provide for a reduction in available water determinations when the long-term average annual extraction limit or the long-term average sustainable diversion limit have been assessed to have been exceeded.

[16] Clause 18 Application

Omit “Division 1 of” from subclause (3).

[17] Clause 19 Domestic and stock rights

Omit ‘5,372’. Insert instead ‘4,966’.

[18] Clause 19 (cc) – (hh)

Omit the paragraphs. Insert instead:

- (cc) 51 ML/year in the Wambangalong Whylandra Creek Water Source, and
- (dd) 178 ML/year in the Winburndale Rivulet Water Source.
- (ee) (repealed)
- (ff) (repealed)
- (gg) (repealed)
- (hh) (repealed)

Notes.

- 1 Domestic and stock rights are set out in Division 1 of Part 1 of Chapter 3 of the Act and must be exercised in accordance with any mandatory guidelines established under the Act with respect to the taking and use of water for domestic consumption or stock watering.
- 2 Inherent water quality and land use activities may make the water in some areas unsuitable for human consumption. Water from these water sources should not be consumed without first being tested and, if necessary, appropriately treated. Such testing and treatment is the responsibility of the water user.

[19] Clause 20

Omit the clause. Insert instead:

20 Native title rights

The requirement for water to satisfy native rights is the water that may be taken in the exercise of native title rights in accordance with the *Native Title Act 1993* of the Commonwealth, including:

- (a) any determination of native title, and
- (b) any indigenous land use agreement.

Notes.

- 1 No determinations of native title in relation to these water sources have been made in accordance with the *Native Title Act 1993* of the Commonwealth at the commencement of this Plan.
- 2 This Plan may be amended if there is a native title determination in accordance with the *Native Title Act 1993* of the Commonwealth by which water is required.
- 3 Native title rights may be exercised in accordance with the *Native Title Act 1993* of the Commonwealth, including section 211 of that Act.

[20] Clause 21 Harvestable rights

Omit ‘requirement’. Insert instead ‘requirements’

[21] Clause 22 Share components of domestic and stock access licences

Omit paragraphs (cc) to (hh). Insert instead:

- (cc) 28 ML/year in the Wambangalong Whylandra Creek Water Source, and

- (dd) 51 ML/year in the Winburndale Rivulet Water Source.
- (ee) (repealed)
- (ff) (repealed)
- (gg) (repealed)
- (hh) (repealed)

[22] **Clause 23 Share components of local water utility licences**
Omit '40,327'. Insert instead '32,281'.

[23] **Clause 23**
Omit paragraphs (cc) to (hh). Insert instead:

- (cc) 0 ML/year in the Wambangalong Whylandra Creek Water Source, and
- (dd) 1,000 ML/year in the Winburndale Rivulet Water Source.
- (ee) (repealed)
- (ff) (repealed)
- (gg) (repealed)
- (hh) (repealed)

[24] **Clauses 25 to 26**
Omit the clauses.

[25] **Part 6 Limits to the availability of water**
Omit the Part. Insert instead:

Part 6 Limits to the availability of water

Note. This Part sets out the rules for managing the availability of water for extraction in accordance with the following long-term limits on extraction:

- (a) a long-term average annual extraction limit,
- (b) a long-term average sustainable diversion limit.

Division 1 Calculations under this Part

31 Exclusions, inclusions and variations in calculations

- (1) This clause applies to the calculation of the following:
 - (a) the long-term average annual extraction limit under clause 32,
 - (b) the annual extraction under clause 33,
 - (c) the annual permitted take under clause 36,
 - (d) the annual actual take under clause 36.

Note. *Annual permitted take* and *annual actual take* are defined in the Dictionary.
- (2) The calculations by the Minister to which this clause applies must:
 - (a) exclude the following:
 - (i) allocations assigned from an access licence in one of these water sources to an access licence in a water source other than these water sources, under section 71T of the Act,
 - (ii) in relation to annual extraction under clause 33 only, water committed as licensed environmental water under section 8F of the Act, and
 - (b) include allocations assigned to an access licence in one of these water sources from an access licence in a water source other than these water sources, under section 71T of the Act.
- (3) The calculation by the Minister of the long-term average annual extraction limit under clause 32 must be adjusted by a volume that appropriately reflects the following:

- (a) the share components of water access licences in the water source that are subject to a dealing under section 71U of the Act,
- (b) any changes to the amount of water committed as licensed environmental water under section 8F of the Act.

Division 2 Long-term average annual extraction limit

32 Calculation of the long-term average annual extraction limit

The long-term average annual extraction limit for these water sources is:

- (a) the annual extraction of water averaged over the period from 1 July 1993 to 30 June 1999 under entitlements issued under Part 2 of the *Water Act 1912*, plus
- (b) the annual water requirements pursuant to basic landholder rights at the commencement of this Plan, plus
- (c) the annual extraction of water averaged over the period from 1 July 1993 to 30 June 1999 by floodplain harvesting activities for which floodplain harvesting (unregulated river) access licences may be issued in these water sources, plus
- (d) the estimated annual take of water from these water sources by plantation forestry that existed on 30 June 2009.

Note. *Plantation forestry* is defined in the Dictionary.

33 Calculation of annual extraction

Following the end of each water year, the Minister is to calculate the total annual extraction from these water sources based on the following:

- (a) the take of water by basic landholder rights and access licences in that water year,
- (b) the estimated take of water by plantation forestry in that water year,
- (c) until such time as it is included under paragraph (a), the estimated take of water in that water year by floodplain harvesting, for which floodplain harvesting (unregulated river) access licences may be issued in that water source.

34 Assessment of compliance with the long-term average annual extraction limit

- (1) Following the calculation under clause 33, the Minister is to compare the average of the total annual extraction for these water sources over the preceding three water years against the respective long-term average annual extraction limit.
- (2) There is non-compliance with a long-term average annual extraction limit if the average of the total annual extraction over the preceding five water years exceeds the long-term average annual extraction limit by 5% or more.

Division 3 Long-term average sustainable diversion limit

Note. *Macquarie-Castlereagh SDL resource unit* is defined in the Dictionary.

35 Calculation of the long-term average sustainable diversion limit

- (1) Subject to any variation in accordance with subclause (2), the long-term average sustainable diversion limit for these water sources is the component of the baseline diversion limit for the Macquarie-Castlereagh SDL resource unit as calculated in accordance with Schedule 3 of the Basin Plan, that in the Minister's opinion is attributable to these water sources.
- (2) The long-term average sustainable diversion limit is to be varied as determined under Chapter 7 of the Basin Plan

Notes.

1 *Baseline diversion limit* is defined in the Dictionary.

2 The long-term average sustainable diversion limit for the Macquarie-Castlereagh surface water SDL resource unit specified in Schedule 2 of the Basin Plan covers extractions from:

- (i) the Macquarie and Cudgegong Regulated Rivers Water Source,

- (ii) the Macquarie Bogan Unregulated Rivers Water Sources, and
- (iii) the Castlereagh Unregulated River Water Sources.

36 Calculation of annual permitted and annual actual take for the water year

- (1) Following the end of each water year, the Minister is to calculate the annual permitted take and annual actual take of water for the previous water year in these water sources in accordance with Division 2 of Part 4 of Chapter 6 of the Basin Plan.
- (2) For the purposes of the calculation, references to the SDL resource unit in Division 2 of Part 4 of Chapter 6 of the Basin Plan are taken to be references to these water sources.

Notes.

1 Under the Basin Plan take of licensed environmental water and under licences held by the Commonwealth Environmental Water Holder are not included in the calculation as they fall outside the definition of take for consumptive use.

2 *Consumptive use* and *take* and are defined in section 4 of the *Water Act 2007* of the Commonwealth.

37 Assessment of compliance with the long-term average sustainable diversion limit

- (1) Following the calculation under clause 36 after the end of each water year, the Minister is to undertake an assessment of compliance with the long-term average sustainable diversion limit in accordance with the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan.
- (2) There is non-compliance with the long-term average sustainable diversion limit in the circumstances set out in Division 2 of Part 4 of Chapter 6 of the Basin Plan.

Division 4 Compliance with extraction and diversion limits

37A Action following non-compliance

- (1) Subject to subclauses (2) to (4), if an assessment under clauses 34 or 37 demonstrates non-compliance with either the long-term average annual extraction limit for these water sources or the long-term average sustainable diversion limit, the Minister is to take the following actions for the water year after the assessment:
 - (a) make available water determinations for unregulated river access licences of less than 1 ML per unit share,
 - (b) make available water determinations for unregulated river (special additional high flow) access licences of:
 - (i) less than 1 ML per unit share, and
 - (ii) equal to 80% of the available water determinations for unregulated river access licences.
- (2) The Minister may take the action specified in subclause (1) if an assessment under clause 37 would have demonstrated non-compliance with the long-term average sustainable diversion limit but for there being a reasonable excuse, as provided for in Division 2 of Part 4 of Chapter 6 of the Basin Plan.
- (3) An action taken in accordance with subclause (1) and (2) is to be taken to the extent to which, and only for as long as, the Minister considers the following is necessary:
 - (a) in the case of non-compliance with the long-term average annual extraction limit— to return average annual extraction in these water sources to the long-term average annual extraction limit, or
 - (b) in the case of non-compliance with the long-term average sustainable diversion limit— to meet the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan,
 - (c) in the case where non-compliance with the long-term average sustainable diversion limit would have occurred but for there being a reasonable

excuse— to meet the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan.

- (4) An action taken in accordance with subclause (1) and (2) to meet the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan is to only apply to a water source to the extent to which extractions from the water source:
- (a) have caused non-compliance with the long-term average sustainable diversion limit, or
 - (b) would have caused non-compliance with the long-term average sustainable diversion limit but for there being a reasonable excuse.

Division 5 Available water determinations

38 General

- (1) Available water determinations for access licences with share components that specify one of these water sources are to be expressed as either:
- (a) a percentage of the share component for access licences where share components are specified as megalitres per year (ML/year), or
 - (b) megalitres per unit share for access licences where share components are specified as a number of unit shares.
- (2) The sum of available water determinations made for any access licence with a share component that specifies one of these water sources must not, in any water year, exceed:
- (a) 100% of the access licence share component for all access licences where share components are specified as ML/year, or
 - (b) 1 megalitre per unit share of the access licence share component for all access licences where share components are specified as a number of unit shares.

39 Available water determinations for domestic and stock access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 100% of the access licence share component is to be made for domestic and stock access licences.

40 Available water determinations for local water utility access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 100% of the access licence share component is to be made for local water utility access licences.

41 Available water determinations for major utility access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 100% of the access licence share component is to be made for major utility access licences.

42 Available water determinations for unregulated river access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 1 ML per unit of access licence share component or such lower amount that is determined in accordance with clause 37A is to be made for unregulated river access licences.

Note. Division 4 of this Part provides for the making of available water determinations for unregulated river access licences that are less than 1 ML per unit of share component where the long-term average annual extraction limit or the long-term average sustainable diversion limit for these water sources has been assessed to have been exceeded.

43 Available water determinations for unregulated river (special additional high flow) access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 1 ML per unit of access licence share component or such lower amount that is determined in accordance with clause 37A is to be made for unregulated river (special additional high flow) access licences.

Note. Division 4 of this Part provides for available water determinations for unregulated river (special additional high flow) access licences that are less than 1 ML per unit of share component, and equal to 80% of the available water determinations for unregulated river access licences, where the long-term average annual extraction limit or the long-term average sustainable diversion limit for these water sources has been assessed to have been exceeded.

44 - 45 (Repealed)

46 Available water determinations for unregulated river (regulated supply—local water utility) access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 100% of the access licence share component is to be made for unregulated river (regulated supply—local water utility) access licences.

Note. Unregulated river (regulated supply—local water utility) access licences allow the licence holder to extract, from an unregulated river water source, water that has been first extracted from a regulated river water source under a local water utility access licence and then transferred to the unregulated river water source. The rules in Part 8 of this Plan place volume restrictions on extractions under unregulated river (regulated supply—local water utility) access licences to ensure that no more water is taken from the unregulated river water source than is supplied from the regulated river water source.

47 Available water determinations for unregulated river (regulated supply) access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 100% of the access licence share component is to be made for unregulated river (regulated supply) access licences.

Note. Unregulated river (regulated supply) access licences allow the licence holder to extract, from an unregulated river water source, water that has been first extracted from a regulated river water source under a regulated river (general security) or regulated river (high security) licence and then transferred to the unregulated river water source. The rules in Part 8 of this Plan place volume restrictions on extractions under unregulated river (regulated supply) access licences to ensure that no more water is taken from the unregulated river water source than is supplied from the regulated river water source.

[26] Part 7 Rules for granting access licences

Omit the notes. Insert instead:

Notes.

1 This Part is made in accordance with sections 20 and 61 of the Act.

2 Access licences granted in these water sources are subject to mandatory conditions and may be subject to discretionary conditions.

[27] Clause 48 Specific purpose access licences

Insert the following note:

Note. Section 61 of the Act allows for a person to apply for a specific purpose access licences where the regulations or relevant water sharing plan provides that an application can be made.

[28] Clause 48 (1) – (2)

Omit the subclauses. Insert instead:

- (1) Applications may be made for unregulated river (regulated supply—local water utility) access licences and unregulated river (regulated supply) access licences in these water sources.
- (2) Applications may not be made for an access licence of the subcategory “Aboriginal cultural” if the share component of the proposed access licence is more than 10ML/year.

[29] Clause 49 Granting of access licences as a result of controlled allocation

Omit the clause.

[30] Clause 50 Individual access licence account management rules for the Macquarie Bogan Unregulated Water Sources

Omit ‘for the Macquarie Bogan Unregulated Water Sources’ from the clause heading.

[31] Clause 50 (1)

Omit ‘the Macquarie Bogan Unregulated Water Sources’. Insert instead ‘these water sources’.

[32] Clause 51

Omit the clause. Insert instead:

51 Rules for access licences intending to protect water from extraction

- (1) A licence holder may notify the Minister of the licence holder’s intent to have water that would otherwise be permitted to be taken under that access licence protected from extraction.
- (2) The licence holder must make, and the Minister must assess, a notification under subclause (1) in accordance with the Active Management Procedures Manual.
Note. *Active Management Procedures Manual* is defined in the Dictionary.
- (3) The water allocation account of an access licence referred to in subclause (1) is to be debited by an amount determined by the Minister, in accordance with the Active Management Procedures Manual.

Note. This clause 51 commences on 1 December 2020 (clause 3 (2) of this Plan).

[33] Clause 53 Access rules for the taking of surface water

Omit subclause (1). Insert instead:

- (1) This clause applies to the taking of water under an access licence from these water sources, excluding the taking of water under an access licence used in association with an aquifer interference activity.

[34] Clause 53 (2) (a)

Insert at the end of 53 (2) (a):

Note. *Visible flow*, *in-river pool* and *off-river pool* are defined in the Dictionary.

[35] Clause 53 (2), note

Omit the note.

[36] Clause 53 (14)

Omit ‘500 megalitres per day (hereafter ML/day) or less’. Insert instead ‘equal to or less than 500 megalitres per day (hereafter ML/day)’.

[37] Clause 53 (16)

Omit ‘higher’ wherever occurring. Insert instead ‘more stringent’.

[38] **Clause 53 (16), (28) and (30) (b)**
Omit 'specified' wherever occurring. Insert instead 'imposed'.

[39] **Clause 53 (16), note**
Omit 'Appendix 3'. Insert instead 'Appendix 2'.

[40] **Clause 53 (23) (a) (ii)**
Insert 'and' at the end of the subparagraph.

[41] **Clause 53 (23), note**
Omit the note. Insert instead:

Note. This subclause ensures that the effect of the more stringent 50ML/day cease to take condition which applies to relevant licences specified in Appendix 2, will continue to have effect if water that has been traded in from another management zone is subsequently traded within the Lower Macquarie River Downstream Management Zone.

[42] **Clause 53 (26)**
Omit '59'. Insert instead '58'.

[43] **Clause 53 (26) and (27)**
Omit '2003'. Insert instead '2016 (or any relevant replacement plan)'.

[44] **Clause 53 (27)**
Omit '15'. Insert instead '14'.

[45] **Clause 53 (28)**
Insert 'that specified in' after the words 'less than'.

[46] **Clause 53 (30) (a)**
Insert 'imposed' after the word 'conditions'.

[47] **Clause 53 (32) (c)**
Omit the paragraph.

[48] **Clause 53A**
Insert after clause 53:

53A Additional access rules to protect Active Environmental Water

(1) This clause applies to an unregulated river access licence with an extraction component that specifies any of the following management zones:

- (a) Gum Cowal Management Zone,
- (b) Lower Macquarie River Upstream Management Zone,
- (c) Lower Macquarie River Downstream Management Zone,
- (d) Lower Marthaguy Creek Management Zone.

(2) The Minister may announce that, for a specified period, water must not be taken under a specified access licence from a management zone listed in subclause (1) if the Minister has determined and announced, in accordance with the Active Management Procedures Manual, that there is only either of the following present in that management zone:

- (a) planned environmental water resulting from the access rules specified in clause 53 of this Plan and Active Environmental Water, or
- (b) Active Environmental Water.

- (3) If the Minister has not made an announcement under subclause (2) the Minister may, in order to protect Active Environmental Water from extraction and in accordance with the Active Management Procedures Manual, announce a maximum amount of water permitted to be taken under a specified access licence from a management zone listed in subclause (1) for a specified period.

Note. The taking of water under an access licence to which an announcement under subclause (3) applies will still be subject to the access rules specified in clause 53 relevant to that access licence.

- (4) Water must not be taken under a licence in excess of that announced by the Minister under subclause (3).

Note: This clause 53A commences on 1 December 2020 (clause 3 (2) of this Plan).

[49] Clause 54 Total daily extraction limits

Omit ‘hereafter’.

[50] Clause 55A

Insert after clause 55:

55A Active Management Procedures Manual

The Minister must prepare and publish on the Department’s website an Active Management Procedures Manual that includes but is not limited to the following:

- (a) the means for identifying and determining Active Environmental Water on any given day,
- (b) the requirements for access licence holders intending to protect water from extraction to notify the Minister under clause 51,
- (c) the means for assessing a notification and determining the amounts to be debited from access licence water allocation accounts under clause 51,
- (d) the means for determining and announcing the presence of planned environmental water and Active Environmental Water under clause 53A,
- (e) the means for announcing the water permitted to be taken under an access licence under clause 53A,
- (f) any other matter the Minister considers relevant.

Note: This clause commences on 1 December 2020 (clause 3 (2) of this Plan).

[51] Part 9, Division 1 Rules applying to the granting or amending of water supply work approvals for water supply works that take surface water

Omit the words ‘for water supply works that take surface water’ from the Division heading.

[52] Clause 56 General

Omit the words ‘the Macquarie Bogan Unregulated Water Sources’. Insert instead ‘these water sources’.

[53] Clause 57 Granting or amending water supply work approvals

Omit subclause (1).

[54] Clause 57 (4)

Omit the words ‘the Macquarie Bogan Unregulated Water Sources’. Insert instead ‘these water sources’.

[55] Clause 57 (5)

Omit ‘State Water’ wherever occurring. Insert instead ‘Water NSW’.

[56] Clause 57 (5) (b) (iii)

Omit the words ‘the EMU’. Insert instead ‘these water sources’.

[57] Part 9, Divisions 2 and 3

Omit the Divisions.

[58] Clause 67 Assignment of rights dealings (within water sources)

Omit subclause (1) (o).

[59] Clause 68 Amendment of share component dealings (change of water source)

Omit subclause (1). Insert instead:

68 Amendment of share component dealings (change of water source)

- (1) Dealings under section 71R of the Act are prohibited if the dealing involves any of the following:
- (a) an unregulated river (special additional high flow) access licence,
 - (b) the granting of an access licence with a share component that specifies one of the following water sources:
 - (i) Backwater Boggy Cowal Water Source,
 - (ii) Coolbaggie Creek Water Source,
 - (iii) Cooyal Wialdra Creek Water Source,
 - (iv) Ewenmar Creek Water Source,
 - (v) Fish River Water Source,
 - (vi) Goolma Creek Water Source,
 - (vii) Lawsons Creek Water Source,
 - (viii) Little River Water Source,
 - (ix) Marra Creek Water Source,
 - (x) Maryvale Geurie Creek Water Source,
 - (xi) Molong Creek Water Source,
 - (xii) Piambong Creek Water Source,
 - (xiii) Pipeclay Creek Water Source,
 - (xiv) Queen Charlottes Vale Evans Plains Creek Water Source,
 - (xv) Summerhill Creek Water Source,
 - (xvi) Turon Crudine River Water Source,
 - (xvii) Upper Cudgegong River Water Source,
 - (xviii) Upper Talbragar River Water Source,
 - (xix) Wambangalong Whylandra Creek Water Source, or
 - (xx) Winburndale Rivulet Water Source.
 - (xxi) – (xxiv) (repealed)
 - (c) the granting of an access licence with a share component that specifies the Bell River Water Source, unless:
 - (i) the new access licence does not nominate a water supply work located upstream of the confluence of Molong Creek and the Bell River, and
 - (ii) the share component of the cancelled access licence specified the Molong Creek Water Source,
 - (d) the granting of an access licence with a share component that specifies the Bulbodney Grahway Creek Water Source, unless:
 - (i) the extraction component of the new access licence specifies the Bulbodney Grahway Management Zone, and
 - (ii) the share component of the cancelled access licence specified the Lower Bogan River Water Source or the Upper Bogan River Water Source,

- (e) the granting of an access licence with a share component that specifies the Burrendong Dam Tributaries Water Source, unless the share component of the cancelled access licence specified one of the following water sources:
 - (i) Campbells River Water Source,
 - (ii) Fish River Water Source,
 - (iii) Macquarie River above Burrendong Water Source,
 - (iv) Queen Charlottes Vale Evans Plains Creek Water Source,
 - (v) Summerhill Creek Water Source,
 - (vi) Turon Crudine River Water Source,
 - (vii) Winburndale Rivulet Water Source,
- (f) the granting of an access licence with a share component that specifies the Campbells River Water Source, unless:
 - (i) the extraction component of the new access licence specifies the Campbells River Downstream Management Zone, and
 - (ii) the extraction component of the cancelled access licence specified the Macquarie River above Bathurst Management Zone in the Macquarie River above Burrendong Water Source,
- (g) the granting of an access licence with a share component that specifies the Lower Bogan River Water Source, unless the share component of the cancelled access licence specified one of the following water sources:
 - (i) Bulbodney Grahway Creek Water Source,
 - (ii) Upper Bogan River Water Source,
- (h) the granting of an access licence with a share component that specifies the Lower Macquarie River Water Source, unless:
 - (i) the extraction component of the new access licence specifies the Lower Macquarie River Downstream Management Zone, and
 - (ii) the share component of the cancelled access licence specified the Marthaguy Creek Water Source,
- (i) the granting of an access licence with a share component that specifies the Lower Talbragar River Water Source, unless:
 - (i) the access licence only nominates a water supply work located on the main trunk of the Talbragar River, and
 - (ii) the share component of the cancelled access licence specified the Upper Talbragar River Water Source,
- (j) the granting of an access licence with an extraction component that specifies the Macquarie River between Bathurst and Evans Plains Creek Management Zone or the Macquarie River Tributaries Management Zone in the Macquarie River above Burrendong Water Source, unless the share component of the cancelled access licence specified one of the following water sources:
 - (i) Campbells River Water Source,
 - (ii) Fish River Water Source,
 - (iii) Queen Charlottes Vale Evans Plain Creek Water Source,
 - (iv) Summerhill Creek Water Source,
 - (v) Turon Crudine River Water Source,
 - (vi) Winburndale Rivulet Water Source,
- (k) the granting of an access licence with an extraction component that specifies the Macquarie River above Bathurst Management Zone in the Macquarie River above Burrendong Water Source, unless the extraction component of the cancelled access licence specified the Campbells River Downstream Management Zone in the Campbells River Water Source,
- (l) the granting of an access licence with a share component that specifies the Marthaguy Creek Water Source, unless the extraction component of the cancelled access licence specified the Gum Cowal Management Zone or the Lower Macquarie River Downstream Management Zone in the Lower Macquarie River Water Source,

- (m) the granting of an access licence with a share component that specifies the Upper Bogan River Water Source, unless the share component of the cancelled access licence specified one of the following water sources:
 - (i) Bulbodney Grahway Creek Water Source,
 - (ii) Lower Bogan River Water Source.

[60] Clause 69 Amendment of extraction component dealings

Insert 'or' at the end of paragraph (f)

[61] Clause 69 (g)

Omit the paragraph.

[62] Clause 70 Assignment of water allocation dealings

Omit paragraphs (1) (p) and (2) (a).

[63] Clause 70 (2) (c) (xx) – (xxiv)

Omit the subparagraphs. Insert instead:

- (xx) Winburndale Rivulet Water Source.
- (xxi) – (xxiv) (repealed)

[64] Clause 72 Nomination of water supply works dealings

Insert at the end of subparagraph (1) (h):

- (i) a floodplain harvesting (unregulated river) access licence that nominates a water supply work if:
 - (i) the work is nominated by another access licence with a share component that specifies a water source that is a regulated river, or
 - (ii) all of the following apply:
 - (A) the work is located on land on which another water supply work is situated,
 - (B) that other water supply work is nominated by another access licence,
 - (C) the share component of that other access licence specifies a water source that is a regulated river.

[65] Clause 72 (3)

Omit the subclause. Insert instead:

- (3) A dealing under section 71W of the Act is prohibited if it involves an access licence being amended to nominate a water supply work located in a different water source to that specified in the share component of the access licence.

[66] Clause 73 General

Omit paragraph (a). Insert instead:

- (a) a requirement to notify the Minister in writing will be satisfied by writing to the address listed in Schedule 5 of this Plan or to the email address for enquiries on the Department's website.
Note. At the commencement of this Plan, the email address for enquiries on the Department's website is water.enquiries@dpi.nsw.gov.au.

[67] Clause 73 (c)

Insert 'person' after the word 'same'.

[68] Clauses 74 and 75

Omit the words ‘where required’ wherever occurring.

[69] Clause 74 (1) (d)

Omit the paragraph. Insert instead:

- (d) water must not be taken otherwise than in accordance with the relevant access rules for the taking of water specified in Division 2 of Part 8 of this Plan,
- (e) any other condition required to implement the provisions of this Plan.

[70] Clause 74 (2) (b) (v) – (vii)

Omit the subparagraphs. Insert instead:

- (v) for domestic and stock access licences, local water utility access licences, major water utility access licences and unregulated river access licences with share components that specify one of these water sources, the volume of water taken in any three consecutive water years after the first water year in which this Plan has effect, by comparison to the volume of water permitted to be taken in those years under clause 50 (3),
- (vi) for unregulated river (special additional high flow) access licences with share components that specify one of these water sources, the volume of water taken in a water year by comparison to the volume of water permitted to be taken in that water year under clause 50 (4).
- (vii) any other information required to be recorded in the Logbook under the rules of this Plan.

[71] Clause 74 (3) – (4)

Omit the subclauses. Insert instead:

- (3) If required by the Minister, the holder of the access licence that nominates only a metered water supply work with a data logger must keep a Logbook in accordance with any requirements of subclause (2).
- (4) If an access licence with a nominated water supply work is subject to a mandatory condition imposed by Part 10 or Part 11 of the *Water Management (General) Regulation 2018* relating to the recording or reporting of water that is taken by the work, subclause (2) and (3) cease to have effect in relation to the work on the day on which the condition applies to the licence.
Note. The *Water Management (General) Regulation 2018* will impose a mandatory condition requiring record keeping on access licences and approvals by 1 December 2021.
- (5) Subclauses (2) - (4) are taken to be repealed on the day on which the temporary exemption from the mandatory metering equipment condition ceases to apply to these water sources in accordance with clause 230 (1) of the *Water Management (General) Regulation 2018*.
Note. *Mandatory metering equipment condition* is defined in clause 228 of the *Water Management (General) Regulation 2018*.

[72] Clause 75 (1A) – (1B)

Insert at the end of subclause (1):

- (1A) If an approval for a water supply work is subject to a mandatory metering equipment condition in the relation to the work, subclause (1) (b) ceases to have effect in relation to the work on the day on which the condition applies to the approval.

(1B) Subclause (1) (b) and (1A) are taken to be repealed on the day on which the temporary exemption from the mandatory metering equipment condition ceases to apply to these water sources in accordance with clause 230 (1) of the *Water Management (General) Regulation 2018*.

Note. Clause 230 of the *Water Management (General) Regulation 2018* provides that the mandatory metering equipment condition applies to new works required to have a meter from 1 April 2019, and to other access licences and approvals in these water sources from 1 December 2021.

[73] **Clause 75 (2)**

Insert 'or is used for the purpose of taking water under basic landholder rights only,' after the word 'logger,'.

[74] **Clause 75 (2) (b) (i)**

Omit 'period of'. Insert instead 'start and end'.

[75] **Clause 75 (2) (b) (vii), note**

Insert at the end of the subparagraph:

Note. *Pump capacity* is defined in the Dictionary.

[76] **Clause 75 (3A) – (3B)**

Insert at the end of subclause (3):

(3A) If an approval for a water supply work is subject to a mandatory condition imposed by Part 10 or Part 11 of the *Water Management (General) Regulation 2018* relating to the recording or reporting of water that is taken by the work, subclauses (2) and (3) cease to have effect in relation to the work on the day on which the condition applies to the approval.

(3B) Subclauses (2) - (3A) are taken to be repealed on the day on which the temporary exemption from the mandatory metering equipment condition ceases to apply to these water sources in accordance with clause 230 (1) of the *Water Management (General) Regulation 2018*.

[77] **Clause 75 (5)**

Omit the subclause. Insert instead:

(5) Water supply work approvals for runoff harvesting dams and in-river dams must contain a mandatory condition that requires approval holders to comply with any direction by the Minister to modify or remove the dam to ensure that the capability of the dam to capture water is reduced to reflect any reduction in share components arising from:

- (a) a dealing under section 71Q or 71W of the Act,
- (b) the surrender under section 77 (4) of the Act of an access licence and then the subsequent cancellation of an access licence under section 77A (6) of the Act,
- (c) the amendment of the share component of the access licence by the Minister under section 68A of the Act, or
- (d) the cancellation of an access licence under section 78 of the Act or via the compulsory acquisition of an access licence under section 79 of the Act.

[78] **Clause 75 (6)**

Omit 'by the Minister in accordance with'. Insert instead 'in'.

[79] **Clause 76 Water supply works authorised to take water from the Macquarie Bogan Alluvial Groundwater Sources**

Omit the clause.

[80] **Clause 79**

Omit the clause.

[81] **Clause 80**

Omit the clause. Insert instead:

80 Part 6

Division 3 of Part 6 may be amended to combine the long-term average sustainable diversion limit for these water sources with the long-term average sustainable diversion limit for the Macquarie and Cudgegong Regulated Rivers Water Source and the Castlereagh Unregulated River Water Sources.

[82] **Clause 81 Part 8**

Omit 'State Water' from subclause (1) (b) (i). Insert instead 'Water NSW'.

[83] **Clause 81 (2) (b) (i)**

Omit '59'. Insert instead '58'.

[84] **Clause 81 (2) (b)**

Omit '2003' wherever occurring. Insert instead '2016 (or any relevant replacement plan)'.

[85] **Clause 81 (2) (b) (ii)**

Omit '15'. Insert instead '14'.

[86] **Clause 81 (2) (b) (iv)**

Omit 'local water utility – regulated supply'. Insert instead 'regulated supply – local water utility'.

[87] **Clause 81 (2) (b) (ix)**

Omit the subparagraph.

[88] **Clause 81 (2) (g)**

Omit 'or' from the end of the paragraph.

[89] **Clause 82 84**

Omit the clauses. Insert instead:

82 Part 9

Part 9 may be amended to amend clause 57 to specify water sources or management zones where water supply work approvals must not be granted or amended to authorise in-river dams on third or higher order streams.

83 Part 10

Part 10 may be amended to do any of the following:

- (a) specify different access licence dealing rules for the Bell River Water Source if future studies conclude that Wellington Caves are dependent on surface water flows from that water source,
- (b) specify different access licence dealing rules for the Fish River Water Source if Water NSW can demonstrate to the Minister's satisfaction that such rules will have no more than minimal impacts on, but not limited to:
 - (i) Bathurst City Council's water supplies and inflows into Burrendong Dam,

- (ii) the water source, noting high in-stream environmental values in Duckmaloi Creek, and
- (iii) other unregulated water access licence holders in these water sources from any growth-in-use response that could result from dealings into the water source,
- (c) to provide for the conversion of regulated river (high security) access licences that specify regulated river water sources connected to, and downstream of, these water sources to access licences with share components that specify these water sources.

84 Part 11

Part 11 may be amended in relation to metering and record keeping including in relation to requirements for Logbooks.

[90] Clause 86 Schedules

Omit subclause 1.

[91] Clause 86 (2) (b) and (3) (c)

Omit 'or' from the end of the paragraphs.

[92] Clause 86 (2) (c) (i)

Omit the subparagraph.

[93] Clause 86 (5) – (6)

Omit the subclauses.

[94] Clause 87 Other

Omit the clause. Insert instead:

87 Other

- (1) This Plan may be amended to include rules for any of the following:
 - (a) the management of floodplain harvesting within these water sources,
 - (b) the shepherding of water,
Note. *Shepherding* is defined in the Dictionary.
 - (c) any new category of access licence established for the purpose of urban stormwater harvesting,
 - (d) the interception of water before it reaches a stream or aquifer by plantations or other means,
- (2) Consequential amendments may be made to this Plan as a result of an amendment to the Act or regulations.
- (3) This Plan may be amended to give effect to, or in connection with, a determination of native title under the *Native Title Act 1993* of the Commonwealth.
- (4) This Plan may be amended to enable a water resource plan to be accredited under the *Water Act 2007* of the Commonwealth.
- (5) This Plan may be amended after year five to provide rules for the protection of water dependent Aboriginal cultural assets to do any of the following:
 - (a) identify water dependent Aboriginal cultural assets,
 - (b) amend the access rules to protect water dependent Aboriginal cultural assets,
 - (c) restrict the granting and amending of water supply work approvals to protect water dependent Aboriginal cultural assets, or
 - (d) amend the dealing rules to protect water dependent Aboriginal cultural assets.

- (6) Any amendments under subclause (5) will take into account the socio-economic impacts of the proposed change and the environmental water requirements of the water source.
- (7) Before making an amendment pursuant to subclause (5), the Minister should consult with relevant Government agencies and stakeholders.
- (8) This Plan may be amended to include or amend access rules for unregulated river access licences so as to protect Active Environmental Water from extraction.

[95] Dictionary

Omit the following terms:

alluvial sediment, drawdown, fractured rock, full capacity, grazeable area, groundwater dependent ecosystems, Minimum Construction Requirements for Water Bores in Australia, porous rock, recharge, registered map, replacement groundwater, slotted intervals and stream order.

[96] Schedule 2

Insert the following in alphabetical order:

Active Environmental Water is the water in these water sources identified or determined by the Minister on any given day as requiring protection from extraction, in accordance with the Active Management Procedures Manual, that arises from the following:

- (a) held environmental water flowing from a water source that is upstream of one of the following management zones:
 - (i) Gum Cowal Management Zone,
 - (ii) Lower Macquarie River Upstream Management Zone,
 - (iii) Lower Macquarie River Downstream Management Zone,
 - (iv) Lower Marthaguy Creek Management Zone,
- (b) a notification by a licence holder to the Minister of the licence holder's intention to protect the water from extraction under clause 51 of this Plan,
- (c) releases made according to clause 14 (22) of the *Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2016*.

Active Management Procedures Manual means the manual established by the Minister under clause 52A.

annual actual take has the same meaning as it has in section 6.10 of the Basin Plan.

annual permitted take has the same meaning as it has in section 6.10 of the Basin Plan.

baseline diversion limit has the same meaning as it has in section 1.07 of the Basin Plan.

Basin Plan means the *Basin Plan 2012* made under section 44 (3) (b) (i) of the *Water Act 2007* of the Commonwealth.

floodplain harvesting means the collection, extraction or impoundment of water flowing across floodplains, including rainfall runoff and overbank flow, excluding the take of water pursuant to any of the following:

- (a) a water access licence other than a floodplain harvesting access licence,
- (b) a basic landholder right,
- (c) an exemption from the need to hold a licence to take water under the Act.

flow regimes means, collectively, the magnitude, duration, frequency and patterns of flows that characterise a river or water source.

full capacity means the maximum volume of water that is impounded in the pool, lagoon or lake when the pool, lagoon or lake is at the level when a visible flow out of that pool, lagoon or lake would cease.

Macquarie-Castlereagh SDL resource unit has the same meaning as provided for in section 6.02 of the Basin Plan.

NSW Environmental Water Manager means the NSW Government department or agency with the conservation role for water-dependent assets. This responsibility extends to managing the NSW environmental water portfolio.

Note. As at 1 July 2020, this is the NSW Department of Planning, Industry and Environment – Environment, Energy and Science (EES).

plantation forestry means a commercial plantation as defined in section 1.07 of the Basin Plan.

pump capacity means the volume of water in litres per second that a pump is able to take from a water source.

replacement surface water supply work has the meaning given to that term in clause 57(4) of this Plan.

target ecological populations means communities of one or more species that are monitored to evaluate the success of targeted objectives for the environment. Populations must be easily monitored (i.e. not rare or cryptic) and may be linked to conservation or other environmental priorities.

weighted average unit price means the total value of all units sold divided by the number of units sold for a monetary value.

[97] **Schedule 1**

Omit the Schedule.

[98] **Schedules 2**

Omit ‘will be’ from Column 1 of the table to the Schedule. Insert instead ‘were’.

[99] **Schedules 3**

Omit ‘will be’ from Column 1 of the table to the Schedule. Insert instead ‘were’.

[100] **Schedule 4, clauses 1 and 2**

Omit ‘will be’ from Column 1 of the table to the Schedule. Insert instead ‘were’.

[101] **Schedule 4, clause 1**

Omit the row ‘Access licences’.

[102] **Schedule 4, clause 2**

Omit ‘supply’). Insert instead ‘supply’.

[103] **Schedule 4, clause 2**

Omit ‘State Water’. Insert instead ‘Water NSW’.

[104] **Schedule 5**

Omit the Schedule. Insert instead:

Schedule 5 Office

NSW Department of Planning, Industry and Environment - Water
209 Cobra St
DUBBO NSW 2830

[105] Schedules 6 and 7

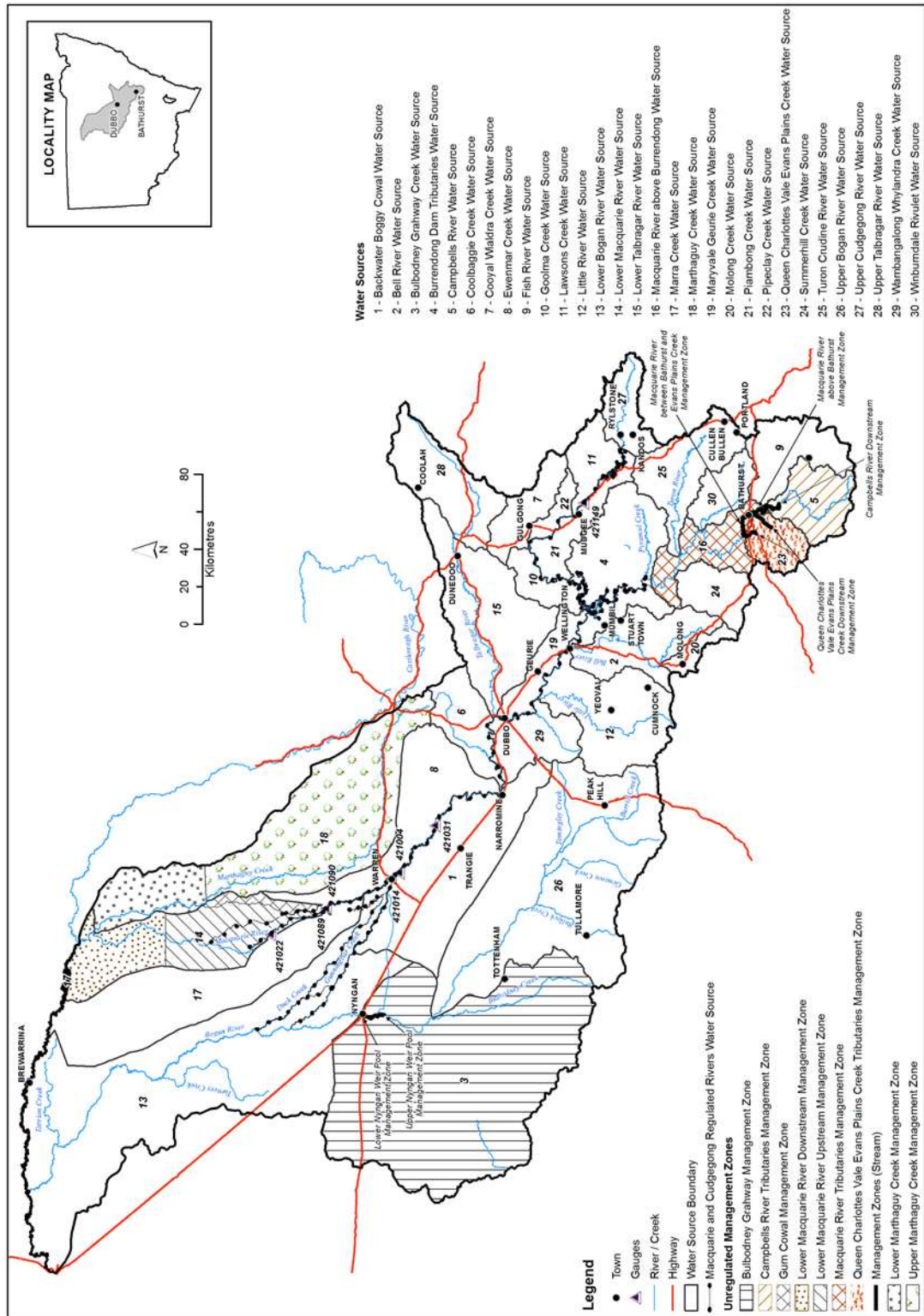
Omit the Schedule.

[106] Appendix 1

Omit the Appendix. Insert instead:

Appendix 1 Overview of the Plan Map

Overview of the *Plan Map (WSP026_Version 2)*, *Water Sharing Plan for the Macquarie Bogan Unregulated Rivers Water Sources 2012*



[107] **Appendices 2 - 4**
Omit the Appendices. Insert instead:

Appendix 2 Access licences with specific cease to take condition

It is expected that those access licences which replace a *Water Act 1912* entitlement listed in Column 1 of the table below and which have share components that specify the water sources listed in Column 2 of the table below, will have the applicable *Water Act 1912* conditions

specified in Column 3 imposed as mandatory conditions on all water supply work approvals nominated by those access licences to give effect to clause 53 (16) of this Plan.

Column 1	Column 2	Column 3
Water Act 1912 entitlements that were replaced by access licences on commencement of this Plan	Water Source	Water Act 1912 conditions
80SL021976	Backwater Boggy Cowal	When there is a flow in Beleringar Creek the licensed work shall not be used for the purpose of irrigation until such flow has reached the junction of the said Beleringar Creek and Gunningbar Creek.
80SL031215	Backwater Boggy Cowal	When a flow of water in Beleringar Creek is caused by other than gravitational diversion of water into the creek from the Macquarie River near t.s.r. 34257, parish of Egelebra and Gunalgang, county of Oxley or from local run-off, the licensed work shall not be used for the purpose of irrigation.
80SL031215	Backwater Boggy Cowal	When there is a flow of water in Beleringar Creek entering the storage of the dam authorised by this licence, the pump shall not be used until such flow has reached the junction of the said Beleringar Creek and Gunningbar Creek or unless a flow is released into Beleringar Creek downstream of the said dam equivalent to the flow entering the storage for the time being.
80SL037807	Backwater Boggy Cowal	When there is a flow in Beleringar Creek the licensed work shall not be used for the purpose of irrigation until such flow has reached the junction of the said Beleringar Creek and Gunningbar Creek.
80SL039097	Backwater Boggy Cowal	When a flow of water in Beleringar Creek is caused by other than gravitational diversion of water into the creek from the Macquarie River near t.s.r. 34257, parish of Egelebra and Gunalgang, county of Oxley, or from local run-off or tailwater from existing licensed or authorised areas of irrigation, the licensed work shall not be used for the purpose of irrigation.
80SL039097	Backwater Boggy Cowal	When there is a flow of water in Beleringar Creek entering the storage of the dam authorised by this licence the pump shall not be used until such flow has reached the junction of the said Beleringar Creek and Gunningbar Creek or unless a flow is released into Beleringar Creek downstream of the said dam equivalent to the flow entering the storage for the time being.
80SL045166	Backwater Boggy Cowal	The licensed work shall not be used for the purpose of irrigation or to fill the storage unless there is a visible flow in the Boggy Cowal equal to or greater than 150 millimetres in depth over the sill of the road culvert under the Farrandale road located on the northern boundary of portion 51, parish of Backwater, county of Narromine.
80SL051138	Backwater Boggy Cowal	When a flow of water in Beleringar Creek is caused other than by gravitational diversion of water into the creek from the Macquarie River near t.s.r.34257 parish of Egelebra and Gunalgang, county of Oxley, or from local run-off the licensed work shall not be used for the purpose of irrigation.
80SA010586	Bell River	The authorised work shall not be used for the purpose of irrigation unless the flow in the Bell River (measured at the Tantallon Road bridge over the Bell River adjacent to lot 319 DP 46481 parish of Gamboola, county of Wellington) is 50 megalitres per day assumed to correspond to a reading of 0.19m on the gauge located immediately

		upstream of the Belgravia Road crossing adjacent to lot 53 DP 756883, parish of Gamboola, county of Wellington.
80SL042124	Bell River	The licensed work shall not be used for the purpose of irrigation unless there is a visible surface flow in Store Creek at the Buck Swamp road crossing located at the northern boundary of lot 122 DP 756875, parish of Cooper, county of Wellington.
80SL043783	Bell River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Jenny Lind Creek at or near the western boundary of lot 3 DP 585277, parish of March county of Wellington.
80SL043960	Bell River	Diversion of water from Ploughmans Creek by way of the licensed work shall not be carried out unless there is a visible flow in the creek immediately downstream of the old weir located just downstream of the licensed works. The weir being located on lot 1 DP 816985, parish of Orange and lot 207 DP 1018862, parish of Borenore, both county of Wellington.
80SL095007	Bell River	The licensed work shall not be used for the purpose of irrigation unless the flow in the Bell River corresponds to a reading of 0.00 metres on the gauge located on the right bank immediately upstream of the Tantallon bridge adjacent to lot 319 DP 46481, parish of Mulyan, county of Wellington.
80SL096223	Bulbodney Grahway Creek	The licensed work shall not be used for the purpose of irrigation unless there is in the Bogan River either: 1) a discharge of not less than 85 megalitres per day at the gauge on the Mitchell highway road bridge (such discharge corresponding to a reading on the said gauge of 2.46 metres or such other readings as may be determined from time to time), or 2) a visible flow at the south eastern boundary of lot 6 DP 751320, parish of Grahweed, county of Canbelego, being a point about 3200 metres upstream of the junction of Gunningbar Creek with the Bogan River.
80SL096336	Bulbodney Grahway Creek	The licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Neurie Plains gauge exceeds 635 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.77 metres or such other reading as may be determined from time to time).
80SL096342	Bulbodney Grahway Creek	The authorised pump shall not be used for the purpose of irrigation unless there is a visible flow in the Bogan River passing over the weir located on lot 31 DP 755315, parish of Wera, county of Oxley, and lot 23 DP 752897, parish of Murrabudda, county of Flinders (known locally as Thora Weir).
80SL043575	Campbells River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Gilmandyke Creek at, or immediately upstream of the Rockley Rockley-Burruga road crossing within part 98, parish of Rockley, county of Georgiana.
80SL044195	Campbells River	The licensed work shall not be used for the purpose of irrigation unless there is a flow of water in the Campbells River, leaving the licensees property at the north-western corner of lot 15 DP 750400, parish of Oakley, county of Bathurst.
80SL044233	Campbells River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in the Gilmandyke Creek at the road crossing in the north-eastern corner of lot 1 DP 1034678, parish of Mt. Lawson and also at or immediately upstream of the Rockley-Burruga road crossing within lot 4 DP 258535, parish of Rockley, both in the county of Georgiana.

80SL045148	Campbells River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow over the crest of the Rockley town weir on Peppers Creek located within lot 7001 DP 1028627, parish of Arkell, county of Bathurst and authorised by licence 80SL004552.
80SL046460	Campbells River	The pump shall not be used to abstract water from Wiseman's Creek unless there is a flow equal to, or greater than, a reading of 0.15 metres (or such other reading as may be determined from time to time) on a gauge installed in the said creek at the Mayfield road bridge crossing, located at the south eastern corner of portion 216, parish of Jocelyn, county of Westmoreland.
80SL035443	Cooyal Wialdra Creek	The licensed work shall not be used for the purpose of irrigation unless there is a clearly visible surface flow in Cooyal Creek in the immediate vicinity of the concrete ford on the Spring Creek road, located in the northern corner of portion 193, parish of Gulgong, county of Phillip.
80SL039061	Cooyal Wialdra Creek	The pump shall not be used to irrigate any part of the authorised area unless there is a visible flow of water at the concrete road crossing on Slapdash Creek located between the southern boundary of portion 187, parish of Puggoon, county of Bligh and the southern boundary of portion 26, parish of Stubbo, county of Bligh.
80SL042879	Cooyal Wialdra Creek	The licensed work shall not be used for the purpose of irrigation unless there is a clearly visible surface flow in Cooyal Creek in the immediate vicinity of the concrete ford on the Spring Creek road, located in the northern corner of lot 1 DP 802909 , parish of Gulgong, county of Phillip.
80SL044661	Cooyal Wialdra Creek	The authorised work shall not be used for the purpose of irrigation unless there is a clearly visible surface flow in Cooyal Creek in the immediate vicinity of the concrete ford on the Spring Creek road, located in the northern corner of portion 193, parish of Gulgong, county of Phillip.
80SL044925	Cooyal Wialdra Creek	The pump shall not be used to irrigate any part of the authorised area unless there is a visible flow in Cooyal Creek at the concrete road crossing on Lindburn road at the eastern boundary of portion 50, parish of Cooyal, county of Phillip.
80SL051931	Cooyal Wialdra Creek	The work shall not be used for the purpose of irrigation unless there is a visible surface flow in Cooyal Creek on the downstream side of the bridge on Henry Lawson drive located in the northern corner of part portion 67, parish of Eurundury, county of Phillip, equivalent to a depth of 0.20 metres and a width of 0.6 metres.
80SL016750	Fish River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow over the crest of the weir located on the Duckmaloi River on lot 4 DP 264133, parish of Duckmaloi, and lot 2 DP 632183, parish of Norway, county of Westmoreland.
80SL051088	Fish River	The licensed work shall not be used for the purpose of irrigation unless there is a flow present in Racecourse Creek at the northwest corner of portion 108, parish of Norway, county of Westmoreland, equivalent to a depth of 0.05 metres.
80SL095080	Lawsons Creek	The licensed work shall not be used for the purpose of irrigation unless there is a flow in Lawsons Creek corresponding to a reading of 0.54 on the gauge installed immediately upstream of the concrete causeway located in lot 12 DP 721239, formerly portion 45, parish of Bumberra, county of Phillip.
80SL096060	Lawsons Creek	The licensed work on Lawsons Creek shall not be used for the purpose of irrigation unless there is a flow in Lawsons Creek corresponding to a reading of 0.1 metres on the staff gauge installed on the upstream side

		of the Battens road culvert located adjacent to lot 1 deposited plan 758365, parish of Dungeree, county of Phillip.
80SL096179	Lawsons Creek	Whilst ever the licensed pump is situated on Lawsons Creek in the area between the confluence of the Cudgegong River and a point on Lawsons Creek 150 metres upstream from the confluence of the Cudgegong River, the pump shall not be used for the purpose of irrigation unless there is a visible flow in Lawsons Creek where it passes under the Mudgee-Cassilis road.
80SL095043	Little River	The licensed works shall not be used for the purpose of irrigation unless the three pipes under the road crossing on Buckinbah Creek located within portion 14, parish of Ganoo, county of Gordon and portion 41, parish of Obley, county of Gordon are flowing at full capacity.
80SL095164	Little River	The licensed works shall not be used for the purpose of irrigation unless the three pipes under the road crossing on Buckinbah Creek located within portion 14, parish of Ganoo, county of Gordon and portion 41, parish of Obley, county of Gordon are flowing at full capacity.
80SL095219	Little River	The licensed work shall not be used for the purpose of irrigation unless the 100 mm pipe through a crossing constructed in Bulrudgery Creek, located in lot 59, DP 753256, parish of Warraberry, county of Gordon and lot 2, DP 763256, parish of Wagstaff, county of Gordon is flowing at full capacity.
80SL095248	Little River	The licensed work shall not be used for the purpose of irrigation when the discharge of the Little River at the Obley gauge is less than 5 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.80 metres or such other reading as may be determined from time to time).
80SL017302	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 125 megalitres per day and at the Mulgawarrina homestead gauge is greater than 60 megalitres per day (such discharges corresponding, respectively, to readings of 0.95 metres and 0.56 metres on the said gauges or such other readings as may be determined from time to time).
80SL017302	Lower Bogan River	During the period of 1st May to 31st October next following the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 200 megalitres per day (corresponding to a reading of 1.17 metres on the said gauge of such other reading as may be determined from time to time).
80SL026861	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation or filling the off creek storage from the Bogan River unless the discharge of the Bogan River at the Broomfield gauge is greater than 125 megalitres per day and at the Monkey Bridge gauge is greater than 60 megalitres per day (such readings corresponding respectively to readings of 0.95 metres and 0.56 metres on the said gauges or such other reading as may be determined from time to time).
80SL026861	Lower Bogan River	During the period 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation or filling the off creek storage from the Bogan River, unless the discharge at the Broomfield gauge is greater than 200 megalitres per day (corresponding to a reading of 1.17 metres on the said gauge or such other reading as may be determined from time to time).

80SL042086	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 125 megalitres per day and at Monkey Bridge gauge is greater than 60 megalitres per day (such discharges corresponding, respectively, to readings of 0.95 metres and 0.56 metres on the said gauges or such other readings as may be determined from time to time).
80SL042086	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 200 megalitres per day (such discharge corresponding to a reading on the said gauge of 1.20 metres or such other reading as may be determined from time to time).
80SL045805	Lower Bogan River	The licensed work shall not be used to divert water from the Bogan River for the purpose of irrigation unless there is in the Bogan River either: (a) a discharge of not less than 85 megalitres per day at the gauge on the Mitchell highway road bridge (such discharge corresponding to a reading on the said gauge of 2.46 metres or such other reading as may be determined from time to time), or (b) a visible flow at the south eastern boundary of lot 6 DP 751320, parish of Grahweed, county of Canbelego, being a point about 3200 metres upstream of the junction of Gunningbar Creek with the Bogan River.
80SL045882	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 125 megalitres per day and at the Mulgawarrina homestead gauge is greater than 60 megalitres per day (such discharges corresponding, respectively, to readings of 0.95 metres and 0.56 metres on the said gauges or such other readings as may be determined from time to time).
80SL045882	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 200 megalitres per day (such discharge corresponding to a reading on the said gauge of 1.17 metres or such other reading as may be determined from time to time).
80SL048294	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 125 megalitres per day (such discharges corresponding to a reading of 0.68 metres on the said gauge or such other reading as may be determined from time to time).
80SL048294	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 200 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.79 metres or such other reading as may be determined from time to time).
80SL048683	Lower Bogan River	The authorised work shall not be used for the purpose of irrigating the area authorised or any part thereof unless the discharge of the Monkey Bridge gauge exceeds 370 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.98 metres or such other reading as may be determined from time to time).
80SL049420	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless

		the discharge of the Bogan River at the Monkey Bridge gauge is greater than 125 megalitres per day (such discharge corresponding to a reading of 0.68 metres on the said gauge or such other reading as may be determined from time to time).
80SL049420	Lower Bogan River	During the period 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at Monkey Bridge gauge is greater than 200 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.79 metres or such other reading as may be determined from time to time).
80SL049440	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 125 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.68 metres or such other reading as may be determined from time to time).
80SL049440	Lower Bogan River	During the period 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 200 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.79 metres or such other reading as may be determined from time to time).
80SL049454	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 125 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.68 metres or such other readings as may be determined from time to time).
80SL049454	Lower Bogan River	During the period 1st May to 31st October next following the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 200 megalitres per day (corresponding to a reading of 0.79 metres on the said gauge or such other reading as may be determined from time to time).
80SL049837	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 130 megalitres per day (such discharges corresponding to a reading of 0.54 metres on the said gauge or such other reading as may be determined from time to time).
80SL049837	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Monkey Bridge gauge is greater than 205 megalitres per day (corresponding to a reading of 0.68 metres on the said gauge or such other reading as may be determined from time to time).
80SL095553	Lower Bogan River	The licensed work shall not be used unless there is in the Bogan River either: (1) a discharge of not less than 85 megalitres per day at the gauge on the Mitchell highway road bridge (such discharge corresponding to a reading on the said gauge of 2.583 metres or such other reading as may be determined from time to time), or (2) a visible flow at the south-eastern boundary of portion 6, parish of Grahweed, county of Canbelego, being a point about 3200 metres upstream of the junction of Gunningbar Creek with the Bogan River.

80SL096282	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 125 megalitres per day and at the Mulgawarrina homestead gauge is greater than 60 megalitres per day.
80SL096282	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Broomfield gauge is greater than 200 megalitres per day.
85SL037364	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or such other reading as may be determined from time to time).
85SL037364	Lower Bogan River	During the period 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL038663	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).
85SL038663	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL038683	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).
85SL038683	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL039762	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).
85SL039762	Lower Bogan River	During the period 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the

		said gauge or such other reading as may be determined from time to time).
85SL040608	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).
85SL040608	Lower Bogan River	During the period 1st May to 31st October next following the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL042691	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or such other reading as may be determined from time to time).
85SL042691	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL049386	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).
85SL049386	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL049408	Lower Bogan River	Except for the period of 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).
85SL049408	Lower Bogan River	During the period 1st May to 31st October next following, the authorised work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL049417	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).

85SL049417	Lower Bogan River	During the period 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL050003	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or other such reading as may be determined from time to time).
85SL050003	Lower Bogan River	During the period 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL051027	Lower Bogan River	Except for the period of 1st May to 31st October next following, the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.24 metres on the said gauge or such other reading as may be determined from time to time).
85SL051027	Lower Bogan River	During the period 1st May to 31st October next following the licensed work shall not be used for the purpose of irrigation unless the discharge of the Bogan River at the Gongolgon gauge is greater than 125 megalitres per day (corresponding to a reading of 0.28 metres on the said gauge or such other reading as may be determined from time to time).
85SL095246	Lower Bogan River	The licensed work shall not be used for the purpose of irrigation unless the little Bogan River flow exceeds ten (10) megalitres per day on the gauge established at the Bourke-Llandillo road bridge.
85SL095738	Lower Bogan River	The authorised work shall not be used for domestic, experimental, and teaching purposes unless the discharge of the Bogan River at the Gongolgon gauge is greater than 50 megalitres per day (corresponding to a reading of 0.23 metres on the said gauge or other such reading as may be determined from time to time).
80SA001322	Lower Macquarie River	The authorised work shall not be operated as to divert water away from the Macquarie River unless there is a visible flow in the said river where it passes under the Brewon-Walgett road bridge located at the southern boundary of lot 19 DP 754277, parish of Wyabery, county of Leichardt.
80SA001514	Lower Macquarie River	The authorised work must not be used to take water unless the flow of water in Marthaguy Creek exceeds 30 megalitres per day at the Carinda gauge.
80SA002091	Lower Macquarie River	The authorised works shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Oxley gauge is equal to, or greater than, 500 megalitres per day (such discharge corresponding to a reading on the said gauge of 2.09 metres or such other reading as may be determined from time to time).
80SA002160	Lower Macquarie River	The authorised work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Bells Bridge gauge exceeds 50 megalitres per day (such discharge corresponding to

		a reading on the said gauge of 0.84 metres or such other reading as may be determined from time to time).
80SL030455	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Bells Bridge gauge is equal to, or greater than, 50 megalitres per day (such reading corresponding to a reading on the said gauge of 1.05 metres) or such other reading as may be determined from time to time.
80SL030628	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Bells Bridge gauge is equal to, or greater than 50 megalitres per day (such discharge corresponding to a reading on the said gauge of 1.05 metres or such other reading as may be determined from time to time).
80SL047504	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Oxley gauge is equal to, or greater than, 500 megalitres per day (such discharge corresponding to a reading on the said gauge of 2.09 metres or such other reading as may be determined from time to time).
80SL049445	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Miltara gauge is equal to, or greater than 100 megalitres per day (such reading corresponding to a reading off 0.62 metres) and simultaneously the flow of water at the Bells Bridge is equal to, or greater than 50 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.71 metres) or such other reading as may be determined from time to time.
80SL049446	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Miltara gauge is equal to, or greater than, 100 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.62 metres or such other reading as may be determined from time to time).
80SL095209	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Oxley gauge is equal to, or greater than, 500 megalitres per day (such discharge corresponding to a reading on the said gauge of 2.09 metres or such other reading as may be determined from time to time).
80SL096132	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless the flow of water in the Macquarie River at the Miltara gauge is equal to, or greater than 100 megalitres per day (such reading corresponding to a reading off 0.62 metres) and simultaneously the flow of water at the Bells Bridge is equal to, or greater than 50 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.71 metres) or such other reading as may be determined from time to time.
80SL096140	Lower Macquarie River	The licensed work shall not be used for the purpose of irrigation unless there is a flow of not less than 75 megalitres per day passing the offtake of the pump sump channel. Such discharge is equivalent to a height of 0.95 metres (or such other reading as may be determined from time to time) on the Bells Bridge gauge.
80SL095238	Lower Talbragar River	The licensed work shall not be used for the purpose of irrigation unless there is a clearly visible flow in the Talbragar River at Cobbara bridge adjacent to lot 48 DP 754301, parish of Cobbara, county of Lincoln.
80SL096207	Macquarie above Burrendong	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in the Macquarie River at the rock bar adjacent to lot 7005 DP 93448, parish of Piper, county of Roxburgh, located immediately upstream of the Freemantle road bridge.

80SL096264	Macquarie River above Burrendong	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in the Macquarie River at the rock bar adjacent to lot 7005 DP 93448, parish of Piper, county of Roxburgh, located immediately upstream of the Freemantle road bridge.
80SL037406	Marra Creek	The licensed work shall not be used for the purpose of irrigation unless the flow in Marra Creek at the Yarrawin gauge is in excess of 24 megalitres per day such flow being equivalent to a reading of 0.21 metres on the said gauge or such other reading as may be determined from time to time.
80SL095027	Marthaguy Creek	The licensed work shall not be used to divert water unless the flow in Marthaguy Creek is 0.5 metres above the concrete footing of the left bank bridge pier of the Wonbobbie bridge over the Marthaguy Creek located on portion e35, parish of Driel, county of Ewenmar.
80SL096358	Marthaguy Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water in Marthaguy Creek at the Carinda Gauge is greater than 50 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.53 metres or such other as may be determined from time to time).
80SL009679	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL012043	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow of water in Molong Creek under the road bridge on the Molong-Wellington road located within portion 5, parish of Bell, county of Ashburnham.
80SL014887	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL033794	Molong Creek Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow of water in Molong Creek under the road bridge on the Molong-Wellington road located within portion 5, parish of Bell, county of Ashburnham.
80SL035146	Molong Creek	The authorised work shall not be used for the purpose of irrigation unless the level of the flow in Molong Creek at the road bridge located within portion 86, parish of Towac, county of Wellington, is at least 50 millimetres above the sill level of the said bridge, as indicated by the gauge plate attached to a pier of the bridge on the upstream side and there is a visible flow of water over the spillway section of the Lake Canobolas dam.
80SL035547	Molong Creek	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow of water in Molong Creek under the road bridge on the Molong-Wellington road located within portion 5, parish of Bell, county of Ashburnham.
80SL038575	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the level of the flow in Molong Creek at the road bridge located within portion 86, DP 756910, parish of Towac, county of Wellington, is at least 50 millimetres above the sill level of the said bridge, as indicated by the gauge plate attached to a pier of the bridge on the upstream side and there is a visible flow of water over the spillway section of the Lake Canobolas dam.
80SL039198	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water through the v-notch weir located behind the Molong

		railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL043699	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL044280	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the level of the flow in Molong Creek at the road bridge located within portion 86, parish of Towac, county of Wellington, is at least 50 millimetres above the sill level of the said bridge, as indicated by the gauge plate attached to a pier of the bridge on the upstream side and there is a visible flow of water over the spillway section of the Lake Canobolas dam.
80SL044346	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow of water in Molong Creek under the road bridge on the Molong-Wellington road located within lot 5 DP 750133, parish of Bell, county of Ashburnham.
80SL045168	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL046780	Molong Creek	The licensed work on Molong Creek shall not be used for the purpose of irrigation or to augment the supply of water in the unnamed watercourse unless the level of the flow in Molong Creek at the road bridge located within lot 86 DP 756910, parish of Towac, county of Wellington, is at least 50 millimetres above the sill of the said bridge, as indicated by the gauge plate attached to a pier of the bridge on the upstream side and there is a visible flow of water over the spillway section of the Lake Canobolas dam.
80SL047273	Molong Creek	The licensed work shall not be used to extract water from Heifer Station Creek for irrigation purposes unless there is a visible flow equal to, or greater than, 1.50 megalitres per day such discharge corresponding to a reading of 0.36 metres (or such other reading as may be determined from time to time) on a gauge established on the left bank of Molong Creek, within t.s. and c.r. 111, parish of Borenore, county of Wellington and the flow of water through the v-notch weir located within portion 96, parish of Borenore, county of Wellington, on Molong Creek, is in excess of 150 millimetres in depth, which represents a flow of approximately 1.00 ML per day.
80SL047515	Molong Creek	The licensed work shall not be used for the purpose of recreation unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL051842	Molong Creek	The licensed work shall not be used to supply water to the occupiers of lot 1 DP 1054393, lots 2 - 4 DP 1065466 and to the lots in the proposed subdivision of lots 18 19 20 section J DP 977127 unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 mm in depth, which represents a flow of approximately 1.05 ML per day.
80SL095217	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL095255	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the level of flow in Molong Creek at the road bridge located within portion 86, DP 756910, parish of Towac, county of Wellington, is at

		least 50 millimetres above the sill level of the said bridge, as indicated by the gauge plate attached to a pier of the bridge on the upstream side and there is a visible flow of water over the spillway section of the Lake Canobolas dam.
80SL095278	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the flow of water through the v-notch weir located behind the Molong railway station is in excess of 150 millimetres in depth, which represents a flow of approximately 1.05 ML per day.
80SL096156	Molong Creek	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow of water in Molong Creek under the road bridge on the Molong-Wellington road located within portion 5, parish of Bell, county of Ashburnham.
80SL096169	Molong Creek	The authorised work shall not be used for irrigation unless there is a visible flow of water in Molong Creek under the road bridge on the Molong - Wellington road located within lot 5 DP 750133 parish of Bell county of Ashburnham.
80SL096291	Molong Creek	The authorised work shall not be used for the purpose of irrigation unless the level of the flow in Molong Creek at the road bridge located within lot pt 86 DP 756910, parish of Towac, county of Wellington, is at least 50 millimetres above the sill level of the said bridge, as indicated by the gauge plate attached to a pier of the bridge on the upstream side and there is a visible flow of water over the spillway section of the Lake Canobolas dam.
80SL096302	Molong Creek	The licensed work shall not be used for the purpose of irrigation unless the level of flow in Molong Creek at the road bridge located within lot pt 86 DP 756910, parish of Towac, county of Wellington, is at least 50 millimetres above the sill level off the said bridge, as indicated by the gauge plate attached to a pier of the bridge on the upstream side and there is a visible flow of water over the spillway section of the Lake Canobolas dam.
80SL045071	Piambong Creek	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow of water passing under the road bridge on Ben Buckley road, located in the south-eastern corner of portion 26, parish of Biraganbil, county of Wellington.
80SL015276	Pipeclay Creek	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in that section of Eurundury Creek, fronting lot 95 DP 755418, parish of Bumberra, county of Phillip.
80SL026862	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless there is a clearly visible flow in Georges Plains Creek immediately upstream of Native Home bridge on the Newbridge road.
80SL026862	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless a flow of 8 litres per second is maintained through the 300 millimetre pipe under the concrete road crossing located on the property "Native Home", at the south east corner of portion 24, parish of Gratham, county of Bathurst.
80SL038474	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless there is a clearly visible flow in Georges Plains Creek immediately upstream of Native Home bridge on the Newbridge road.
80SL038474	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless a flow of 8 litres per second is maintained through the 300 millimetre pipe under the concrete road crossing located on the property "Native Home", at the south east corner of lot 24 DP 750385, parish of Gratham, county of Bathurst.

80SL044741	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow at the Bathurst-Orange road bridge located within portion 2 rem, parish of Mount Pleasant, county of Bathurst.
80SL046136	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless there is a clearly visible flow in Georges Plains Creek immediately upstream of Native Home bridge on the Newbridge road.
80SL046136	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless a visible flow of 8 litres per second is maintained through the 300 millimetre pipe under the concrete road crossing located on the property "Native Home", at the south east corner of portion 24, DP 750385 parish of Gratham, county of Bathurst.
80SL048300	Queen Charlottes Vale Evans Plains Creek	The licensed pump shall not be used for the purpose of irrigation unless there is a visible flow in Evans Plains Creek at the concrete road bridge at the south western corner of lot 49 DP 750373, parish of Cole, county of Bathurst.
80SL095038	Queen Charlottes Vale Evans Plains Creek	The licensed pump shall not be used for irrigation unless there is a visible flow in the Evans Plains Creek at the concrete road bridge at the south west corner of portion 49, parish of Cole, county of Bathurst.
80SL095048	Queen Charlottes Vale Evans Plains Creek	The licensed works shall not be used for the purpose of irrigation or to supply stock and domestic water to the occupiers of lots 1 to 8, DP 817711 unless there is a visible flow under the road bridge located on the Mid Western Highway adjacent to lot 5 DP 750397, Parish of Mount Pleasant, County of Bathurst.
80SL095124	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless a flow of 8 litres per second is maintained through the 300 millimetre pipe under the concrete road crossing located on the property "Native Home", at the south east corner of lot 24 DP 750385 parish Gratham county Bathurst.
80SL095124	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless there is a clearly visible flow in Georges Plains Creek immediately upstream of Native Home bridge on the Newbridge road.
80SL095166	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow under the road bridge located on the Mid Western Highway adjacent to lot 72, DP 192661, parish of Mount Pleasant, county of Bathurst.
80SL096058	Queen Charlottes Vale Evans Plains Creek	The licensed work shall not be used for the purpose of irrigation unless a flow in Evans Plains Creek of at least 50 millimetres in depth is passing through the pipe crossing located within lot 8 DP 46484 in the parish of Mount Pleasant, county of Bathurst.
80SL022418	Summerhill Creek	Water shall not be diverted by means of the authorised work when the level of the storage of the city of Orange water supply dam, on Gosling Creek near the north-eastern corner of portion 58, parish of Huntley, county of Bathurst, is lower than 3.04 metres below the level of the crest of the sillway of the said dam, provided that, if the council of the city of Orange restricts the water supply to the residents of the city of Orange before the said storage falls below that level, the use of the authorised work shall be restricted to a period not exceeding 4 hours on each alternate day, provided further that, if the said council prohibits the use of water for commercial purposes, such as market gardens, on agricultural lands within the boundaries of that city, water shall not be diverted by means of the authorised work.
80SL036982	Summerhill Creek	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in the said unnamed watercourse at the road crossing immediately upstream from the Great Western Railway, portion 34, parish Huntley, county Bathurst.

80SL044411	Summerhill Creek	Water shall not be diverted by means of the licensed work when the level of the storage of the city of Orange water supply dam, near the north-eastern corner of portion 58, parish of Huntley, county of Bathurst, is lower than 1.00 metre below the level of the crest of the spillway of the said dam, provided that, if the council of the city of Orange restricts the water supply to the residents of the city of Orange before the said storage falls below that level, the use of the licensed work shall be restricted to a period not exceeding 4 hours on each alternate day, provided further that, if the said council prohibits the use of water for commercial purposes, such as market gardens, on agricultural lands within the boundaries of that city, water shall not be diverted by means of the licensed work. The licensed work shall not be used for the purpose of diverting water from Spring Creek for the purpose of irrigation unless there is a visible flow in Spring Creek under the Huntley road crossing on the western boundary of portion 268, parish of Huntley, county of Bathurst.
80SL028915	Turon Crudine River	The pump shall not be used unless there is a visible flow in Cunningham's Creek at the bridge on the Mudgee-Lithgow Highway, adjacent to lot 1 DP 1067368 and lot 2 DP 703120, parish of Warranguina, county of Roxburgh.
80SL034977	Turon Crudine River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow at or immediately downstream of the road crossing at the south western corner of lot 2 DP 795858, parish of Tunnabidgee, county of Wellington.
80SL042574	Turon Crudine River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow over the concrete ford across the Turon River between portion 57, parish of Dulabree and portion 50, parish of Stewart, county of Roxburgh.
80SL051828	Turon Crudine River	The licensed work shall not be used for the purpose of irrigation unless the flow in the Crudine River exceeds a depth of 25 millimetres across a rock bar located at the downstream boundary being the south - western corner of lot 2 DP 740568, parish of Crudine, county of Roxburgh
80SL051894	Turon Crudine River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow at or immediately downstream of the road crossing at the south-western corner of portion 21, parish of Tunnabidgee, county of Wellington.
80SL095301	Turon Crudine River	The licensed work shall not be used for the purpose of water supply to the occupiers of lots 1 to 20 in proposed subdivision of portion 97, parish of Bandamora, county of Roxburgh, unless there is a visible flow of water in the Turon River at the bridge located on the Upper Turon road adjacent to portion 97, parish of Bandamora, county of Roxburgh and portion 14, parish of Turon, county of Roxburgh.
80SL041452	Upper Bogan River	The pump on the Bogan River shall not be used unless there is a flow in the Bogan River at the Dandaloo bridge.
80SL047272	Upper Bogan River	The licensed work shall not be used to extract water from the Bogan River for irrigation purposes unless there is a flow equal to, or greater than 50 megalitres per day. Such discharge corresponding to a reading of 0.73 metres (or such other reading as may be determined from time to time) on a gauge on a bridge pier (Oak bridge) within a road reserve adjacent to portion 38, parish of Graddle, county of Kennedy.
80SL050825	Upper Bogan River	The authorised work shall not be used to extract water from the Bogan River when the level of water stored in the overshot dam is lower than reduced level 249.02 metres (standard height datum) which is equivalent to a level 1.5 metres below the crest of the spillway of the said dam.

80SL045005	Upper Cudgegong River	The authorised work shall not be used for the purpose of irrigation from the storage of the dam known as the Great Western Dam, unless there is an inflow into the said dam at the time of pumping.
80SL095468	Upper Cudgegong River	The licensed works shall not be used for the purpose of irrigation unless there is a visible flow present in Cox's Creek at the rock bar on the downstream side of the bridge on Cox's Creek road located in lot 22 DP 621310, parish of Dabee, county of Phillip.
80SL026001	Upper Talbragar River	The authorised work shall not be used for the purpose unless there is a visible flow in the Coolaburragundy River at or near lot 133 DP 750744, parish of Collieblue, county of Bligh.
80SL026109	Upper Talbragar River	The licensed work shall not be used for irrigation unless there is a visible flow in the Coolaburragundy River at the Orana road crossing, within lot 8 DP 750745, parish of Collier, county of Bligh.
80SL031868	Upper Talbragar River	The pump shall not be used for the purpose of irrigation unless there is a visible flow in the Talbragar River at the flood warning gauging station located at the village of Uarbry.
80SL035618	Upper Talbragar River	The authorised work shall not be used for irrigation unless there is a visible flow in the Coolaburragundy River at the Orana road crossing, within portion 8, parish of Collier, county of Bligh.
80SL017881	Winburndale Rivulet	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Cheshire Creek at or near its junction with Wiagdon Creek in lot 7 DP 755804, parish of Windburn, county of Roxburgh.
80SL027365	Winburndale Rivulet	The authorised work shall not be used for the purpose of irrigation unless there is a flow in Winburndale Rivulet at the road crossing at the north-western corner of portion 31, parish of Winburn, county of Roxburgh, equivalent to a depth of 0.05 metres and a width of 0.91 metres.
80SL039517	Winburndale Rivulet	The subject pump shall not be used for the purpose of irrigation unless there is a visible flow in Clear Creek over a rock bar located approximately 180 metres upstream from the Limekilns road bridge and within ts&cr 53270, parish of Peel, county of Roxburgh.
80SL039702	Winburndale Rivulet	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow of water in Wiagdon Creek in remainder of camping and water reserve 14505, parish of Millah Murrah, county of Roxburgh.
80SL041036	Winburndale Rivulet	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Cheshire's or Jesse Creek at or near its junction with Wiagdon Creek in portion 7, parish of Winburn, county of Roxburgh.
80SL043136	Winburndale Rivulet	The authorised work shall not be used for the purpose of irrigation unless there is a flow in Winburndale Rivulet at the road crossing at the north-western corner of portion 31, parish of Winburn, county of Roxburgh, equivalent to a depth of 0.05 metres and a width of 0.91 metres.
80SL048686	Winburndale Rivulet	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in the Winburndale Rivulet under the bridge on Limekilns road at the north-eastern corner of lot 2 DP 196810 parish of Peel, county of Roxburgh.
80SL050857	Winburndale Rivulet	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in the Winburndale Rivulet under the bridge on Limekilns road at the north-eastern corner of portion 3, parish of Peel, county of Roxburgh.

80SL095090	Winburndale Rivulet	The licensed work shall not be used for the purpose of irrigation or to fill the storages numbered 1 & 2 as specified on the licence, unless the water level in the Winburndale Rivulet at the bridge at the north-western corner of portion 31, parish of Winburn, county of Roxburgh, is flowing at a level greater than 1.68 metres below the upstream right bank concrete abutment to the said bridge.
80SL095118	Winburndale Rivulet	The licensed work shall not be used for the purpose of irrigation unless the water level in the Winburndale Rivulet at the bridge at the north-western corner of portion 31, parish of Winburn, county of Roxburgh, is flowing at a level greater than 1.83 metres below the upstream right bank concrete abutment to the said bridge.