



New South Wales

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

under the

Water Management Act 2000

I, the Minister for Primary Industries, in pursuance of section 50 of the *Water Management Act 2000*, do, by this Order, make the following Minister's Plan for the Gwydir Unregulated and Alluvial Water Sources.

Dated this 11th day of July, 2012.

KATRINA HODGKINSON, MP

Minister for Primary Industries

Explanatory note

This Order is made under section 50 of the *Water Management Act 2000*.

The object of this Order is to make the *Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012*. The concurrence of the Minister for the Environment was obtained prior to making this Order.

Contents

Part 1	Introduction	1
Part 2	Vision, objectives, strategies and performance indicators	9
Part 3	Bulk access regime	12
Part 4	Planned environmental water provisions	14
Part 5	Requirements for water	17
	Division 1 General	17
	Division 2 Requirements for water for basic landholder rights	17
	Division 3 Requirements for water for extraction under access licences	20
Part 6	Limits to the availability of water	24
	Division 1 Long-term average annual extraction limits	24
	Division 2 Available water determinations	30
Part 7	Rules for granting access licences	34
Part 8	Rules for managing access licences	35
	Division 1 Water allocation account management rules	35
	Division 2 Flow classes and daily access rules	37
Part 9	Rules for water supply work approvals	45
	Division 1 Rules applying to the granting or amending of water supply work approvals for water supply works that take surface water	45
	Division 2 Rules applying to the granting or amending of water supply work approvals for water supply works that take groundwater	46
	Division 3 Rules for the use of water supply works used to take groundwater	53
Part 10	Access licence dealing rules	55
Part 11	Mandatory conditions	61
	Division 1 General	61
	Division 2 Access licences	61
	Division 3 Water supply work approvals	64

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Part 12	Amendment of this Plan.....	70	
	Dictionary	77	
	Schedule 1	Watercourses to which this Plan does not apply.....	80
	Schedule 2	Access rules for unregulated river access licences subject to clause 43 (8)	81
	Schedule 3	Access licences used to take surface water exempt from cease to pump rules.....	83
	Schedule 4	Significant identified lagoons and wetlands	84
	Schedule 5	Upland wetlands of the drainage divide of the New England Tablelands Bioregion endangered ecological community	87
	Schedule 6	Contamination in these water sources	88
	Schedule 7	High priority groundwater dependent ecosystems.....	89
	Schedule 8	Trading zones.....	90
	Appendix 1	Overview of the Registered Map.....	93
	Appendix 2	Inspection of Registered Map.....	94
	Appendix 3	Overview of the management zones covered by this Plan	95
	Appendix 4	Access licences subject to cease to take conditions specified in clause 43 (6) of this Plan.....	97
	Appendix 5	Office.....	118

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Part 1 Introduction

Note. Part 12 of this Plan allows for amendments to be made to this Part.

1 Name of this Plan

This Plan is the *Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012* (hereafter **this Plan**).

2 Nature and status of this Plan

- (1) This Plan is made under section 50 of the *Water Management Act 2000* (hereafter **the Act**).
- (2) This Plan is a plan for water sharing and generally deals with the matters set out in sections 20 and 21 of the Act, as well as other sections of the Act.

Note. Where a provision of this Plan is made under another section of the Act, the section is referred to in the notes to this Plan.

3 Commencement of this Plan

This Plan commences on 3 August 2012.

Notes.

- 1 In accordance with section 43 of the Act, this Plan will have effect for 10 years from 1 July 2012.
- 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.

4 Application of this Plan

- (1) This Plan applies to the following water sources known as the Gwydir Unregulated and Alluvial Water Sources (hereafter **these water sources**) within the Gwydir Water Management Area:

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (a) the Gwydir Unregulated River Water Sources (hereafter *the Gwydir Unregulated River Water Sources*) comprised of:
- (i) Roumalla Creek Water Source,
 - (ii) Rocky River Water Source,
 - (iii) Boorolong Creek Water Source,
 - (iv) Upper Gwydir River Water Source,
 - (v) Laura Creek Water Source,
 - (vi) Bakers Creek Water Source,
 - (vii) Georges Creek Water Source,
 - (viii) Moredun Creek Water Source,
 - (ix) Keera Creek Water Source,
 - (x) Copeton Dam Water Source,
 - (xi) Halls Creek Water Source,
 - (xii) Mackenzies Flat Water Source,
 - (xiii) Myall Creek Water Source,
 - (xiv) Gurley Creek Water Source,
 - (xv) Tycannah Creek Water Source,
 - (xvi) Warialda Creek Water Source,
 - (xvii) Millie Creek Water Source,
 - (xviii) Slaughterhouse Creek Water Source,
 - (xix) Mosquito Creek Water Source,
 - (xx) Moree Water Source,
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(xxi) Gil Gil Creek Water Source,

(xxii) Thalaba Creek Water Source,

(xxiii) Mehi River Water Source,

(xxiv) Gwydir Water Source,

(xxv) Carole Creek Water Source,

Note. This water source applies to the catchment area of Carole Creek. Carole Creek itself is regulated and water sharing rules in this creek are detailed in the *Water Sharing Plan for the Gwydir Regulated River Water Source 2002*.

(xxvi) Gingham Watercourse Water Source, and

(xxvii) Barwon Water Source, and

(b) the Upper Gwydir Alluvial Groundwater Source.

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

(2) These water sources are shown on the Registered Map called *Registered Map (WSP019_Version 1)*, *Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012* (hereafter ***the Registered Map***) held by the Department.

Note. The Registered Map is part of this Plan. An overview of the Registered Map is shown in Appendix 1. Copies of the Registered Map may be inspected at the offices listed in Appendix 2 and are available at the NSW Legislation website.

(3) Subject to subclause (5), the Gwydir Unregulated River Water Sources include all water:

(a) occurring naturally on the surface of the ground within the boundaries of the Gwydir Unregulated River Water Sources shown on the Registered Map, and

(b) in rivers, lakes and wetlands within the boundaries of the Gwydir Unregulated River Water Sources shown on the Registered Map.

(4) Subject to subclause (5), the Upper Gwydir Alluvial Groundwater Source includes all water contained within the alluvial sediments below the surface of the ground shown within the boundaries of the Upper Gwydir Alluvial Groundwater Source shown on

the Registered Map.

Note. *Alluvial sediments* is defined in the Dictionary.

- (5) These water sources do not include water:
- (a) contained in any fractured rocks or porous rocks,

Note. *Fractured rock* and *porous rock* are defined in the Dictionary.

- (b) contained in the Gwydir Regulated River Water Source to which the *Water Sharing Plan for the Gwydir Regulated River Water Source 2002* applies,
- (c) contained in the sections specified in Column 2 of Schedule 1 of the respective watercourses specified in Column 1 of Schedule 1, and

Note. The sections of watercourses specified in Schedule 1 are to be included in the proposed water sharing plan for the Barwon-Darling Unregulated River Water Source.

- (d) taken under a floodplain harvesting access licence with a share component that specifies a water source to which this Plan does not apply.

5 Management zones

- (1) For the purposes of this Plan, the following water sources are divided into the following management zones:

- (a) Halls Creek Water Source:
- (i) Halls Creek Management Zone, and
- (ii) Halls Creek Tributaries Management Zone, and
- (b) Gingham Watercourse Water Source:
- (i) Upper Gingham Watercourse Management Zone, and
- (ii) Lower Gingham Watercourse Management Zone.

- (2) Management zones in subclause (1) are shown on the Registered Map.

Notes.

- 1 Overview maps of the management zones are shown in Appendix 3.

2 **Management zone** is defined in the Dictionary.

6 Extraction management unit for these water sources

- (1) This Plan applies to that part of the Gwydir Unregulated Rivers Extraction Management Unit (hereafter *the EMU*) that includes the water sources specified in Column 2 of Table A. The EMU does not include water contained in the section of the watercourse specified in Column 2 of Schedule 1.
- (2) The EMU specified in subclause (1) is shown on the Registered Map.

Notes.

- 1 A long-term average annual extraction limit is established in Part 6 of this Plan for the EMU. The long-term average annual extraction limit determines the maximum volume of water that may be extracted under access licences and pursuant to domestic and stock rights and native title rights from all water sources within the EMU on a long-term average annual basis.
- 2 The Gwydir Unregulated Rivers Extraction Management Unit was established under the *Water Sharing Plan for the Rocky Creek, Cobbadah, Upper Horton and Lower Horton Water Source 2003*.

 Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Table A — Extraction management unit

Column 1 – Extraction management unit	Column 2 – Water sources
Gwydir Unregulated Rivers Extraction Management Unit	Roumalla Creek Water Source Rocky River Water Source Boorolong Creek Water Source Upper Gwydir River Water Source Laura Creek Water Source Bakers Creek Water Source Georges Creek Water Source Moredun Creek Water Source Keera Creek Water Source Copeton Dam Water Source Halls Creek Water Source Mackenzies Flat Water Source Myall Creek Water Source Gurley Creek Water Source Tycannah Creek Water Source Warialda Creek Water Source Millie Creek Water Source Slaughterhouse Creek Water Source Mosquito Creek Water Source

Column 1 – Extraction management unit	Column 2 – Water sources
	Moree Water Source Gil Gil Creek Water Source Thalaba Creek Water Source Mehi River Water Source Gwydir Water Source Carole Creek Water Source Gingham Watercourse Water Source Barwon Water Source

Note. The Gwydir Unregulated Rivers Extraction Management Unit also includes the Rocky Creek Water Source, the Cobbadah Water Source, the Upper Horton Water Source and the Lower Horton Water Source as defined in the *Water Sharing Plan for the Rocky Creek, Cobbadah, Upper Horton and Lower Horton Water Source 2003*.

7 Understanding the rules in this Plan

This Plan contains various rules. Where appropriate, the rules specified in this Plan are given effect by the mandatory conditions for access licences and approvals contained in Part 11 of this Plan.

8 Interpretation

- (1) Words and expressions that are defined in the Dictionary to this Plan have the meaning set out in the Dictionary.
- (2) Unless otherwise defined in this Plan, words and expressions that are defined in the Act or in the regulations to the Act have the same meaning in this Plan.
- (3) Unless otherwise specified in this Plan, a clause that applies to a category of access licence also applies to any subcategories of that category of access licence.
- (4) The Dictionary and Schedules to this Plan form part of this Plan.

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (5) Notes in the text of this Plan do not form part of this Plan.
- (6) Appendices to this Plan do not form part of this Plan.

Part 2 Vision, objectives, strategies and performance indicators

Note. This Part is made in accordance with section 35 (1) of the Act.

9 Vision statement

The vision for this Plan is to provide for healthy and enhanced water sources and water dependent ecosystems and for equitable water sharing among users in these water sources.

10 Objectives

The objectives of this Plan are to:

- (a) protect, preserve, maintain and enhance the important river flow dependent and high priority groundwater dependent ecosystems of these water sources,

Note. *Groundwater dependent ecosystem* is defined in the Dictionary.

- (b) protect, preserve, maintain and enhance the Aboriginal, cultural and heritage values of these water sources,
 - (c) protect basic landholder rights,
 - (d) manage these water sources to ensure equitable sharing between users,
 - (e) provide opportunities for enhanced market based trading of access licences and water allocations within environmental and system constraints,
 - (f) provide water allocation account management rules which allow sufficient flexibility in water use,
 - (g) contribute to the maintenance of water quality,
 - (h) provide recognition of the connectivity between surface water and groundwater,
 - (i) adaptively manage these water sources, and
 - (j) contribute to the “environmental and other public benefit outcomes” identified under the “Water Access Entitlements and Planning Framework” in the
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Intergovernmental Agreement on a National Water Initiative (2004) (hereafter *the NWI*).

Note. Under the NWI, water that is provided by NSW to meet agreed environmental and other public benefit outcomes as defined within relevant water plans is to:

- (a) be given statutory recognition and have at least the same degree of security as water access entitlements for consumptive use and be fully accounted for,
- (b) be defined as the water management arrangements required to meet the outcomes sought, including water provided on a rules basis or held as a water access entitlement, and
- (c) if held as a water access entitlement, may be made available to be traded (where physically possible) on the temporary market, when not required to meet the environmental and other public benefit outcomes sought and provided such trading is not in conflict with these outcomes.

11 Strategies

The strategies of this Plan are to:

- (a) establish performance indicators,
 - (b) establish environmental water rules,
 - (c) identify water requirements for basic landholder rights,
 - (d) identify water requirements for access licences,
 - (e) establish rules for the granting and amending of access licences and approvals,
 - (f) establish rules that place limits on the availability of water for extraction,
 - (g) establish rules for making available water determinations,
 - (h) establish rules for the operation of water allocation accounts,
 - (i) establish rules which specify the circumstances under which water may be extracted,
 - (j) establish access licence dealing rules, and
 - (k) identify triggers for and limits to changes to the rules in this Plan.
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12 Performance indicators

The following indicators are to be used to measure the success of the strategies to reach the objectives of this Plan:

- (a) change in low flow regime,
- (b) change in moderate to high flow regime,
- (c) change in surface water and groundwater extraction relative to the long-term average annual extraction limit,
- (d) change in local water utility access,
- (e) change in the ecological value of key water sources and their dependent ecosystems,
- (f) the extent to which domestic and stock rights and native title rights requirements have been met,
- (g) the extent to which local water utility requirements have been met,
- (h) the change in economic benefits derived from water extraction and use, and
- (i) the extent of recognition of spiritual, social and customary values of water to Aboriginal people.

Part 3 Bulk access regime

13 Bulk access regime

- (1) This Plan establishes a bulk access regime for the extraction of water under access licences in these water sources, having regard to:
 - (a) the environmental water rules established in Part 4 of this Plan,
 - (b) the requirements for water for basic landholder rights identified in Division 2 of Part 5 of this Plan,
 - (c) the requirements for water for extraction under access licences identified in Division 3 of Part 5 of this Plan, and
 - (d) the access licence dealing rules established in Part 10 of this Plan.
- (2) The bulk access regime for these water sources:
 - (a) recognises and is consistent with the limits to the availability of water set in relation to these water sources, contained in Division 1 of Part 6 of this Plan,
 - (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 to be made, contained in Division 2 of Part 6 of this Plan,
 - (c) recognises the effect of climatic variability on the availability of water as described in clause 14,
 - (d) establishes rules with respect to the priorities according to which water allocations are to be adjusted as a consequence of any reduction in the availability of water due to an increase in average annual extraction against the long-term average annual extraction limit, contained in Division 1 of Part 6 of this Plan,
 - (e) contains provisions with respect to the conditions that must be imposed as mandatory conditions on access licences, contained in Division 2 of Part 11 of this Plan, and

- (f) recognises and is consistent with the water management principles contained in section 5 of the Act.

14 Climatic variability

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

- (a) manage the sharing of water in these water sources 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, contained in Division 1 of Part 6 of this Plan, and
- (b) manage the sharing of water in specified water sources on a daily basis in these water sources, contained in Division 2 of Part 8 of this Plan.

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

Part 4 Planned environmental water provisions

Notes.

- 1 This Part is made in accordance with sections 8, 8A and 20 of the Act.
- 2 Part 12 of this Plan allows for amendments to be made to this Part.

15 General

This Part contains environmental water rules for the commitment, identification, establishment and maintenance of planned environmental water in these water sources.

Note. In accordance with the Act, planned environmental water is water that is committed by management plans for fundamental ecosystem health or other specified environmental purposes, either generally or at specified times or in specified circumstances and that cannot to the extent committed be taken or used for any other purpose.

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 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.

17 Establishment and maintenance of planned environmental water

- (1) Planned environmental water is established in these water sources as follows:
 - (a) it is the physical presence of water:
 - (i) in the Gwydir Unregulated River Water Sources that results from the access rules specified in Division 2 of Part 8 of this Plan,

Note. The rules in Division 2 of Part 8 of this Plan for the Gwydir Unregulated River Water Sources set flow rates or flow levels below which the taking of water is not permitted. Some limited exemptions apply.

- (ii) in the Upper Gwydir Alluvial Groundwater Source that is equal to 49% of the long-term average annual rainfall recharge in areas that are not high environmental value areas and 100% of the long-term average annual rainfall recharge in high environmental value areas, and

Notes.

- 1 At the commencement of this Plan the long-term average annual rainfall recharge for the Upper Gwydir Alluvial Groundwater Source is estimated to be 1418.8 ML/yr in those areas that are not high environmental value areas and 2.6 ML/yr in high environmental value areas.
- 2 **High environmental value areas** and **recharge** are defined in the Dictionary.

- (iii) in the Upper Gwydir Alluvial Groundwater Source that is within the groundwater storage of the Upper Gwydir Alluvial Groundwater Source over the long term,

Note. Groundwater sources generally store large volumes of water, often accumulated over thousands or even tens of thousands of years. The amount of annual recharge is often very small compared to this stored volume. The average annual volume of water permitted to be extracted under the rules in this Plan is less than the average annual recharge of the Upper Gwydir Alluvial Groundwater Source over the long term, ensuring that water within the groundwater storage of the Upper Gwydir Alluvial Groundwater Source is protected from extraction.

- (b) it is the long-term average annual commitment of water as planned environmental water in:
 - (i) the Gwydir Unregulated River Water Sources that results from the application of the long-term average annual extraction limit and compliance rules as specified in Division 1 of Part 6 of this Plan and the available water determination rules as specified in Division 2 of Part 6 of this Plan,
 - (ii) the Upper Gwydir Alluvial Groundwater Source that is equal to 49% of the long-term average annual rainfall recharge in areas that are not high environmental value areas and 100% of the long-term average annual rainfall recharge in areas that are high environmental value areas, and

(iii) the Upper Gwydir Alluvial Groundwater Source that is within the groundwater storage of the Upper Gwydir Alluvial Groundwater Source over the long term, and

(c) the water remaining in these water sources after water has been taken pursuant to basic landholder rights and access licences, in accordance with the rules specified in Parts 6 and 8 of this Plan.

Note. The water remaining in the Upper Gwydir Alluvial Groundwater Source over the long term after water has been taken pursuant to basic landholder rights and access licences is equal to the water within the groundwater storage plus all recharge in excess of the long-term average annual extraction limit for that water source.

- (2) The planned environmental water established under subclause (1) (a) is maintained in:
- (a) the Gwydir Unregulated River Water Sources, by the rules specified in Division 2 of Part 8 of this Plan, and
 - (b) the Upper Gwydir Alluvial Groundwater Source by the rules specified in Parts 6 and 8 of this Plan.
- (3) The planned environmental water established under subclause (1) (b) is maintained in these water sources by the application of the long-term average annual extraction limit and compliance rules as specified in Division 1 of Part 6 of this Plan and the available water determinations as specified in Division 2 of Part 6 of this Plan.
- (4) The planned environmental water established under subclause (1) (c) is maintained in these water sources, by the rules specified in Parts 6 and 8 of this Plan.

Note. The rules 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 limits. The rules in Part 6 of this Plan provide for a reduction in available water determinations when the long-term average annual extraction limit has been assessed to have been exceeded.

Part 5 Requirements for water

Division 1 General

18 Application

- (1) This Part identifies the requirements for water from these water sources for basic landholder rights (Division 2) and for extraction under access licences (Division 3).
- (2) The amounts of water specified in this Part represent the estimated water requirements of persons entitled to basic landholder rights in these water sources and the total volumes or unit shares specified in the share components of all access licences in these water sources. The actual volumes of water available for extraction in these water sources at any time will depend on factors such as climatic variability, access licence priority and the rules in this Plan.
- (3) This Plan recognises that basic landholder rights in these water sources and the total share components of all access licences authorised to extract water from these water sources may change during the term of this Plan. This Plan manages such changes by having provisions that manage the sharing of water within the limits of water availability, as provided for in Division 1 of Part 6 of this Plan.

Note. The total share components of access licences in these water sources may change during the term of this Plan as a result of:

- (a) the grant, surrender or cancellation of access licences in these water sources,
- (b) the variation of local water utility licences under section 66 of the Act, or
- (c) changes due to the volumetric conversion of *Water Act 1912* entitlements that are currently non-volumetric.

Division 2 Requirements for water for basic landholder rights

19 Domestic and stock rights

At the commencement of this Plan the water requirements of persons entitled to domestic and stock rights in these water sources are estimated to total 4.84 megalitres per day (hereafter *ML/day*), distributed as follows:

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (a) 0.23 ML/day in the Roumalla Creek Water Source,
- (b) 0.30 ML/day in the Rocky River Water Source,
- (c) 0.16 ML/day in the Boorolong Creek Water Source,
- (d) 0.30 ML/day in the Upper Gwydir River Water Source,
- (e) 0.38 ML/day in the Laura Creek Water Source,
- (f) 0.10 ML/day in the Bakers Creek Water Source,
- (g) 0.24 ML/day in the Georges Creek Water Source,
- (h) 0.39 ML/day in the Moredun Creek Water Source,
- (i) 0.21 ML/day in the Keera Creek Water Source,
- (j) 0.33 ML/day in the Copeton Dam Water Source,
- (k) 0.06 ML/day in the Halls Creek Water Source,
- (l) 0.01 ML/day in the Mackenzies Flat Water Source,
- (m) 0.22 ML/day in the Myall Creek Water Source,
- (n) 0.06 ML/day in the Gurley Creek Water Source,
- (o) 0.23 ML/day in the Tycannah Creek Water Source,
- (p) 0.26 ML/day in the Warialda Creek Water Source,
- (q) 0.07 ML/day in the Millie Creek Water Source,
- (r) 0.05 ML/day in the Slaughterhouse Creek Water Source,
- (s) 0.12 ML/day in the Mosquito Creek Water Source,
- (t) 0.01 ML/day in the Moree Water Source,
- (u) 0.27 ML/day in the Gil Gil Creek Water Source,

- (v) 0.24 ML/day in the Thalaba Creek Water Source,
- (w) 0.07 ML/day in the Mehi River Water Source,
- (x) 0.11 ML/day in the Gwydir Water Source,
- (y) 0.01 ML/day in the Carole Creek Water Source,
- (z) 0.10 ML/day in the Gingham Watercourse Water Source,
- (aa) 0.11 ML/day in the Barwon Water Source, and
- (bb) 0.20 ML/day in the Upper Gwydir Alluvial Groundwater Source.

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.

20 Native title rights

At the commencement of this Plan, there are no native title rights in these water sources. Therefore the water requirements for native title rights are 0 megalitres per year (hereafter *ML/year*).

Note. A change in native title rights may occur pursuant to the provisions of the *Native Title Act 1993* (Cth).

21 Harvestable rights

The requirements for water under harvestable rights in these water sources is equal to the total amount of water that owners or occupiers of landholdings are entitled to capture and store, pursuant to a harvestable rights order made under Division 2 of Part 1 of Chapter 3 of the Act.

Division 3 Requirements for water for extraction under access licences

22 Share components of domestic and stock access licences

It is estimated that at the time of commencement of this Plan the share components of domestic and stock access licences authorised to extract water from these water sources total 518.6 ML/year, distributed as follows:

- (a) 24.5 ML/year in the Roumalla Creek Water Source,
 - (b) 18 ML/year in the Rocky River Water Source,
 - (c) 6 ML/year in the Boorolong Creek Water Source,
 - (d) 27.5 ML/year in the Upper Gwydir River Water Source,
 - (e) 16.5 ML/year in the Laura Creek Water Source,
 - (f) 0 ML/year in the Bakers Creek Water Source,
 - (g) 0 ML/year in the Georges Creek Water Source,
 - (h) 14.5 ML/year in the Moredun Creek Water Source,
 - (i) 0 ML/year in the Keera Creek Water Source,
 - (j) 31 ML/year in the Copeton Dam Water Source,
 - (k) 5 ML/year in the Halls Creek Water Source,
 - (l) 0 ML/year in the Mackenzies Flat Water Source,
 - (m) 35 ML/year in the Myall Creek Water Source,
 - (n) 6.5 ML/year in the Gurley Creek Water Source,
 - (o) 18 ML/year in the Tycannah Creek Water Source,
 - (p) 6.5 ML/year in the Warialda Creek Water Source,
 - (q) 34 ML/year in the Millie Creek Water Source,
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- (r) 0 ML/year in the Slaughterhouse Creek Water Source,
- (s) 9 ML/year in the Mosquito Creek Water Source,
- (t) 4 ML/year in the Moree Water Source,
- (u) 38.5 ML/year in the Gil Gil Creek Water Source,
- (v) 21.5 ML/year in the Thalaba Creek Water Source,
- (w) 86 ML/year in the Mehi River Water Source,
- (x) 16.5 ML/year in the Gwydir Water Source,
- (y) 0 ML/year in the Carole Creek Water Source,
- (z) 5 ML/year in the Gingham Watercourse Water Source,
- (aa) 20 ML/year in the Barwon Water Source, and
- (bb) 75.1 ML/year in the Upper Gwydir Alluvial Groundwater Source.

23 Share components of local water utility access licences

It is estimated that at the time of commencement of this Plan the share components of local water utility access licences authorised to extract water from these water sources total 817 ML/year, distributed as follows:

- (a) 621 ML/year in the Rocky River Water Source,
- (b) 93 ML/year in the Moredun Creek Water Source,
- (c) 43 ML/year in the Gil Gil Creek Water Source,
- (d) 60 ML/ year in the Upper Gwydir Alluvial Groundwater Source, and
- (e) 0 ML/year in all other water sources.

24 Share components of unregulated river access licences

It is estimated that at the time of commencement of this Plan the share components of

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

unregulated river access licences authorised to extract water from these water sources total 61,722 unit shares, distributed as follows:

- (a) 632 unit shares in the Roumalla Creek Water Source,
 - (b) 47 unit shares in the Rocky River Water Source,
 - (c) 225 unit shares in the Boorolong Creek Water Source,
 - (d) 1561 unit shares in the Upper Gwydir River Water Source,
 - (e) 804 unit shares in the Laura Creek Water Source,
 - (f) 35 unit shares in the Bakers Creek Water Source,
 - (g) 24 unit shares in the Georges Creek Water Source,
 - (h) 2237 unit shares in the Moredun Creek Water Source,
 - (i) 192 unit shares in the Keera Creek Water Source,
 - (j) 1025 unit shares in the Copeton Dam Water Source,
 - (k) 570 unit shares in the Halls Creek Water Source,
 - (l) 27 unit shares in the Mackenzies Flat Water Source,
 - (m) 1389 unit shares in the Myall Creek Water Source,
 - (n) 5 unit shares in the Gurley Creek Water Source,
 - (o) 2768 unit shares in the Tycannah Creek Water Source,
 - (p) 151 unit shares in the Warialda Creek Water Source,
 - (q) 9967 unit shares in the Millie Creek Water Source,
 - (r) 0 unit shares in the Slaughterhouse Creek Water Source,
 - (s) 778 unit shares in the Mosquito Creek Water Source,
 - (t) 2510 unit shares in the Moree Water Source,
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- (u) 1421 unit shares in the Gil Gil Creek Water Source,
- (v) 2492 unit shares in the Thalaba Creek Water Source,
- (w) 16580 unit shares in the Mehi River Water Source,
- (x) 9720 unit shares in the Gwydir Water Source,
- (y) 0 unit shares in the Carole Creek Water Source,
- (z) 3322 unit shares in the Gingham Watercourse Water Source, and
- (aa) 3240 unit shares in the Barwon Water Source.

25 Share components of aquifer (high security) access licences

It is estimated that at the time of commencement of this Plan the share components of aquifer (high security) access licences authorised to take water from the Upper Gwydir Alluvial Groundwater Source total 1115 unit shares.

Part 6 Limits to the availability of water

Division 1 Long-term average annual extraction limits

26 General

The availability of water for extraction in these water sources on a long-term basis is to be managed in accordance with this Part.

27 Volume of the long-term average annual extraction limits

- (1) This clause establishes the long-term average annual extraction limits by reference to the EMU and the Upper Gwydir Alluvial Groundwater Source.
- (2) Subject to subclause (4), the long-term average annual extraction limit for the Gwydir Unregulated River Extraction Management Unit 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* from the following water sources:
 - (i) Roumalla Creek Water Source,
 - (ii) Rocky River Water Source,
 - (iii) Boorolong Creek Water Source,
 - (iv) Upper Gwydir River Water Source,
 - (v) Laura Creek Water Source,
 - (vi) Bakers Creek Water Source,
 - (vii) Georges Creek Water Source,
 - (viii) Moredun Creek Water Source,
 - (ix) Keera Creek Water Source,

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (x) Copeton Dam Water Source,
 - (xi) Halls Creek Water Source,
 - (xii) Mackenzies Flat Water Source,
 - (xiii) Myall Creek Water Source,
 - (xiv) Gurley Creek Water Source,
 - (xv) Tycannah Creek Water Source,
 - (xvi) Warialda Creek Water Source,
 - (xvii) Millie Creek Water Source,
 - (xviii) Slaughterhouse Creek Water Source,
 - (xix) Mosquito Creek Water Source,
 - (xx) Moree Water Source,
 - (xxi) Gil Gil Creek Water Source,
 - (xxii) Thalaba Creek Water Source,
 - (xxiii) Mehi River Water Source,
 - (xxiv) Gwydir Water Source,
 - (xxv) Carole Creek Water Source,
 - (xxvi) Gingham Watercourse Water Source,
 - (xxvii) Barwon Water Source, plus
- (b) the annual water requirements pursuant to domestic and stock rights and native title rights from the following water sources at the commencement of this Plan:
- (i) Roumalla Creek Water Source,
 - (ii) Rocky River Water Source,
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Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (iii) Boorolong Creek Water Source,
 - (iv) Upper Gwydir River Water Source,
 - (v) Laura Creek Water Source,
 - (vi) Bakers Creek Water Source,
 - (vii) Georges Creek Water Source,
 - (viii) Moredun Creek Water Source,
 - (ix) Keera Creek Water Source,
 - (x) Copeton Dam Water Source,
 - (xi) Halls Creek Water Source,
 - (xii) Mackenzies Flat Water Source,
 - (xiii) Myall Creek Water Source,
 - (xiv) Gurley Creek Water Source,
 - (xv) Tycannah Creek Water Source,
 - (xvi) Warialda Creek Water Source,
 - (xvii) Millie Creek Water Source,
 - (xviii) Slaughterhouse Creek Water Source,
 - (xix) Mosquito Creek Water Source,
 - (xx) Moree Water Source,
 - (xxi) Gil Gil Creek Water Source,
 - (xxii) Thalaba Creek Water Source,
 - (xxiii) Mehi River Water Source,
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- (xxiv) Gwydir Water Source,
 - (xxv) Carole Creek Water Source,
 - (xxvi) Gingham Watercourse Water Source,
 - (xxvii) Barwon Water Source, plus
- (c) 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* from the Rocky Creek Water Source, Cobbadah Water Source, the Upper Horton Water Source and the Lower Horton Water Source at the commencement of the *Water Sharing Plan for the Rocky Creek, Cobbadah, Upper Horton and Lower Horton Water Source 2003*, plus
- (d) the annual water requirements pursuant to domestic and stock rights and native title rights from the Rocky Creek Water Source, Cobbadah Water Source, the Upper Horton Water Source and the Lower Horton Water Source at the commencement of the *Water Sharing Plan for the Rocky Creek, Cobbadah, Upper Horton and Lower Horton Water Source 2003*, plus
- (e) 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 access licences were later issued in the respective extraction management unit.
- (3) Subject to any variation under subclause (4), the long-term average annual extraction limit for the Upper Gwydir Alluvial Groundwater Source is 721 ML/year.
- Note.** The long term average annual extraction limit for the Upper Gwydir Alluvial Groundwater Source is as follows:
- (a) an estimate of annual extraction of water for those entitlements issued under Part 5 of the *Water Act 1912* in this water source, at the commencement of this Plan, plus
 - (b) an estimate of annual water requirements for domestic and stock rights and native title rights in this water source, at the commencement of this Plan.
- (4) Following the surrender under section 77 of the Act of an access licence and then the cancellation under section 77A (6) of the Act of an access licence in one of these water sources, the Minister may vary the respective long-term average annual extraction limit that applies to the EMU or that water source.
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Notes.

- 1 An example of where the Minister may vary the long-term average annual extraction limit under subclause (4) is where the water is surrendered and cancelled to benefit the environment.
- 2 Under section 8F of the Act the long-term average annual extraction limit is taken to be varied by the amount of any change to the amount of water committed as licensed environmental water, excluding water committed under section 8C of the Act. Water committed as licensed environmental water is not to be accounted for as extraction. The variation in the long-term average annual extraction limit is to be determined in accordance with a methodology approved by the Minister and published in the Gazette.

28 Calculation of current levels of annual extraction

After each water year, the total volume of water taken during that water year:

- (a) under all categories of access licences, and
- (b) pursuant to domestic and stock rights and native title rights,

must be calculated for the EMU and the Upper Gwydir Alluvial Groundwater Source.

29 Assessment of average annual extractions against the long-term average annual extraction limits

- (1) An assessment of average annual extractions against the long-term average annual extraction limit is to be conducted for the EMU and the Upper Gwydir Alluvial Groundwater Source as set out in this clause.
- (2) Commencing in the sixth water year in which this Plan has effect, the assessments referred to in subclause (1) must compare the long-term average annual extraction limit established in clause 27 (2) for the EMU and the long-term average annual extraction limit established in clause 27 (3) for the Upper Gwydir Alluvial Groundwater Source against the average of the annual extractions in the preceding five water years as calculated under clause 28 for the EMU or groundwater source.

30 Compliance with the long-term average annual extraction limits for the EMU

- (1) Compliance with the long-term average annual extraction limit established for the EMU is to be managed in accordance with this clause.
 - (2) Commencing in the sixth water year in which this Plan has effect, if in the Minister's opinion, the assessment under clause 29 demonstrates that the average of the annual
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extractions in the EMU in the preceding five water years have exceeded the long-term average annual extraction limit established in this Part for that water source by 5% or more, then the available water determinations for unregulated river access licences in the EMU are to be reduced for the following water year in accordance with subclause (3).

- (3) The reduction under subclause (2) is to be of an amount that is, in the Minister's opinion, necessary to return the long-term average annual extractions in the EMU to the long-term average annual extraction limit established in this Part.

Note. Any reductions to available water determinations under subclause (2) will apply to all unregulated river access licences in the Gwydir Unregulated Rivers Extraction Management Unit, including those access licences within the Rocky Creek Water Source, the Cobbadah Water Source, the Upper Horton Water Source and the Lower Horton Water Source to which the *Water Sharing Plan for the Rocky Creek, Cobbadah, Upper Horton and Lower Horton Water Source 2003* applies.

31 Compliance with the long-term average annual extraction limits for the Upper Gwydir Alluvial Groundwater Source

- (1) Compliance with the long-term average annual extraction limits established for the Upper Gwydir Alluvial Groundwater Source is to be managed in accordance with this clause.
 - (2) Commencing in the sixth water year in which this Plan has effect, if in the Minister's opinion, the assessment under clause 29 demonstrates that the average of the annual extractions in the Upper Gwydir Alluvial Groundwater Source in the preceding five water years have exceeded the long-term average annual extraction limit established in this Part for that water source by 10% or more, then the available water determinations for aquifer (high security) access licences in the Upper Gwydir Alluvial Groundwater Source are to be reduced for the following water year in accordance with subclause (3).
 - (3) The reduction under subclause (2) is to be of an amount that is, in the Minister's opinion, necessary to return the long-term average annual extractions in the Upper Gwydir Alluvial Groundwater Source to the long-term average annual extraction limit established in this Part.
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Division 2 Available water determinations

32 General

- (1) Available water determinations for access licences with share components that specify any 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 ML/year, or
 - (b) megalitres per unit share for access licences where share components are specified as a number of unit shares.
- (2) Subject to subclause (3), 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 or such lower amount that results from Division 1 of this Part, 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 or such lower amount that results from Division 1 of this Part, for all access licences where share components are specified as a number of unit shares.
- (3) For the first water year in which this Plan has effect, subclause (2) does not apply to access licences with a share component that specifies one of these water sources, excluding the Upper Gwydir Alluvial Groundwater Source.

33 Available water determinations for domestic and stock access licences

- (1) In making available water determinations for domestic and stock access licences, the Minister should consider the rules in this clause.
- (2) At the commencement of this Plan, an available water determination of 200% of the access licence share component should be made for domestic and stock access licences with a share component that specifies one of the Gwydir Unregulated River Water Sources.

- (3) At the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of the access licence share component should be made for domestic and stock access licences with a share component that specifies one of the Gwydir Unregulated River Water Sources.
- (4) At the commencement of this Plan and at the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of the access licence share component should be made for domestic and stock access licences with a share component that specifies the Upper Gwydir Alluvial Groundwater Source.

34 Available water determinations for local water utility access licences

- (1) In making available water determinations for local water utility access licences, the Minister should consider the rules in this clause.
- (2) At the commencement of this Plan, an available water determination of 200% of the access licence share component should be made for local water utility access licences with a share component that specifies one of the Gwydir Unregulated River Water Sources.
- (3) At the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of the access licence share component should be made for local water utility access licences with a share component that specifies one of the Gwydir Unregulated River Water Sources.
- (4) At the commencement of this Plan and at the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of the access licence share component should be made for local water utility access licences with a share component that specifies the Upper Gwydir Alluvial Groundwater Source.

35 Available water determinations for unregulated river access licences

- (1) In making available water determinations for unregulated river access licences, the Minister should consider the rules in this clause.
 - (2) At the commencement of this Plan, an available water determination of 2 ML per unit
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of share component should be made for unregulated river access licences with a share component that specifies one of the Gwydir Unregulated River Water Sources.

- (3) At the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 1 ML per unit of share component or such lower amount that results from Division 1 of this Part, should be made for unregulated river access licences with a share component that specifies one of the Gwydir Unregulated River Water Sources.

Note. Division 1 of this Part provides for available water determinations for unregulated river access licences to be reduced where the long-term average annual extraction limit for the EMU has been assessed to have been exceeded, as per clauses 29 and 30.

36 Available water determinations for aquifer (high security) access licences

- (1) In making available water determinations for aquifer (high security) access licences, the Minister should consider the rules in this clause.
- (2) At the commencement of this Plan and at the commencement of each water year after the first water year in which this Plan has effect, an available water determination should be made for aquifer (high security) access licences in the Upper Gwydir Alluvial Groundwater Source, equal to:
 - (a) 0.3 ML per unit of share component for aquifer (high security) access licences, plus
 - (b) 70% of the available water determination made for regulated river (high security) access licences in the Gwydir Regulated River Water Source to which the *Water Sharing Plan for the Gwydir Regulated River Water Source 2002* applies,

or such lower amount that results from Division 1 of this Part.

Note. The available water determinations for aquifer (high security) access licences have been informed by hydrogeological modelling, showing that 70% of the water extracted under an average annual pumping scenario originates from the Gwydir Regulated River.

- (3) After the available water determination under subclause (1) has been made, further available water determinations for aquifer (high security) access licences may be made whenever additional available water determinations for regulated river (high security) access licences in the Gwydir Regulated River Water Source are made.
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- (4) Available water determinations made under subclause (2) should be equal to 70% of the available water determinations for regulated river (high security) access licences in the Gwydir Regulated River Water Source or such lower amount that results from Division 1 of this Part.

Note. Division 1 of this Part provides for available water determinations for aquifer (high security) access licences to be reduced where the long-term average annual extraction limit for the water sources has been assessed to have been exceeded, as per clauses 29 and 31.

Part 7 Rules for granting access licences

Notes.

- 1 This Part is made in accordance with sections 20, 61 and 63 of the Act.
- 2 Access licences granted in these water sources will be subject to mandatory conditions and discretionary conditions.

37 Specific purpose access licences

- (1) 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 10 ML/year.

Note. Subject to the restrictions in subclause (1), applications for the categories and subcategories of specific purpose access licences may be made in accordance with clause 10 of the *Water Management (General) Regulation 2011*.

- (2) A specific purpose access licence must not be granted in these water sources unless the Minister is satisfied that the share and extraction component of the access licence is the minimum required to meet the circumstances in which the access licence is proposed to be used.
- (3) An access licence of the subcategory “Aboriginal cultural” may only be granted for the taking of water by an Aboriginal person or Aboriginal community for any personal, domestic or communal purpose, including drinking, food preparation, washing, manufacturing traditional artefacts, watering domestic gardens, cultural teaching, hunting, fishing, gathering and for recreational, cultural and ceremonial purposes.

Note. *Aboriginal person* is defined in the Dictionary.

38 Granting of access licences as a result of controlled allocation

The Minister may grant an access licence where the right to apply for the licence has been acquired in a manner prescribed by an order made under section 65 of the Act.

Part 8 Rules for managing access licences

Note. Part 12 of this Plan allows for amendments to be made to this Part.

Division 1 Water allocation account management rules

Note. The Act provides for the keeping of water allocation accounts for access licences. The rules in this Division impose further limits on the water that may be taken under an access licence over a specified period of time. These limits are in addition to any other limits on access licences for the taking of water. It is an offence under the Act to take water under an access licence for which there is no or insufficient water allocation.

39 Individual access licence account management rules for the Gwydir Unregulated River Water Sources

- (1) This clause applies to the taking of water under an access licence with a share component that specifies one of the Gwydir Unregulated River Water Sources.
- (2) In the first three water years in which this Plan has effect, water taken under a domestic and stock access licence, a local water utility access licence or an unregulated river access licence must not exceed a volume equal to:
 - (a) 50% of the water allocations accrued to the water allocation account for the access licence from available water determinations in the first water year, plus
 - (b) the sum of water allocations accrued to the water allocation account for the access licence from available water determinations in the second and third water years, plus
 - (c) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in those water years, plus
 - (d) any water allocations recredited to the water allocation account for the access licence in accordance with section 76 of the Act in those water years.
- (3) For the period of any three consecutive water years after the first water year in which this Plan has effect, the water taken under a domestic and stock access licence, a local water utility access licence or an unregulated river access licence must not exceed a volume equal to the lesser of:

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (a) the sum of:
 - (i) the water allocations accrued to the water allocation account for the access licence from available water determinations in those three water years,
 - (ii) the water allocations carried over in the water allocation account for the access licence from the water year prior to those three water years under subclause (4),
 - (iii) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in those three water years, and
 - (iv) any water allocations recredited to the water allocation account for the access licence in accordance with section 76 of the Act in those three water years, or
 - (b) the sum of:
 - (i) the share component of the access licence at the beginning of each of those three water years, and
 - (ii) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in those three water years.
- (4) The maximum water allocation that can be carried over from one water year to the next in the water allocation account for a domestic and stock access licence, a local water utility access licence or an unregulated river access is equal to:
- (a) 100% of the access licence share component, for access licences with share components expressed as ML/year, or
 - (b) 1 ML per unit share of access licence share component, for access licences with share components expressed as a number of unit shares.

40 Individual access licence account management rules for the Upper Gwydir Alluvial Groundwater Source

- (1) The rules in this clause apply to the taking of water under an access licence with a share component that specifies the Upper Gwydir Alluvial Groundwater Source.
- (2) In any water year in which this Plan has effect, water taken under an access licence must not exceed a volume equal to:
 - (a) the sum of water allocations accrued to the water allocation account for the access licence from available water determinations in that water year, plus
 - (b) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in that water year, plus
 - (c) any water allocations recredited to the water allocation account for the access licence in accordance with section 76 of the Act in that water year.
- (3) Water allocations remaining in the water allocation account for an access licence cannot be carried over from one water year to the next.

Division 2 Flow classes and daily access rules

41 General

The rules in this Division apply to the taking of water under an access licence with a share component that specifies one of these water sources.

42 Flow classes

- (1) This Plan establishes the flow classes specified in Column 3 of Table B for the sharing of flows on a daily basis in the Gwydir Unregulated River Water Sources.
 - (2) The flow classes in Column 3 of Table B and the flow reference points specified in Column 6 of Table B are established for each water source specified in Column 1 and each management zone specified in Column 2 of Table B.
 - (3) A flow class applies in the respective water source or management zone on the day
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specified in Column 7 of Table B when the flow (ML/day) as measured at the flow reference point specified in Column 6 of Table B is equal to the flow specified in Column 5 of Table B.

- (4) If in the Minister's opinion, on any day accurate flow class data is not available from a flow measuring gauge used to determine a flow class, the Minister may determine the flow class that applies for that day and notify the licence holder in writing, the flow class that applies for that day. For the purpose of this subclause, notification includes publishing a notice on the Department's website.

Note. There is a general requirement for holders of water supply work approvals to record in a Logbook, where one is required to be kept, a confirmation and means of confirmation that the relevant cease to take conditions do not apply before taking water. Holders of access licences may contact the Department's Moree office at the address listed in Appendix 2 or check the Department's website to find out what flow class applies that day and note this as required in the Logbook. In determining whether access to water is permitted that day, the Minister may take into consideration evidence of past and current flows and readings at other functioning upstream and downstream gauges.

- (5) The flow classes commence in the year specified in Column 4 of Table B.
- (6) For the purpose of Table B, *Year 1 of this Plan* means from the date of commencement of this Plan.

Note. Only those water sources for which flow classes have been established at the commencement of this Plan are shown in Table B.

Table B — Flow Classes

Column 1 Water source	Column 2 Management zone	Column 3 Flow class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow reference point	Column 7 Day on which flow class applies
Gingham Watercourse Water Source	Upper Gingham Watercourse Management Zone	Very Low Flow Class	Year 1 of this Plan	Less than or equal to 250 ML/day	Gingham channel at Tillaloo bridge gauge (418076)	Same day
		A Class	Year 1 of this Plan	More than 250 ML/day		Same day

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Column 1 Water source	Column 2 Management zone	Column 3 Flow class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow reference point	Column 7 Day on which flow class applies
	Lower Gingham Watercourse Management Zone	Very Low Flow Class	Year 1 of this Plan	Less than or equal to the minimal flow depth of 1.0 metre on the Gingham Bridge gauge (418079) or less than or equal to 4000 ML/day at the Gingham Bridge gauge or no visible flow at the Gingham Watercourse at Morialta Road.	Gingham channel at Gingham Bridge gauge (418079) and Gingham Watercourse at Morialta Road	Same day
		A Class	Year 1 of this Plan	More than the minimal flow depth of 1.0 metre on the Gingham Bridge gauge and more than 4000 ML/day at the Gingham Bridge gauge and a visible flow at the Gingham Watercourse at Morialta Road.		Same day
Halls Creek Water Source	Halls Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	No visible flow	Halls Creek at Bingara gauge (418025) in the South East Corner of TSR 29609, Parish of Bingara	Same day
		A Class	Year 1 of this Plan	Visible flow		Same day
Gwydir Water Source		Very Low Flow Class	Year 1 of this Plan	Less than or equal to 250 ML/day	Gwydir River at Millewa gauge (418066)	Same day
		A Class	Year 1 of this Plan	More than 250 ML/day		Same day

Note.

- 1 For Gingham Channel at Tillaloo Bridge gauge (418076), 250 ML/day corresponds to the estimated 10th percentile flow.
- 2 For Gingham Channel at Gingham Bridge gauge (418079):
 - 1 metre on the gauge corresponds to the estimated 21st percentile flow, and
 - 4000 ML/day corresponds to the estimated 2nd percentile flow.
- 3 For Halls Creek at Bingara gauge (418025), no visible flow corresponds to a gauge height of 0.1m.

- 4 For Gwydir River at Millewa gauge (418066) 250 ML/day corresponds to the estimated 9th percentile flow.

43 Access rules for the taking of surface water

- (1) This clause applies to the taking of water under an access licence from the Gwydir Unregulated River Water Sources, excluding the taking of water under an access licence used only to account for the taking of water in association with an activity authorised by an aquifer interference approval.

Note. In addition to the rules in this clause the Minister may make an order under section 324 of the Act to temporarily restrict or prohibit the taking of water from the Mehi River Water Source, Gwydir Water Source or the Gingham Watercourse Water Source to protect planned environmental releases, if the Minister is satisfied that it is necessary to do so in the public interest.

- (2) Subject to subclause (13), water must not be taken under an access licence with a share component that specifies a water source or an extraction component that specifies a management zone with a Very Low Flow Class that has commenced, when flows in that water source or management zone in which the water supply work used to take water is located, are in the Very Low Flow Class. This subclause does not apply to the taking of water from an off-river pool.

Note. *Off-river pool* is defined in the Dictionary.

- (3) Subject to subclause (13), water must not be taken under an access licence when there is no visible flow at the location at which water is proposed to be taken. This subclause does not apply to the taking of water from an in-river pool or an off-river pool.

Note. *In-river pool* and *visible flow* are defined in the Dictionary.

- (4) Subject to subclause (13), in water sources where flow classes have not commenced, water must not be taken under an access licence from an in-river pool when the volume of that water is less than the full capacity of the pool.

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

- (5) Subject to subclause (13), water must not be taken under an access licence from an off-river pool, when the volume of water in that pool is less than the full capacity of the pool.

- (6) Water must not be taken under an access licence where a cease to take condition that
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was specified on the *Water Act 1912* entitlement that the access licence replaces is, in the Minister's opinion, higher than:

- (a) the upper limit of the Very Low Flow Class (as specified in column 5 of Table B), or
- (b) the access rules specified in subclauses (2)–(5),

when flows are at or less than the cease to take condition that was specified on the replaced *Water Act 1912* entitlement. This subclause does not apply to the taking of water from an in-river dam pool or a runoff harvesting dam.

Notes.

- 1 Those *Water Act 1912* entitlements and the cease to take conditions that have been identified as being higher than the upper limit of the Very Low Flow Class or the access rules specified in subclauses (2)–(5) are listed in Appendix 4.
 - 2 ***Cease to take condition, in-river dam pool, runoff harvesting dam*** and ***Water Act 1912 entitlement*** are defined in the Dictionary.
- (7) The cease to take condition that arises from subclause (6) applies to water supply works that are nominated by the access licence following a dealing under section 71S or 71W of the Act.
 - (8) Water must not be taken under an access licences specified in Column 1 in contradiction of the access rule specified in Column 2 in the water source specified in Column 3 of Schedule 2.
 - (9) Water must not be taken under an access licence from an in-river dam pool or a runoff harvesting dam created by a structure authorised by a water supply work approval when flows or storage levels in that pool or dam are at or less than a cease to take condition that was specified on the *Water Act 1912* entitlement that the access licence replaces.
 - (10) Water must not be taken from an in-river dam pool unless the in-river dam is:
 - (a) constructed, operated and maintained in accordance with any conditions specified on the water supply work approval for the in-river dam, and/or
 - (b) passing such flows in such circumstances as specified on the water supply work
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approval for the in-river dam.

Note. *In-river dam* is defined in the Dictionary.

- (11) The conditions for construction, operation and maintenance of the in-river dam to be specified on the water supply work approval for the in-river dam referred to in subclause (10) are:
- (a) the conditions for construction, operation and maintenance that were specified in conditions on the *Water Act 1912* entitlement that the approval replaces, or
 - (b) where no conditions for construction, operation and maintenance were specified on the *Water Act 1912* entitlement, the conditions for construction, operation and maintenance determined by the Minister.
- (12) The flows and circumstances to be specified on the water supply work approval for the in-river dam referred to in subclause (10) are:
- (a) the flows and circumstances that were specified on the *Water Act 1912* entitlement that the approval replaces, or
 - (b) where no flows and circumstances were specified on the *Water Act 1912* entitlement, the flows and circumstances determined by the Minister.
- (13) Subclauses (2)–(5) do not apply to the following:
- (a) the taking of water under an access licence or an access licence which replaces a *Water Act 1912* entitlement to which clause 1 of Schedule 3 applies, for any of the purposes listed below, provided that the volume of water taken does not exceed 20 kilolitres per day per access licence or such lower amount specified in accordance with subclause (14):
 - (i) fruit washing,
 - (ii) cleaning of dairy plant and equipment for the purpose of hygiene,
 - (iii) poultry watering and misting, or
 - (iv) cleaning of enclosures used for intensive animal production for the purposes of hygiene,
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- (b) the taking of water for domestic consumption only under a domestic and stock access licence or a domestic and stock (subcategory “domestic”) access licence that existed at the commencement of this Plan, provided that the volume of water taken does not exceed 1 kilolitre per house supplied by the access licence per day,
- (c) the taking of water for stock watering only under a domestic and stock access licence or a domestic and stock (subcategory “stock”) access licence that existed at the commencement of this Plan, for the first five years of this Plan, provided the volume of water taken does not exceed 14 litres per hectare of grazeable area per day,

Note. *Grazeable area* is defined in the Dictionary.

- (d) the taking of water from a runoff harvesting dam or from an in-river dam pool, and
 - (e) the taking of water under a local water utility access licence or an unregulated river (subcategory “Town water supply”) access licence to which clause 2 of Schedule 3 applies.
- (14) The Minister may reduce the maximum daily volume limit imposed by the rule under subclause (13) (a) for an access licence if the Minister is satisfied that the reduced volume is satisfactory to meet the relevant purpose referred to in that subclause.

Note. The method by which the Minister can reduce the maximum daily volume limit is by amending the mandatory conditions of the relevant water supply work approval. Under section 102 (3) of the Act, the mandatory conditions of an approval may be imposed, amended, revoked or suspended by the Minister whenever it is necessary to do so in order to enable compliance with or to give effect to a relevant management plan.

44 Total daily extraction limits

At the commencement of this Plan, there are no total daily extraction limits (hereafter *TDELs*) established for access licences in these water sources.

Notes.

- 1 TDELs are an assessment tool only and will be used by the Department to determine which access licences (if any) may require individual daily extraction limits. Where TDELs have been established, continued exceedance of a TDEL may result in the imposition of individual daily extraction limits under clause 45.
 - 2 **Total daily extraction limit** is defined in the Dictionary.
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45 Individual daily extraction limits

- (1) At the commencement of this Plan, there are no individual daily extraction limits (hereafter *IDELs*) established for access licences in these water sources.
- (2) If the Minister is satisfied that an assessment of daily extraction under access licences for which a TDEL is established under clause 44 indicates that extraction under the access licences exceeds the TDEL, the Minister may amend the extraction component of an access licence under section 68A of the Act to impose an IDEL on any one or more of those access licences.

Note. *Individual daily extraction limit* is defined in the Dictionary.

Part 9 Rules for water supply work approvals

Notes.

- 1 This Part is made in accordance with sections 5, 21 and 95 of the Act.
- 2 Part 12 of this Plan allows for amendments to be made to this Part.

Division 1 Rules applying to the granting or amending of water supply work approvals for water supply works that take surface water

46 General

The rules in this Division apply to water supply work approvals for water supply works authorised to take water from the Gwydir Unregulated River Water Sources.

Note. The rules in this Division apply to all water supply works except those water supply works that may be used to take water from these alluvial sediments.

47 Granting or amending water supply work approvals

- (1) If the sum of the share components of access licences nominating a water supply work that is a runoff harvesting dam or an in-river dam is reduced via:
 - (a) a dealing,
 - (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,

the Minister may require the modification or removal of the dam to ensure that the capability of the dam to capture water is reduced to reflect that reduction in share components.

Notes.

- 1 Water supply work approvals may be granted or amended for in-river dams on third or
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higher order streams within all water sources and management zones to which this Plan applies, consistent with NSW Weirs Policy, the principles of the Act, the *Fisheries Management Act 1994* and any other relevant legislation.

- 2 The method by which the Minister can require the modification of the dam is by amending the mandatory conditions of the relevant water supply work approval. Under section 102 (3) of the Act, the mandatory conditions of an approval may be imposed, amended, revoked or suspended by the Minister whenever it is necessary to do so in order to enable compliance with or to give effect to a relevant management plan.
- (2) A water supply work approval must not be granted or amended to authorise the construction and/or use of a water supply work, which in the Minister's opinion, is being used or is proposed to be used to take water from a significant identified lagoon or wetland specified in Schedule 4 or from an upland wetlands of the drainage divide of the New England Tablelands Bioregion endangered ecological community as specified in Schedule 5.

Note. The mandatory conditions provisions of this Plan require water supply works that are abandoned or replaced to be decommissioned (unless otherwise directed by the Minister) and that the Minister is notified within two months of decommissioning. See clause 65 (1) (c) and (d) of this Plan.

- (3) Subclause (2) does not apply to a replacement surface water supply work.
- (4) For the purposes of this Plan, ***replacement surface water supply work*** means a water supply work that replaces an existing water supply work constructed and used for the purpose of taking water from a significant identified lagoon or wetland specified in Schedule 4 or from an upland wetlands of the drainage divide of the New England Tablelands Bioregion endangered ecological community as specified in Schedule 5 where:
- (a) the existing water supply work is authorised by a water supply work approval under the Act, and
- (b) the replacement surface water supply work is to be constructed to extract water from the same water source and the same location as the existing water supply work.

Division 2 Rules applying to the granting or amending of water supply work approvals for water supply works that take groundwater

48 General

- (1) The rules in this Division apply to water supply work approvals for water supply

works that are authorised to take water from the Upper Gwydir Alluvial Groundwater Source.

- (2) In this Division, a reference to a water supply work is limited to a water supply work that is authorised to take water from the Upper Gwydir Alluvial Groundwater Source.

49 Rules to minimise interference between water supply works

- (1) A water supply work approval must not be granted or amended to authorise the construction of a water supply work which, in the Minister's opinion, is or is proposed to be located within:
- (a) 200 metres of a water supply work located on another landholding that is authorised to take water from the same water source and is nominated by another access licence,
 - (b) 200 metres of a water supply work located on another landholding that is authorised to take water from the same water source pursuant to basic landholder rights only,
 - (c) 100 metres from the boundary of the landholding on which the water supply work is located, unless the owner of the landholding adjoining the boundary has provided consent in writing,
 - (d) 500 metres of a water supply work that is authorised to take water from the same water source and is nominated by a local water utility access licence or a major utility access licence, unless the licence holder has provided consent in writing, or
 - (e) 100 metres of a Department observation or monitoring bore, unless the Minister has provided consent in writing.
- (2) The distance restrictions specified in subclause (1) do not apply in relation to the grant or amendment of a water supply work approval if the Minister is satisfied that:
- (a) the water supply work is solely for basic landholder rights,
 - (b) the water supply work is a replacement groundwater work,

- (c) the water supply work is for the purpose of monitoring, environmental management or remedial works, or
 - (d) the location of the water supply work at a lesser distance would result in no more than minimal impact on existing extractions within these water sources.
- (3) For the purpose of subclause (2) (d), the Minister may require the applicant to submit a hydrogeological study to demonstrate to the Minister's satisfaction that the location of the water supply work at a lesser distance will result in no more than minimal harm on existing extractions within these water sources.
- (4) The Minister may require the modification of a water supply authorised under subclause (2) (d) to minimise the impact of the water supply work on existing water levels or extraction, if the Minister is satisfied at a later time that the location of the water supply work is causing more than minimal impact on existing water levels or extraction.

50 Rules for water supply works located near contamination sources

- (1) A water supply work approval must not be granted or amended to authorise the construction of a water supply work which, in the Minister's opinion, is or is proposed to be located:
- (a) within 250 metres of the plume associated with a contamination source listed in Schedule 6, or
 - (b) between 250 metres and 500 metres of the plume associated with a contamination source listed in Schedule 6, unless the Minister is satisfied that no drawdown of water will occur within 250 metres of that plume.

Note. *Drawdown* is defined in the Dictionary.

- (2) In addition to subclause (1), a water supply work approval must not be granted or amended to authorise the construction of a water supply work which, in the Minister's opinion, is or is proposed to be located at a distance from a plume associated with a contamination source listed in Schedule 6 that is likely to be insufficient to protect the water source or public health and safety.
- (3) The distance restrictions specified in subclause (1) do not apply in relation to the grant
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or amendment of a water supply work approval if the Minister is satisfied that:

- (a) the proposed distance is adequate to protect the water source, the environment or public health and safety, or
 - (b) the water supply work is for the purpose of monitoring, environmental management or remedial works.
- (4) For the purpose of subclause (3) (a), the Minister may require the applicant to submit a hydrogeological study to demonstrate to the Minister's satisfaction that the location of the water supply work at a lesser distance would result in no greater impact on the water source, the environment or public health and safety.

51 Rules for water supply works located near groundwater dependent ecosystems

- (1) A water supply work approval must not be granted or amended to authorise the construction of a water supply work which, in the Minister's opinion, is or is proposed to be located:
- (a) within 100 metres of a high priority groundwater dependent ecosystem listed in Schedule 7 in the case of a water supply work that will be authorised to take water pursuant to basic landholder rights only,
 - (b) within 200 metres of a high priority groundwater dependent ecosystem listed in Schedule 7 in the case of a water supply work that will be nominated by an access licence, or
 - (c) within 40 metres of the top of the high bank of a river.
- (2) In addition to subclause (1), a water supply work approval must not be granted or amended to authorise the construction of a water supply work which, in the Minister's opinion, is or is proposed to be located at a distance from a high priority groundwater dependent ecosystem listed in Schedule 7 if the construction and use of the water supply work at that distance is likely to cause more than minimal drawdown of that high priority groundwater dependent ecosystem. This paragraph does not apply to water supply works that will be authorised to take water pursuant to basic landholder rights only.
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- (3) The distance restrictions specified in subclauses (1) (a) and (b) do not apply in relation to the granting or amendment of a water supply work approval if the Minister is satisfied that no more than minimal drawdown of water will occur at the perimeter of any high priority groundwater dependent ecosystem listed in Schedule 7.
- (4) The distance restrictions specified in subclause (1) do not apply in relation to the granting or amendment of a water supply work approval if the Minister is satisfied that:
 - (a) the water supply work is for the purpose of monitoring, environmental management or remedial works,
 - (b) the water supply work replaces an existing authorised water supply work that is part of a bore network for a major utility or a local water utility for the purpose of town water supply,
 - (c) the water supply work is a replacement groundwater work, or
 - (d) the location of the water supply work at a lesser distance would result in no greater impact on these water sources and their groundwater dependent ecosystems.
- (5) The Minister may require the applicant to submit a hydrogeological study to demonstrate to the Minister's satisfaction that:
 - (a) for the purpose of subclause (3), no more than minimal drawdown of water will occur at the perimeter of any high priority groundwater dependent ecosystem listed in Schedule 7, or
 - (b) for the purpose of subclause (4) (d), the location of the water supply work at a lesser distance will result in no greater impact on these water sources and their groundwater dependent ecosystems.

52 Rules for water supply works located near groundwater dependent culturally significant sites

- (1) A water supply work approval must not be granted or amended to authorise the construction of a water supply work which, in the Minister's opinion, is or is proposed
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to be located within:

- (a) 100 metres of a groundwater dependent culturally significant site, in the case of a water supply work that will be authorised to take water pursuant to basic landholder rights only, or
 - (b) 200 metres of a groundwater dependent culturally significant site, in the case of a water supply work that will be nominated by an access licence.
- (2) The distance restrictions specified in subclause (1) do not apply in relation to the granting or amendment of a water supply work approval if the Minister is satisfied that:
- (a) the water supply work is for the purpose of monitoring, environmental management or remedial works,
 - (b) the water supply work replaces an existing authorised water supply work that is part of a bore network for a major utility or a local water utility for the purpose of town water supply,
 - (c) the water supply work is a replacement groundwater work, or
 - (d) the location of the water supply work at a lesser distance will result in no more than minimal impact on these water sources and their groundwater dependent culturally significant sites.
- (3) For the purpose of subclause (2) (d), the Minister may require the applicant to submit a hydrogeological study to demonstrate to the Minister's satisfaction that the location of the water supply work at a lesser distance will result in no more than minimal impact on these water sources and their groundwater dependent culturally significant sites.

53 Replacement groundwater works

- (1) For the purpose of this Plan, *replacement groundwater work* means a water supply work that replaces an existing water supply work constructed and used for the purpose of taking water from the Upper Gwydir Alluvial Groundwater Source where:
- (a) the existing water supply work is the subject of a water supply work approval
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under the Act,

- (b) the replacement groundwater work is to be constructed to extract water from the same water source as the existing water supply work,
- (c) the replacement groundwater work is to be constructed to extract water from:
 - (i) the same depth as the existing water supply work, or
 - (ii) a different depth specified by the Minister if the Minister is satisfied that doing so will result in no greater impact on a water source or its dependent ecosystems,
- (d) the replacement groundwater work is to be located:
 - (i) within 20 metres of the existing water supply work, or
 - (ii) more than 20 metres from the existing water supply work if the Minister is satisfied that doing so will result in no greater impact on a water source or its dependent ecosystems,
- (e) if the existing water supply work is located within 40 metres of the high bank of a river, the replacement groundwater work is to be located:
 - (i) more than 20 metres from the existing water supply work but no closer to the high bank of the river, or
 - (ii) a distance greater than 20 metres of the existing water supply work but no closer to the high bank of the river if the Minister is satisfied that doing so will result in no greater impact on a water source or its dependent ecosystems, and
- (f) the replacement groundwater work must not have a greater internal diameter or excavation footprint than the existing water supply work, except where the internal diameter of the casing of the existing water supply work is no longer manufactured, in which case the internal diameter of the replacement groundwater work is to be no greater than 110% of the internal diameter of the existing water supply work it replaces. For the purposes of this paragraph, *internal diameter* means the diameter of the inside of the casing of the water

supply work which is a water bore and *excavation footprint* means the authorised dimensions of a water supply work which is an unlined excavation constructed for the purposes of water supply only.

- (2) For the purpose of subclause (1) (c) (ii), the Minister may require that the applicant submit a hydrogeological study to demonstrate to the Minister's satisfaction that the construction of the water supply work at a different depth to the existing water supply work will result in no greater impact on a water source or its dependent ecosystems.
- (3) For the purpose of subclauses (1) (d) (ii) or (e) (ii), the Minister may require that the applicant submit a hydrogeological study to demonstrate to the Minister's satisfaction that the location of the water supply work at a greater distance than 20 metres from the existing water supply work will result in no greater impact on a water source or its dependent ecosystems.

Note. The Minister may amend an approval on the application of the holder of the approval, under section 107 of the Act. The operation of section 107 (3) of the Act may further restrict the replacement of an existing water supply work.

Division 3 Rules for the use of water supply works used to take groundwater

54 Rules for the use of water supply works located within restricted distances

- (1) The rules in this clause apply to water supply work approvals for water supply works that are authorised to take water from the Upper Gwydir Alluvial Groundwater Source.
 - (2) Subject to subclauses (3) and (4), a water supply work that is located within a restricted distance specified in clauses 49–52 must not, in any water year, be used to take more water than the volume of water that is equal to the sum of the share components of the access licences nominating that water supply work at the commencement of this Plan.
 - (3) Subject to subclause (4), a water supply work that becomes located within a restricted distance specified in clauses 49–52, as a result of an amendment to this Plan, must not, in any water year, be used to take more water than the volume of water that is equal to the sum of the share components of the access licences nominating that water supply work at the date of the amendment.
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Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (4) Subclauses (2) and (3) do not apply:
 - (a) where a restricted distance does not apply in accordance with clauses 49 (2) (a) (c) and (d), 50 (3), 51 (3), 51 (4) (a), (b) and (d) and 52 (2) (a), (b) and (d), or
 - (b) to the taking of water pursuant to basic landholder rights.
- (5) The Minister may specify a daily rate or annual volumetric limit for water taken by a water supply work that is located within a restricted distance specified in clauses 49–52 pursuant to clauses 49 (2) (d), 50 (3) (a), 51 (3), 51 (4) (d) or 52 (2) (d).
- (6) The daily rate or annual volumetric limit specified under subclause (5) will be as determined by the Minister to meet the relevant criteria specified in clauses 49 (2) (d), 50 (3) (a), 51 (3), 51 (4) (d) or 52 (2) (d).

Part 10 Access licence dealing rules

Note. Part 12 of this Plan allows for amendments to be made to this Part.

55 General

- (1) The access licence dealing rules established in this Part apply to all access licence dealings in these water sources.
- (2) This Plan establishes the following trading zones located in the following water sources:
 - (a) Upper Gwydir River Water Source:
 - (i) Gwydir River Trading Zone, and
 - (ii) Upper Gwydir River Trading Zone,
 - (b) Moredun Creek Water Source:
 - (i) Gwydir River Trading Zone, and
 - (ii) Moredun Creek and Tributaries Trading Zone,
 - (c) Copeton Dam Water Source:
 - (i) Gwydir River and Copes Creek Trading Zone, and
 - (ii) Copeton Tributaries Trading Zone, and
 - (d) Mehi River Water Source:
 - (i) Mallowa Creek Trading Zone, and
 - (ii) Mehi River Tributaries Trading Zone.

Note. *Trading zone* is defined in the Dictionary.

- (3) The trading zones in subclause (2) are shown on the maps in Schedule 8 of this Plan.

Notes.

- 1 Access licence dealings in these water sources are subject to the provisions of the Act, the regulations, the access licence dealing principles and the access licence dealing rules established in this Part.
- 2 The access licence dealing principles prevail over the access licence dealing rules in this Plan to the extent of any inconsistency, as provided under section 71Z (3) of the Act.

56 Conversion of access licence to new category

Dealings under section 71O of the Act are prohibited.

57 Assignment of rights dealings (within water sources)

- (1) Dealings under section 71Q of the Act are prohibited if the dealing involves an assignment of rights:
 - (a) from an access licence that does not nominate a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5 to an access licence that nominates a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5,
 - (b) from an access licence that nominates a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5 to an access licence that nominates a water supply work being used to take water from another pool, lagoon or lake listed in Schedule 4 or 5,
 - (c) from an access licence that nominates a water supply work located in the Gwydir River Trading Zone in the Upper Gwydir River Water Source to an access licence that nominates a water supply work in the Upper Gwydir River Trading Zone in the Upper Gwydir River Water Source,
 - (d) from an access licence that nominates a water supply work located in a trading zone in the Moredun Creek Water Source to an access licence that nominates a water supply work located in another trading zone in the Moredun Creek Water Source,
 - (e) from an access licence that nominates a water supply work located in a trading zone in the Copeton Dam Water Source to an access licence that nominates a water supply work located in another trading zone in the Copeton Dam Water Source,

- (f) from an access licence that nominates a water supply work located in a trading zone in the Mehi River Water Source to an access licence that nominates a water supply work located in another trading zone in the Mehi River Water Source, or
- (g) between access licences with share components that specify one of the following water sources:
 - (i) Slaughterhouse Creek Water Source, or
 - (ii) Carole Creek Water Source.

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

Dealings under section 71R of the Act are prohibited in these water sources.

59 Amendment of extraction component dealings

Dealings under section 71S of the Act are prohibited if the dealing is between access licences with share components that specify one of the following water sources:

- (a) Slaughterhouse Creek Water Source, or
- (b) Carole Creek Water Source.

60 Assignment of water allocations dealings

- (1) Dealings under section 71T of the Act within the same water source are prohibited in these water sources if the dealing involves an assignment of water allocation:
 - (a) from an access licence that does not nominate a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5 to an access licence that nominates a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5,
 - (b) from an access licence that nominates a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5 to an access licence that nominates a water supply work located on another pool, lagoon or lake listed in Schedule 4 or 5,

- (c) from an access licence that nominates a water supply work located in the Gwydir River Trading Zone in the Upper Gwydir River Water Source to an access licence that nominates a water supply work located in the Upper Gwydir River Trading Zone in the Upper Gwydir River Water Source,
 - (d) from an access licence that nominates a water supply work located in a trading zone in Moredun Creek Water Source to an access licence that nominates a water supply work located in another trading zone in the Moredun Creek Water Source,
 - (e) from an access licence that nominates a water supply work located in a trading zone in the Copeton Dam Water Source to an access licence that nominates a water supply work located in another trading zone in the Copeton Dam Water Source,
 - (f) from an access licence that nominates a water supply work located in a trading zone in the Mehi River Water Source to an access licence that nominates a water supply work located in another trading zone in the Mehi River Water Source,
 - (g) between access licences with share components that specify one of the following water sources:
 - (i) Slaughterhouse Creek Water Source, or
 - (ii) Carole Creek Water Source.
- (2) Dealings under section 71T of the Act between different water sources are prohibited in these water sources.

61 Interstate transfer of access licences and assignment of water allocation

- (1) Dealings under section 71U of the Act involving the interstate transfer of an access licence to or from these water sources are prohibited.
- (2) Dealings under section 71V of the Act involving the interstate assignment of water allocations to or from access licences in these water sources are prohibited.

62 Nomination of water supply works dealings

- (1) Dealings under section 71W of the Act are prohibited if the dealing involves:
 - (a) an access licence being amended to nominate a water supply work located in a different management zone than that specified in the extraction component of the access licence,
 - (b) an access licence that does not nominate a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5 being amended to nominate a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5,
 - (c) an access licence that nominates a water supply work being used to take water from a pool, lagoon or lake listed in Schedule 4 or 5 being amended to nominate a water supply work being used to take water from another pool, lagoon or lake listed in Schedule 4 or 5,
 - (d) an access licence that nominates a water supply work located in the Gwydir River Trading Zone in the Upper Gwydir Water Source being amended to nominate a water supply work located in the Upper Gwydir River Trading Zone in the Upper Gwydir Water Source,
 - (e) an access licence that nominates a water supply work located in a trading zone in the Moredun Creek Water Source being amended to nominate a water supply work located in another trading zone in the Moredun Creek Water Source,
 - (f) an access licence that nominates a water supply work located in a trading zone in the Copeton Dam Water Source being amended to nominate a water supply work located in another trading zone in the Copeton Dam Water Source,
 - (g) an access licence that nominates a water supply work located in a trading zone in the Mehi River Water Source being amended to nominate a water supply work located in another trading zone in the Mehi River Water Source,
 - (h) an access licence being amended to nominate a water supply work located in one of the following water sources:
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Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (i) Slaughterhouse Creek Water Source, or
 - (ii) Carole Creek Water Source.
- (2) Dealings under section 71W of the Act that involve the interstate nomination of water supply works by access licences in these water sources are prohibited.
- (3) Dealings under section 71W of the Act that involve the nomination of water supply works by interstate access licences in these water sources are prohibited.

Part 11 Mandatory conditions

Note. Part 12 of this Plan allows for amendments to be made to this Part.

Division 1 General

63 General

In this Part:

- (a) a requirement to notify the Minister in writing will be satisfied by making a notification in writing to the address listed in Appendix 5 of this Plan or to the email address for the Department's Licensing Enquiries Information Centre,

Note. At the commencement of this Plan, the email address for the Department's Licensing Enquiries Information Centre is information@water.nsw.gov.au.

- (b) a *metered water supply work with a data logger* means a water supply work with a data logger and a meter that complies with the *Australian Technical Specification: ATS 4747, Meters for non-urban water supply* as may be updated or replaced from time to time, and

Note. The definition of metered water supply work with a data logger does not include all water supply works that are metered or that have a data logger. The water supply work must meet the parameters of this definition for the water supply work to be a metered water supply work with a data logger.

- (c) if the holder of a water supply work approval is the same as the holder of the access licence under which water is proposed to be taken, then it is not necessary to maintain two separate Logbooks and all the required information can be kept in one Logbook.

Note. *Logbook* is defined in the Dictionary.

Division 2 Access licences

Note. This Division is made in accordance with sections 17 (c), 20 and 66 of the Act.

64 General

- (1) Access licences in these water sources must have mandatory conditions where required to give effect to the following:
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Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (a) the relevant water allocation account management rules specified in Division 1 of Part 8 of this Plan,
 - (b) water must not be taken under an access licence otherwise than in compliance with the conditions applying to the water supply work approval for the water supply work through which water is to be taken,
 - (c) the holder of the access licence must notify the Minister, in writing, immediately upon becoming aware of a breach of any condition of the access licence, and
 - (d) any other condition required to implement the provisions of this Plan.
- (2) Access licences in these water sources, excluding access licences that nominate only metered water supply works with a data logger, must have mandatory conditions where required to give effect to the following:
- (a) the holder of the access licence must keep a Logbook,
 - (b) the holder of the access licence must record the following in the Logbook:
 - (i) each date and period of time during which water was taken under the access licence,
 - (ii) the volume of water taken on that date,
 - (iii) the water supply work approval number of the water supply work used to take the water on that date,
 - (iv) the purpose or purposes for which the water was taken on that date,
 - (v) for domestic and stock access licences, local water utility access licences and unregulated river access licences with share components that specify one of the Gwydir Unregulated River Water Sources, the volume of water taken in the first three water years in which this Plan has effect, by comparison to the volume of water permitted to be taken in those years under clause 39 (2),
 - (vi) for domestic and stock access licences, local water utility access licences
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and unregulated river access licences with share components that specify one of the Gwydir Unregulated River 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 39 (3),

- (vii) for domestic and stock access licences, local water utility access licences and aquifer (high security) access licences with share components that specify the Upper Gwydir Alluvial Groundwater Source, the volume of water taken in a water year in which this Plan has effect, by comparison to the volume of water permitted to be taken in that water year under clause 40 (2), and
 - (viii) any other information required to be recorded in the Logbook, under the rules of this Plan,
- (c) the holder of the access licence must produce the Logbook to an officer of the Department for inspection, when requested, and
 - (d) the holder of the access licence must retain the information required to be recorded in the Logbook for 5 years from the date to which that information relates.
- (3) The Minister may require the holder of the access licence that nominates only a metered water supply work with a data logger to keep a Logbook in accordance with any requirements from subclause (2).
- (4) An access licence for a development approved under Part 3A, Part 4 if the development was for state significant development or Part 5.1 of the *Environmental Planning and Assessment Act 1979* must have mandatory conditions where required to give effect to:
- (a) the relevant access rules for the taking of water specified in Division 2 of Part 8 of this Plan, and
 - (b) the rules for the use of water supply works located within restricted distances specified in clause 54.
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Division 3 Water supply work approvals

Note. This Division is made in accordance with sections 17 (c) and 100 of the Act.

65 General

(1) Water supply work approvals for water supply works in these water sources must have mandatory conditions where required to give effect to the following:

- (a) the water supply work must not be used to take water under an access licence unless in compliance with the relevant access rules for the taking of water as specified in Division 2 of Part 8 of this Plan,
- (b) when directed by the Minister by notice in writing, the approval holder must have metering equipment installed that meets the following requirements:
 - (i) the metering equipment must accurately measure and record the flow of all water taken through the water supply work,
 - (ii) the metering equipment must comply with the *Australian Technical Specification, ATS 4747 Meters for non-urban water supply*, as may be updated or replaced from time to time,
 - (iii) the metering equipment must be operated and maintained in a proper and efficient manner at all times,
 - (iv) the metering equipment must be sited and installed at a place in the pipe, channel or conduit between the water source and the first discharge outlet. There must be no flow of water into or out of the pipe, channel or conduit between water source and metering equipment, and
 - (v) any other requirements as to type, standard or other criteria for the metering equipment specified in the notice,

Note. The Minister may also direct a landholder or person to install, replace or properly maintain metering equipment under section 326 of the Act.

- (c) the approval holder must ensure that if the water supply work is abandoned or replaced that it is decommissioned in accordance with any direction from the Minister. The Minister may direct that any such water supply work need not be
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- decommissioned,
- (d) within two months of the decommissioning of the water supply work, the approval holder must notify the Minister in writing that the water supply work has been decommissioned, and
 - (e) the holder of the water supply work approval must notify the Minister, in writing, immediately upon becoming aware of a breach of any condition of the approval, and
 - (f) any other conditions required to implement the provisions of this Plan.
- (2) Water supply work approvals for water supply works in these water sources, excluding a water supply work that is a metered water supply work with a data logger, must have mandatory conditions where required to give effect to the following:
- (a) the holder of a water supply work approval must keep a Logbook,
 - (b) the holder of a water supply work approval must record the following in the Logbook:
 - (i) each date and period of time during which water was taken using the water supply work,
 - (ii) the volume of water taken on that date,
 - (iii) the number of the access licence under which water was taken on that date or if water was taken under some other authority (such as basic landholder rights), the authority under which water was taken,
 - (iv) the purpose or purposes for which the water was taken on that date,
 - (v) details of any cropping carried out using the water taken through the water supply work including the type of crop, area cropped and dates of planting and harvesting,
 - (vi) where metering equipment has been installed for use in connection with the water supply work, the meter reading before water is taken,

- (vii) where metering equipment has not been installed for use in connection with the water supply work, details of all pumping activities for the water supply work including pump running hours, pump power usage or pump fuel usage, pump start and stop times and pump capacity per unit of time, and
 - (viii) any other information required to be recorded in the Logbook under the rules of this Plan,
 - (c) the holder of a water supply work approval must produce the Logbook to the Minister for inspection when requested, and
 - (d) the holder of a water supply work approval must retain the information required to be recorded in the Logbook for five years from the date to which that information relates.
- (3) The Minister may require the holder of a water supply work approval for a metered water supply work with a data logger to keep a Logbook in accordance with any requirements under subclause (2).
- (4) All water supply work approvals must contain mandatory conditions to require that the water supply work must not be used to take water unless, before water is taken, the holder of the water supply work approval confirms that the relevant cease to take conditions do not apply. Where the holder is required to keep a Logbook, the holder must record that confirmation, and the means of confirmation (such as visual inspection or internet search), in the Logbook.
- (5) Water supply work approvals for runoff harvesting dams and in-river dams must have a mandatory condition where required to give effect to clause 47 (1).
- (6) A water supply work approval for a replacement surface water supply work must have mandatory conditions where required to give effect to the requirements for a replacement surface water supply work specified in or specified by the Minister in accordance with clause 47 (4).

66 Water supply works authorised to take water from the Upper Gwydir Alluvial Groundwater Source

- (1) This clause applies to all water supply work approvals for water supply works that are authorised to take water from the Upper Gwydir Alluvial Groundwater Source.
- (2) Water supply work approvals to which this clause applies must have mandatory conditions where required to give effect to the following:
 - (a) the rules for limiting the taking of water within the restricted distances as specified in clause 54,
 - (b) the approval holder must ensure the water supply work is constructed so as to be:
 - (i) screened in the groundwater source specified in the share components of the access licence that nominates the water supply work, and
 - (ii) sealed off from all other water sources,
 - (c) the construction of a new water supply work must:
 - (i) comply with the restricted distances specified in or specified by the Minister in accordance with in clauses 49–52,
 - (ii) comply with the construction standards for that type of bore prescribed in the *Minimum Construction Requirements for Water Bores in Australia*, 2003, as may be updated or replaced from time to time, unless otherwise directed by the Minister in writing,
Note. *Minimum Construction Requirements for Water Bores in Australia* is defined in the Dictionary.
 - (iii) be constructed appropriately so as to prevent contamination between the aquifers, and
 - (iv) be constructed to prevent the flow of saline water between aquifers as directed by the Minister in writing,
- (d) the approval holder must ensure that if the water supply work is abandoned or

replaced, it is decommissioned in compliance with the “minimum requirements for decommissioning bores” prescribed in the *Minimum Construction Requirements for Water Bores in Australia*, 2003, as updated or replaced from time to time, unless otherwise directed by the Minister in writing,

- (e) within two months of the decommissioning of the water supply work, the approval holder must notify the Minister in writing that the water supply work has been decommissioned,
 - (f) the approval holder must, within two months of completion of the construction of the water supply work, or within two months after the issue of the approval if the water supply work is existing, submit the details of the water supply work to the Department in a form approved by the Minister,
 - (g) if, during the construction of the water supply work, contaminated water is encountered above the production aquifer, the approval holder must:
 - (i) notify the Minister within 48 hours of becoming aware of the contaminated water,
 - (ii) take all reasonable steps to minimise contamination and environmental harm,
 - (iii) ensure that such water is sealed off by inserting casing to a depth sufficient to exclude the contaminated water from the water supply work and, if specified by the Minister, place an impermeable seal between the casing(s) and the walls of the water supply work from the bottom of the casing to ground level as specified by the Minister, and
 - (iv) if the Minister has specified any other requirements, comply with any requirements specified by the Minister in writing,
 - (h) when directed by the Minister by notice in writing, the approval holder must provide a report in the form specified in the notice detailing the quality of any water obtained using the water supply work,
 - (i) the water supply work approval will lapse if the construction of the water supply work is not completed within three years of the issue of the water supply
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- work approval,
- (j) construction of the work must not occur after three years from the approval being granted, and
 - (k) any other conditions required to implement the provisions of this Plan.
- (3) A water supply work approval granted in circumstances where clause 49 (2) (d) applies, must have a mandatory condition where required to give effect to clause 50 (4).
- (4) A water supply work approval for a replacement groundwater work must have mandatory conditions where required to give effect to the requirements for a replacement groundwater work specified in or specified by the Minister in accordance with clause 53.

Part 12 Amendment of this Plan

67 General

- (1) Amendments specified throughout this Plan and in this Part, are amendments authorised by this Plan.
- (2) Amendments authorised by this Plan are taken to include any consequential amendments required to be made to this Plan to give effect to that particular amendment.

Note. For example, if Part 1 is amended to add a new management zone, this may require amendments to other parts of this Plan to include rules for that management zone.

- (3) An amendment authorised by this Plan which results in a variation of the bulk access regime is an amendment authorised by this Plan for the purposes of sections 87 (2) (c) and 87AA of the Act.

68 Part 1

Part 1 may be amended to do any of the following:

- (a) apply this Plan to new or additional water sources or water management areas (including part thereof) or to modify (including to amend the boundaries) or remove an existing water source or water management area (including part thereof) from this Plan,
- (b) add, remove or modify a management zone, including the water sources to which a management zone applies and the boundaries of such a zone,
- (c) add, remove or modify an extraction management unit, including the water sources to which an extraction management unit applies, and
- (d) amend the Registered Map.

69 Part 4

Part 4 may be amended to vary the amount of recharge reserved as planned environmental water as a result of recharge studies undertaken or assessed as adequate

by the Minister.

70 Part 6

Part 6 may be amended after year five of this plan to:

- (a) increase the period over which the average of the annual extractions is compared to the long-term average annual extraction limit for an extraction management unit, or
- (b) increase the percentage by which the average of the annual extractions can exceed the long-term average annual extraction limit before available water determinations are to be reduced to return average annual extractions below the long-term average annual extraction limit for an extraction management unit,

taking into account any review undertaken or assessed as adequate by the Department that demonstrates that the existing long-term average annual extraction limit compliance rules are being triggered, or are likely to be triggered, where no growth in use has occurred.

71 Part 8

Part 8 of this Plan may be amended to do any of the following:

- (a) after year five of this Plan, clause 39 may be amended to specify different individual account management rules, taking into account the results of any review of the rules undertaken or assessed as adequate by the Department including in relation to the variability of the unregulated system flows, usage data and any other relevant information, provided that before making an amendment pursuant to this paragraph, the Minister should consult with relevant stakeholders,
- (b) establish a new flow class or flow classes in any water source where management zones are added or in any water source or management zone that is amended, during the term of this Plan as specified in clause 68,
- (c) amend clause 43 to extend the exemption to the cease to take conditions for stock watering purposes specified in clause 43 (13) (c) beyond year five of this

Plan or modify the volume of water permitted to be taken for stock watering purposes after year five of this Plan,

- (d) establish or assign TDELs in these water sources or management zones following the imposition of an adaptive environmental water condition on an access licence that requires the water to be left in the water source or management zone for environmental purposes,
- (e) establish or assign TDELs in these water sources or management zones to protect a proportion of flow within each flow class for the environment,
- (f) amend or remove TDELs if TDELs have been established or assigned,
- (g) include rules for the establishment, assignment and removal of IDELs,
- (h) remove the existing access rules where TDELs and/or IDELs have been established under paragraphs (e) and/or (g) to protect a proportion of flow within each flow class for the environment, or
- (i) reinstate access rules that applied at the commencement of this Plan, where TDELs and IDELs have been removed under paragraphs (f) and (g).

72 Part 9

Part 9 may be amended to do any of the following:

- (a) amend clause 47 to specify water sources or management zones where water supply work approvals must not be granted or amended to authorise an in-river dam on a third or higher order stream,
- (b) amend the definition of a replacement surface water supply work in clause 47 (4),
- (c) add, remove or modify a restricted distance specified in:
 - (i) clause 49 after year five of this Plan, or
 - (ii) clause 51 based on the outcomes of further studies of groundwater dependent ecosystems that are to the Minister's satisfaction,

- (d) amend the definition of a replacement groundwater work in clause 53 (1), or
- (e) amend clause 54 to impose further restrictions on the rate and timing of extraction of water to mitigate impacts.

73 Part 10

After year two of this Plan, Part 10 may be amended to specify different dealing rules, taking into account any review that may be conducted or assessed as adequate by the Department including in relation to:

- (a) the impact of alternate dealing rules on hydrological stress over a range of flows, in-stream values, stream health and Aboriginal cultural assets,
- (b) the identification of water sources where dealing limits for trade are needed,
- (c) the identification of water sources which have hydrological connectivity and where dealing limits are not needed, and
- (d) the types of trade that may be made available between certain water sources.

74 Part 11

Part 11 may be amended to do any of the following:

- (a) amend the rules in relation to record keeping including amendments in relation to requirements for Logbooks, or
- (b) amend clauses 65 or 66 to specify different standards for decommissioning water supply works or construction requirements for water supply works.

75 Dictionary

The Dictionary may be amended to add, modify or remove a definition.

76 Schedules

- (1) Schedule 1 may be amended to remove or add sections of watercourses that are to be excluded from this Plan.

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

- (2) Schedule 2 may be amended to add or remove a *Water Act 1912* entitlement or access licence from Column 1 and the associated access condition in Column 2 and water source in Column 3 of Schedule 3.
- (3) Schedule 3 may be amended to do any of the following:
- (a) add a new access licence to clause 1 of Schedule 3, provided that a written request has been made to the Minister and the Minister is satisfied that extraction under the access licence is for a purpose listed in clause 43 (13) (a) and that purpose was specified on, or referred to in the conditions of, the *Water Act 1912* entitlement that was replaced by the access licence or referred to in its conditions,
 - (b) add a local water utility access licence or an unregulated river (subcategory “town water supply”) access licence to clause 2 of Schedule 3, provided the Minister is satisfied that the water supply system used to take, store and deliver water has not undergone major augmentation since the commencement of this Plan,
 - (c) remove an access licence or a *Water Act 1912* entitlement from Schedule 3 if:
 - (i) an access licence dealing results in water being taken under the access licence from a different location,
 - (ii) an alternative water supply is obtained,
 - (iii) the access licence is surrendered or cancelled, or
 - (d) remove a local water utility access licence or an access licence of the subcategory “town water supply” or a *Water Act 1912* entitlement from clause 2 of Schedule 3 if:
 - (a) the Minister is satisfied that the water supply system used to extract, store and deliver water has undergone major augmentation since the commencement of this Plan, or
 - (b) the access licence is cancelled or surrendered.
- (4) Schedule 3 or part thereof may be deleted if the Minister is satisfied that it is no longer
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required.

- (5) Schedules 4 and 5 may be amended to add or remove a pool, wetland, lagoon or lake.
- (6) Schedule 6 may be amended to add or remove a contamination source.
- (7) Schedule 7 may be amended to add or remove:
 - (a) a high priority groundwater dependent ecosystem, or
 - (b) a high priority karst groundwater dependent ecosystem.
- (8) Schedule 8 may be amended to add, remove or modify a trading zone, including the water sources to which a trading zone applies and the boundaries of such a zone.

77 Other

- (1) This Plan may be amended to include rules for the following:
 - (a) managed aquifer recharge,

Note. Managed aquifer recharge schemes involve taking water such as recycled water or urban stormwater, treating it and then storing it in underground aquifers under controlled conditions. This water can be extracted at a later time.
 - (b) the management of floodplain harvesting within these water sources,
 - (c) the shepherding of water,

Note. *Shepherding* is defined in the Dictionary.
 - (d) any new category of access licence established for the purpose of urban stormwater harvesting,
 - (e) the interception of water before it reaches a stream or aquifer by plantations or other means,
 - (f) the management of salt interception schemes, or
 - (g) the management of aquifer interference activities, including the granting of aquifer interference approvals.
 - (2) Consequential amendments may be made to this Plan as a result of an amendment to
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the Act or regulations.

- (3) This Plan may be amended following the granting of a native title claim pursuant to the provisions of the *Native Title Act 1993* (Cth) to give effect to an entitlement granted under that claim.
- (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) identifying water dependent Aboriginal cultural assets,
 - (b) amending the access rules to protect water dependent Aboriginal cultural assets,
 - (c) restricting the granting and amending of water supply work approvals to protect water dependent Aboriginal cultural assets, or
 - (d) amending dealing rules to protect water dependent Aboriginal cultural assets.
- (6) Any amendment 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.

Dictionary

Note. Unless otherwise defined in this Plan, words and expressions that are defined in the Act or in regulations have the same meaning in this Plan.

Aboriginal person has the same meaning as under section 4 of the *Aboriginal Land Rights Act 1983*.

alluvial sediments means unconsolidated fluvio-lacustrine sediments.

cease to take condition means any term or condition on a water supply work approval, an access licence or *Water Act 1912* entitlement that prohibits the taking of water in a particular circumstance.

drawdown means a lowering of the level to which water will rise in cased bores.

Note. Natural drawdown may occur due to seasonal climatic changes. Groundwater pumping may also result in seasonal and long-term drawdown.

fractured rock means sedimentary, igneous and metamorphic rocks with fractures, joints, bedding planes and cavities in the rock mass that are capable of transmitting water.

full capacity means the 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.

grazeable area means, for an individual landholding, the area of pasture in hectares for a pasture type that is accessible for stock grazing and able to grow appropriate vegetation for stock grazing, but does not include impervious surfaces (such as rocks or rocky terrain, man-made structures, mines or quarries) or other such surfaces that do not support grazing vegetation, such as water bodies and forested floors with no undergrowth.

groundwater dependent ecosystem include ecosystems which have their species composition and natural ecological processes wholly or partially determined by groundwater.

high environmental value areas are national parks, nature reserves, historic sites, Aboriginal areas, state conservation areas and karst conservation areas.

individual daily extraction limit (IDEL) is the volume of water that may be extracted by an individual access licence from an unregulated river on a daily basis from a particular flow class.

in-river dam means a dam located in a river.

in-river dam pool means the area of water immediately upstream of an in-river dam where the river has pooled as a result of an in-river dam.

in-river pool means a natural pool, lagoon or lake that is within a river or stream (regardless of stream size) and excludes:

- (a) a pool that is on a flood-runner or floodplain, or
- (b) a pool that is on an effluent that only commences to flow during high flows.

Note. In the Dictionary to the Act, a **lake** is defined to include:

- (a) a wetland, a lagoon, a saltmarsh and any collection of still water, whether perennial or

intermittent and whether natural or artificial, and

- (b) any water declared by the regulations to be a lake,

whether or not it also forms part of a river or estuary, but does not include any water declared by the regulations not to be a lake.

Logbook, in relation to an access licence or water supply work approval, means a written record, kept in hard copy or electronic form, which accurately records, all information required to be kept in relation to the access licence or water supply work approval under the rules of this Plan.

management zone is an area within a water source in which rules particular to that management zone will apply, for example daily extraction limits and restrictions on dealings.

Minimum Construction Requirements for Water Bores in Australia means the document published by the National Uniform Drillers Licensing Committee entitled Minimum Construction Requirements for Water Bores in Australia, 2012, ISBN 978-0-646-56917-8, as amended or replaced from time to time.

off-river pool means a natural pool, lagoon or lake that is:

- (a) not within a river or stream (regardless of stream size),
- (b) located on a flood-runner or floodplain, or
- (c) located on an effluent that only commences to flow during high flows.

porous rock means consolidated sedimentary rock containing voids, pores or other openings (such as joints, cleats and/or fractures) which are interconnected, in the rock mass and which are capable of transmitting water.

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

recharge means the addition of water, usually by infiltration, to an aquifer.

runoff harvesting dam means a dam on a hillside or minor stream which collects and stores rainfall runoff. Minor streams are defined in harvestable rights orders made under section 54 of the Act. For the purposes of this Plan, references to runoff harvesting dams as water supply works include any associated pumps or other works which take water from the dam. For the purpose of clarity, this definition includes dams that are also used to store water diverted into the dam from a river or other source of water.

shepherding means the delivery of a calculated volume of water that was created by the non-activation/reduced extraction at a nominated licence location to a more downstream location, after consideration of losses, where it will be made available for extraction or use for the environment.

total daily extraction limit (TDEL) is the volume of water that may be extracted under access licences from an unregulated river on a daily basis from a particular flow class.

trading zone is an area within a water source established in clause 55 of this Plan and shown in Schedule 8 of this Plan to which restrictions on dealings apply.

visible flow means the continuous downstream movement of water that is perceptible to the eye.

Water Act 1912 entitlement has the same meaning as **entitlement** has in clause 2 of Schedule

10 to the Act.

 Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Schedule 1 Watercourses to which this Plan does not apply

Column 1 Watercourse	Column 2 Sections of the watercourse
Collymongle Lagoon	The section from the junction with Gnungarah Creek (SE corner of Lot 32, DP 750445) to the junction with the unregulated Gwydir River (NW corner of Lot 17, DP 750445).
Gnungarah Creek	The section from the junction with Barwon River (northern most point of Lot 61, DP 727897) to the junction with Collymongle Lagoon (SE corner of Lot 32, DP 750445).
Gwydir River	The section from the junction with Collymongle Lagoon (NW corner of Lot 17, DP 750445) to the junction with Ballone River.
Thalaba Creek	The section from the junction with Pagan Creek to the junction with the second crossing with a public road within Lot 2, DP 752231, between Ivanhoe crossing Rd and Mercadool Rd
Unnamed water source	The section within Lot 65, DP 827166 and Lot 20, DP 750445, Parish of Collymongle, County of Benarba
Unnamed water source	The section within Lots 20, 53, 54, 60, DP 752263, Parish of Pokataroo, County of Denham

Schedule 2 Access rules for unregulated river access licences subject to clause 43 (8)

General

This clause applies to each access licence which replaces a *Water Act 1912* entitlement listed in the table below.

Column 1 <i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan	Column 2 Access rule	Column 3 Water Source
90SL047595	Water must not be taken under an access licence when: <ul style="list-style-type: none"> (a) there is no visible flow in Roumalla Creek over the rock bar situated immediately downstream of the pump site on Lot 16, DP 753641, Parish of Baldwin, County of Hardinge, or (b) when there is no visible flow in Roumalla Creek over the sand bar at the confluence of Ponds Creek (known locally as Sandy Creek) on Lot 40, DP 753641, Parish of Baldwin, County of Hardinge. 	Roumalla Creek Water Source
90SL037775	Water must not be taken under an access licence when the water level in the Gwydir River at the pump site located on Lot 1, DP 195429, Parish of Darbysleigh and County of Hardinge and authorised by the water supply work approval that replaced licence 90SL019920 (Bundarra Water Supply), is more than 2.27 metres below the bench mark established on the top of the pump	Moredun Creek Water Source

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

	well at the site. Details of the benchmark are retained in the Moree office of the Department.	
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Schedule 3 Access licences used to take surface water exempt from cease to pump rules

1 General

This clause applies to each access licence which replaces a *Water Act 1912* entitlement listed in the table below.

<i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan
90SL100697
90SL045781
90SL023654

2 Local water utility and unregulated river (subcategory “Town water supply”) access licences

This clause applies to each access licence which replaces a *Water Act 1912* entitlement listed in the table below.

<i>Water Act 1912</i> entitlements that will be replaced by local water utility access licences or unregulated river subcategory “Town water supply” access licences on commencement of this Plan
90SL019920
90SL044305
90SL021318

 Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Schedule 4 Significant identified lagoons and wetlands

Column 1	Column 2	Column 3	Column 4
Water Source	Name of Lagoon	Location	Parish
Barwon Water Source	Unnamed Lagoon	Portion 2 in DP 750421 and Lot 4, DP 750421	Banarway
Barwon Water Source	Unnamed Lagoon	Lot 15, DP 45246	Banarway
Barwon Water Source	Unnamed Lagoon	Lot 2, DP 750421	Banarway
Barwon Water Source	Unnamed Lagoon	Primarily Lot 15, DP 752231	Barwon
Barwon Water Source	Unnamed Lagoon	Crown Land Lot 7002, DP 1050328	Barwon
Barwon Water Source	Unnamed Lagoon	Lot 16, DP 705383 and Lot 21, DP 750441	Caidmurra
Barwon Water Source	Butti Lagoon	Lot 58, DP 45315	Collymongle
Barwon Water Source	Unnamed Lagoon	Lot 58, DP 45315	Collymongle
Barwon Water Source	Unnamed Lagoon	Portion 2 in DP 750474 and adjacent Crown Land	Keelo
Barwon Water Source	Unnamed Lagoon	Crown Land parcel 7002, DP 1051873	Murkadool
Barwon Water Source	Unnamed Lagoon	Crown Land parcels 7001 and 7002, DP 1051873	Murkadool
Barwon Water Source	Unnamed Lagoon	Lot 24, DP 752256	Murkadool
Barwon Water Source	Unnamed Lagoon	Crown Land parcel 7002, DP 1051873	Murkadool
Gil Gil Creek Water Source	Unnamed Lagoon	Lot 3, DP 43358 and Lot 16, DP 750441	Caidmurra

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Column 1	Column 2	Column 3	Column 4
Water Source	Name of Lagoon	Location	Parish
Gil Gil Creek Water Source	Unnamed Lagoon	Lot 24, DP 750441	Caidmurra
Moree Water Source	Yarraman Lagoon	Lots 1 and 2, DP 632672 and Lot 2, DP 629669	Mia Mia
Moree Water Source	Unnamed Lagoon	Lot 7085, DP 1066044	Moree
Thalaba Creek Water Source	Collytootela Lagoon	Lots 7, 12, 15 and 17, DP 750494	Oreel
Slaughterhouse Creek Water Source	Moboullboona Waterhole	Lot 14, DP 751750	Biniguy
Slaughterhouse Creek Water Source	Emmotts Waterhole	Lot 1, DP 596939	Biniguy
Slaughterhouse Creek Water Source	Barbers Lagoon	Lot 2, DP 795771; Lot 18, DP 751138 and Lot 95, DP 41022	Yagobe
Mehi River Water Source	Mallowa Wetlands	Lot 11, DP 750477; Lot 10, DP 750477; Lot 12, DP 750477; Lot 20, DP 750477; Lot 22, DP 750477; Lot 4, DP 750477; Lot 19, DP 750477 and Lot 14, DP 750477	Mallowa
Mehi River Water Source	Mallowa Wetlands	Lot 1, DP 1121419; Lot 5, DP 750483; Lot 24, DP 750483; Lot 7001, DP 1112488; Lot 8, DP 750483; Lot 26, DP 750483; Lot 23, DP 750483; Lot 7006, DP 1112098; Lot 7007, DP 1112098; Lot 7002, DP 1112488; Lot 2, DP 750483 and Lot 28 DP 750483	Mongyer
Mehi River Water Source	Mallowa Wetlands	Lot 24, DP 45251; Lot 1, DP 48429; Lot 26, DP 721442; Lot 10, DP 750442; Lot 25, DP 45251 and Lot 27, DP 721442	Carbeenbri

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Column 1	Column 2	Column 3	Column 4
Water Source	Name of Lagoon	Location	Parish
Mehi River Water Source	Mongyer Lagoon	Crown waterway, DP 620338 and DP 750484	Moomin
Gwydir Water Source	Ramsar wetlands	Lot 4, DP 793888 and Lot 36, DP 750508	Wandoona
Gwydir Water Source	Ramsar Wetlands	Lot 58, DP 750500	Tiela
Gingham Watercourse Water Source	Ramsar wetlands	Lot 26, DP 750465 and Lot 14, DP 750465	Gingham
Gingham Watercourse Water Source	Ramsar wetlands	Lot 9, DP 750444	Collyu
Gingham Watercourse Water Source	Ramsar wetlands	Lot 8, DP 750461	Dundunga
Gingham Watercourse Water Source	Ramsar wetlands	Lot 39, DP 705409 and Lot 19, DP 750451	Crinoline
Gingham Watercourse Water Source	Ramsar wetlands	Lot 8, DP 750444	Collyu

 Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

**Schedule 5 Upland wetlands of the drainage divide of the New England
Tablelands Bioregion endangered ecological community**

Column 1	Column 2	Column 3	Column 4
Water Source	Name of Lagoon	Location	Parish
Boorolong Creek Water Source	Little Lagoon	Lots 126, 128, 129, 205 in DP 755823	Exmouth
Laura Creek Water Source	Mother of Ducks Lagoon	Lots 309, 311, 343, 344, DP 753659; Lots 358, 359, DP 46361; Lots 363, 364, DP 704039; Lot 361, DP 704011, Lot 350 DP 39608 & others	Elderbury
Rocky River Water Source	Racecourse Lagoon	Crown Land	Uralla
Rocky River Water Source	Dangars Lagoon	Lot 7009, DP 1051118	Uralla
Keera Creek Water Source	Howle's Swamp		

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Schedule 6 Contamination in these water sources

Contamination sources in these water sources comprise the following:

- (a) on-site sewage disposal systems or septic tanks,
- (b) any sites which have been declared to be significantly contaminated land under the *Contaminated Land Management Act 1997*,
- (c) any sites that are or have been the subject of an activity listed in Table 1 of the contaminated land planning guidelines published under the *Environmental Planning and Assessment Act 1979* from time to time, and
- (d) any sites listed in an agency database relating to contamination.

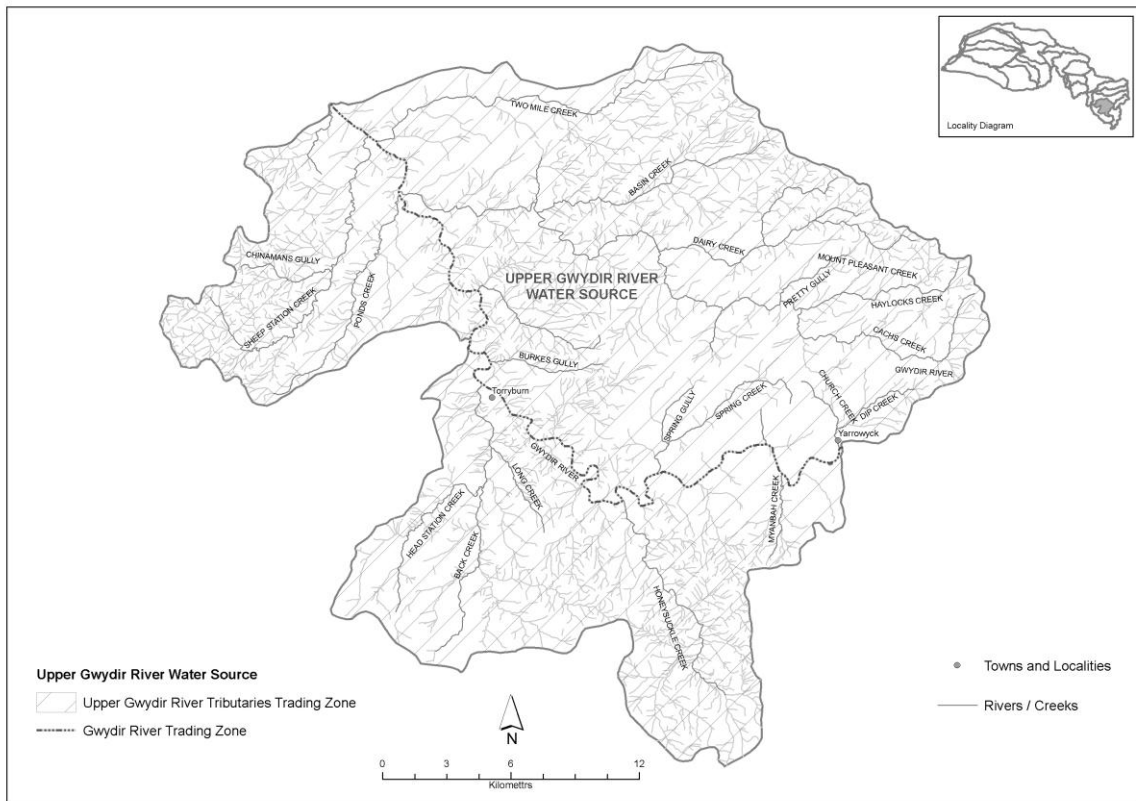
Schedule 7 High priority groundwater dependent ecosystems

At the commencement of this Plan, no high priority groundwater dependent ecosystems have been identified in this Schedule.

Note. High priority groundwater dependent ecosystems (hereafter **GDEs**) are currently under investigation and some may be identified during the term of this Plan. The full list of potential GDEs will be identified on the Department GDE Register and as a precautionary approach, will be considered by staff in the assessment of any application for a water supply work approval within the area of this Plan. If it becomes verified as a high priority GDE, this Schedule will be amended to include the GDE.

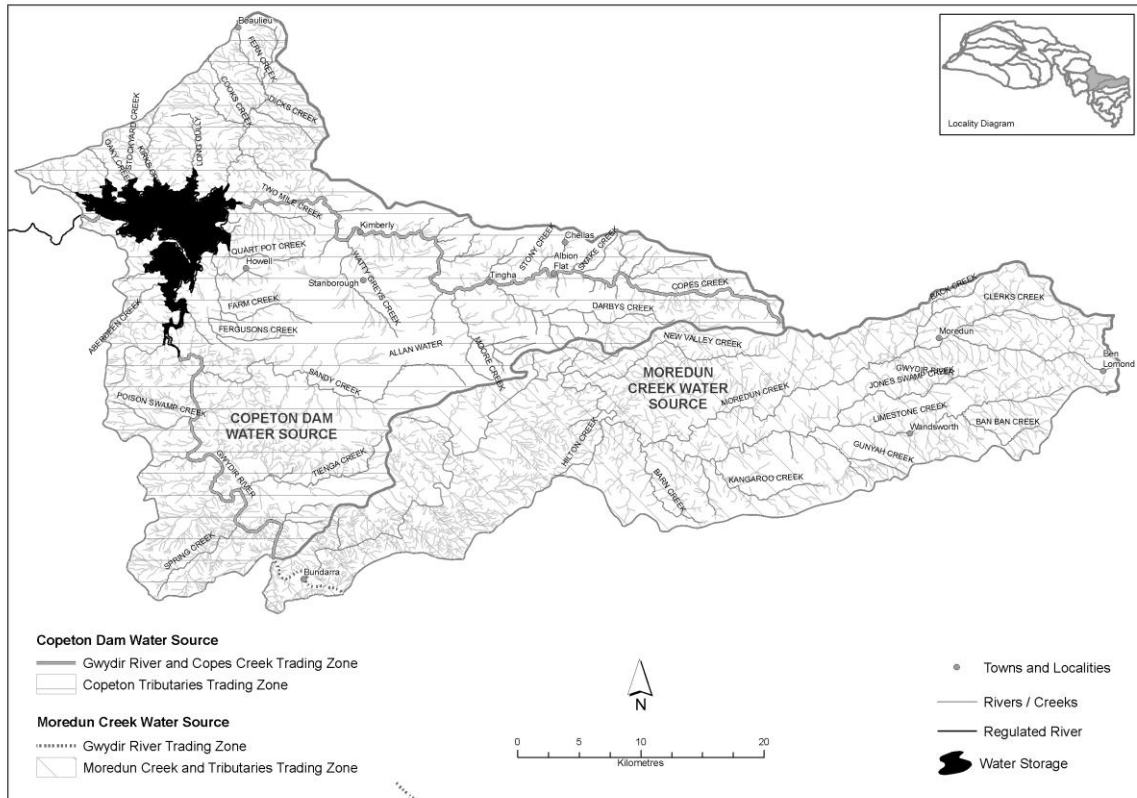
Schedule 8 Trading zones

Map of the trading zones in the Upper Gwydir River Water Source



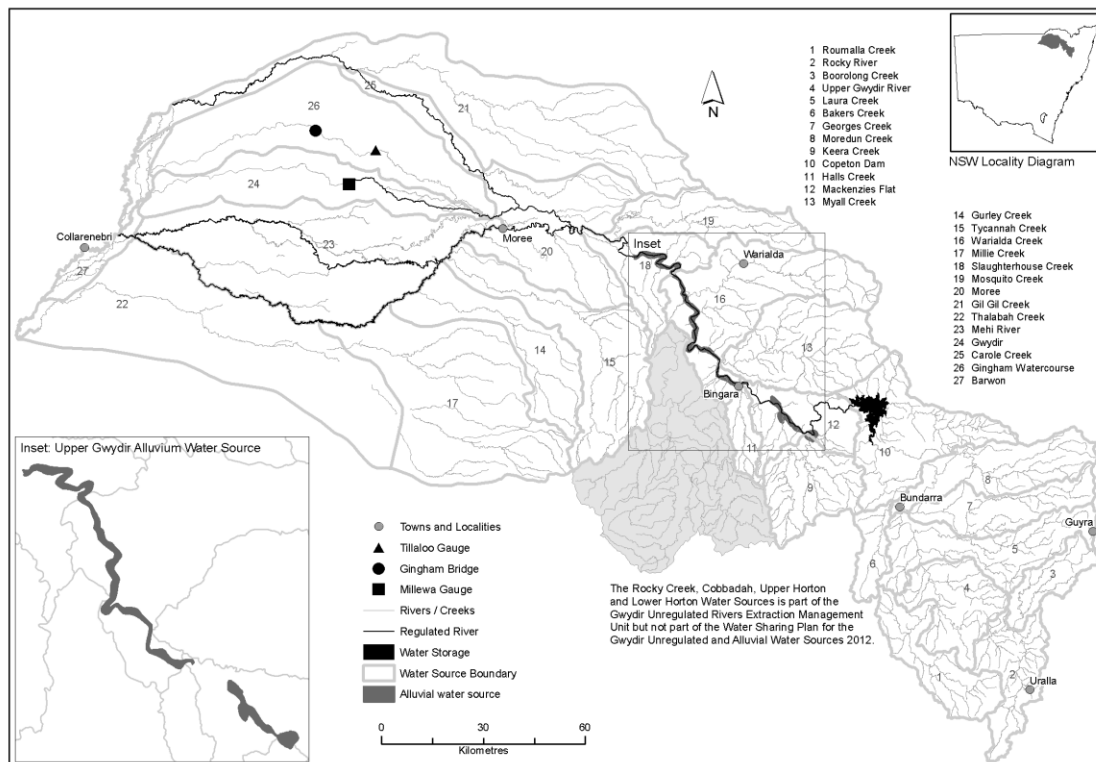
Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Map of the trading zones in the Copeton Dam Water Source and the Moredun Creek Water Source



Appendix 1 Overview of the Registered Map

Overview of the Registered Map (WSP019_Version 1), Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012



Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Appendix 2 Inspection of Registered Map

Copies of the Registered Map may be inspected at the following offices:

NSW Office of Water
Department of Trade and Investment, Regional Infrastructure and Services
10 Valentine Ave
PARRAMATTA NSW 2150

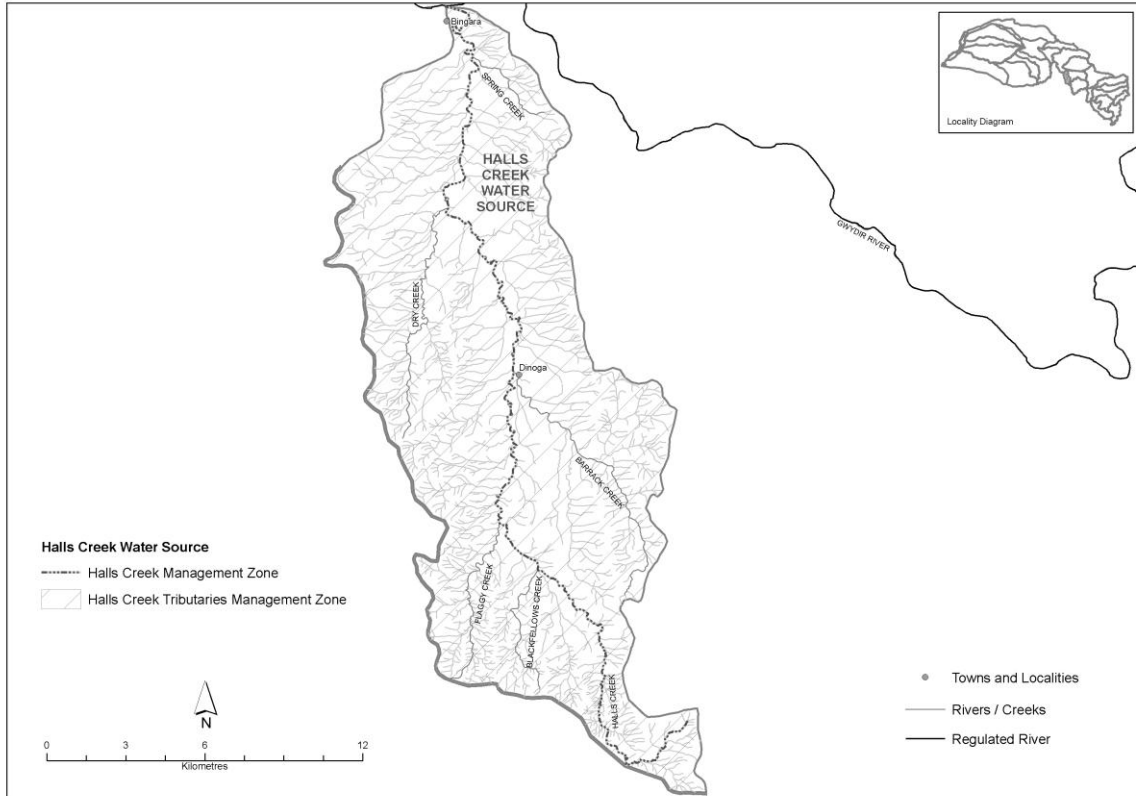
NSW Office of Water
Department of Trade and Investment, Regional Infrastructure and Services
66-68 Frome St
MOREE NSW 2400

NSW Office of Water
Department of Trade and Investment, Regional Infrastructure and Services
Trevenna Road, University of New England
ARMIDALE NSW 2351

NSW Office of Water
Department of Trade and Investment, Regional Infrastructure and Services
7023 Gwydir Hwy
INVERELL NSW 2360

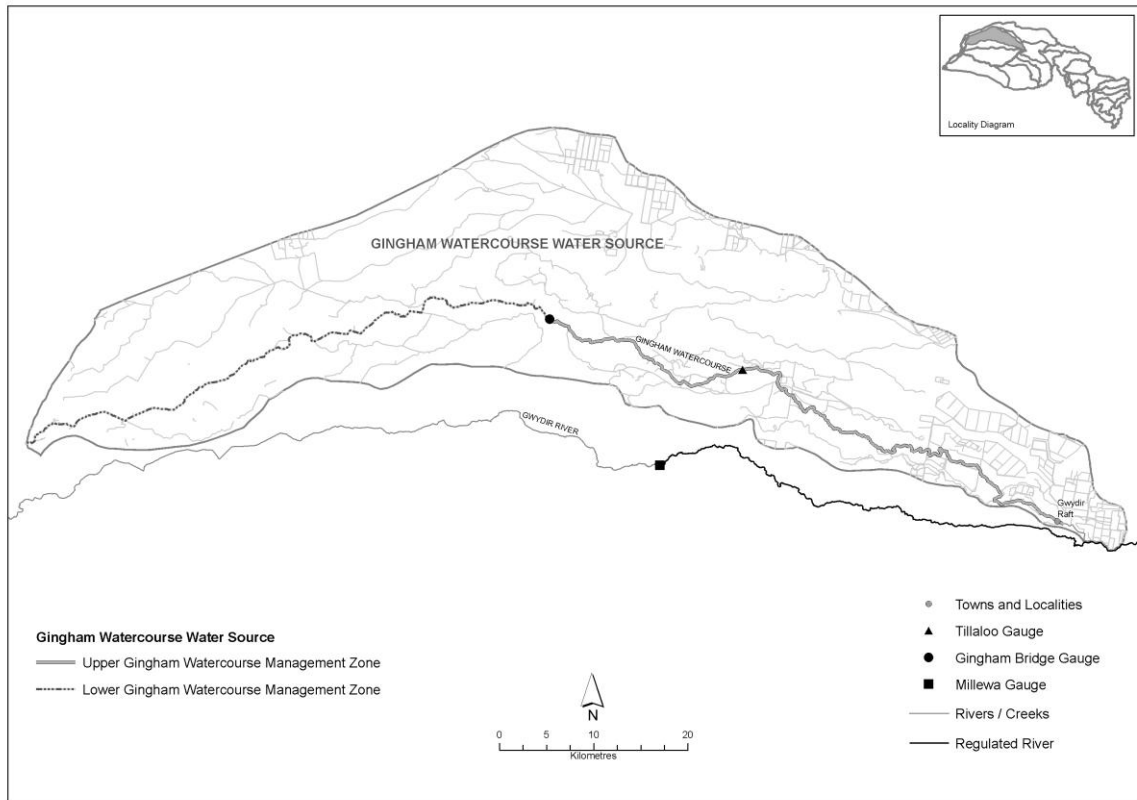
Appendix 3 Overview of the management zones covered by this Plan

Overview of the Halls Creek Water Source management zones



Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Overview of the Gingham Watercourse Water Source management zones



Appendix 4 Access licences subject to cease to take conditions specified in clause 43 (6) of this Plan

It is expected that those access licences which replace *Water Act 1912* entitlements 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* condition specified in Column 3 imposed as mandatory conditions on all water supply work approvals nominated by those access licences to give effect to clause 43 (6) of this Plan. Where *Water Act 1912* entitlements include conditions that are linked to other conditions, condition numbers have been provided in Column 4.

Column 1 <i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan	Column 2 Water Source	Column 3 <i>Water Act 1912</i> conditions	Column 4 Condition Number
90SL043379	Roumalla Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW MAINTAINED IN ROUMALLA CREEK AT THE CAUSEWAY IN KINGSTOWN.	
90SL047336	Roumalla Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS; (A) A VISIBLE FLOW IN ROMALLA CREEK OVER THE ROCK BAR SITUATED IMMEDIATELY DOWNSTREAM OF THE PUMP SITE ON PORTION 16, PARISH OF BALDWIN, COUNTY OF HARDINGE. (B) NOTWITHSTANDING, THERE MUST ALSO BE A VISIBLE FLOW IN ROMALLA CREEK OVER THE SAND BAR AT THE CONFLUENCE OF PONDS CREEK (LOCAL NAME,	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		SANDY CREEK) ON PORTION 40, PARISH OF BALDWIN, COUNTY OF HARDINGE.	
90SL026052	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR RIVER AT THE LOW LEVEL EMU BRIDGE ON THE BUNDARRA - ARMIDALE ROAD, IMMEDIATELY UPSTREAM OF BUNDARRA.	
90SL036246	Moredun Creek Water Source	THE LICENSED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION WHEN THE LEVEL OF THE WATER IN THE GWYDIR RIVER AT THE SITE OF THE PUMP AUTHORISED BY LICENSE 90SL019920 (BUNDARRA WATER SUPPLY) IS MORE THAN 2.27 METRES BELOW THE BENCH MARK ESTABLISHED ON THE TOP OF THE PUMP WELL AT THE SITE. PARTICULARS OF THE BENCH MARK ARE RETAINED IN THE OFFICE OF THE NSW OFFICE OF WATER.	
90SL036466	Moredun Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN MOREDUN CREEK AT BOTH THE ACCESS CROSSING WITHIN LOT 1 DP 559154, PARISH OF CLERKNESS AND THE PIPED CAUSEWAY LOCATED BETWEEN LOT 41 DP 753652 PARISH OF CLERKNESS AND LOT 55 DP 753646 PARISH OF BUNDARRA, ALL COUNTY OF HARDINGE.	
90SL037199	Moredun Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN MOREDUN CREEK AT BOTH THE ACCESS CROSSING WITHIN LOT 1 DP 559154, PARISH OF CLERKNESS AND THE PIPED CAUSEWAY	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		LOCATED BETWEEN LOT 41 DP 753652 PARISH OF CLERKNESS AND LOT 55 DP 753646 PARISH OF BUNDARRA, ALL COUNTY OF HARDINGE.	
90SL037542	Moredun Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN MOREDUN CREEK AT THE CONCRETE SLAB IMMEDIATELY DOWNSTREAM OF MACLEAN BRIDGE LOCATED BETWEEN LOT 114 DP 46397, PARISH OF BUNDARRA AND LOT 1 DP 388878, PARISH OF CLERKNESS, BOTH COUNTY OF HARDINGE.	
90SL039705	Moredun Creek Water Source	THE PUMPS SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR RIVER AT THE LOW LEVEL EMU BRIDGE ON THE BUNDARRA - ARMIDALE ROAD, IMMEDIATELY UPSTREAM OF BUNDARRA.	
90SL040942	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION FROM THE GWYDIR RIVER UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR RIVER AT THE LOW LEVEL EMU BRIDGE ON THE BUNDARRA - ARMIDALE ROAD, IMMEDIATELY UPSTREAM OF BUNDARRA.	
90SL043602	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR RIVER AT THE LOW LEVEL EMU BRIDGE ON THE BUNDARRA - ARMIDALE ROAD, IMMEDIATELY UPSTREAM OF BUNDARRA.	
90SL044066	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION FROM THAT SECTION OF THE RIVER KNOWN LOCALLY AS TAYLORS POND, WHEN THE LEVEL OF THE	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		WATER IN THE GWYDIR RIVER AT THE SITE OF THE PUMP AUTHORISED BY LICENSE 90SL019920 (BUNDARRA WATER SUPPLY) IS MORE THAN 2.27 METRES BELOW THE BENCH MARK ESTABLISHED ON THE TOP OF THE PUMP WELL AT THE SITE. PARTICULARS OF THE BENCH MARK ARE RETAINED IN THE OFFICE OF THE NSW OFFICE OF WATER	
90SL044642	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR RIVER AT THE LOW LEVEL EMU BRIDGE ON THE BUNDARRA - ARMIDALE ROAD, IMMEDIATELY UPSTREAM OF BUNDARRA.	
90SL046992	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED UNLESS THERE IS A VISIBLE FLOW IN MOREDUN CREEK AT THE TENTERDEN - TINGHA ROAD CAUSEWAY.	
90SL047310	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR RIVER AT THE LOW LEVEL EMU BRIDGE ON THE BUNDARRA - ARMIDALE ROAD, IMMEDIATELY UPSTREAM OF BUNDARRA.	
90SL051438	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR RIVER AT THE LOW LEVEL EMU BRIDGE ON THE BUNDARRA - ARMIDALE ROAD, IMMEDIATELY UPSTREAM OF BUNDARRA.	
90SL100142	Moredun Creek Water Source	SUBJECT TO CONDITION (9), THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THE LEVEL OF THE GAUGE WITHIN THE PUMPING POOL EXCEEDS 0.2 METRE (OR SUCH OTHER	8

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		READING AS THE DEPARTMENT OF WATER AND ENERGY MAY DETERMINE FROM TIME TO TIME).	
90SL100142	Moredun Creek Water Source	THE AUTHORISED WORK SHALL NOT BE OPERATED UNLESS NSW OFFICE OF WATER THROUGH ITS MOREE OFFICE HAS FIRSTLY BEEN ADVISED IN ADVANCE OF GAUGE HEIGHT AND INTENTION TO IRRIGATE.	9
90SL100252	Moredun Creek Water Source	THE LICENSED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED DURING PUMPING OPERATIONS, AT THE ROCK BAR CONNECTION BETWEEN "WOORABINDA POND" AND "TAYLORS POND", WITHIN LOT 93, DP753652, PARISH OF CLERKNES, COUNTY OF HARDINGE.	
90SL100970	Moredun Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS A VISIBLE FLOW IS MAINTAINED IN THE GWYDIR R AT THE LOW LEVEL 'EMU' BRIDGE ON THE BUNDARRA/ARMIDALE RD IMMEDIATELY UPSTREAM OF BUNDARRA. THE VISIBLE FLOW SHALL BE EQUAL TO THE EXTRACTION RATE OF THE INSTALLED PUMP UP TO THE AUTHORISED CAPACITY.	
90SL049729	Keera Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN MACINTYRE CREEK AT A POINT APPROXIMATELY 31 METERS DOWNSTREAM OF THE COMMON BOUNDARY BETWEEN LOT 1 DP 578782 AND LOT 56 DP 754821, PARISH OF CAPEL, COUNTY OF MURCHISON.	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

90SL049735	Keera Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN MACINTYRE CREEK AT A POINT APPROXIMATELY 31 METERS DOWNSTREAM OF THE COMMON BOUNDARY BETWEEN LOT 1 DP 578782 AND LOT 56 DP 754821, PARISH OF CAPEL, COUNTY OF MURCHISON.	
90SL041113	Copeton Dam Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN AUBURN VALE CREEK AT THE INVERELL-COPETON-BINGARA ROAD CROSSING ADJACENT TO LOT 2 DP 456761, PARISH OF AUBURN VALE, COUNTY OF HARDINGE.	
90SL051314	Copeton Dam Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN SANDY CREEK AT THE BRIDGE CROSSING ON THE EASTERN SIDE OF LOT 1 DP 738271, PARISH OF TIENGA, COUNTY OF HARDINGE, ON THE BUNDARRA/INVERELL ROAD.	
90SL100824	Copeton Dam Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN FERGUSONS CREEK WITHIN THE NEXT RIFFLE SECTION DOWNSTREAM OF THE EXTRACTION SITE.	
90SL100854	Copeton Dam Water Source	THE AUTHORISED WORK ON SANDY CREEK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW BELOW THE WATERHOLE AT THE SITE OF THE AUTHORISED WORKS.	
90SL101036	Copeton Dam Water Source	THE AUTHORISED DIVERSION PIPES WITHIN LOT 84 DP 754840, PARISH OF GUM FLAT, COUNTY OF MURCHISON, SHALL NOT BE	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		USED FOR THE PURPOSE OF DIVERTING WATER FOR IRRIGATION PURPOSES UNLESS THERE IS A VISIBLE FLOW IN BACK CREEK ADJACENT TO THE NORTH WEST BOUNDARY OF LOT 145 DP 754840, BEING A POINT 20 METRES UPSTREAM OF THE JUNCTION OF AN UNNAMED WATERCOURSE WITH BACK CREEK.	
90SL016629	Halls Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN HALLS CREEK AT THE BINGARA-BARRABA ROAD BRIDGE NEAR THE SOUTH-EASTERN CORNER OF T.S.R.29608, PARISH OF BINGARA, COUNTY OF MURCHISON.	
90SL026218	Halls Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN HALLS CREEK AT THE BINGARA-BARRABA ROAD BRIDGE NEAR THE SOUTH-EASTERN CORNER OF TSR 29608, PARISH OF BINGARA, COUNTY OF MURCHISON.	
90SL045153	Halls Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN HALLS CREEK AT THE BINGAR-BARRABA ROAD BRIDGE NEAR THE SOUTH-EASTERN CORNER OF T S R 29608, PARISH OF BINGARA, COUNTY OF MURCHISON.	
90SL048568	Halls Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN HALLS CREEK AT THE BINGARA-BARRABA ROAD BRIDGE NEAR THE SOUTH-EASTERN CORNER OF T S R 29608, PARISH OF BINGARA, COUNTY OF	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		MURCHISON.	
90SL050312	Halls Creek Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN HALLS CREEK AT THE BINGARA-BARRABA ROAD BRIDGE NEAR THE SOUTH-EASTERN CORNER OF T S R 29608, PARISH OF BINGARA, COUNTY OF MURCHISON.	
90SL043932	Myall Creek Water Source	WHEN THERE IS A FLOW IN MYALL CREEK AT THE ROAD CROSSING WITHIN LOT 181 DP 754840, PARISH OF GUMFLAT, COUNTY OF MURCHISON, THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN THE SAID CREEK AT THE ROAD CROSSING BETWEEN LOT 132 DP 456434 AND LOT 136 DP 754840, SAID PORTION OF GUM FLAT.	
90SL045918	Myall Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN MYALL CREEK IMMEDIATELY UPSTREAM OF ITS CONFLUENCE WITH TURRAWARRA CREEK AND PROVIDED THAT AT THE SAME TIME A VISIBLE FLOW IS MAINTAINED AT " THE WATERFALL " LOCATED BETWEEN LOT 32 DP 754863, PARISH OF TURRAWARRA AND LOT 75 DP 754861, PARISH OF STAG, BOTH BEING COUNTY OF MURCHISON.	
90SL046281	Myall Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN MYALL CREEK IMMEDIATELY UPSTREAM OF ITS CONFLUENCE WITH TURRAWARRA CREEK	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		AND PROVIDED THAT AT THE SAME TIME A VISIBLE FLOW IS MAINTAINED AT " THE WATERFALL " LOCATED BETWEEN LOT 32 DP 754863, PARISH OF TURRAWARRA AND LOT 75 DP 754861, PARISH OF STAG, BOTH BEING COUNTY OF MURCHISON.	
90SL046552	Myall Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN MYALL CREEK IMMEDIATELY UPSTREAM OF ITS CONFLUENCE WITH TURRAWARRA CREEK AND PROVIDED THAT AT THE SAME TIME A VISIBLE FLOW IS MAINTAINED AT " THE WATERFALL " LOCATED BETWEEN LOT 32 DP 754863, PARISH OF TURRAWARRA AND LOT 75 DP 754861, PARISH OF STAG, BOTH BEING COUNTY OF MURCHISON.	
90SL047320	Myall Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW THROUGH THE PIPE AT THE CONCRETE ROAD CAUSEWAY ON LOT 3 DP 456606, PARISH OF DELUNGRA, COUNTY OF MURCHISON.	
90SL051218	Myall Creek Water Source	THE LICENSED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN EXCESS OF A DESIGNATED MARK 10 MM ABOVE THE INVERT OF A 90 DEGREE "V" NOTCH CONSTRUCTED TO THE SATISFACTION OF THE NSW OFFICE OF WATER (DETAILS OF WHICH SHALL BE RETAINED IN THE OFFICE OF THE DEPARTMENT), IN THE VICINITY UPSTREAM AND ACCESSIBLE BY THE PUBLIC ON MYALL CREEK AT "HAVILAH" CROSSING (LOCATED BETWEEN LOT 181 DP 754840 AND LOT 183 DP	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		754840, PARISH OF GUM FLAT, COUNTY OF MURCHISON.	
90SL051585	Myall Creek Water Source	NOTWITHSTANDING CONDITION 4, WHEN THERE IS A VISIBLE FLOW IN WHITLOW CREEK AT THE BINGARA-INVERELL ROAD BRIDGE, THE AUTHORISED WORK MAY BE USED TO FILL A GROUND TANK ADJACENT TO THE DWELLING FOR STOCK AND DOMESTIC PURPOSES.	5
90SL051585	Myall Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED TO FILL A MANUFACTURED ABOVE-GROUND TANK, NOT EXCEEDING 22,200 LITRES (5,000 GALLONS) USED FOR STOCK AND DOMESTIC PURPOSES FOR A DWELLING HOISE UNLESS THERE IS A VISIBLE FLOW IN WHITLOW CREEK NEAR THE NORTH-WESTERN BOUNDARY OF PORTION 38, PARISH OF MYALL, COUNTY OF MURCHISON, KNOWN LOCALLY AS THE "WOODBINE" CROSSING.	4
90SL051585	Myall Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED TO FILL A MANUFACTURED ABOVE-GROUND TANK, NOT EXCEEDING 22,200 LITRES (5,000 GALLONS) USED FOR STOCK AND DOMESTIC PURPOSES FOR A DWELLING HOUSE UNLESS THERE IS A VISIBLE FLOW IN WHITLOW CREEK NEAR THE NORTH-WESTERN BOUNDARY OF LOT 38 DP 754853, PARISH OF MYALL, COUNTY OF MURCHISON, KNOWN LOCALLY AS THE "WOODBINE" CROSSING.	
90SL100040	Myall Creek Water Source	THE LICENSED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN EXCESS OF A DESIGNATED MARK 10 MM ABOVE THE INVERT OF A 90 DEGREE "V" NOTCH CONSTRUCTED TO THE SATISFACTION OF THE NSW OFFICE	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		OF WATER (DETAILS OF WHICH SHALL BE RETAINED IN THE OFFICE OF THE DEPARTMENT), IN THE VICINITY UPSTREAM AND ACCESSIBLE BY THE PUBLIC ON MYALL CREEK AT "HAVILAH" CROSSING (LOCATED BETWEEN LOT 181 DP 754840 AND LOT 183 DP 754840, PARISH OF GUM FLAT, COUNTY OF MURCHISON.	
90SL100012	Gurley Creek Water Source	WATER SHALL NOT BE ABSTRACTED FROM GURLEY CREEK BY MEANS OF THE PUMPS REFERRED TO IN THIS LICENSE WHEN THE LEVEL OF THE WATER IN THE SAID CREEK AT THE CROSSING OF THE NARRABRI-MOREE STOCK ROUTE IN C.R. 8723, PARISH OF BURRANBAH, COUNTY OF COURALLIE IS LOWER THAN 1.52 METRES BELOW THE LEVEL OF A BENCHMARK ESTABLISHED ON A GUM TREE ON THE LEFT BANK OF THE WATERCOURSE NEAR THE SAID CROSSING.	
90SL017933	Tycannah Creek Water Source	WHEN THERE ARE FLOWS IN TYCANNAH CREEK THE PUMP SHALL NOT BE OPERATED UNLESS SUCH FLOWS SHALL HAVE OVERTOPPED THE TELECOM CONCRETE SPILLWAY LOCATED DOWNSTREAM OF THE NEWELL HIGHWAY, FOR A PERIOD OF NOT LESS THAN 24 HOURS PRIOR TO THE COMMENCEMENT OF DIVERSION AND PROVIDED THAT A FLOW IS MAINTAINED OVER THE SAID SPILLWAY.	
90SL051691	Tycannah Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN TYCANNAH CREEK AT THE ROAD BRIDGE SITUATED ON LOT 79 DP 751776, PARISH OF WIRIBURLDONGA, COUNTY OF COURALLIE	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

90SL100666	Tycannah Creek Water Source	THE LICENSED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW AT THE BERRYGILL CREEK ROAD CROSSING BETWEEN LOTS 51 AN 24, DP 751764, PARISH OF DOWNS, COUNTY OF COURALLIE.	
90SL101052	Tycannah Creek Water Source	THE APPROVAL HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN TYCANNAH CREEK AT THE TYCANNAH CREEK BRIDGE ON THE NEWELL HIGHWAY.	
90SL045545	Warialda Creek Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN BLACK CREEK AT THE ROAD CAUSEWAY BETWEEN LOT 133 DP 751107, PARISH OF GRAGIN AND LOT 172 DP 721468, PARISH OF MYALLA, BOTH COUNTY OF BURNETT.	
90SL100865	Warialda Creek Water Source	THE LICENSED WORK SHALL NOT BE USED FOR RECREATIONAL IRRIGATION PURPOSES UNLESS THERE IS A VISIBLE FLOW THROUGH THE PIPES SITUATED IN THE LOW LEVEL CROSSING ON WARIALDA CREEK AT THE EASTERN END OF HOPE STREET, WARIALDA.	
90SL043604	Moree Water Source	THE PUMP SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION OR FILLING AN OFF-RIVER STORAGE UNLESS MARSHALLS PONDS CREEK IS FLOWING OVER THE LOW LEVEL BITUMEN ROAD BYPASS AT THE ASHLEY ROAD BRIDGE.	
90SL100459	Moree Water Source	NEITHER PUMP SHALL BE USED FOR THE PURPOSE OF IRRIGATION OR FILLING AN OFF-RIVER STORAGE UNLESS MARSHALL'S PONDS CREEK IS FLOWING OVER THE LOW LEVEL	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		BITUMEN ROAD BYPASS AT THE ASHLEY ROAD BRIDGE.	
90SL041067	Mehi River Water Source	THE AUTHORISED WORK SHALL NOT BE USED WHEN THE LEVEL OF WATER IN MONGYER LAGOON FALLS BELOW R L 158.5 AUSTRALIAN HEIGHT DATUM.	
90SL041802	Mehi River Water Source	THE AUTHORISED WORK SHALL NOT BE USED WHEN THE LEVEL OF WATER IN MONGYER LAGOON FALLS BELOW RL 158.5 AUSTRALIAN HEIGHT DATUM.	
90SL043893	Mehi River Water Source	<p>SUBJECT TO CONDITION 8, THE AUTHORISED WORK SHALL NOT BE USED FOR IRRIGATION OR WATER CONSERVATION FOR IRRIGATION UNLESS:</p> <p>(1) THE DEPARTMENT HAS ANNOUNCED THAT SURPLUS FLOW AND OFF-ALLOCATION CONDITIONS EXIST DOWNSTREAM OF THE GUNDARE REGULATOR; AND</p> <p>(I) THE DISCHARGE AT THE MALLOWA CREEK OFF TAKE REGULATOR EXCEEDS 400 ML/D (SUCH DISCHARGE CORRESPONDING TO THE GAUGE READING OF 171.40 METERS OR SUCH OTHER READING AS MAY BE DETERMINED FROM TIME TO TIME), AND</p> <p>(II) THERE IS A VISIBLE FLOW IN MALLOWA CREEK WHERE IT CROSSES THE WESTERN BOUNDARY OF</p>	7

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		LOT 17 DP 750454, PARISH OF CURROTHA, COUNTY OF BENARBA.	
90SL043893	Mehi River Water Source	NOTWITHSTANDING CONDITION 7, BUT SUBJECT TO CONDITION 7 (1) HAVING BEEN SATISFIED, APPLICATION MAY BE MADE TO THE WATER DELIVERY MANAGER OF STATE WATER AT GOONDIWINDI FROM TIME TO TIME FOR PERMISSION TO USE THE AUTHORISED WORK DURING ANY LIMITED PERIOD, OTHERWISE THAN IN ACCORDANCE WITH THE SAID LIMITATIONS AND CONDITIONS. IF ANY SUCH APPLICATION BE GRANTED IN WHOLE OR IN PART BY THE SAID DEPARTMENT THEN THE AUTHORISED WORK MAY BE OPERATED FOR THE PERIOD IN ACCORDANCE WITH THE CONDITIONS TO BE SPECIFIED BY THE SAID DEPARTMENT IN GRANTING THE APPLICATION. THE APPLICATION AND THE GRANTING THEREOF BY THE SAID DEPARTMENT SHALL BE IN WRITING.	8
90SL044131	Mehi River Water Source	SUBJECT TO CONDITION 8, THE AUTHORISED WORK SHALL NOT BE USED FOR IRRIGATION OR WATER CONSERVATION FOR IRRIGATION UNLESS: <p style="margin-left: 40px;">(1) NSW OFFICE OF WATER HAS ANNOUNCED THAT SURPLUS FLOW AND OFF-ALLOCATION CONDITIONS EXIST DOWNSTREAM OF THE GUNDARE REGULATOR; AND</p> <p style="margin-left: 40px;">(A) THE DISCHARGE AT THE MALLOWA CREEK OFF TAKE REGULATOR EXCEEDS 400 ML/D (SUCH</p>	7

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		<p>DISCHARGE</p> <p>CORRESPONDING TO THE GAUGE READING OF 171.40 METERS OR SUCH OTHER READING AS MAY BE DETERMINED FROM TIME TO TIME) AND</p> <p>(B) THERE IS A VISIBLE FLOW IN MALLOWA CREEK WHERE IT CROSSES THE WESTERN BOUNDARY OF LOT 17 DP 750454, PARISH OF CURROTHA, COUNTY OF BENARBA.</p>	
90SL044131	Mehi River Water Source	<p>NOTWITHSTANDING CONDITION 7 BUT SUBJECT TO CONDITION 7 (A) HAVING BEEN SATISFIED, APPLICATION MAY BE MADE TO NSW OFFICE OF WATERS' SUPERINTENDENT GWYDIR/BORDER RIVERS AT MOREE FROM TIME TO TIME FOR PERMISSION TO USE THE AUTHORISED WORK DURING ANY LIMITED PERIOD, OTHERWISE THAN IN COMPLIANCE WITH THE SAID LIMITATIONS AND CONDITIONS. IF ANY SUCH APPLICATIONS BE GRANTED IN WHOLE OR IN PART BY THE SAID DEPARTMENT THEN THE AUTHORISED WORK MAY BE OPERATED FOR THE PERIOD AND IN ACCORDANCE WITH THE CONDITIONS TO BE SPECIFIED BY THE SAID DEPARTMENT IN GRANTING THE APPLICATION. THE APPLICATION AND THE GRANTING THEREOF BY THE SAID DEPARTMENT SHALL BE IN WRITING.</p>	8
90SL044924	Mehi River Water	SUBJECT TO CONDITION 8, THE AUTHORISED WORK SHALL NOT BE USED FOR IRRIGATION	7

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

	Source	<p>OR WATER CONSERVATION FOR IRRIGATION UNLESS:</p> <p>(1) THE DEPARTMENT HAS ANNOUNCED THAT SURPLUS FLOW AND OFF-ALLOCATION CONDITIONS EXIST DOWNSTREAM OF THE GUNDARE REGULATOR; AND</p> <p>(I) THE DISCHARGE AT THE MALLOWA CREEK OFF TAKE REGULATOR EXCEEDS 400 ML/D (SUCH DISCHARGE CORRESPONDING TO THE GAUGE READING OF 171.40 METERS OR SUCH OTHER READING AS MAY BE DETERMINED FROM TIME TO TIME) AND</p> <p>(II) THERE IS A VISIBLE FLOW IN MALLOWA CREEK WHERE IT CROSSES THE WESTERN BOUNDARY OF LOT 17 DP 750454, PARISH OF CURROTHA, COUNTY OF BENARBA.</p>	
90SL044924	Mehi River Water Source	<p>NOTWITHSTANDING CONDITION 7, BUT SUBJECT TO CONDITION (1) HAVING BEEN SATISFIED, APPLICATION MAY BE MADE TO THE DEPARTMENT'S WATER SUPERINTENDENT, AT MOREE FROM TIME TO TIME FOR PERMISSION TO USE THE AUTHORISED WORK DURING ANY LIMITED PERIOD, OTHERWISE THAN IN ACCORDANCE WITH SAID LIMITATIONS AND CONDITIONS. IF</p>	8

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		SUCH APPLICATION BE OPERATED FOR THE PERIOD AND IN ACCORNDACE WITH THE CONDITIONS TO BE SPECIFIED BY THE SAID DEPARTMENT IN GRANTING THE APPLICATION. THE APPLICATION AND THE GRANTING THEREOF BY THE SAID DEPARTMENT SHALL BE IN WRITING.	
90SL050573	Mehi River Water Source	<p>WHEN THERE ARE NATURAL FLOWS IN TARRAN CREEK ENTERING BOONALDOON THE PIPES REFERRED TO IN CONDITIONS 2, 4, 6, 8 SHALL BE SO OPERATED TO MAINTAIN AN EQUIVALENT FLOW DOWNSTREAM OF THE DAMS, PROVIDED HOWEVER THAT THEY MAY BE CLOSED WHEN EITHER OF THE FOLLOWING FLOW CONDITIONS EXIST:</p> <p>A) TARRAN CREEK FLOWS HAVE CEASED AT THE "KEYTAH-BOONALDOON" BOUNDARY;</p> <p>B) TARRAN CREEK FLOWS HAVE REACHED A LEVEL OF 0.5 METRES AT THE GUNDARE ROAD CROSSING, OR:</p> <p>C) SURPLUS FLOWS IN THE MEHI RIVER, VIA BROWNS CREEK, HAVE CAUSED TARRAN CREEK TO REACH A LEVEL OF 0.5 METRES AT THE GUNDARE ROAD CROSSING.</p>	9
90SL050573	Mehi River Water Source	THE LEVEL OF THE CREST OF THE BYWASH OF THE DAM SHOWN AS NUMBER 1 ON A PLAN, PARTICULARS OF WHICH ARE RETAINED IN THE OFFICE OF THE NSW OFFCIE OF WATER SHALL BE FIXED AT NOT LOWER THAN 1.12 METRES BELOW THE LEVEL OF THE BENCH MARK ESTABLISHED ON A NAIL	1

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		IN A STRAINER POST ON THE LEFT BANK OF THE WATERCOURSE NEAR THE WORK.	
90SL050573	Mehi River Water Source	A PIPE WITH A DIAMETER OF NOT LESS THAN 500MM FITTED WITH A STOP VALVE OR OTHER CONTROL DEVICE SHALL BE CONSTRUCTED THROUGH THE DAM REFERRED TO IN CONDITION (1) TO THE SATISFACTION OF THE NSW OFFICE OF WATER. THE LEVEL OF THE SAID PIPE SHALL BE FIXED AT OR NEAR THE BED LEVEL OF THE CREEK.	2
90SL050573	Mehi River Water Source	THE LEVEL OF THE CREST OF THE BYWASH OF THE DAM SHOWN AS NUMBER 2 ON A PLAN, PARTICULARS OF WHICH ARE RETAINED IN THE OFFICE OF THE NSW OFFICE OF WATER SHALL BE FIXED AT NOT HIGHER THAN 2.90 METRES ABOVE THE BED LEVEL OF THE CREEK.	3
90SL050573	Mehi River Water Source	A PIPE WITH A DIAMETER OF NOT LESS THAN 500MM FITTED WITH A STOP VALVE OR OTHER CONTROL DEVICE SHALL BE CONSTRUCTED THROUGH THE DAM REFERRED TO IN CONDITION (3), TO THE SATISFACTION OF THE NSW OFFICE OF WATER. THE LEVEL OF THE INVERT OF THE SAID PIPE SHALL BE FIXED AT OR NEAR THE BED LEVEL.	4
90SL050573	Mehi River Water Source	THE LEVEL OF THE CREST OF THE BYWASH OF THE DAM SHOWN AS NUMBER 3 ON A PLAN, PARTICULARS OF WHICH ARE RETAINED IN THE OFFICE OF THE NSW OFFICE OF WATER SHALL BE FIXED AT NOT HIGHER THAN 1.60 METRES ABOVE THE BED LEVEL OF THE CREEK.	5

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

90SL050573	Mehi River Water Source	A PIPE WITH A DIAMETER OF NOT LESS THAN 500MM FITTED WITH A STOP VALVE OR OTHER CONTROL DEVICE SHALL BE CONSTRUCTED THROUGH THE DAM REFERRED TO IN CONDITION (5), TO THE SATISFACTION OF THE NSW OFFICE OF WATER. THE LEVEL OF THE INVERT OF THE SAID PIPE SHALL BE FIXED AT OR NEAR THE BED LEVEL.	6
90SL050573	Mehi River Water Source	THE LEVEL OF THE CREST OF THE BYWASH OF THE DAM SHOWN AS NUMBER 4 ON A PLAN, PARTICULARS OF WHICH ARE RETAINED IN THE OFFICE OF THE NSW OFFICE OF WATER SHALL BE FIXED AT NOT HIGHER THAN 2.31 METRES ABOVE THE BED LEVEL OF THE CREEK.	7
90SL050573	Mehi River Water Source	A PIPE WITH A DIAMETER OF NOT LESS THAN 500MM FITTED WITH A STOP VALVE OR OTHER CONTROL DEVICE SHALL BE CONSTRUCTED THROUGH THE DAM REFERRED TO IN CONDITION (7), TO THE SATISFACTION OF THE NSW OFFICE OF WATER. THE LEVEL OF THE INVERT OF THE SAID PIPE SHALL BE FIXED AT OR NEAR THE BED LEVEL.	8
90SL100740	Mehi River Water Source	THE AUTHORISED WORK SHALL NOT BE USED WHEN THE LEVEL OF WATER IN MONGYER LAGOON FALLS BELOW R.L. 158.5 AUSTRALIAN HEIGHT DATUM.	
90SL100811	Mehi River Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THE ALMA GAUGE ON MOOMIN CREEK IS ABOVE 2 METRES AND A FLOW EMANATING FROM THE UPSTREAM WOLONGIMBA CREEK CATCHMENT IS RESPONSIBLE FOR THE READING ABOVE 2 METRES ON THE SAID	

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		GAUGE.	
90SL100821	Mehi River Water Source	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION UNLESS THE ALMA GAUGE ON MOOMIN CREEK IS ABOVE 2 METRES AND A FLOW EMANATING FROM THE UPSTREAM WOLONGIMBA CREEK CATCHMENT IS RESPONSIBLE FOR THE READING ABOVE 2 METRES ON THE SAID GAUGE.	
90SL101039	Gingham Watercourse Water Source	THE AUTHORISED WORK SHALL NOT BE USED UNLESS FLOWS IN THE GINGHAM WATERCOURSE ARE NOT LESS THAN 500 MEGALITRES PER DAY AT THE GINGHAM BRIDGE PROVIDED THAT SUCH FLOWS SHALL HAVE REACHED THE WOODLANDS ROAD.	
90SL101039	Gingham Watercourse Water Source	<p>SUBJECT TO CONDITION (12), THE LICENSED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION WHEN FLOWS TARGETED FOR STOCK, DOMESTIC OR ENVIRONMENTAL ALLOWANCE, AS DISTINCT FROM FLOOD FLOWS, ARE BEING DISTRIBUTED TO AUGMENT THE GINGHAM WETLANDS. MORE SPECIFICALLY, THESE FLOWS REFER TO:</p> <ol style="list-style-type: none"> (1) DECLARED RELEASES OUT OF THE 25,000 ML ENVIRONMENTAL CONTINGENCY ALLOWANCE, (2) 50:50 SHARING OF DELARED OFF ALLOCATION FLOWS, WHEN YARRAMAN EXCEEDS 1,000 MLS/DAY BUT IS LESS THAN A DECLARED MINOR FLOOD EVENT, (3) MINIMUM STOCK AND DOMESTIC RELEASES UP TO 500 MLS/DAY 	13

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

		FROM THE GINGHAM WATER USERS ANNUAL ALLOCATION.	
90SL101039	Gingham Watercourse Water Source	THE AUTHORISED WORK SHALL NOT BE USED UNLESS FLOWS IN THE GINGHAM WATERCOURSE ARE NOT LESS THAN 500 MEGALITRES PER DAY AT THE GINGHAM BRIDGE PROVIDED SUCH FLOWS SHALL HAVE REACHED THE WOODLANDS ROAD.	12

Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2012

Appendix 5 Office

Any notifications that may be required to be made to the Minister, as specified in this Plan can be made to the following office:

NSW Office of Water

Department of Trade and Investment, Regional Infrastructure and Services

PO Pox 486

MOREE NSW 2400