

# Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012

[2012-458]



New South Wales

## Status Information

### Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
[Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2012 No 95](#) (not commenced — to commence on 4.1.2013)
- **Note**  
This Plan ceases to have effect on 1.7.2023—see cl 3.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 21 November 2012

# Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012



New South Wales

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# Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012



New South Wales

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 Lachlan Unregulated and Alluvial Water Sources.

Dated this 8th day of August 2012.

KATRINA HODGKINSON, MP Minister for Primary Industries

## Part 1 Introduction

### Note—

Part 12 allows for amendments to be made to this Part.

### 1 Name of this Plan

This Plan is the *Water Sharing Plan for the Lachlan 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 14 September 2012.

### Notes—

- 1 In accordance with section 43 of the Act, this Plan will have effect for 10 years from 1 July 2013.



2 The Minister may extend this Plan for a further period of 10 years after it is due to expire, in accordance with section 43A of the Act.

#### 4 Application of this Plan

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

(a) the Lachlan Unregulated Water Sources (hereafter **the Lachlan Unregulated Water Sources**), comprised of:

- (i) Abercrombie River above Wyangala Water Source,
- (ii) Belubula River above Carcoar Dam Water Source,
- (iii) Belubula Tributaries below Carcoar Dam Water Source,
- (iv) Bogandillon and Manna Creeks Water Source,
- (v) Boorowa River and Hovells Creek Water Source,
- (vi) Burrangong Creek Water Source,
- (vii) Crookwell River Water Source,
- (viii) Crowther Creek Water Source,
- (ix) Goobang and Billabong Creeks Water Source,
- (x) Goonigal and Kangarooby Creeks Water Source,
- (xi) Gunningbland and Yarrabandai Water Source,
- (xii) Humbug Creek Water Source,
- (xiii) Lachlan River above Reids Flat Water Source,
- (xiv) Lake Forbes and Back Yamma Creek Water Source,
- (xv) Mid Lachlan Unregulated Water Source,
- (xvi) Mount Hope Area Water Source,
- (xvii) Naradhan Area Water Source,
- (xviii) Ooma Creek and Tributaries Water Source,
- (xix) Tyagong Creek Water Source,
- (xx) Unregulated Effluent Creeks Water Source,

- (xxi) Waugoola Creek Water Source, and
- (xxii) Western Bland Creek Water Source,
- (b) Upper Lachlan Alluvial Groundwater Source, and
- (c) Belubula Valley Alluvial Groundwater Source.

**Note—**

The Lachlan Water Management Area was constituted by Ministerial order made under section 11 of the [Water Management Act 2000](#) and published in the NSW Government Gazette No 180 on 23 November 2001 at page 9389.

- (2) These water sources are shown on the Plan Map called [Plan Map \(WSP024\\_version 1\), Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012](#) (hereafter **the Plan Map**) held by the Department.

**Note—**

The Plan Map is part of this Plan. Overviews of the Plan Map are shown in Appendix 1. Copies of the Plan 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 Lachlan Unregulated Water Sources include all water:
  - (a) occurring naturally on the surface of the ground within the boundaries of the Lachlan Unregulated Water Sources shown on the Plan Map, and
  - (b) in rivers, lakes and wetlands within the boundaries of the Lachlan Unregulated Water Sources shown on the Plan Map.
- (4) Subject to subclause (5), the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source include all water contained within all alluvial sediments below the surface of the ground within the boundaries of the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source shown on the Plan Map.

**Note—**

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

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

**Note—**

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

- (b) contained in the Lachlan Regulated River Water Source to which the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#) applies,
- (c) contained in the Lower Lachlan Groundwater Source to which the [Water Sharing Plan for the Lower Lachlan Groundwater Source 2003](#) applies,

- (d) contained in the water sources to which the *Water Sharing Plan for the NSW Murray-Darling Basin Fractured Rock Groundwater Sources 2011* applies,
- (e) contained in the Lower Murrumbidgee Alluvium to which the *Water Sharing Plan for the Lower Murrumbidgee Groundwater Sources 2003* applies,
- (f) contained between the banks of the Belubula River from the upper limits of Carcoar Dam storage at full supply level to its confluence with the Regulated Lachlan River,
- (g) contained in the Mandagery Creek Water Source to which the *Water Sharing Plan for the Mandagery Creek Water Source 2003* applies, and
- (h) 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 Upper Lachlan Alluvial Groundwater Source is divided into the following management zones:
  - (a) Upper Lachlan Alluvial Zone 1 Management Zone,
  - (b) Upper Lachlan Alluvial Zone 2 Management Zone,
  - (c) Upper Lachlan Alluvial Zone 3 Management Zone,
  - (d) Upper Lachlan Alluvial Zone 4 Management Zone,
  - (e) Upper Lachlan Alluvial Zone 5 Management Zone,
  - (f) Upper Lachlan Alluvial Zone 6 Management Zone,
  - (g) Upper Lachlan Alluvial Zone 7 Management Zone, and
  - (h) Upper Lachlan Alluvial Zone 8 Management Zone.
- (2) The management zones in subclause (1) are shown on the Plan Map.

### Notes—

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

## 6 Extraction management unit for these water sources

- (1) This Plan applies to that part of the Lachlan Unregulated Extraction Management Unit (hereafter **the EMU**) that includes the water sources specified in Column 2 of Table A to this clause.
- (2) The EMU specified in subclause (1) is shown on the Plan 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 Lachlan Unregulated Extraction Management Unit was established under the [Water Sharing Plan for the Mandagery Creek Water Source 2003](#).

**Table A—Extraction management unit**

**Column 1—Extraction management unit    Column 2—Water sources**

<b>Lachlan Unregulated Extraction Management Unit</b>	Abercrombie River above Wyangala Water Source Belubula River above Carcoar Dam Water Source Belubula Tributaries below Carcoar Dam Water Source Bogandillon and Manna Creeks Water Source Boorowa River and Hovells Creek Water Source Burrangong Creek Water Source Crookwell River Water Source Crowther Creek Water Source Goobang and Billabong Creeks Water Source Goonigal and Kangarooby Creeks Water Source Gunningbland and Yarrabandai Water Source Humbug Creek Water Source Lachlan River above Reids Flat Water Source Lake Forbes and Back Yamma Creek Water Source Naradhan Area Water Source Mid Lachlan Unregulated Water Source Mount Hope Area Water Source Ooma Creek and Tributaries Water Source Tyagong Creek Water Source Unregulated Effluent Creeks Water Source Waugoola Creek Water Source Western Bland Creek Water Source
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**Note—**

The Lachlan Unregulated Extraction Management Unit also includes the Mandagery Creek Water Source as defined in the [Water Sharing Plan for the Mandagery Creek 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 regulations made under 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.
- (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 of 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 ecosystems** 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 *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.

## **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 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 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,
- (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 the 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 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**

- (1) Water is committed and identified as planned environmental water in the Lachlan Unregulated 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.
- (2) Water is committed and identified as planned environmental water in the Belubula Valley Alluvial Groundwater Source in the following ways:
  - (a) by reference to the commitment of the physical presence of water in the water source, and
  - (b) 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.
- (3) Water is committed and identified as planned environmental water in the Upper Lachlan Alluvial Groundwater Source 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 Lachlan Unregulated 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 Lachlan Unregulated 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 Lachlan Alluvial Groundwater Source that is equal to 30% of the long-term average annual rainfall recharge, and

**Notes—**

**1** At the commencement of this Plan the long-term average annual rainfall recharge for the Upper Lachlan Alluvial Groundwater Source is estimated to be 133,972 megalitres per year (hereafter **ML/year**).

**2** **Recharge** is defined in the Dictionary.

- (iii) in the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source that is within the groundwater storage of the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan 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 limits on the average annual volume of water permitted to be extracted under the rules in this Plan over the long term ensure that water within the groundwater storage of the Belubula Valley Alluvial Groundwater Source and Upper Lachlan 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 Lachlan Unregulated 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 Lachlan Alluvial Groundwater Source that is equal to 30% of the long-term average annual rainfall recharge, and
  - (iii) the Upper Lachlan Alluvial Groundwater Source and the Belubula Valley Alluvial Groundwater Source that is within the groundwater storage of the Upper Lachlan Alluvial Groundwater Source and the Belubula Valley Alluvial Groundwater Source over the long term,
- (c) it is 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 Belubula Valley Alluvial Groundwater Source and Upper Lachlan 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 in the respective groundwater source.

- (2) The planned environmental water established under subclause (1) (a) is maintained in:
  - (a) the Lachlan Unregulated Water Sources by the rules specified in Division 2 of Part 8 of this Plan, and
  - (b) the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source by the rules specified in Part 6 and Part 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 determination rules 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 provide for a reduction in available water determinations when the long-term average annual extraction limits have 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 granting, 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 10,302 ML/year, distributed as follows:

- (a) 547 ML/year in the Abercrombie River above Wyangala Water Source,
- (b) 68 ML/year in the Belubula River above Carcoar Dam Water Source,
- (c) 370 ML/year in the Belubula Tributaries below Carcoar Dam Water Source,
- (d) 36 ML/year in the Belubula Valley Alluvial Groundwater Source,
- (e) 60 ML/year in the Bogandillon and Manna Creeks Water Source,
- (f) 431 ML/year in the Boorowa River and Hovells Creek Water Source,
- (g) 68 ML/year in the Burrangong Creek Water Source,
- (h) 177 ML/year in the Crookwell River Water Source,
- (i) 222 ML/year in the Crowther Creek Water Source,
- (j) 188 ML/year in the Goobang and Billabong Creeks Water Source,
- (k) 58 ML/year in the Goonigal and Kangarooby Creeks Water Source,
- (l) 47 ML/year in the Gunningbland and Yarrabandai Water Source,
- (m) 31 ML/year in the Humbug Creek Water Source,
- (n) 732 ML/year in the Lachlan River above Reids Flat Water Source,
- (o) 17 ML/year in the Lake Forbes and Back Yamma Creek Water Source,
- (p) 52 ML/year in the Mid Lachlan Unregulated Water Source,
- (q) 131 ML/year in the Mount Hope Area Water Source,
- (r) 54 ML/year in the Naradhan Area Water Source,

- (s) 66 ML/year in the Ooma Creek and Tributaries Water Source,
- (t) 81 ML/year in the Tyagong Creek Water Source,
- (u) 260 ML/year in the Unregulated Effluent Creeks Water Source,
- (v) 6,280 ML/year in the Upper Lachlan Alluvial Groundwater Source,
- (w) 75 ML/year in the Waugoola Creek Water Source, and
- (x) 251 ML/year in the Western Bland Creek Water 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 total 0 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 requirement 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 take water from these water sources total 1,946 ML/year, distributed as follows:

- (a) 16 ML/year in the Abercrombie River above Wyangala Water Source,
- (b) 5 ML/year in the Belubula River above Carcoar Dam Water Source,
- (c) 87 ML/year in the Belubula Tributaries below Carcoar Dam Water Source,

- (d) 0 ML/year in the Belubula Valley Alluvial Groundwater Source,
- (e) 18 ML/year in the Bogandillon and Manna Creeks Water Source,
- (f) 89 ML/year in the Boorowa River and Hovells Creek Water Source,
- (g) 52 ML/year in the Burrangong Creek Water Source,
- (h) 20 ML/year in the Crookwell River Water Source,
- (i) 39 ML/day in the Crowther Creek Water Source,
- (j) 16 ML/year in the Goobang and Billabong Creeks Water Source,
- (k) 4 ML/year in the Goonigal and Kangaroo Creek Water Source,
- (l) 18 ML/year in the Gunningbland and Yarrabandai Water Source,
- (m) 0 ML/year in the Humbug Creek Water Source,
- (n) 39 ML/year in the Lachlan River above Reids Flat Water Source,
- (o) 4 ML/year in the Lake Forbes and Back Yamma Creek Water Source,
- (p) 58 ML/year in the Mid Lachlan Unregulated Water Source,
- (q) 9 ML/year in the Mount Hope Area Water Source,
- (r) 0 ML/year in the Naradhan Area Water Source,
- (s) 5 ML/year in the Ooma Creek and Tributaries Water Source,
- (t) 1 ML/year in the Tyagong Creek Water Source,
- (u) 115 ML/year in the Unregulated Effluent Creeks Water Source,
- (v) 1,248 ML/year in the Upper Lachlan Alluvial Groundwater Source,
- (w) 22 ML/year in the Waugoola Creek Water Source,
- (x) 81 ML/year in the Western Bland Creek Water 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 take water from these water sources total 13,721 ML/year, distributed as follows:

- (a) 3,150 ML/year in the Belubula Tributaries below Carcoar Dam Water Source,
- (b) 340 ML/year in the Boorowa River and Hovells Creek Water Source,

- (c) 400 ML/year in the Crookwell River Water Source,
- (d) 1,500 ML/year in the Goobang and Billabong Creeks Water Source,
- (e) 4 ML/year in the Gunningbland and Yarrabandai Water Source,
- (f) 110 ML/year in the Lachlan River above Reids Flat Water Source,
- (g) 5 ML/year in the Mid Lachlan Unregulated Water Source,
- (h) 100 ML/year in the Ooma Creek and Tributaries Water Source,
- (i) 304 ML/year in the Unregulated Effluent Creeks Water Source,
- (j) 7,798 ML/year in the Upper Lachlan Alluvial Groundwater Source,
- (k) 10 ML/year in the Western Bland Creek Water Source,
- (l) 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 unregulated river access licences authorised to take water from these water sources total 38,617 unit shares, distributed as follows:

- (a) 773 unit shares in the Abercrombie River above Wyangala Water Source,
- (b) 0 unit shares in the Belubula River above Carcoar Dam Water Source,
- (c) 6,720 unit shares in the Belubula Tributaries below Carcoar Dam Water Source,
- (d) 2,754 unit shares in the Bogandillon and Manna Creeks Water Source,
- (e) 1,387 unit shares in the Boorowa River and Hovells Creek Water Source,
- (f) 2,606 unit shares in the Burrangong Creek Water Source,
- (g) 1,133 unit shares in the Crookwell River Water Source,
- (h) 1,436 unit shares in the Crowther Creek Water Source,
- (i) 1,646 unit shares in the Goobang and Billabong Creeks Water Source,
- (j) 1,031 unit shares in the Goonigal and Kangarooby Creeks Water Source,
- (k) 499 unit shares in the Gunningbland and Yarrabandai Water Source,
- (l) 9 unit shares in the Humbug Creek Water Source,
- (m) 685 unit shares in the Lachlan River above Reids Flat Water Source,

- (n) 235 unit shares in the Lake Forbes and Back Yamma Creek Water Source,
- (o) 12,765 unit shares in the Mid Lachlan Unregulated Water Source,
- (p) 0 unit shares in the Mount Hope Area Water Source,
- (q) 0 unit shares in the Naradhan Area Water Source,
- (r) 116 unit shares in the Ooma Creek and Tributaries Water Source,
- (s) 168 unit shares in the Tyagong Creek Water Source,
- (t) 2,309 unit shares in the Unregulated Effluent Creeks Water Source,
- (u) 249 unit shares in the Waugoola Creek Water Source,
- (v) 2,096 unit shares in the Western Bland Creek Water Source.

## **25 Share components of aquifer access licences**

It is estimated that at the time of commencement of this Plan the share components of aquifer access licences authorised to take water from the Upper Lachlan Alluvial Groundwater Source total 169,203 unit shares.

## **26 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 Belubula Valley Alluvial Groundwater Source total 8,491 unit shares.

## **Part 6 Limits to the availability of water**

### **Note—**

Part 12 allows for amendments to be made to this Part.

## **Division 1 Long-term average annual extraction limit**

### **27 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.

### **28 Volume of the long-term average annual extraction limits**

- (1) This clause establishes the long-term average annual extraction limits for the EMU, the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source.
- (2) Subject to any variation under subclause (5), the long-term average annual extraction limit for the EMU 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) Abercrombie River above Wyangala Water Source,
  - (ii) Belubula River above Carcoar Dam Water Source,
  - (iii) Belubula Tributaries below Carcoar Dam Water Source,
  - (iv) Bogandillon and Manna Creeks Water Source,
  - (v) Boorowa River and Hovells Creek Water Source,
  - (vi) Burrangong Creek Water Source,
  - (vii) Crookwell River Water Source,
  - (viii) Crowther Creek Water Source,
  - (ix) Goobang and Billabong Creeks Water Source,
  - (x) Goonigal and Kangarooby Creeks Water Source,
  - (xi) Gunningbland and Yarrabandai Water Source,
  - (xii) Humbug Creek Water Source,
  - (xiii) Lachlan River above Reids Flat Water Source,
  - (xiv) Lake Forbes and Back Yamma Creek Water Source,
  - (xv) Mid Lachlan Unregulated Water Source,
  - (xvi) Mount Hope Area Water Source,
  - (xvii) Naradhan Area Water Source,
  - (xviii) Ooma Creek and Tributaries Water Source,
  - (xix) Tyagong Creek Water Source,
  - (xx) Unregulated Effluent Creeks Water Source,
  - (xxi) Waugoola Creek Water Source, and
  - (xxii) Western Bland Creek Water Source, plus
- (b) the annual water requirements pursuant to domestic and stock rights and native title rights in the following water sources at the commencement of this Plan:

- (i) Abercrombie River above Wyangala Water Source,
  - (ii) Belubula River above Carcoar Dam Water Source,
  - (iii) Belubula Tributaries below Carcoar Dam Water Source,
  - (iv) Bogandillon and Manna Creeks Water Source,
  - (v) Boorowa River and Hovells Creek Water Source,
  - (vi) Burrangong Creek Water Source,
  - (vii) Crookwell River Water Source,
  - (viii) Crowther Creek Water Source,
  - (ix) Goobang and Billabong Creeks Water Source,
  - (x) Goonigal and Kangarooby Creeks Water Source,
  - (xi) Gunningbland and Yarrabandai Water Source,
  - (xii) Humbug Creek Water Source,
  - (xiii) Lachlan River above Reids Flat Water Source,
  - (xiv) Lake Forbes and Back Yamma Creek Source,
  - (xv) Mid Lachlan Unregulated Water Source,
  - (xvi) Mount Hope Area Water Source,
  - (xvii) Naradhan Area Water Source,
  - (xviii) Ooma Creek and Tributaries Water Source,
  - (xix) Tyagong Creek Water Source,
  - (xx) Unregulated Effluent Creeks Water Source,
  - (xxi) Waugoola Creek Water Source, and
  - (xxii) Western Bland Creek 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 Mandagery Creek Water Source as defined in the [Water Sharing Plan for the Mandagery Creek Water Source 2003](#), plus
- (d) the annual water requirements pursuant to domestic and stock rights and native title rights from the Mandagery Creek Water Source at the commencement of the

*Water Sharing Plan for the Mandagery Creek Water Source 2003*, plus

(e) the annual extraction of water averaged over the period of 1 July 1993 to 30 June 1999 by floodplain harvesting activities for which floodplain harvesting access licences were later issued in the EMU.

(3) Subject to any variation under subclause (5), the long-term average annual extraction limit for Belubula Valley Alluvial Groundwater Source is 2,883 ML/year.

**Note—**

The long-term average annual extraction limit for the Belubula Valley Alluvial Groundwater Source is as follows:

- (a) the sum of the maximum five-year average of annual extractions for each individual entitlement issued under Part 5 of the *Water Act 1912* in this water source in the period 1998/1999 to 2009/2010 that were metered, plus
- (b) an estimate of annual extractions of water for those entitlements issued under Part 5 of the *Water Act 1912* in this water source that were not metered, plus
- (c) 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) Subject to any variation under subclause (5), the long-term average annual extraction limit for Upper Lachlan Alluvial Groundwater Source is 94,168 ML/year.

**Note—**

The long-term average annual extraction limit for the Upper Lachlan Alluvial Groundwater Source is as follows:

- (a) the sum of the maximum five-year average of annual extractions for each individual entitlement issued under Part 5 of the *Water Act 1912* in this water source in the period 1998/1999 to 2009/2010 that were metered, plus
- (b) an estimate of annual extractions of water for those entitlements issued under Part 5 of the *Water Act 1912* in this water source that were not metered, plus
- (c) 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.

(5) 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.

**Notes—**

- 1** An example of where the Minister may vary the long-term average annual extraction limit under subclause (5) is where 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.

## **29 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, the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source.

## **30 Assessment of average annual extractions against 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, the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source as set out in this clause.
- (2) Commencing in the sixth water year in which this Plan has effect, the assessment referred to in subclause (1) must compare the long-term average annual extraction limit established in clause 28 (2) for the EMU against the average of the annual extractions in the preceding five water years as calculated under clause 29 for the EMU.
- (3) Commencing in the second water year in which this Plan has effect, the assessment referred to in subclause (1) must compare the long-term average annual extraction limit established in clause 28 (3) for the Belubula Valley Alluvial Groundwater Source, against the average of the annual extractions in the preceding five water years (including years prior to the commencement of this Plan) as calculated under clause 29 for the Belubula Valley Alluvial Groundwater Source.
- (4) Commencing in the second water year in which this Plan has effect, the assessment referred to in subclause (1) must compare the long-term average annual extraction limit established in clause 28 (4) for the Upper Lachlan Alluvial Groundwater Source, against the average of the annual extractions in the preceding five water years (including years prior to the commencement of this Plan) as calculated under clause 29 for the Upper Lachlan Alluvial Groundwater Source.

## **31 Compliance with the long-term average annual extraction limit 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 30 demonstrates that the average annual extractions in the EMU in the preceding five water years have exceeded the long-term average annual extraction limit established under clause 28 (2) for the EMU by 5% or

more, then 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 long-term average annual extractions in the EMU to the long-term average annual extraction limit for the EMU established in this Part.

**Note—**

Any reductions to available water determinations under subclause (2) will apply to all unregulated river access licences in the EMU, including those access licences within the Mandagery Creek Water Source to which the [Water Sharing Plan for the Mandagery Creek Water Source 2003](#) applies.

**32 Compliance with the long-term average annual extraction limit for the Belubula Valley Alluvial Groundwater Source**

- (1) Compliance with the long-term average annual extraction limit established for the Belubula Valley Alluvial Groundwater Source is to be managed in accordance with this clause.
- (2) Commencing in the second water year in which this Plan has effect, if, in the Minister's opinion the assessment under clause 30 demonstrates that the average of the annual extractions in the Belubula Valley Alluvial Groundwater Source in the preceding five water years (including years prior to the commencement of this Plan) have exceeded the long-term average annual extraction limit established under clause 28 (3) for the Belubula Valley Alluvial Groundwater Source by 10% or more, then the available water determinations for aquifer (high security) access licences for the Belubula Valley 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 average annual extractions in the Belubula Valley Alluvial Groundwater Source to the long-term average annual extraction limit for that water source established in this Part.

**33 Compliance with the long-term average annual extraction limit for the Upper Lachlan Alluvial Groundwater Source**

- (1) Compliance with the long-term average annual extraction limit established for the Upper Lachlan Alluvial Groundwater Source is to be managed in accordance with this clause.
- (2) Commencing in the second water year in which this Plan has effect, if, in the Minister's opinion the assessment under clause 30 demonstrates that the average annual extractions in the Upper Lachlan Alluvial Groundwater Source in the preceding five water years (including years prior to the commencement of this Plan) have exceeded the long-term average annual extraction limit established under clause 28 (4) for the Upper Lachlan Alluvial Groundwater Source by 10% or more, then the

available water determinations for aquifer access licences in that water 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 average annual extractions in the Upper Lachlan Alluvial Groundwater Source to the long-term average annual extraction limit for that water source established in this Part.

## **Division 2 Available water determinations**

### **34 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 which have share components specified as megalitres per 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 is determined under 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 is determined under 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 the Lachlan Unregulated Water Sources.

### **35 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 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 one of these water sources.

### **36 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 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 one of these water sources.

### **37 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 of share component should be made for unregulated river access licences with a share component that specifies one of the Lachlan Unregulated 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 is determined under Division 1 of this Part, should be made for unregulated river access licences with a share component that specifies one of the Lachlan Unregulated 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 30 and 31.

### **38 Available water determinations for aquifer access licences**

- (1) In making available water determinations for aquifer 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 in which this Plan has effect, an available water determination of 1 ML per unit of share component, or such lower amount that is determined under Division 1 of this Part, should be made for aquifer access licences with a share component that specifies the Upper Lachlan Alluvial Groundwater Source.

**Note—**

Division 1 of this Part provides for available water determinations for aquifer access licences to be reduced where the long-term average annual extraction limit for the Upper Lachlan Alluvial Groundwater Source has been assessed to have been exceeded, as per clauses 30 and 33.

### 39 Available water determinations for aquifer (high security) access licences

- (1) In making available water determinations for aquifer (high security) access licences, in the Belubula Valley Groundwater Source, 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 Belubula Valley Alluvial Groundwater Source, equal to:
  - (a) 0.3 ML per unit of share component, plus
  - (b) 70% of the water allocation determined for high security entitlements in the Belubula Regulated River Water Source at the commencement of the water year, or such lower amount that is determined under Division 1 of this Part.
- (c) In this clause, **water allocation** means:
  - (i) prior to the commencement of the Water Sharing Plan for the Belubula Regulated River Water Source, the water allocation determined at the commencement of the water year for high security entitlements in the Belubula Regulated River in accordance with Division 4B of Part 2 of the [Water Act 1912](#), and
  - (ii) after the commencement of the Water Sharing Plan for the Belubula Regulated River Water Source, the available water determinations made from time to time for the regulated river (high security) access licences in the Belubula Regulated River Water Source as defined in that Plan.

#### Note—

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

- (3) After the available water determination under subclause (2) has been made, further available water determinations for aquifer (high security) access licences may be made whenever additional water allocations determined for regulated river (high security) entitlements in the Belubula Regulated River are made, whether under the [Water Act 1912](#) or the [Water Management Act 2000](#).
- (4) Available water determinations made under subclause (3) should be equal to 70% of the water allocation determined for regulated river (high security) entitlements in the Belubula Regulated River, whether made under the [Water Act 1912](#) or [Water Management Act 2000](#), or such lower amount that is determined under 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 Belubula Valley Alluvial Groundwater Source has been assessed to have been exceeded, as per clauses 30 and 32.

## **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.

### **40 Specific purpose access licences**

- (1) Applications may not be made for specific purpose access licences 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.

### **41 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**

### **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 Part impose further restrictions on the volume of water that may be taken under an access licences over a specified period of time. These restrictions 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.

#### **42 Individual access licence account management rules for the Lachlan Unregulated Water Sources**

- (1) The rules in this clause apply to the taking of water under an access licence with a share component that specifies one of the Lachlan Unregulated Water Sources.
- (2) For the period of the first three water years in which this Plan has effect, water taken under 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 unregulated river 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, water taken under an unregulated river access licence must not exceed a volume equal to the lesser of:
  - (a) the sum of:
    - (i) 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 (5),
    - (iii) the net amount of 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 the first of those three water years,

- (ii) the share component of the access licence at the beginning of the second of those three water years,
  - (iii) the share component of the access licence at the beginning of the third of those three water years,
  - (iv) 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
  - (v) 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.
- (4) In any water year in which this Plan has effect, water taken under a domestic and stock access licence or a local water utility 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.
- (5) The maximum water allocation that can be carried over from one water year to the next in the water allocation account for an unregulated river access licence is equal to 1 ML per unit share of the access licence share component.
- (6) Water allocations remaining in the water allocation account for a domestic and stock access licence or local water utility access licence cannot be carried over from one water year to the next.

#### **43 Individual access licence account management rules for the Belubula Valley Alluvial Groundwater Source**

- (1) The rules in this clause apply to the taking of water under an access licences with a share component that specifies the Belubula Valley Alluvial Groundwater Source.
- (2) In any water year in which this Plan has effect, water taken under an aquifer (high security) access licence must not exceed a volume equal to:
- (a) the sum of water allocations accrued to the water allocation account for the aquifer (high security) access licence from available water determinations in that water year, plus
  - (b) the sum of the water allocation carried over in the water allocation account for the

- aquifer (high security) access licence from the water year prior to that water year under subclause (4), plus
- (c) the net amount of any water allocations assigned to or from the water allocation account for the aquifer (high security) access licence under section 71T of the Act in that water year, plus
  - (d) any water allocations recredited to the water allocation account for the aquifer (high security) access licence in accordance with section 76 of the Act in that water year.
- (3) In any water year that this plan has effect, water taken under a domestic and stock access licence or a local water utility access licence to which this clause applies 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.
- (4) The maximum water allocation that can be carried over in the water allocation account for an aquifer (high security) access licence with a share component that specifies the Belubula Valley Alluvial Groundwater Source, from one water year to the next is equal to 0.25 ML per unit share of the aquifer (high security) access license share component.
- (5) Water allocations remaining in the water allocation account for a domestic and stock access licence or a local water utility access licence cannot be carried over from one water year to the next.

#### **44 Individual access licence account management rules for the Upper Lachlan 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 Lachlan Alluvial Groundwater Source.
- (2) In any water year in which this Plan has effect, water taken under an aquifer access licence must not exceed a volume equal to:
  - (a) the sum of water allocations accrued to the water allocation account for the aquifer access licence from available water determinations in that water year, plus
  - (b) the sum of the water allocation carried over in the water allocation account for the aquifer access licence from the water year prior to that water year under

subclause (4), plus

- (c) the net amount of any water allocations assigned to or from the water allocation account for the aquifer access licence under section 71T of the Act, in that water year, plus
  - (d) any water allocations recredited to the water allocation account for the aquifer access licence in accordance with section 76 of the Act, in that water year.
- (3) In any water year that this plan has effect, water taken under a domestic and stock access licence or a local water utility access licence to which this clause applies 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.
- (4) The maximum water allocation that can be carried over from one water year to the next in the water allocation account for an aquifer access licence is equal to 0.20 ML per unit share of the access licence share component.
- (5) Water allocations remaining in the water allocation account for a domestic and stock access licence or a local water utility access licence cannot be carried over from one water year to the next.

## **Division 2 Flow classes and daily access rules**

### **Note—**

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

### **45 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.

### **46 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 these water sources.
- (2) The flow classes in Column 3 and the flow reference points specified in Column 6 of Table B are established for each water source specified in Column 1 of Table B.

- (3) Subject to subclause (4), a flow class applies in the respective water source on the day 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 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 Forbes office at the address listed in Appendix 4 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 apply for the years specified in Column 4 of Table B.
- (6) For the purpose of Table B and clause 47:
- (a) **Year 1 of this Plan** means from the date of commencement of this Plan, and
- (b) **Year 6 of this Plan** means from 1 July 2017.

**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	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Water source	Management zone	Flow class	Duration	Flow (ML/day)	Flow reference point	Day on which flow class applies
Abercrombie River above Wyangala Water Source		<b>Very Low Flow Class</b>	Year 1 to Year 5 of this Plan	0 ML/day	Abercrombie River at Abercrombie gauge (412028)	Same day
		<b>A Class</b>	Year 1 to Year 5 of this Plan	More than 0 ML/day		Same day

	<b>Very Low Flow Class</b>	Year 6 to the end of this Plan	Less than or equal to 7 ML/day		Same day
	<b>A Class</b>	Year 6 to the end of this Plan	More than 7 ML/day		Same day
Boorowa River and Hovells Creek Water Source	<b>Very Low Flow Class</b>	Year 1 to the end of this Plan	0 ML/day	Boorowa River at Prossers Crossing gauge (412029)	Same day
	<b>A Class</b>	Year 1 to the end of this Plan	More than 0 ML/day		Same day
Crookwell River Water Source	<b>Very Low Flow Class</b>	Year 1 to Year 5 of this Plan	0 ML/day		Same day
	<b>A Class</b>	Year 1 to Year 5 of this Plan	More than 0 ML/day	Crookwell River at Narrawa North gauge (412050)	Same day
	<b>Very Low Flow Class</b>	Year 6 to the end of this Plan	less than or equal to 2 ML/day		Same day
	<b>A Class</b>	Year 6 to the end of this Plan	More than 2 ML/day		Same day
Lachlan River above Reids Flat Water Source	<b>Very Low Flow Class</b>	Year 1 to Year 5 of this Plan	0 ML/day		Same day
	<b>A Class</b>	Year 1 to Year 5 of this Plan	More than 0 ML/day	Lachlan River at Narrawa gauge (412065)	Same day
	<b>Very Low Flow Class</b>	Year 6 to the end of this Plan	less than or equal to 2 ML/day		Same day
	<b>A Class</b>	Year 6 to the end of this Plan	More than 2 ML/day		Same day

**Notes—**

The flow percentiles below refer to flows at the gauge and include all days of record.

**1**

For the Abercrombie River at Abercrombie gauge (412028):

- 0 ML/day corresponds to the estimated 96<sup>th</sup> percentile flow, and
- 7 ML/day corresponds to the estimated 90<sup>th</sup> percentile flow.

**2**

For the Boorowa River at Prossers Crossing gauge (412029), 0 ML/day corresponds to the estimated 90<sup>th</sup> percentile flow.

**3**

For the Crookwell River at Narrawa North gauge (412050):

- 0 ML corresponds to the estimated 98<sup>th</sup> percentile flow, and
- 2 ML/day corresponds to the estimated 94<sup>th</sup> percentile flow.

**4**

For the Lachlan River at Narrawa gauge (412065):

- 0 ML/day corresponds to the estimated 96<sup>th</sup> percentile flow, and
- 2 ML/day corresponds to the estimated 93<sup>rd</sup> percentile flow.

**47 Access rules for the taking of surface water**

- (1) This clause applies to the taking of water under an access licence from the Lachlan Unregulated 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 and the taking of water under an access licence specified in Schedule 1.
- (2) Subject to subclause (15), water must not be taken under an access licence when flows in that water source 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 (15), 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:

- (a) an off-river pool, or
- (b) an in-river pool.

**Note—**

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

- (4) Water must not be taken under an access licence where a cease to take condition that 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 relevant Very Low Flow Class (as specified in Column 5 of Table B), or
- (b) the access rules specified in subclauses (2), (3), or (7)-(10),

when flows are at or less than the cease to take condition that was specified on the [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 relevant Very Low Flow Class or access rules specified in subclauses (2), (3), or (7)-(10) are listed in Appendix 3.

**2** **Cease to take condition, runoff harvesting dam** and **Water Act 1912 entitlement** are defined in the Dictionary.

- (5) The cease to take condition that arises from subclause (4) only applies to water supply works that were nominated by the access licence at the commencement of this Plan.
- (6) The cease to take condition that arises from subclause (4) will apply to a water supply work nominated by an access licence that is granted as a result of a subdivision of the original access licence under section 71P (1) (a) of the Act, if that water supply work was nominated by the original access licence at the commencement of this Plan. For the purposes of this subclause, the original access licence will include the replacement access licence arising from the [Water Act 1912](#) entitlement together with any subsequent access licences that may arise from future subdivisions of those licences.
- (7) Subject to subclause (15), water must not be taken under an access licence from an off-river pool when the volume of water in that pool is at less than the full capacity of the pool. This subclause does not apply to those lakes listed in subclauses (9) and (10).

**Note—**

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

- (8) Subject to subclause (15), 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 water in that pool is less than the full capacity of the pool.
- (9) Subject to subclause (15), water must not be taken from Lake Waljeers in the Unregulated Effluent Creeks Water Source when the water level in Lake Waljeers is less than 80% of the full capacity of the lake.
- (10) Subject to subclause (15), water must not be taken from Lake Forbes in the Lake Forbes and Back Yamma Creek Water Source when the water level in Lake Forbes is less than 50% of the full capacity of the lake.
- (11) 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 the cease to take condition that was specified on the [Water Act 1912](#) entitlement that the access licence replaces.
- (12) Water must not be taken from an in-river dam pool unless the 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
  - (b) passing such flows in such circumstances as specified on the water supply work approval for the in-river dam.

**Note—**

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

- (13) 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 (12) are:
  - (a) the conditions for construction, operation and maintenance that were specified in the conditions on the [Water Act 1912](#) entitlements 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.
- (14) The flows and circumstances to be specified on the water supply work approval for the in-river dam referred to in subclause (12) are:
  - (a) the flows and circumstances that were specified in conditions 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.

(15) Subclauses (2), (3) and (7)–(10) 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 2 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 (16):
  - (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,
- (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 access licence of the subcategory “Town water supply” to which clause 2 of Schedule 2 applies.

(16) The Minister may reduce the maximum daily volume limit imposed by the rule under subclause (15) (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.

#### **48 Access rules for unregulated river access licences on Booberoi Creek**

(1) Subject to subclause (2), the Minister may, by notice in writing to the access licence

holder, permit the taking of water under an unregulated river access licence that arose from a [Water Act 1912](#) entitlement specified in Clause 1 of Schedule 1 from Booberoi Creek in the Mid Lachlan Unregulated Water Source.

- (2) The Minister may not permit the taking of water under subclause (1) unless the Minister is satisfied that:
  - (a) the access licence holder has written to the Minister requesting access under this clause,
  - (b) the unregulated river access licence arose from a [Water Act 1912](#) entitlement specified in Clause 1 of Schedule 1,
  - (c) replenishment flows have been provided in that water year under clause 60 (1) of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#),
  - (d) a visible flow is being maintained in the Lachlan River at Geramy in accordance with clause 61 of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#),
  - (e) all orders for water in the Lachlan Regulated River Water Source as defined in the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#) downstream of the Booberoi Creek off-take have been met,
  - (f) Lake Cargelligo and Lake Brewster storages are at full capacity,
  - (g) flows are not occurring in the Lachlan Regulated River Water Source that are required to satisfy the provisions of clause 15 (1) of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#), and
  - (h) releases are not being made from the environmental contingency allowance held in Wyangala Dam water storage or the water quality allowance established by clause 15 of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#).
- (3) If the Minister permits the taking of water under subclause (1), the Minister must include the following requirements in the notice to the access licence holder:
  - (a) water must not be taken unless the flow in Booberoi Creek at the Return (Cannons Bridge) gauge (412192) is greater than 3 ML/day,
  - (b) the period of time during which water is permitted to be taken,
  - (c) water must not be taken when there is no visible flow at the location at which water is proposed to be taken. This paragraph does not apply to the taking of water from:
    - (i) an in-river pool, or

- (ii) an in-river dam,
- (d) water must not be taken from an in-river pool when the volume of water in that pool is at less than the full capacity of the pool,
- (e) water must not be taken under an access licence listed in Clause 1 of Schedule 1 from an in-river dam pool created by a structure authorised by a water supply work approval when flows or storage level in that dam are at or less than the cease to take conditions that was specified on the [Water Act 1912](#) entitlement that the access licence replaces,
- (f) water must not be taken from an in-river dam pool unless the in-river dam is passing such flows as specified on the water supply work approval for the in-river dam, and
- (g) the flows specified on the water supply work approval for the in-river dam referred to in paragraph (f) are:
  - (i) the flows that were specified in the conditions on the [Water Act 1912](#) entitlement that the approval replaces, or
  - (ii) where no flows were specified, the flows determined by the Minister.
- (4) If the Minister permits the taking of water under subclause (1), the Minister may include in the notice to the access licence holder one or more of the following requirements:
  - (a) that specific records of extraction are to be kept and provided to the Minister, as determined by the Minister,
  - (b) a maximum volume that may be extracted, and
  - (c) a rate in ML/day that water may be taken.
- (5) Water must not be taken under an unregulated river access licence that arose from a [Water Act 1912](#) entitlement specified in Clause 1 of Schedule 1 from Booberoi Creek in the Mid Lachlan Unregulated Water Source otherwise than in accordance with a written notice from the Minister issued under this clause.

#### **49 Access rules for unregulated river access licences in the Unregulated Effluent Creeks Water Source**

- (1) Subject to subclause (2), the Minister may, by notice in writing to the access licence holder, permit the taking of water under an unregulated river access licence that arose from a [Water Act 1912](#) entitlement specified in Clause 2 of Schedule 1 from the Unregulated Effluent Creeks Water Source.
- (2) The Minister may not permit the taking of water under subclause (1) unless the

Minister is satisfied that:

- (a) the access licence holder has written to the Minister requesting access under this clause,
  - (b) the unregulated river access licence arose from a [Water Act 1912](#) entitlement specified in Clause 2 of Schedule 1,
  - (c) replenishment flows have been provided in that water year under clause 60 (1) of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#),
  - (d) a visible flow is being maintained in the Lachlan River at Geramy in accordance with clause 61 of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#),
  - (e) all orders for water in the Lachlan Regulated River Water Source as defined in the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#) downstream of the junction of the creek on which the water supply work nominated by that access licence is located and the Lachlan Regulated River Water Source have been met,
  - (f) flows are not occurring in the Lachlan Regulated River Water Source that are required to satisfy the provisions of clause 15 (1) of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#), and
  - (g) releases are not being made from the environmental contingency allowance held in Wyangala Dam water storage, the environmental contingency allowance held in Lake Brewster or the water quality allowance established by clause 15 of the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#).
- (3) If the Minister permits the taking of water under subclause (1), the Minister must include the following requirements in the notice to the access licence holder:
- (a) water must not be taken 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:
    - (i) an off-river pool,
    - (ii) an in-river pool, or
    - (iii) an in-river dam pool,
  - (b) water must not be taken from an off-river pool or an in-river pool when the volume of water in that pool is at less than the full capacity of the pool, and
  - (c) the period of time during which water is permitted to be taken,
  - (d) water must not be taken under an access licence listed in Clause 2 of Schedule 1

from an in-river dam pool created by a structure authorised by a water supply work approval when flows or storage level in that dam are at or less than the cease to take conditions that was specified on the [Water Act 1912](#) entitlement that the access licence replaces,

- (f) water must not be taken from an in-river dam pool unless the in-river dam is passing such flows as specified on the water supply work approval for the in-river dam, and
- (g) the flows specified on the water supply work approval for the in-river dam referred to in paragraph (f) are:
  - (i) the flows that were specified in the conditions on the [Water Act 1912](#) entitlement that the approval replaces, or
  - (ii) where no flows were specified, the flows determined by the Minister.
- (4) If the Minister permits the taking of water under subclause (1), the Minister may include in the notice to the access licence holder one or more of the following requirements:
  - (a) that specific records of extraction are to be kept and provided to the Minister, as determined by the Minister,
  - (b) a maximum volume that may be extracted, and
  - (c) a rate in ML/day that water may be taken.
- (5) Water must not be taken under an unregulated river access licence that arose from a [Water Act 1912](#) entitlement specified in Clause 2 of Schedule 1 from the Unregulated Effluent Creeks Water Source otherwise than in accordance with a written notice from the Minister issued under this clause.

## 50 Total daily extraction limits

At the commencement of this Plan, there are no total daily extraction limits (hereafter **TDELS**) established for any 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 51.
- 2 **Total daily extraction limit** is defined in the Dictionary.

## 51 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 50 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 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**

#### **52 General**

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

#### **53 Granting or amending water supply work approvals**

- (1) If the sum of the share component 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 that 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 of the dam to ensure that the capability of the dam to capture water is reduced to reflect that reduction in share component.

**Notes—**

- 1 Water supply work approvals may be granted or amended for in-river dams on third order or higher streams within all water sources and management zones to which this Plan applies, consistent with the *NSW Weirs Policy*, the principles of the Act, the *Fisheries Management Act 1994* and any other relevant legislation.
- 2 The Minister can require the modification of the dam 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) Lake Cowal within the Bogandillon and Manna Creeks Water Source,
  - (b) Lake Waljeers within the Unregulated Effluent Creeks Water Source, or
  - (c) a lagoon or billabong within the Lake Forbes and Back Yamma Creek Water Source.

**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 clauses 69 (1) (c) and (d).

- (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 one of the Lachlan Unregulated Water Sources where:
  - (a) the existing water supply work is authorised by a water supply work approval under the Act, and
  - (b) the replacement 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**

### **54 General**

- (1) The rules in this Division apply to water supply works for water supply works that are authorised to take water from the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source.
- (2) In this Division, reference to a water supply work is limited to a water supply work that is authorised to take water from the Belubula Valley Alluvial Groundwater Source or the Upper Lachlan Alluvial Groundwater Source.

### **55 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) 600 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) 400 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) 200 metres from the boundary of the landholding on which the water supply work is located, unless the landholding adjoining the boundary has provided consent in writing,
  - (d) 600 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) 500 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 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 purposes 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 existing extractions within these water sources.
- (4) The Minister may require the modification of a water supply work authorised under subclause (2) (d) to minimise the impact of the water supply work on existing water levels or extractions, 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.

## **56 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 3, or
- (b) between 250 metres and 500 metres of the plume associated with a contamination source listed in Schedule 3, unless the Minister is satisfied that no drawdown of water will occur within 250 metres of the plume associated with the contamination source.

**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 3 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 to the grant 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 and 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 water source, the environment and public health and safety.

**57 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 200 metres of a high priority groundwater dependent ecosystem listed in Schedule 4 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 4 in the case of a water supply work that will be nominated by an access licence,
  - (c) within 100 meters of the edge of an escarpment, where the location of the water supply work is or is proposed to be above the escarpment, or

**Note—**

**Escarpment** is defined in the Dictionary.

- (d) 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 4, 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.
- (3) The distance restrictions specified in subclauses (1) (a) and (b) do not apply to the grant 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 in Schedule 4.
- (4) The distance restrictions specified in subclause (1) do not apply to the grant of 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 4, 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.

**58 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 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 to the grant or amendment of a water supply 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 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 greater impact on these water sources and their groundwater dependent culturally significant sites.

### **59 Replacement groundwater works**

- (1) For the purposes 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 Belubula Valley Alluvial Groundwater Source or the Upper Lachlan Alluvial Groundwater Source where:
  - (a) the existing water supply work is authorised by a water supply work approval 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 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 and the replacement groundwater work is to be located:
- (i) within 20 metres of the existing water supply work but no closer to the high bank of the river, or
  - (ii) more than 20 metres from 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 purposes of subclause (1) (c) (ii), the Minister may require the applicant to 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 purposes of subclauses (1) (d) (ii) or (1) (e) (ii), 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 distance greater 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**

### **60 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 Belubula Valley Groundwater Source and the Upper Lachlan Alluvial Groundwater Source.
- (2) Subject to subclause (3) and (4), a water supply work that is located within a restricted distance specified in clauses 55–58, must not, in any water year, be used to take more water than the volume of water that is equal to:
  - (a) the sum of the share component of the access licences nominating that water supply work at the commencement of the Plan, plus
  - (b) the maximum water allocation that can be carried over by access licences nominating that water supply work at the commencement of the Plan in accordance with:
    - (i) clause 43 (4) of this Plan, for aquifer access (high security) access licences with a share component that specifies the Belubula Valley Groundwater Source, or
    - (ii) clause 44 (4) of this Plan, for aquifer access licences with a share component that specifies the Upper Lachlan Alluvial Groundwater Source.
- (3) Subject to subclause (4), a water supply work that becomes located within a restricted distance specified in clauses 55–58, 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:
  - (a) the sum of the share components of the access licences nominating that water supply work at the date of the amendment, plus
  - (b) the maximum water allocation that can be carried over by access licences nominating that water supply work at the date of the amendment in accordance with:
    - (i) clause 43 (4) of this Plan, for aquifer (high security) access licences with a share component that specifies the Belubula Valley Alluvial Groundwater Source, or
    - (ii) clause 44 (4) of this Plan, for aquifer access licences with a share component that specifies the Upper Lachlan Alluvial Groundwater Source.
- (4) Subclauses (2) and (3) do not apply:

- (a) where a restricted distance does not apply in accordance with clauses 55 (2) (a), (c) and (d), 56 (3), 57 (3), 57 (4) (a), (b) and (d) and 58 (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 55–58 pursuant to clause 55 (2) (d), 56 (3) (a), 57 (3), 57 (4) (d) or 58 (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 clause 55 (2) (d), 56 (3) (a), 57 (3), 57 (4) (d) or 58 (2) (d).

## **Part 10 Access licence dealing rules**

### **61 General**

The access licence dealing rules established in this Part apply to all access licence dealings in these water sources.

#### **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.

### **62 Conversion of access licence to new category**

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

### **63 Assignment of rights dealings (within water sources)**

Dealings under section 71Q of the Act are prohibited if the dealing involves an assignment of rights from:

- (a) an access licence that nominates a water supply work located in the catchment area downstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source to an access licence that nominates a water supply work located in the catchment area at or upstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source,
- (b) an access licence that does not nominate a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source to an access licence that nominates a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source,
- (c) an access licence that does not nominate a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that



nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source,

- (d) an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that nominates a water supply work located on off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
- (e) an access licence with an extraction component that specifies one of the management zones within the Upper Lachlan Alluvial Groundwater Source to an access licence with an extraction component that specifies another management zone in the Upper Lachlan Alluvial Groundwater Source,
- (f) an access licence that does not nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (g) an access licence that does not nominate a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (h) an access licence that does not nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Merrowie Creek in the Unregulated Effluent Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (i) an access licence that does not nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (j) an access licence that does not nominates a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work on an off-river pool within the Unregulated Effluent Creeks Water Source,
- (k) an access that nominates a water supply work on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that nominates a water

supply work on another off-river pool within the Unregulated Effluent Creeks Water Source, or

- (l) an access licence that does not nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source to an access licence that nominates a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source.

#### **64 Amendment of share component dealings (change of water source)**

- (1) Dealings under section 71R of the Act are prohibited if the dealing involves any of the following:
  - (a) the cancellation of an access licence with a share component specifying a water source in one extraction management unit in order to grant an access licence with a share component specifying a water source in another extraction management unit,
  - (b) the granting of a new access licence with a share component specifying a water source in one extraction management unit following the cancellation of an access licence with a share component specifying a water source in another extraction management unit,
  - (c) the granting of a new access licence with a share component that specifies one of the following water sources:
    - (i) Abercrombie River above Wyangala Water Source,
    - (ii) Belubula River above Carcoar Dam Water Source,
    - (iii) Belubula Tributaries below Carcoar Dam Water Source,
    - (iv) Belubula Valley Alluvial Groundwater Source,
    - (v) Bogandillon and Manna Creeks Water Source,
    - (vi) Boorowa River and Hovells Creek Water Source,
    - (vii) Burrangong Creek Water Source,
    - (viii) Crookwell River Water Source,
    - (ix) Crowther Creek Water Source,
    - (x) Goobang and Billabong Creeks Water Source,
    - (xi) Goonigal and Kangarooby Creeks Water Source,
    - (xii) Gunningbland and Yarrabandai Water Source,

- (xiii) Humbug Creek Water Source,
  - (xiv) Lachlan River above Reids Flat Water Source,
  - (xv) Lake Forbes and Back Yamma Creek Water Source,
  - (xvi) Mid Lachlan Unregulated Water Source,
  - (xvii) Mount Hope Area Water Source,
  - (xviii) Naradhan Area Water Source,
  - (xix) Ooma Creek and Tributaries Water Source,
  - (xx) Tyagong Creek Water Source,
  - (xxi) Unregulated Effluent Creeks Water Source,
  - (xxii) Upper Lachlan Alluvial Groundwater Source, or
  - (xxiii) Waugoola Creek Water Source,
- (d) the granting of a new access licence with a share component that specifies the Western Bland Creek Water Source if the share component of the cancelled access licence specifies any water source other than the Burrangong Creek Water Source or the Tyagong Creek Water Source.
- (2) A dealing under subclause (1) is subject to the share component of a new access licence being equal to the share component of the cancelled access licence.
- (3) The extraction component of a new access licence granted in accordance with a section 71R dealing will not carry over the extraction component from the cancelled access licence.

#### **65 Amendment of extraction component dealings**

Dealings under section 71S of the Act are prohibited if the dealing involves an access licence with an extraction component that specifies one of the management zones within the Upper Lachlan Alluvial Groundwater Source being varied to specify another management zone in the Upper Lachlan Alluvial Groundwater Source.

#### **66 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 from:
- (a) an access licence that nominates a water supply work located in the catchment area downstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source to an access licence that nominates a water supply work located in the catchment area at or upstream of

the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source,

- (b) an access licence that does not nominate a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source to an access licence that nominates a water supply work on Lake Cowal in the Bogandillon and Manna Creeks Water Source,
- (c) an access licence that does not nominate a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
- (d) an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source, or
- (e) an access licence with an extraction component that specifies one of the management zones in the Upper Lachlan Alluvial Groundwater Source to an access licence with an extraction component that specifies another management zone in the Upper Lachlan Alluvial Groundwater Source,
- (f) an access licence that does not nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (g) an access licence that does not nominate a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (h) an access licence that does not nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Merrowie Creek in the Unregulated Effluent Creek Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source, or
- (i) an access licence that does not nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source to an access licence that

nominates a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source, or

- (j) an access licence that does not nominates a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that nominates an off-river pool within the Unregulated Effluent Creeks Water Source,
  - (k) an access licence that nominates a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located on another off-river pool within the Unregulated Effluent Creeks Water Source, or
  - (l) an access licence that does not nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source to an access licence that nominates a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source.
- (2) Dealings under section 71T of the Act between different water sources are prohibited in these water sources if the dealing involves an assignment of water allocation:
- (a) from an access licence in one extraction management unit to an access licence in another extraction management unit,
  - (b) to an access licence into one of the following water sources:
    - (i) Abercrombie River above Wyangala Water Source,
    - (ii) Belubula River above Carcoar Dam Water Source,
    - (iii) Belubula Tributaries below Carcoar Dam Water Source,
    - (iv) Belubula Valley Alluvial Groundwater Source,
    - (v) Bogandillon and Manna Creeks Water Source,
    - (vi) Boorowa River and Hovells Creek Water Source,
    - (vii) Burrangong Creek Water Source,
    - (viii) Crookwell River Water Source,
    - (ix) Crowther Creek Water Source,
    - (x) Goobang and Billabong Creeks Water Source,
    - (xi) Goonigal and Kangaroo Creek Water Source,
    - (xii) Gunningbland and Yarrabandai Creeks Water Source,

- (xiii) Humbug Creek Water Source,
  - (xiv) Lachlan River above Reids Flat Water Source,
  - (xv) Lake Forbes and Back Yamma Creek Water Source,
  - (xvi) Mid Lachlan Unregulated Water Source,
  - (xvii) Mount Hope Area Water Source,
  - (xviii) Naradhan Area Water Source,
  - (xix) Ooma Creek and Tributaries Water Source,
  - (xx) Tyagong Creek Water Source,
  - (xxi) Unregulated Effluent Creeks Water Source,
  - (xxii) Upper Lachlan Alluvial Groundwater Source, or
  - (xxiii) Waugoola Creek Water Source,
- (c) to an access licence in the Western Bland Creek Water Source from an access licence in any water source other than the Burrangong Creek Water Source or Tyagong Creek Water Source.

#### **67 Interstate transfer of access licences and assignment of water allocation**

- (1) Dealings under section 71U of the Act involving the interstate transfer of 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.

#### **68 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 nominates a water supply work located in the catchment area downstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source being amended to nominate a water supply work located in the catchment area at or upstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source,
  - (c) an access licence that does not nominate a water supply work located on Lake

Cowal in the Bogandillon and Manna Creeks Water Source being amended to nominate a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source,

- (d) an access licence that does not nominate a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source being amended to nominate a water supply work located on an off-river pool within the Lake Forbes and Back Yamma Creek Water Source,
- (e) an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source being amended to nominate a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
- (f) an access licence that does not nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing is located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (g) an access licence that does not nominate a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing is located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (h) an access licence that does not nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing is located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (i) an access licence that does not nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (j) an access licence that does not nominate a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source,
- (k) an access licence that nominates a water supply work located on an off-river pool

within the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located on another off-river pool within the Unregulated Effluent Creeks Water Source, or

- (l) an access licence that does not nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source being amended to nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated 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 licence in these water sources are prohibited.

## Part 11 Mandatory conditions

### Note—

Part 12 allows for amendments to be made to this Part.

## Division 1 General

### 69 General

In this Part:

- (a) a requirement to notify the Minister in writing will be satisfied by making a notification in writing to one of the addresses listed in Appendix 4 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](mailto: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 Australian Technical Specification *ATS 474, Meters for non-urban water supply* as may be updated and 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.

### 70 General

- (1) Access licences in these water sources must have mandatory conditions where required to give effect to the following:
  - (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 an access licence must notify the Minister in writing, immediately upon becoming aware of a breach of any condition of the 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 an access licence must keep a Logbook,
  - (b) the holder of an 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 taken on that date,
    - (v) for unregulated river access with share components that specify one of the Lachlan Unregulated Water Sources, the volume of water taken in the first three water years of this Plan, by comparison to the volume of water permitted to be taken in those years under clause 42 (2),
    - (vi) for unregulated river access licences with share components that specify one of the Lachlan Unregulated Water Sources, the volume of water taken in any

three consecutive water years after the first water year of this Plan, by comparison to the volume of water permitted to be taken in those years under clause 42 (3),

- (vii) for domestic and stock access licences and local water utility access licences with share components that specify one of the Lachlan Unregulated Water Sources, the volume of water taken in a water year by comparison to the volume of water permitted to be taken in that water year under clause 42 (4),
- (viii) for aquifer (high security) access licences with share components that specify the Belubula Valley Alluvial Groundwater Source, the volume of water taken in a water year, by comparison to the volume of water permitted to be taken in that water year under clause 43 (2),
- (ix) for domestic and stock access licences and local water utility access licences with share components that specify the Belubula Valley Alluvial Groundwater Source, the volume of water taken in a water year by comparison to the volume of water permitted to be taken in that water year under clause 43 (3),
- (x) for aquifer access licences with a share component that specifies the Upper Lachlan Alluvial Groundwater Source, the volume of water taken in a water year by comparison to the volume of water permitted to be taken in that water year under clause 44 (2),

**Note—**

Access licences with an extraction component that specifies the Upper Lachlan Alluvial Zone 1 and 7 within the Upper Lachlan Alluvial Groundwater Source that are currently subject to local impact rules, will, at the commencement of the Plan, have the same conditions to restrict the take of water under section 324 of the Act.

- (xi) for domestic and stock access licences and local water utility access licences with share components that specifies the Upper Lachlan Alluvial Groundwater Source, the volume of water taken in a water year by comparison to the volume of water permitted to be taken in that water year under clause 44 (3), and
  - (xii) any other information required to be recorded in the Logbook under the rules of this Plan,
- (c) the holder of an access licence, must produce the Logbook to the Minister for inspection, when requested,
  - (d) the holder of an access licence, 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 an access licence that nominates only a

metered water supply work with a data logger to keep a Logbook in accordance with any requirements set out in 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 use of water supply works located within the restricted distances specified in clause 60.

### **Division 3 Water supply work approvals**

**Note—**

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

#### **71 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 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 out of the pipe, channel or conduit between the water source and the 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 direct a landholder or person to install, replace or to 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 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,
  - (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 works,
    - (ii) the volume of water taken on that date,
    - (iii) 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 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, must produce the Logbook to the Minister for inspections, 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 53 (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 53 (4).

## **72 Water supply works authorised to take water from the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source**

(1) This clause applies to all water supply work approvals for water supply works authorised to take water from the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan 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 restrictions specified in clause 60,

(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 component of the

access licence that nominates the work, and

(ii) sealed off from all other water sources,

(c) the construction of a new water supply work must:

(i) comply with the distance restrictions specified in or specified by the Minister in accordance with clauses 55–58,

(ii) comply with the construction standards for that type of bore prescribed in the Minimum Construction Requirements for Water Bores in Australia, 2003,

**Note—**

***Minimum Construction Requirements for Water Bores in Australia*** is defined in the Dictionary

(iii) constructed appropriately so as to prevent contamination between 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, unless otherwise directed by the Minister in writing,

(e) within two months of 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 issue of the water supply work 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 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 as 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 work approval, and
  - (j) any other condition required to implement the provision of this Plan.
- (3) A water supply work approval granted under clause 55 (2) (d), must have a mandatory condition to give effect to clause 55 (4).
- (4) A water supply work approval for a water supply 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 59.

## **Part 12 Amendment of this Plan**

### **73 General**

- (1) Amendments specified throughout this Plan and in this Part are amendments authorised by this Plan.
- (2) An amendment authorised by this Plan is 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 amendment 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.

### **74 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 Plan Map.

## **75 Part 8**

Division 2 of Part 8 of this Plan may be amended to do any of the following:

- (a) establish a new or additional flow classes in any water source where management zones are added or any water source or management zone that is amended during the term of this Plan as specified in clause 74,
- (b) amend the existing flow classes, establish new or additional flow classes and amend the flow reference point to specify a newly installed gauge on the Abercrombie River in the Abercrombie River above Wyangala Water Source such that the top of the Very Low Flow Class is at or below the 90<sup>th</sup> percentile at the Abercrombie River gauge at Abercrombie (412028),
- (c) amend the access rule specified in clause 47 (10), following the establishment of a gauge that measures the water level at Lake Forbes in the Lake Forbes and Back Yamma Creek water Source, in order to determine a water level at the gauge that, in the Minister's opinion, is equivalent to 50% of the full capacity of the lake,
- (d) amend clause 47:
  - (i) to specify different access rules for lagoons, lakes, in-river pools or other lentic water bodies, and/or
  - (ii) to extend the exemption to the cease to take conditions for stock watering purposes specified in 47 (15) (c) beyond year five of this Plan and/or modify the volume of water permitted to be taken for stock watering purposes after year five of this Plan,
- (e) amend clause 48 or 49 to specify different access rules for access licences listed in Schedule 1,
- (f) establish or assign new 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,
- (g) establish or assign new TDELs in these water sources or management zones to protect a proportion of flow within each flow class for the environment,



- (h) amend or remove TDELS if TDELS have been established or assigned,
- (i) include rules for the establishment, assignment and removal of IDELS,
- (j) remove the existing access rules where TDELS and/or IDELS have been established under paragraph (g) or (i) to protect a proportion of flow within each flow class for the environment, or
- (k) reinstate access rules that applied at the commencement of this Plan, where TDELS and IDELS have been removed under paragraph (g) or (i).

## **76 Part 9**

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

- (a) amend clause 53 to specify water sources or management zones where water supply work approvals must not be granted or amended to authorise in-river dams on third order or higher streams,
- (b) add, remove or modify a restricted distance specified in:
  - (i) clause 55 after year five of this Plan, or
  - (ii) clause 57 based on the outcomes of further studies of groundwater dependent ecosystems that are to the Minister's satisfaction,
- (c) amend the definition of a replacement groundwater work in clause 59, or
- (d) amend clause 60 to impose further restrictions on the rate and timing of extraction of water to mitigate impacts.

## **77 Part 11**

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

- (a) amend the rules in relation to record keeping including in relation to requirements for Logbooks, or
- (b) amend clause 71 or 72 to specify different standards or requirements for decommissioning water supply work, or construction requirements for water supply works.

## **78 Dictionary**

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

## **79 Schedules**

- (1) Schedule 1 may be amended to add or remove access licences which that may take water in accordance with notices issued under clauses 48 and 49.

- (2) Schedule 2 may be amended to do any of the following:
- (a) add a new access licence to clause 1 of Schedule 2, 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 47 (15) (a) and that the purpose was specified on, or referred to in the conditions of, the *Water Act 1912* entitlement that was replaced by the access licence,
  - (b) add a local water utility access licence or an access licence of the subcategory “Town water supply” to clause 2 of Schedule 2, provided the Minister is satisfied 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 *Water Act 1912* entitlement from clause 1 of Schedule 2 if:
    - (i) an access licence dealing results in water being taken under the licence from a different location,
    - (ii) an alternative water supply is obtained, or
    - (iii) the access licence is surrendered or cancelled,
  - (d) remove a local water utility access licence, an access licence of the subcategory “Town water supply” or a *Water Act 1912* entitlement from clause 2 of Schedule 2 if:
    - (i) the Minister is satisfied that the water supply system to extract, store and deliver water has undergone major augmentation since the commencement of this Plan, or
    - (ii) the access licence is surrendered or cancelled.
- (3) Schedule 2 or part thereof may be deleted if the Minister is satisfied that it is no longer required.
- (4) Schedule 3 may be amended to add or remove a contamination source.
- (5) Schedule 4 may be amended to add or remove:
- (a) a high priority groundwater dependent ecosystem, or
  - (b) a high priority karst environment groundwater dependent ecosystem.

## **80 Other**

- (1) This Plan may be amended to provide 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 then 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, provided that the amendments do not affect the long-term average annual extraction limit specified in this Plan,
  - (e) the interception of water before it reaches a stream or aquifer by plantations or other means,
  - (f) the management of aquifer interference activities, including the granting of aquifer interference approvals, and
  - (g) the implementation of any statewide policy for accessing saline groundwater.
- (2) Consequential amendments may be made to this Plan as a result of an amendment to the Act or regulations.
  - (3) This Plan may be amended to enable a water resource plan to be accredited under the [Water Act 2007](#) of the Commonwealth.
  - (4) 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.
  - (5) This Plan may be amended after year five to provide rules for the protection of water dependent Aboriginal cultural assets to do any of the following:
    - (a) identify water dependent Aboriginal cultural assets,
    - (b) amend the access rules to protect water dependent Aboriginal cultural assets,
    - (c) restrict the granting and amending of water supply work approvals to protect water dependent Aboriginal cultural assets, or
    - (d) amend the dealing rules to protect water dependent Aboriginal cultural assets.
  - (6) Any 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.

- (8) If the available water determination to be made at the commencement of a water year for aquifer access licences in the Upper Lachlan Alluvial Groundwater Source will be below 0.8 ML per unit share as a result of the long-term average annual extraction limit being exceeded, then this Plan may be amended as follows:
- (a) to permit the granting of a supplementary aquifer access licence to the holder of an aquifer access licence which arose from a *Water Act 1912* licence or group of licences listed in Column 1 of the table in clause 1 of Schedule 5 and which nominates a water supply work or combined works and use approval that arose out of the same licence or group of licences, provided that the share component is equal to the number of unit shares specified in Column 2 of the table in clause 1 of Schedule 5,
  - (b) to include available water determination rules for supplementary aquifer access licences such that supplementary aquifer access licences receive an available water determination in the ratio specified in Row 2 of Table C below to the available water determination for aquifer access licences for the water year specified in Row 1 of Table C:

**Note—**

In order to facilitate the granting of supplementary aquifer licences in the circumstances set out in sub clauses (8) and (9), it is intended that these licences will be declared to be specific purpose access licences at the time the plan is amended.

**Table C — Supplementary aquifer access licence to aquifer access licence available water determination ratios**

**Row 1**

**Water year following commencement of the Plan**

1      2      3      4      5      6      7      8      9      10

**Row 2**

**Ratio of available water determination for supplementary aquifer access licences to the available water determination for aquifer access licences**

1:0    4:1    7:3    3:2    1:1    2:3    3:7    1:4    1:9    0:1

- (c) to allow for supplementary aquifer access licences to be cancelled pursuant to section 77A of the Act in the last year of this Plan,
  - (d) to amend the available water determination rules in clause 38 for aquifer access licences in the Upper Lachlan Alluvial Groundwater Source such that the sum of the available water determinations made at the commencement of each water year for aquifer access licences and supplementary aquifer access licences does not exceed 1 ML per unit share, and is an amount that is, in the Minister's opinion, necessary to return long-term average annual extractions in the Upper Lachlan Alluvial Groundwater Source to the long-term average annual extraction limit established in clause 28 (4),
  - (e) to include rules in clause 44 that prohibit the carrying over of water allocations remaining in the water allocation account of supplementary aquifer access licences,
  - (f) to include rules to change the relative priorities of the categories of aquifer access licences and supplementary aquifer access licences to the extent necessary to make the available water determinations as amended under paragraphs (b) and (d),
  - (g) to include access licence dealing rules which prohibit dealings under section 71Q, 71S, 71T and 71W of the Act for supplementary aquifer access licences,
  - (h) to include rules to require that where an aquifer access licence and a supplementary aquifer access licence nominate the same water supply work, water is to be debited from the supplementary aquifer access licence water allocation account before water is debited from the aquifer access licence water allocation account, and
  - (i) to include access rules for supplementary aquifer access licences and rules for the making of orders under section 70 of the Act to authorise the taking of water pursuant to supplementary aquifer access licences.
- (9) If the available water determination to be made at the commencement of a water year for aquifer (high security) access licences in the Belubula Valley Alluvial Groundwater Source will be below 0.8 ML per unit share as result of the long-term average annual extraction limit being exceeded, then this Plan may be amended as follows:
- (a) to permit the granting of a supplementary aquifer access licence to the holder of an aquifer (high security) access licence which arose from a [Water Act 1912](#) licence or group of licences listed in Column 1 of the table in clause 2 of Schedule 5 and which nominates a water supply work or combined works and use approval that arose out of the same licence or group of licences, provided that the share component is equal to the number of the unit shares specified in Column 2 of the

table in Schedule 5,

- (b) to include available water determination rules for supplementary aquifer access licences such that supplementary water access licences receive an available water determination in the ratio specified in Row 2 of Table D below to the available water determination for aquifer (high security) access licences for the water year specified in Row 1 of Table D.

**Table D — Supplementary aquifer access licence to aquifer (high security) access licence available water determination ratios**

**Row 1**

<b>Water year following commencement of the Plan</b>	1	2	3	4	5	6	7	8	9	10
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**Row 2**

<b>Ratio of available water determination for supplementary aquifer access licences to the available water determination for aquifer access licences</b>	1:0	4:1	7:3	3:2	1:1	2:3	3:7	1:4	1:9	0:1
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- (c) to allow for supplementary aquifer access licences to be cancelled pursuant to section 77A of the Act in the last year of this Plan,
- (d) to amend the available water determination rules in clause 39 for aquifer (high security) access licences in the Belubula Valley Alluvial Groundwater Source such that the sum of available water determinations made at the commencement of each water year for aquifer (high security) access licences and supplementary aquifer access licences does not exceed 1 ML per unit share and is an amount that is, in the Minister’s opinion, necessary to return long-term average annual extractions to the long-term average annual extraction limit established in clause 28 (3),
- (e) any change made under paragraph (d) must ensure that 70% of the available water determination for aquifer (high security) access licences is determined by the available water determination made for regulated river (high security) access licences in the Belubula Regulated River Water Source,

- (f) to include rules in clause 43 that prohibit the carrying over of water allocations remaining in the water allocation account of the supplementary aquifer access licences,
  - (g) to include rules that change the relative priorities of the categories of aquifer (high security) access licences and supplementary aquifer access licences to the extent necessary to make the available water determinations as amended under paragraphs (b) and (d),
  - (h) to include access licence dealing rules which prohibit dealings under section 71Q, 71S, 71T and 71W of the Act for supplementary water access licences,
  - (i) to include rules to require that where an aquifer (high security) access licence and a supplementary aquifer access licence nominate the same water supply work, water is to be debited from the supplementary aquifer access licence water allocation account before water is debited from the aquifer (high security) access licence water allocation account, and
  - (j) to include access rules for supplementary aquifer access licences and rules for the making of orders under section 70 of the Act to authorise the taking of water pursuant to supplementary aquifer access licences.
- (9) For the purposes of Tables C and D subclauses (8) and (9) of this clause, **Year 1 of this Plan** means from the date of commencement of this Plan.
- (10) This Plan may be amended to specify different access rules to protect:
- (a) replenishment flows released pursuant to the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#), or
  - (b) environmental flows released pursuant to the [Water Sharing Plan for the Lachlan Regulated River Water Source 2003](#).

## Dictionary

### Note—

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

**Aboriginal person** has the same meaning as under section 4 of the *Aboriginal Lands 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.

**escarpment** means a long, cliff-like ridge of rock, or the like, commonly formed by faulting or fracturing of the earth's crust.

**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 ecosystems** includes ecosystems which have their species composition and natural ecological processes wholly or partially determined by groundwater.

**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 created by a structure authorised by a water supply work approval.

**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 begins 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.

**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 as defined in the 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.

**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** in clause 2 of Schedule 10 to the Act.

## **Schedule 1 Access licences that may take water in accordance with notices issued under clauses 48 and 49**

### **1 Unregulated river access licences that may be permitted to take water from Booberoi Creek in the Mid Lachlan Unregulated Water Source in accordance with clause 48**

This clause applies to each access licence which replaces a [Water Act 1912](#) entitlement listed in the table below.

#### **[Water Act 1912](#) entitlements that will be replaced by unregulated river access licences on commencement of this Plan**

70SL003513

70SL005721

70SL003536

70SL024108

70SL090181

70SL028482

70SL014551

**2 Unregulated river access licences that may be permitted to take water from the Unregulated Effluent Creeks Water Source in accordance with clauses 49**

This clause applies to each access licence which replaces a [Water Act 1912](#) entitlement listed in the table below.

**[Water Act 1912](#) entitlements that will be replaced by unregulated river access licences on commencement of this Plan**

70SL046877

70SL014784

70SL010955

70SL043371

70SL051035

70SL050982

70SL036078

70SL044765

70SL049488

**Schedule 2 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:

**[Water Act 1912](#) entitlements that will be replaced by access licences on commencement of this Plan**

70SL090678

70SL90115

70SL037385

70SL040104

70SL090861

70SL038082

70SL044333

70SL037922

## **2 Local water utility access licences and access licences of the subcategory “Town water supply”**

This clause applies to each access licence which replaces a [Water Act 1912](#) entitlement listed in the table below:

### **[Water Act 1912](#) entitlements that will be replaced by local water utility access licences or access licences of the subcategory “Town water supply” on commencement of this Plan**

70SL050343

70SL047852

70SL005419

70SL010435

70SL037370

70SL044784

70SL091061

70SL045002

70SL005229

70SL039226

## **Schedule 3 Contamination sources in these water sources**

Contamination sources in these water sources are 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 subject to 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 sources.

## Schedule 4 High priority groundwater dependent ecosystems

High priority groundwater dependent ecosystems in the Upper Lachlan Alluvial Groundwater Source are as specified in Table C below.

**Table C — High priority groundwater dependent ecosystems**

High priority groundwater system	Type	Easting	Northing	Management Zone
Bogolong Springs	Spring	600326.02	6254131.44	Upper Lachlan Alluvial Zone 3 Management Zone
Old Mans Springs	Spring	616014.92	6276133.10	Upper Lachlan Alluvial Zone 3 Management Zone

**Notes—**

- High priority groundwater dependent ecosystems are currently under investigation and some of these may be identified during the term of this Plan. The full list of potential GDEs will be identified on the Departmental GDE Register and as a precautionary approach, will be considered by staff in the assessment for a water supply work approval within the area of this Plan. If it becomes verified as high priority GDE, this Schedule will be amended to include the GDE.
- The approximate location of the GDEs specified in Table C are shown on the map in Appendix 5.

## Schedule 5 Supplementary aquifer access licences

### 1 Upper Lachlan Alluvial Groundwater Source

**Note—**

If the available water determination for aquifer access licences in the Upper Lachlan Alluvial Groundwater Source will be below 0.8 ML per unit share as result of the long-term average annual extraction limit being exceeded, this Plan may be amended under clause 81 (8) to permit the granting of a supplementary aquifer access licences to holders of aquifer access licences which replace the [Water Act 1912](#) entitlements listed in the tables below.

This clause applies to each aquifer access licence with a share component that specifies the Upper Lachlan Alluvial Groundwater Source that replaces a [Water Act 1912](#) entitlement or group of [Water Act 1912](#) entitlements listed in the table below:

Column 1	Column 2
<a href="#">Water Act 1912</a> Part 5 entitlement	Supplementary aquifer access licence share component
(Licence number(s))	(unit shares)

70BL003285, 70BL003287, 70BL003292, 70BL004294, 70BL004519, 70BL100181, 70BL230439, 70BL230981, 70BL230982, 70BL230983, 70BL231322, 70BL232638	1385
70BL004286, 70BL231431	639
70BL004964, 70BL010324, 70BL227201, 70BL227202, 70BL231691	409
70BL005889	52
70BL011754, 70BL012145	125
70BL013547, 70BL131459	305
70BL013842	167
70BL015166, 70BL231013	49
70BL015982	19
70BL016663, 70BL030845	228
70BL016764, 70BL226940	1996
70BL016836	55
70BL017218	100
70BL017550	124
70BL018017, 70BL018018	92
70BL018355, 70BL230188	1211
70BL018408	7
70BL018426, 70BL226407	334
70BL018492	12
70BL018742, 70BL228635	147
70BL019024	24
70BL019236, 70BL226549	126
70BL019676	15
70BL020089	45
70BL020169	9
70BL020229	53

70BL020802, 70BL031394, 70BL151143, 70BL229334	69
70BL021616, 70BL126413, 70BL229524, 70BL232278	1300
70BL020802, 70BL031394, 70BL151143, 70BL229334	69
70BL022423, 70BL229327	227
70BL022749	53
70BL023104, 70BL230185	287
70BL023791, 70BL229459	35
70BL030536	83
70BL030726, 70BL226659	1635
70BL030780, 70BL226158, 70BL227745, 70BL229448	1172
70BL030836, 70BL139872, 70BL227294, 70BL229707, 70BL229708, 70BL231255, 70BL232677	569
70BL030968	1
70BL102093	84
70BL106460, 70BL229815, 70BL230798, 70BL232905	129
70BL108950, 70BL151919, 70BL228688	4210
70BL109839	13
70BL109909, 70BL133695	105
70BL110815, 70BL232979	523
70BL110913	228
70BL114581, 70BL226988	3
70BL117487	83
70BL117897	205
70BL119765, 70BL233466	270
70BL120184	958

70BL120393	489
70BL120435	127
70BL121531	8
70BL124034, 70BL227517	849
70BL124101	9
70BL124164, 70BL229426	859
70BL124304, 70BL230654	108
70BL126144	67
70BL126314	197
70BL127432, 70BL230919	279
70BL127699	758
70BL128015, 70BL232652	114
70BL128421	10
70BL128502	423
70BL128649	519
70BL128752	2
70BL130933, 70BL229576, 70BL230196	277
70BL130990, 70BL226755	16
70BL132362, 70BL230336, 70BL231608	514
70BL132932, 70BL132933, 70BL230240, 70BL230241	1071
70BL134615	20
70BL134985, 70BL153851	266
70BL136510	85
70BL136699	536
70BL137567	79
70BL141326, 70BL231757	297
70BL142074	98
70BL142332, 70BL230492	293

70BL142367	1
70BL142423	90
70BL154311	230
70BL154534, 70BL228522, 70BL228525	71
70BL154853, 70BL154854, 70BL230867	106
70BL19113, 70BL130274, 70BL130276	340
70BL226068	3
70BL226153, 70BL228050	533
70BL226193, 70BL231759	411
70BL226208	6
70BL226222	3
70BL226238, 70BL229532, 70BL232505	118
70BL226271	112
70BL226294, 70BL232602	267
70BL233526	79
70BL226362	651
70BL226380	537
70BL226385	98
70BL226387	190
70BL226388	609
70BL226421, 70BL230852	180
70BL226492, 70BL230906	123
70BL226498	150
70BL226517	432
70BL226520	67
70BL226534, 70BL226535, 70BL228186, 70BL228467	497
70BL226536, 70BL231585	316
70BL226542	1942



70BL226550, 70BL230929	689
70BL226573	2
70BL226576	2850
70BL226600	1258
70BL226639, 70BL229449	205
70BL226673	12
70BL226684	814
70BL226718	6
70BL226738	272
70BL226740	293
70BL226742	931
70BL226758, 70BL228264	549
70BL226759	628
70BL226771, 70BL226876	42
70BL226789, 70BL232243	268
70BL226811	624
70BL226813	803
70BL226836, 70BL229973	841
70BL226855	1
70BL226862	71
70BL226870, 70BL229704, 70BL229705	1021
70BL226873	21
70BL226902	28
70BL226958	551
70BL226959	101
70BL226998, 70BL229361	2153
70BL227008, 70BL229423	192
70BL227009	17
70BL227019, 70BL229431	672

70BL227046	124
70BL227056, 70BL230803	339
70BL227078	216
70BL227112, 70BL227113, 70BL227114, 70BL227115, 70BL227116, 70BL232318	713
70BL227193	2
70BL227203	360
70BL227204	102
70BL227230	664
70BL227235	1414
70BL227259	628
70BL227307, 70BL230184, 70BL230849	470
70BL227324, 70BL228649, 70BL228650	965
70BL227343	7
70BL227383	318
70BL227392, 70BL231688	1644
70BL227404	699
70BL227405	1656
70BL227408	1078
70BL227411	237
70BL227412	388
70BL227414	375
70BL227426	13
70BL227474	41
70BL227505	16
70BL227515	592
70BL227590	278
70BL227609	458
70BL227636, 70BL232062, 70BL232063	805

70BL227644	35
70BL227665	587
70BL227726, 70BL227727	1008
70BL227764	78
70BL228199	424
70BL228233	650
70BL228237	113
70BL228239	95
70BL228246	104
70BL228248, 70BL229792	162
70BL228281	78
70BL228345	1
70BL228512, 70BL231426	129
70BL228513, 70BL231755	30
70BL228701	1303
70BL228847	290
70BL228866, 70BL231877	37
70BL228949	253
70BL229185	75
70BL229198, 70BL231904	700
70BL229208, 70BL230669	258
70BL229248, 70BL229249, 70BL229250, 70BL229251	2296
70BL229254	100
70BL229336	217
70BL229341, 70BL229342, 70BL229884, 70BL229887	600
70BL229451, 70BL230075	297
70BL229464	34

70BL229490	28
70BL229514	155
70BL229515	152
70BL229528	482
70BL229564, 70BL232530	44
70BL229627	2
70BL229700	493
70BL229816	169
70BL229898	50
70BL229336	217
70BL229341, 70BL229342, 70BL229884, 70BL229887	600
70BL229451, 70BL230075	297
70BL229464	34
70BL229490	28
70BL229514	155
70BL229515	152
70BL229528	482
70BL229564, 70BL232530	44
70BL229627	2
70BL229700	493
70BL229816	169
70BL229898	50
70BL229969, 70BL232131, 70BL007244	302
70BL229983	732
70BL230190	26

70BL230205, 70BL230206, 70BL230207, 70BL230208, 70BL230209, 70BL230210, 70BL230211, 70BL230212, 70BL230213, 70BL230214, 70BL230215, 70BL230216, 70BL230218, 70BL230218, 70BL230219, 70BL230220, 70BL230221, 70BL230222, 70BL230223, 70BL230224, 70BL230225, 70BL230226, 70BL230227, 70BL230228, 70BL230229, 70BL230230, 70BL230231, 70BL230232, 70BL230233, 70BL230234, 70BL232691, 70BL232692	502
70BL230324, 70BL230876, 70BL231968, 70BL232078	212
70BL230373	42
70BL230437, 70BL230438	1
70BL230614	175
70BL230665, 70BL230666	395
70BL230785	148
70BL230802, 70BL230805, 70BL230806	313
70BL230816	148
70BL230862	92
70BL230863	196
70BL231047	98
70BL231059	240
70BL231167	1
70BL231260	239
70BL231301	1477
70BL231425	121
70BL232083	30
70BL232097	252
70BL232101, 70BL232102	4
70BL232241	1194
70BL232281	897

70BL232555	92
70BL232609	42
70BL232894	62
70BL233284	90

## 2 Belubula Valley Alluvial Groundwater Source

### Note—

If the available water determination for aquifer (high security) access licences in the Belubula Valley Alluvial Groundwater Source will be below 0.8 ML per unit share as result of the long-term average annual extraction limit being exceeded, this Plan may be amended under clause 81 (9) to permit the granting of a supplementary aquifer access licences to holders of aquifer (high security) access licences which replace the [Water Act 1912](#) entitlements listed in the tables below.

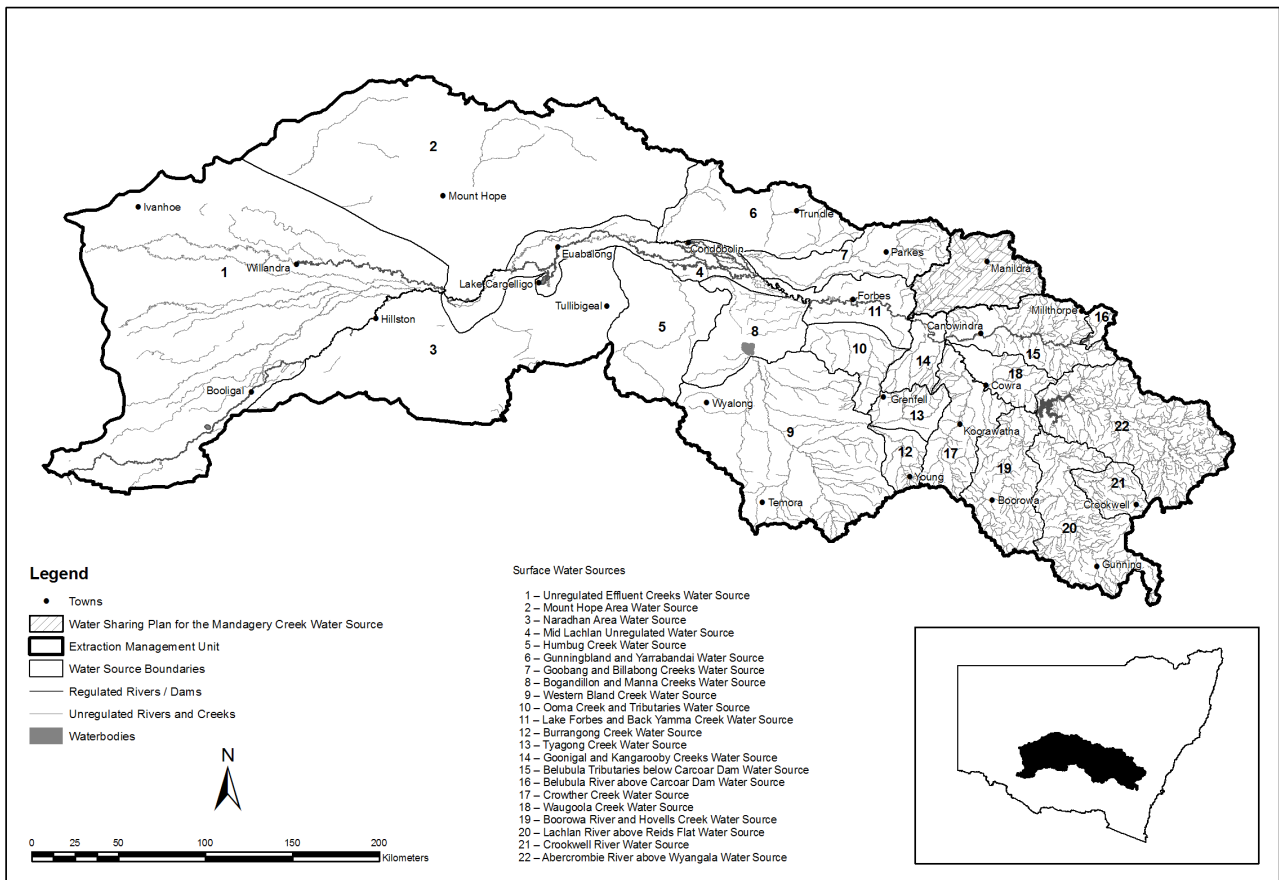
This clause applies to each aquifer (high security) access licence which replaces a [Water Act 1912](#) entitlement or a group of [Water Act 1912](#) entitlements listed in the table below:

<b>Column 1</b>	<b>Column 2</b>
<b><a href="#">Water Act 1912</a> Part 2 or Part 5 entitlement</b>	<b>Supplementary aquifer access licence share component</b>
<b>(Licence number(s))</b>	<b>(unit shares)</b>
70BL017257, 70BL022434	63
70BL020435	170
70BL020498	127
70BL021711, 70BL120279	95
70BL117469	1
70BL120152	154
70BL123279	3
70BL125083, 70BL139869	107
70BL126052, 70BL126053	227
70BL126737, 70BL229575	197
70BL127469, 70BL136268, 70BL136302, 70BL136303, 70BL229578	904
70BL130221	7
70BL130509	6

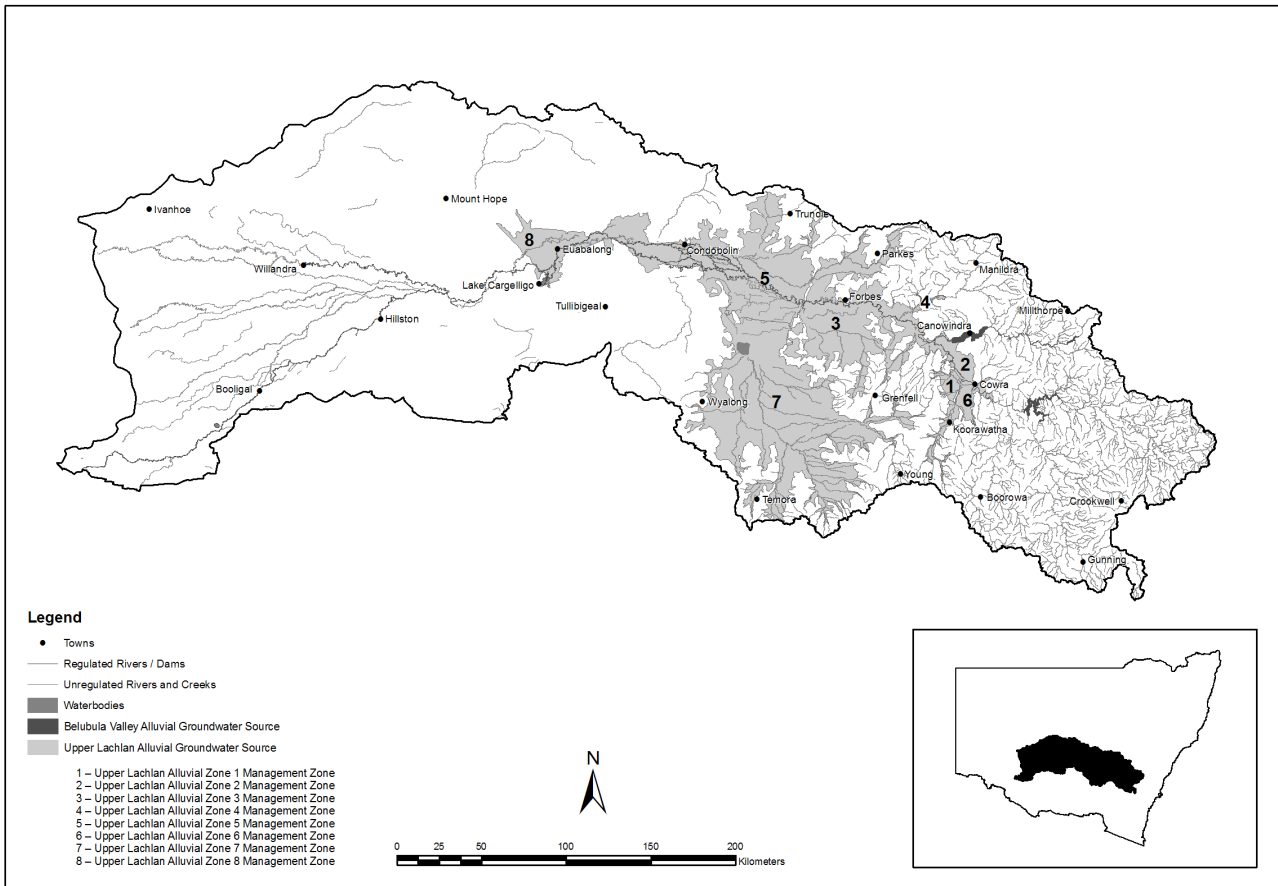
70BL131609	116
70BL133281, 70BL232859	30
70BL226381, 70BL226599, 70BL227542	303
70BL226739	35
70BL229926	34
70BL229958, 70BL232091	161
70BL231361	6
70BL232386	53
70BL232803	48

## Appendix 1 Overviews of the Plan Map

### Overview of the Plan Map (WSP024\_Version1) Water Sharing Plan for the Lachlan Unregulated Water Sources 2012



### Overview of the Belubula Valley Alluvial Groundwater Source and the Upper Lachlan Alluvial Groundwater Source



## Appendix 2 Inspection of the Plan Map

Copies of the Plan 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  
 9 Spring Street  
 FORBES NSW 2871

## Appendix 3 Access licences subject to the cease to take condition specified in clause 47 (4) 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](#) conditions specified in Column 3 imposed as mandatory conditions on all water supply work approvals nominated by those access licences to give effect to clause 47 (4) of this Plan.



<b>Column 1</b> <i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan	<b>Column 2</b> <b>Water Source</b>	<b>Column 3</b> <i>Water Act 1912</i> conditions
70SL090017	Bogandillon and Manna Creeks	THE PUMP IS TO BE LOCATED NO FURTHER EAST THAN THE HIGH WATER LEVEL OF LAKE COWAL, (GPS COORDINATES E537200, N6281300, MGA 94 DATUM), PARTICULARS OF WHICH ARE RETAINED BY THE NSW OFFICE OF WATER.
70SL043632	Western Bland Creek	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION WHEN THE LEVEL OF THE STORAGE OF THE DAM AUTHORISED BY LICENCE 70SL023726 IS LOWER THAN 1.60 METRES BELOW THE LEVEL OF A BENCH MARK ESTABLISHED ON A GUM TREE ON THE LEFT BANK OF BLAND CREEK APPROXIMATELY 91 METRES DOWN STREAM FROM BILLABONG STATION HOMESTEAD AND PARTICULARS OF WHICH ARE RETAINED IN THE NSW OFFICE OF WATER.
70SL028039	Western Bland Creek	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION WHEN THE LEVEL OF THE STORAGE OF THE DAM AUTHORISED BY LICENCE 70SL023726 IS LOWER THAN 1.60 METRES BELOW THE LEVEL OF A BENCH MARK ESTABLISHED ON A GUM TREE ON THE LEFT BANK OF BLAND CREEK APPROXIMATELY 91 METRES DOWN STREAM FROM BILLABONG STATION HOMESTEAD AND PARTICULARS OF WHICH ARE RETAINED IN THE NSW OFFICE OF WATER.

70SL028755	Western Bland Creek	THE AUTHORISED WORK SHALL NOT BE USED FOR THE PURPOSE OF IRRIGATION WHEN THE LEVEL OF THE STORAGE OF THE DAM AUTHORISED BY LICENCE 70SL023726 IS LOWER THAN 1.60 METRES BELOW THE LEVEL OF A BENCH MARK ESTABLISHED ON A GUM TREE ON THE LEFT BANK OF BLAND CREEK APPROXIMATELY 91 METRES DOWN STREAM FROM BILLABONG STATION HOMESTEAD AND PARTICULARS OF WHICH ARE RETAINED IN THE NSW OFFICE OF WATER.
70SA009602	Burrangong Creek	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK TO A DEPTH OF 30 CENTIMETRES THROUGH THE THREE PIPES AT GERRARDS CROSSING, EAST OF LOT 2 DP 876125, PARISH OF BURRAMUNDA, COUNTY OF MONTEAGLE.
70SL017543	Burrangong Creek	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK AT THE GRENFELL ROAD BRIDGE NEAR THE SOUTHERN BOUNDARY OF LOT 325 DP 754582, PARISH OF BURRANGONG, COUNTY OF MONTEAGLE.
70SL014497	Burrangong Creek	THE APPROVAL HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK AT THE GRENFELL ROAD BRIDGE NEAR THE SOUTHERN BOUNDARY OF LOT 325 DP 754582, PARISH OF BURRANGONG, COUNTY OF MONTEAGLE.

70SL090157	Burrangong Creek	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK AT THE MONTEAGLE ROAD CROSSING NEAR THE NORTH WESTERN BOUNDARY OF LOT 1 DP 1102865, PARISH OF WILTON, COUNTY OF MONTEAGLE.
70SL090127	Burrangong Creek	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK AT THE MONTEAGLE ROAD CROSSING NEAR THE NORTH WESTERN BOUNDARY OF LOT 1 DP 1102865, PARISH OF WILTON, COUNTY OF MONTEAGLE.
70SL020509	Burrangong Creek	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK AT THE GRENFELL ROAD BRIDGE NEAR THE SOUTHERN BOUNDARY OF LOT 325 DP 754582, PARISH OF BURRANGONG, COUNTY OF MONTEAGLE.
70SL090245	Burrangong Creek	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK AT THE GRENFELL ROAD BRIDGE NEAR THE SOUTHERN BOUNDARY OF LOT 325 DP 754582, PARISH BURRANGONG, COUNTY MONTEAGLE.
70SL038170	Burrangong Creek	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN BURRANGONG CREEK AT THE GRENFELL ROAD BRIDGE NEAR THE SOUTHERN BOUNDARY OF LOT 325 DP 754582, PARISH OF BURRANGONG, COUNTY OF MONTEAGLE.

70SL090386	Lake Forbes and Back Yamma	THE HOLDER OF THE LICENSE SHALL EXTRACT FROM BOCOBIDGLE CREEK PURSUANT TO THIS LICENSE WATER DELIVERED TO BOCOBIDGLE CREEK PURSUANT TO 70AL600038 & 70AL600039 WITHIN A PERIOD OF 48 HOURS AFTER COMMENCEMENT OF PUMPING UNDER 70WA600040. ALL CONVEYANCE LOSSES SHALL BE BORNE BY THE HOLDER OF THE LICENSE AND THE LEVEL OF WATER IN BOCOBIDGLE CREEK SHALL NOT BE REDUCED BELOW THAT WHICH EXISTED PRIOR TO COMMENCEMENT OF PUMPING ON THAT DAY.
70SL090639	Lake Forbes and Back Yamma	THE LICENSED WORKS ON BROAD CREEK SHALL BE USED ONLY TO EXTRACT 95% OF THE VOLUME OF WATER SUPPLIED TO BROAD CREEK BY WAY OF THE WORKS LICENSED UNDER 70WA601361. THE HOLDER OF THE LICENSE SHALL EXTRACT FROM BROAD CREEK PURSUANT TO THIS LICENSE WATER DELIVERED TO BROAD CREEK PURSUANT TO 70WA601361 WITHIN A PERIOD OF 48 HOURS AFTER COMMENCEMENT OF PUMPING UNDER 70WA601361. ALL CONVEYANCE LOSSES SHALL BE BORNE BY THE HOLDER OF THE LICENSE AND THE LEVEL OF WATER IN BROAD CREEK SHALL NOT BE REDUCED BELOW THAT WHICH EXISTED PRIOR TO COMMENCEMENT OF PUMPING ON THAT DAY
70SL045147	Belubula Tributaries below Carcoar Dam	THE HOLDER MUST NOT TAKE ANY WATER FROM AN APPROVED WORK, FOR THE PURPOSE OF IRRIGATION, UNLESS THERE IS A VISIBLE FLOW IN COWRIGA CREEK AT THE ROAD BRIDGE ON THE TALLWOOD-BLAYNEY ROAD BETWEEN LOT 304 DP 750367, PARISH OF CALVERT AND LOT 27 DP 750390, PARISH OF LINDSAY, BOTH COUNTY OF BATHURST.

70SL041539	Belubula Tributaries below Carcoar Dam	THE LICENSED PUMPS SHALL NOT BE USED IN COOMBING CREEK FOR THE PURPOSE OF IRRIGATION OR AUGMENTING THE SUPPLY OF WATER IN THE UNNAMED WATERCOURSES UNLESS THERE IS A VISIBLE FLOW OF WATER IN COOMBING CREEK AT THE NORTHERNMOST ROAD BRIDGE ON THE BARRY-NEWBRIDGE ROAD ABOUT 1 KILOMETRE NORTH OF THE VILLAGE OF BARRY.
70SL049517	Goobang and Billabong Creeks	THE AUTHORISED WORK SHALL NOT BE USED FOR ANY PURPOSE WHEN THE DISCHARGE OF GOOBANG CREEK AT THE CORRIDGERY-BOGAN GATE ROAD IS LESS THAN 25 MEGALITRES PER DAY (SUCH DISCHARGE BEING EQUIVALENT TO WATER FLOWING THROUGH THE BOX CULVERTS AT THEIR MAXIMUM CAPACITY AND COMMENCING TO FLOW OVER THE CARRIAGE WAY), AND THE AUTHORISED WORK SHALL NOT BE USED FOR ANY PURPOSE UNLESS THERE IS A FLOW OVER THE CREST OF THE WEIR LOCATED ON GOOBANG CREEK WITHIN LOT 37 DP 6442, PARISH OF BADJERRIBONG, COUNTY OF CUNNINGHAM.
70SL049984	Goobang and Billabong Creeks	THE AUTHORISED WORK SHALL NOT BE USED FOR IRRIGATION UNLESS THERE IS A VISIBLE FLOW IN GOOBANG CREEK AT THE YARRABANDAI - WARROO ROAD BRIDGE. THE AUSTRALIAN MAP GRID REFERENCE FOR THE NOMINATED BRIDGE BEING E551093 - N6324335

## Appendix 4 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 Box 291  
FORBES NSW 2871

## Appendix 5 Groundwater Dependent Ecosystems in the Lachlan

## Unregulated and Alluvial Water Sources

### Notes—

- 1 The map in this Appendix shows the approximate location of the high priority GDEs specified in Table C.
- 2 The Department is undertaking a further review of the proposed high priority GDEs which may result in some amendment of the ecosystems identified.

