

Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2012

[2012-210]



New South Wales

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Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2012

[2012-210]



New South Wales

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Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2012



New South Wales

Part 1 Introduction

Notes.

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

1 Name of this Plan

This Plan is the *Water Sharing Plan for the NSW Border Rivers Unregulated River 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 notes to this Plan.

3 Commencement of this Plan

This Plan commences on 1 June 2012.

Notes.

- 1 In accordance with section 43 of the Act, this Plan will have effect for 10 years from 1 July 2012.
- 2 The Minister may extend this Plan for a further period of 10 years after it is due to expire, in accordance with section 43A of the Act.
- 3 Under the *Intergovernmental Agreement on Implementing Water Reform in the Murray-Darling Basin* and the associated National Partnership Agreement, NSW has agreed to develop water resource plans for Murray-Darling Basin water resources consistent with the requirements of the Basin Plan. This Plan was amended in 2020, partly to meet NSW's commitments under these arrangements. Certain provisions of this Plan form part of the water resource plan for the NSW Border Rivers surface water resource plan area.
- 4 **Basin Plan** is defined in the Dictionary.

4 Application of this Plan

- (1) This Plan applies to the following water sources known as the NSW Border Rivers Unregulated River Water Sources (hereafter **these water sources**) within the Border Rivers Water

Management Area—

- (a) Inverell Water Source,
- (b) Glen Innes Water Source,
- (c) Kings Plains Water Source,
- (d) Mole River Water Source,
- (e) Ottleys Creek Water Source,
- (f) Beardy River Water Source,
- (g) Reedy Creek Water Source,
- (h) Bonshaw Water Source,
- (i) Yetman Water Source,
- (j) Croppa Creek and Whalan Creek Water Source,
- (k) Camp Creek Water Source,
- (l) Campbells Creek Water Source, and
- (m) Tenterfield Creek Water Source.

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

- (2) These water sources are as shown on the [Plan Map](#) called [Plan Map \(WSP020_Version 2\) Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2012](#) (hereafter the ***Plan Map***) held by the Department.

Note. The [Plan Map](#) is part of this Plan and is available on the NSW Legislation website. An overview of the [Plan Map](#) is shown in Appendix 1.

- (3) Subject to subclause (5), these water sources include all water—
- (a) occurring naturally on the surface of the ground within the boundaries of these water sources as shown on the [Plan Map](#), and
 - (b) in rivers, lakes and wetlands within the boundaries of these water sources as shown on the [Plan Map](#).
- (4) These water sources do not include water—
- (a) contained in the Border Rivers Regulated River Water Source to which the *Water Sharing Plan for the NSW Border Rivers Regulated River Water Source 2009* applies,
 - (b) contained in the Barwon River downstream of the Mungindi Weir,
 - (c) contained in the water source to which the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012* applies, or

- (d) taken in the course of floodplain harvesting under a floodplain harvesting (regulated river) access licence.

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

- (5) (Repealed)
- (6) This Plan, as amended by the *Water Sharing Plan for the NSW Border Rivers Unregulated and Alluvial Water Sources Amendment Order 2016*, replaces the *Water Sharing Plan for the Tenterfield Creek Water Source 2003*.

4A Management zones

- (1) For the purposes of this Plan, the Tenterfield Creek Water Source is divided into the following management zones—
 - (a) Tenterfield Creek Management Zone 1,
 - (b) Tenterfield Creek Management Zone 2,
 - (c) Tenterfield Creek Management Zone 3,
 - (d) Tenterfield Creek Management Zone 4,
 - (e) Tenterfield Creek Management Zone 5.

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

- (2) The management zones in subclause (1) are shown on the Plan Map.

5 Extraction management units in these water sources

- (1) The water sources specified in Column 2 of item (a) of Table A are part of the extraction management unit known as the Border Rivers Unregulated Extraction Management Unit.
- (2) This plan establishes the Croppa Creek and Whalan Creek Extraction Management Unit, which applies to the water sources specified in Column 2 of item (b) of Table A. The Croppa Creek and Whalan Creek Extraction Management Unit does not include water contained in the water source to which the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012* applies.
- (3) The Border Rivers Unregulated Extraction Management Unit and the Croppa Creek and Whalan Creek Extraction Management Unit (hereafter *the EMUs*) are as shown on the Plan Map.

Notes.

1 A long-term average annual extraction limit and a long-term average sustainable diversion limit are established in Part 6 of this Plan for each extraction management unit. The long-term average annual extraction limit and long-term average sustainable diversion limit determines the maximum volume of water that may be extracted under access licences and pursuant to basic landholder rights from all water sources within each extraction management unit on a long-term average annual basis.

2 The EMUs and any water source to which the EMUs apply, may be amended as provided for in Part 12 of this Plan.

3 The Border Rivers Unregulated Extraction Management Unit was established under the *Water Sharing Plan for the Tenterfield Creek Water Source 2003*.

Table A—Extraction management units

Column 1—Extraction management unit	Column 2—Water sources
Border Rivers Unregulated Extraction Management Unit	Inverell Water Source Glen Innes Water Source Kings Plains Water Source Mole River Water Source Ottleys Creek Water Source Beardy River Water Source Reedy Creek Water Source Bonshaw Water Source Yetman Water Source Camp Creek Water Source Campbells Creek Water Source Tenterfield Creek Water Source
Croppa Creek and Whalan Creek Extraction Management Unit	Croppa Creek and Whalan Creek Water Source

6 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.

7 Interpretation

- (1) Words and expressions that are defined in the Dictionary to this Plan have the meaning set out in the Dictionary.
- (2) Unless otherwise defined in this Plan, words and expressions that are defined in the Act or in the regulations to the Act have the same meaning in this Plan.
- (3) Unless otherwise specified in this Plan, a clause that applies to a category of access licence also applies to any subcategories of that category of access licence.
- (4) The Dictionary and Schedules to this Plan form part of this Plan.
- (4A) The [Plan Map](#) forms part of this Plan.
- (4B) A number in brackets following the name of a gauge is the gauge number.
- (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

Notes.

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

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

7A Acknowledgment

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

8 Vision statement

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

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

9 Environmental objectives

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

Note. The ecological condition of these water sources will be assessed by reference to the condition of high ecological value aquatic ecosystems, target species, communities, populations and key ecosystem functions as defined in the MER plan for these water sources. Water-dependent ecosystems in these water sources include instream, riparian and floodplain ecosystems.

- (2) The targeted environmental objectives of this Plan are as follows—

- (a) to protect, and contribute to the enhancement of, the following over the term of this Plan—

- (i) the recorded distribution or extent, and population structure, of target ecological populations,

Notes.

1 Target ecological populations is defined in the Dictionary.

2 Target ecological populations in these water sources may include known or predicted populations of the following—

- (a) native fish including eel-tailed catfish, Murray cod, purple-spotted gudgeon and olive perchlet,

- (b) native vegetation including carex sedgeland, river redgum woodland and black box-coolibah woodland,

- (c) high diversity hotspots and significant habitat for native fish, frogs, waterbirds, native vegetation and low flow macroinvertebrate communities in water sources that are susceptible to increased frequency and duration of low flows and drying.

3 Measures of population structure may include the abundance or spatial extent of a species, different age classes or life stages within a species population, or measures that describe the health and condition of species or populations.

- (ii) the longitudinal and lateral connectivity within and between water sources to support target ecological processes,

Notes.

1 Longitudinal connectivity means flows along the length of the river and between hydrologically

connected rivers. Later connectivity means flows between the river and its anabranches, riparian zones, wetlands and floodplains.

2 Target ecological processes in these water sources include fish movement across significant barriers, as identified by NSW Department of Primary Industries (Fisheries) and described in the MER plan for these water sources.

3 Connectivity may be within or between these water sources or between these water sources and other water sources.

- (iii) water quality within target ranges for these water sources to support water-dependent ecosystems and ecosystem functions.

Note. Water quality target ranges for these water sources are defined in the Water Quality Management Plan for the NSW Border Rivers Water Resource Plan area SW16 and the NSW State Water Quality Assessment and Monitoring Plan.

- (b) to protect significant identified lagoons and wetlands specified in Schedule 5 and the wetlands specified in Schedule 6.

Note. The wetlands in Schedule 6 form part of the Upland Wetlands of the Drainage Divide of the New England Tablelands Bioregion endangered ecological community.

- (3) The strategies for reaching the targeted environmental objectives of this Plan are as follows—

- (a) establish and maintain compliance with a long-term average annual extraction limit and a long-term average sustainable diversion limit,

Note. Part 6 of this Plan sets out the provisions for maintaining compliance with the long-term average annual extraction limit and long-term average sustainable diversion limit.

- (b) reserve a portion of flows to partially mitigate alterations to natural flow regimes in these water sources,

Note. *Flow regimes* is defined in the Dictionary.

- (c) restrict the take of water from in-river and off-river pools when the volume of that water is less than full capacity,

Notes.

1 *In-river pool* and *off-river pool* are defined in the Dictionary.

2 The provisions in clause 44 of this Plan restrict the take of water from in-river and off-river pools when the volume is less than full capacity.

- (d) restrict or prevent water supply work approvals for certain works on third order or higher streams and water supply work approvals for works being used or proposed to be used to take water from specified lagoons, wetlands and upland wetlands of the New England Tablelands Bioregion.

Notes.

1 The provisions in Part 9 of this Plan prevent the granting of water supply work approvals for certain works on third order or higher streams, or water supply works for works used or proposed to be used to take water from lagoons or wetlands specified in Schedule 5, or the wetlands specified in Schedule 6 being wetlands which form part of the Upland Wetlands of the Drainage Divide of the New England Tablelands Bioregion endangered ecological community.

2 References in this Plan to a third order or higher stream relate to the stream order defined by the Strahler stream ordering method described in in Schedule 2 to the [Water Management \(General\) Regulation 2018](#).

- (4) The performance indicator used to measure the success of the strategies for reaching the broad environmental objective in subclause (1) is an evaluation of the extent to which the combined

outcomes of the targeted objectives in subclause (2) have contributed to achieving the broad objective.

- (5) The performance indicators used to measure the success of the strategies for reaching the targeted environmental objectives in subclause (2) are the changes or trends in ecological condition during the term of this Plan, as assessed using one or more of the following—
 - (a) the recorded range, extent or condition of target ecological populations,
 - (b) measurements of fish movements through priority fish passage areas,
 - (c) the recorded values of water quality measurements including salinity, turbidity, total nitrogen, total phosphorous, pH, water temperature and dissolved oxygen.
- (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause, the following will be relevant—
 - (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
 - (b) the extent to which changes in the performance indicators can be attributed to the strategies in subclause (3) and provisions in this Plan,
 - (c) the extent to which the strategies in subclause (3) support achievement of the environmental objectives,
 - (d) the extent to which Schedule 5 and Schedule 6 have accurately identified, and the provisions in this Plan have adequately protected, environmentally significant lagoons and wetlands, and wetlands forming part of the Upland Wetlands of the Drainage Divide of the New England Tablelands Bioregion within these water sources,
 - (e) the extent to which external influences on these water sources during the term of this Plan have affected progress toward achieving the environmental objectives.

Note. External influences may include climate trends, land use patterns and other factors.

10 Economic objectives

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

Note. Trading is a generic term referring to dealings under Division 4 of Part 2 of Chapter 3 of the Act.
 - (b) to maintain, and where possible improve, access to water for agriculture, surface water-dependent businesses, and landholders,
 - (c) to contribute to maintaining water quality within target ranges for agriculture, surface water-dependent businesses, and landholders.

- (3) The strategies for reaching the targeted economic objectives of this Plan are as follows—
- (a) provide for trade of water allocations and share components subject to environmental constraints,
- Note.** The provisions in Part 10 of this Plan permit a variety of dealings within environmental constraints, including assignment of rights under access licences and assignment of water allocations between access licences.
- (b) provide a stable and predictable framework for sharing water among water users,
- Note.** The compliance with extraction and diversion limit provisions in Division 4 of Part 6 of this Plan and the access provisions in Division 2 of Part 8 of this Plan provide certainty in how water access will be shared between different categories of access licences.
- (c) provide flexibility of access to water,
- Note.** The individual account management rules in clause 41 of this Plan, including the limit on the volume of water that can be taken in any water year or over three consecutive water years and the amount of water that may be carried over from one water year to the next, provide flexibility that reflects the characteristics of the licence category.
- (d) manage extractions to the long-term extraction limit and the long-term average sustainable diversion limit.
- Note.** Part 6 of this Plan manages the extraction of water within the long-term average annual extraction limits and the long-term average sustainable diversion limits.
- (4) The performance indicator used to measure the success of the strategies for reaching the broad economic objective in subclause (1) is an evaluation of the extent to which the combined outcomes of the targeted economic objectives in subclause (2) have contributed to achieving the broad objective.
- (5) The performance indicators used to measure the success of the strategies for reaching the targeted economic objectives in subclause (2) are the changes or trends in economic benefits during the term of this Plan as assessed using one or more of the following—
- (a) the economic benefits of water extraction and use,
- (b) the economic benefits of water trading as demonstrated by—
- (i) the annual number or volume of share components of access licences transferred or assigned,
- (ii) the weighted average unit price of share components of access licences transferred or assigned,
- Note.** *Weighted average unit price* is defined in the Dictionary.
- (iii) the annual volume of water allocations assigned,
- (iv) the weighted average unit price of water allocations assigned,
- (c) the recorded values of water quality measurements including salinity, sodium adsorption ratio, harmful algal blooms, total nitrogen, total phosphorus, pH and dissolved oxygen.
- (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause the

following will be relevant—

- (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
- (b) the extent to which the changes in the economic benefits of surface water extraction and use can be attributed to the strategies in subclause (3) and provisions in this Plan,
- (c) the extent to which strategies in subclause (3) support achievement of the economic objectives,
- (d) the extent to which external influences on surface water-dependent businesses during the term of this Plan have affected progress toward achieving the economic objectives.

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

11 Aboriginal cultural objectives

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

Note. The provisions in Part 7 of this Plan provide opportunities for Aboriginal people to access water by allowing for the granting of an access licence of the subcategory 'Aboriginal cultural'.

- (c) reserve a portion of flows to partially mitigate alterations to natural flow regimes in these water sources,
- (d) restrict the take of water from in-river and off-river pools when the volume of that water is less than full capacity,

Note. The provisions in clause 44 of this Plan restrict the take of water from in-river and off-river pools when the volume is less than full capacity, thereby contributing to the protection of native fish populations, swimming and recreational areas and riparian vegetation.

- (e) reserve a portion of flows to maintain longitudinal connectivity within and between these water sources, and between these water sources and other connected water sources.

Note. The provisions in clause 44 of this Plan ensure that a portion of natural flows are protected from extraction.

- (4) The performance indicator used to measure the success of the strategies for reaching the broad Aboriginal cultural objective in subclause (1) is an evaluation of the extent to which the combined outcomes of the targeted Aboriginal cultural objectives in subclause (2) have contributed to achieving the broad objective.
- (5) The performance indicators used to measure the success of the strategies for reaching the targeted Aboriginal cultural objectives in subclause (2) are the changes or trends in Aboriginal cultural benefits during the term of this Plan, as assessed using one or more of the following—
 - (a) the use of water by Aboriginal people by measuring factors including—
 - (i) the extent to which native title rights are capable of being exercised, consistently with any determination of native title or indigenous land use agreement,
 - (ii) the extent to which access to water has contributed to achieving Aboriginal cultural outcomes,
 - (b) the recorded range or extent of target populations of native fish,
 - (c) the recorded range or condition of target populations of riparian vegetation,
 - (d) the recorded values of water quality measurements including salinity, harmful algal blooms, total nitrogen, total phosphorous, pH, water temperature and dissolved oxygen.
- (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause the following will be relevant—
 - (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
 - (b) the extent to which changes in the performance indicators can be attributed to the strategies in subclause (3) and provision in this Plan,
 - (c) the extent to which the strategies in subclause (3) support achievement of the Aboriginal cultural objectives,
 - (d) the water made available for Aboriginal cultural values and uses during the term of this Plan through available water determinations and the granting of new access licences,
 - (e) the extent to which external influences on surface water-dependent Aboriginal cultural activities during the term of this Plan have affected progress toward achieving the Aboriginal cultural objectives.

Note. External influences may include trends in Aboriginal cultural activity, urban, agricultural and industrial development, climate or and changes in policy or regulation.

11A Social and cultural objectives

- (1) The broad social and cultural objective of this Plan is to provide access to surface water to support surface water-dependent social and cultural values.
- (2) The targeted social and cultural objectives of this Plan are to maintain, and where possible

improve, the following—

- (a) access to water for basic landholder rights, town water supply and licensed domestic and stock purposes,
 - (b) access to water for surface water-dependent cultural, heritage and recreational uses, including recreational fishing,
 - (c) water quality within target ranges for basic landholder rights, town water supply, domestic and stock purposes and surface water-dependent cultural, heritage and recreational uses, including recreational fishing.
- (3) The strategies for reaching the targeted social and cultural objectives of this Plan are as follows—
- (a) provide access to water for basic landholder rights, town water supply, and for licensed domestic and stock purposes,
 - (b) reserve a portion of flows to partially mitigate alterations to natural flow regimes in these water sources,
 - (c) restrict the take of water from in-river and off-river pools when the volume of that water is less than full capacity,
 - (d) reserve a portion of flows to maintain longitudinal connectivity within and between these water sources, and between these water sources and other connected water sources.
- (4) The performance indicator used to measure the success of the strategies for reaching the broad social and cultural objective in subclause (1) is an evaluation of the extent to which the combined outcomes of the targeted social and cultural objectives in subclause (2) have contributed to achieving the broad objective.
- (5) The performance indicators used to measure the success of the strategies for reaching the targeted social and cultural objectives in subclause (2) are the changes or trends in social and cultural benefits during the term of this Plan, as assessed using one or more of the following—
- (a) the social and cultural uses of water during the term of this Plan by measuring factors including—
 - (i) the extent to which basic landholder rights and licensed domestic and stock requirements have been met, and
 - (ii) the extent to which major utility access licence and local water utility access licence requirements have been met,
 - (b) the recorded range or extent of target populations of native fish that are important for recreational fishing,
 - (c) the recorded takes of native fish that are important for recreational fishing within legal age and size classes,
 - (d) the recorded values of water quality measurements including salinity, harmful algal blooms, total nitrogen, total phosphorus, pH, water temperature and dissolved oxygen.

- (6) In evaluating the effectiveness of the strategies in meeting the objectives in this clause the following will be relevant—
- (a) the extent to which the strategies in subclause (3) and provisions in this Plan have been implemented and complied with,
 - (b) the extent to which the changes in the performance indicators can be attributed to the strategies in subclause (3) and provisions in this Plan,
 - (c) the extent to which the strategies in subclause (3) support achievement of the social and cultural objectives,
 - (d) the extent to which external influences on surface water-dependant social and cultural activities during the term of this Plan have affected progress toward achieving the social and cultural objectives.

Note. External influences may include trends in urban, agricultural and industrial development, social or cultural behaviour, climate or changes in policy or regulation.

Part 3 Bulk access regime

12 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 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 are to be made contained in Part 6 of this Plan,
 - (c) recognises the effect of climatic variability on the availability of water as described in clause 13,
 - (d) establishes rules with respect to the priorities according to which water allocations are to be adjusted as a consequence of any reduction in the availability of water due to an increase in average annual extraction against the long-term average annual extraction limit and long-term average sustainable diversion limit, contained in 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.

13 Climatic variability

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

- (a) manage the sharing of water within the limits of water availability on a long-term average annual basis and the priorities according to which water allocations are to be adjusted as a consequence of any reductions in the availability of water due to an increase in average annual extraction against the long-term average annual extraction limit and long-term average sustainable diversion limit, contained in Part 6 of this Plan, and
- (b) manage the sharing of water in specified water sources on a daily basis, contained in Division 2 of Part 8 of this Plan.

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

Part 4 Planned environmental water provisions

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

14 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.

15 Commitment and identification of planned environmental water

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

16 Establishment and maintenance of planned environmental water

- (1) This Plan establishes planned environmental water in these water sources as follows—
 - (a) the physical presence of water resulting from the access rules specified in Division 2 of Part 8 of this Plan,

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

- (b) the long-term average annual commitment of water as planned environmental water resulting from compliance with the long-term average annual extraction limits and long-term average sustainable diversion limits as specified in Part 6,
 - (c) the water remaining after water has been taken under basic landholder rights and access licences and any other rights under the Act in accordance with the provisions specified in Parts 6 and 8 of this Plan.
- (2) The planned environmental water established under subclause (1) (a) is maintained by the rules specified in Division 2 of Part 8 of this Plan.
 - (3) The planned environmental water established under subclause (1) (b) is maintained by the provisions specified in Part 6 of this Plan.
 - (4) The planned environmental water established under subclause (1) (c) is maintained by the provisions specified in Parts 6 and 8 of this Plan.

Note. The provisions in Part 6 of this Plan ensure that there will be water remaining in these water sources over the long term by maintaining compliance with the long-term average annual extraction limits and the long-term average sustainable diversion limits. The provisions in Part 6 of this Plan provide for a reduction in available water determinations when the long-term average annual extraction limits or the long-term average sustainable diversion limits have been assessed to have been exceeded.

Part 5 Requirements for water

Division 1 General

17 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 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

18 Domestic and stock rights

The water requirements of persons entitled to domestic and stock rights in these water sources are estimated to total 5.19 ML/day, distributed as follows—

- (a) 0.69 ML/day in the Inverell Water Source,
- (b) 1.07 ML/day in the Glen Innes Water Source,
- (c) 0.33 ML/day in the Kings Plains Water Source,
- (d) 0.68 ML/day in the Mole River Water Source,
- (e) 0.20 ML/day in the Ottleys Creek Water Source,
- (f) 0.33 ML/day in the Beardy River Water Source,
- (g) 0.07 ML/day in the Reedy Creek Water Source,
- (h) 0.04 ML/day in the Bonshaw Water Source,
- (i) 0.10 ML/day in the Yetman Water Source,

- (j) 0.98 ML/day in the Croppa Creek and Whalan Creek Water Source,
- (k) 0.30 ML/day in the Camp Creek Water Source,
- (l) 0.02 ML/day in the Campbells Creek Water Source,
- (m)–(p) (Repealed)
- (q) 0.38 ML/day in the Tenterfield 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.

19 Native title rights

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

- (a) the native title determination for the Western Bundjalung People (Parts A and B, National Native Title Tribunal references NCD2017/002 and NCD2018/001), and
- (b) any other determination of native title, and
- (c) any indigenous land use agreement.

Notes.

1 A map of the native title determination area can be viewed by searching the National Native Title Tribunal website at www.nntt.gov.au.

2 This Plan may be amended if there is an additional or change to a native title determination in accordance with the *Native Title Act 1993* of the Commonwealth by which water is required.

3 This Plan may be amended if consultation with native title holders identifies more specific requirements for water to satisfy native title rights.

4 Native title rights may be exercised in accordance with the *Native Title Act 1993* of the Commonwealth, including section 211 of that Act.

20 Harvestable rights

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

Division 3 Requirements for water for extraction under access licences

21 Share components of domestic and stock access licences

It is estimated that the share components of domestic and stock access licences authorised to take water from these water sources total 517.5 ML/year, distributed as follows—

- (a) 82.5 ML/year in the Inverell Water Source,
- (b) 44.5 ML/year in the Glen Innes Water Source,

- (c) 11 ML/year in the Kings Plains Water Source,
- (d) 36.5 ML/year in the Mole River Water Source,
- (e) 28 ML/year in the Ottleys Creek Water Source,
- (f) 6 ML/year in the Beardy River Water Source,
- (g) 0 ML/year in the Reedy Creek Water Source,
- (h) 5 ML/year in the Bonshaw Water Source,
- (i) 6.5 ML/year in the Yetman Water Source,
- (j) 108.5 ML/year in the Croppa Creek and Whalan Creek Water Source,
- (k) 0 ML/year in the Camp Creek Water Source,
- (l) 5 ML/year in the Campbells Creek Water Source,
- (m)–(p) (Repealed)
- (q) 184 ML/year in the Tenterfield Creek Water Source.

22 Share components of local water utility access licences

It is estimated that the share components of local water utility access licences authorised to take water from these water sources total 2,014 ML/year, distributed as follows—

- (a) 1,126 ML/year in the Glen Innes Water Source,
- (b) 64 ML/year in the Mole River Water Source,
- (c), (d) (Repealed)
- (e) 824 ML/year in the Tenterfield Creek Water Source,
- (f) 0 ML/year in all other water sources.

23 Share components of unregulated river access licences

It is estimated that the share components of unregulated river access licences authorised to take water from these water sources total 29,797 unit shares, distributed as follows—

- (a) 7,399 unit shares in the Inverell Water Source,
- (b) 4,702.5 unit shares in the Glen Innes Water Source,
- (c) 620.5 unit shares in the Kings Plains Water Source,
- (d) 4,766.5 unit shares in the Mole River Water Source,
- (e) 1,821 unit shares in the Ottleys Creek Water Source,
- (f) 476 unit shares in the Beardy River Water Source,

- (g) 0 unit shares in the Reedy Creek Water Source,
- (h) 51 unit shares in the Bonshaw Water Source,
- (i) 240 unit shares in the Yetman Water Source,
- (j) 6,303.5 unit shares in the Croppa Creek and Whalan Creek Water Source,
- (k) 82 unit shares in the Camp Creek Water Source,
- (l) 120 unit shares in the Campbells Creek Water Source,
- (m) 3,215 unit shares in the Tenterfield Creek Water Source.

24 Share components of unregulated river (special additional high flow) access licences

It is estimated that the share components of unregulated river (special additional high flow) access licences authorised to take water from these water sources total 92 unit shares, distributed as follows—

- (a) 92 unit shares in the Glen Innes Water Source, and
- (b) 0 unit shares in all other water sources.

Note. One licence has been identified as being an unregulated river (special additional high flow) access licence in the Glen Innes Water Source. The licence details can be viewed in Schedule 3.

25, 26 (Repealed)

Part 6 Limits to the availability of water

Notes.

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

- (a) a long-term average annual extraction limit for each extraction management unit,
- (b) a long-term average sustainable diversion limit.

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

Division 1 Calculations under this Part

27 Exclusions, inclusions and variations in calculations

- (1) This clause applies to the calculation of the following—
 - (a) the long-term average annual extraction limits under clause 28,
 - (b) the annual extraction under clause 29,
 - (c) the annual permitted take under clause 30B,
 - (d) the annual actual take under clause 30B.

Note. *Annual permitted take* and *annual actual take* are defined in the Dictionary.

- (2) The calculations by the Minister to which this clause applies must—

- (a) exclude the following—
 - (i) allocations assigned from an access licence in one of these water sources to an access licence in a water source other than these water sources, under section 71T of the Act,
 - (ii) in relation to annual extraction under clause 29 only, water committed as licensed environmental water under section 8F of the Act, and
 - (b) include allocations assigned to an access licence in one of these water sources from an access licence in a water source other than these water sources, under section 71T of the Act.
- (3) The calculation by the Minister of the long-term average annual extraction limits under clause 28 must be adjusted by a volume that appropriately reflects the following—
- (a) the share components of water access licences in the water source that are subject to a dealing under section 71U of the Act,
 - (b) any changes to the amount of water committed as licensed environmental water under section 8F of the Act.

Division 2 Long-term average annual extraction limits

28 Calculation of the long-term average annual extraction limits

- (1) This clause establishes a long-term average annual extraction limit for each of the extraction management units.
- (2) The long-term average annual extraction limit for the Border Rivers Unregulated Extraction Management Unit is the sum of—
- (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* in the Border Rivers Unregulated Extraction Management Unit, plus
 - (b) the annual water requirements pursuant to basic landholder rights in the following water sources at the commencement of this Plan—
 - (i) Inverell Water Source,
 - (ii) Glen Innes Water Source,
 - (iii) Kings Plains Water Source,
 - (iv) Mole River Water Source,
 - (v) Ottleys Creek Water Source,
 - (vi) Beardy River Water Source,
 - (vii) Reedy Creek Water Source,
 - (viii) Bonshaw Water Source,

- (ix) Yetman Water Source,
- (x) Camp Creek Water Source,
- (xi) Campbells Creek Water Source, plus
- (c) the annual water requirements pursuant to basic landholder rights from the Tenterfield Creek Water Source at the commencement of the *Water Sharing Plan for the Tenterfield Creek Water Source 2003*, plus.
- (d) the annual extraction of water averaged over the period from 1 July 1993 to 30 June 1999 by floodplain harvesting activities for which floodplain harvesting (unregulated river) access licences may be issued in the Border Rivers Unregulated Extraction Management Unit, plus.
- (e) the estimated annual take of water from the Border Rivers Unregulated Extraction Management Unit by plantation forestry that existed on 30 June 2009.

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

- (3) The long-term average annual extraction limit for the Croppa Creek and Whalan Creek Extraction Management Unit is the sum of—
 - (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* in the Croppa Creek and Whalan Creek Extraction Management Unit, plus
 - (b) the annual water requirements pursuant to basic landholder rights from the Croppa Creek and Whalan Creek Extraction Management Unit at the commencement of this Plan, plus
 - (c) the annual extraction of water averaged over the period from 1 July 1993 to 30 June 1999 by floodplain harvesting activities for which floodplain harvesting (unregulated river) access licences may be issued in the Croppa Creek and Whalan Creek Extraction Management Unit, plus
 - (d) the estimated annual take of water from the Croppa Creek and Whalan Creek Extraction Management Unit by plantation forestry that existed on 30 June 2009.

29 Calculation of annual extraction

Following the end of each water year, the Minister is to calculate the total annual extraction from each of the extraction management units based on the following—

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

30 Assessment of compliance with the long-term average annual extraction limits

- (1) Following the calculation under clause 29, the Minister is to compare the average of the total

annual extraction for each extraction management unit over the preceding three water years against the respective long-term average annual extraction limits.

- (2) There is non-compliance with a long-term average annual extraction limit if the average of the total annual extraction over the preceding three water years exceeds the long-term average annual extraction limit by 5% or more.

Division 3 Long-term average sustainable diversion limit

Note. *NSW Border Rivers SDL resource unit* is defined in the Dictionary.

30A Calculation of the long-term average sustainable diversion limit

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

Notes.

- 1 **Baseline diversion limit** is defined in the Dictionary.
- 2 The long-term average sustainable diversion limit for the NSW Border Rivers SDL resource unit specified in Schedule 2 of the Basin Plan covers extractions from both the NSW Border Rivers Regulated River Water Source and the NSW Border Rivers Unregulated River Water Sources.

30B Calculation of annual permitted and annual actual take for the water year

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

Notes.

- 1 Under the Basin Plan take of licensed environmental water and under licences held by the Commonwealth Environmental Water Holder are not included in the calculation as they fall outside the definition of take for consumptive use.
- 2 **Consumptive use** and **take** are defined in section 4 of the *Water Act 2007* of the Commonwealth.

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

- (1) Following the calculation under clause 30B after the end of each water year, the Minister is to undertake an assessment of compliance with the long-term average sustainable diversion limit in accordance with the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan.
- (2) There is non-compliance with the long-term average sustainable diversion limit in the circumstances set out in Division 2 of Part 4 of Chapter 6 of the Basin Plan.

Division 4 Compliance with extraction and diversion limits

31A Action following non-compliance

- (1) Subject to subclause (2) to (4), if an assessment under clauses 30 or 31 demonstrates non-compliance with either a long-term average annual extraction limit for an extraction management unit or the long-term average sustainable diversion limit, the Minister is to take one or both of the following actions for the water year after the assessment—
 - (a) make available water determinations for unregulated river access licences of less than 1 ML per unit share,
 - (b) make available water determinations for unregulated river (special additional high flow) access licences of less than 1 ML per unit share.
- (2) The Minister may take one or both of the actions specified in subclause (1) (a) and (1) (b) if an assessment under clause 31 would have demonstrated non-compliance with the long-term average sustainable diversion limit but for there being a reasonable excuse, as provided for in Division 2 of Part 4 of Chapter 6 of the Basin Plan.
- (3) An action taken in accordance with subclause (1) and (2) is to be taken to the extent to which, and only for as long as, the Minister considers the following is necessary—
 - (a) in the case of non-compliance with the long-term average annual extraction limit—to return average annual extraction in the extraction management unit to the respective long-term average annual extraction limit,
 - (b) in the case of non-compliance with the long-term average sustainable diversion limit—to meet the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan,
 - (c) in the case where non-compliance with the long-term average sustainable diversion limit would have occurred but for there being a reasonable excuse—to meet the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan.
- (4) An action taken in accordance with subclause (1) and (2) to meet the requirements of Division 2 of Part 4 of Chapter 6 of the Basin Plan is to only apply to a water source to the extent to which extractions from the water source—
 - (a) have caused non-compliance with the long-term average sustainable diversion limit, or
 - (b) would have caused non-compliance with the long-term average sustainable diversion limit but for there being a reasonable excuse.

Division 5 Available water determinations

32 General

- (1) Available water determinations for access licences with share components that specify any one of these water sources are to be expressed as either—
 - (a) a percentage of the share component for access licences where share components are specified as ML/year, or

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

33 Available water determinations for domestic and stock access licences

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

34 Available water determinations for local water utility access licences

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

35 Available water determinations for unregulated river access licences

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 1 ML per unit of access licence share component or such lower amount that is determined in accordance with clause 31A is to be made for unregulated river access licences.

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

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

Unless the Minister otherwise determines, at the commencement of each water year an available water determination of 1 ML per unit of access licence share component or such lower amount that is determined in accordance with clause 31A is to be made for unregulated river (special additional high flow) access licences.

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

37, 38 (Repealed)

Part 7 Rules for granting access licences

Notes.

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

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

39 Specific purpose access licences

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

- (1) Applications may not be made for an access licence of the subcategory “Aboriginal cultural” if the share component of the proposed access licence is more than 10 ML/year.
- (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.

40 (Repealed)

Part 8 Rules for managing access licences

Division 1 Water allocation account management rules

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

41 Individual access licence account management rules

- (1) The rules in this clause apply to the taking of water under an access licence with a share component that specifies one of these water sources.
- (2) For the period of the first three water years in which this Plan has effect, water taken under a domestic and stock access licence, local water utility access licence or 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 in which this plan has effect, plus
 - (b) the sum of water allocations accrued to the water allocation account for the access licence from available water determinations in the second and third water years in which this Plan has effect, plus
 - (c) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T or 71V of the Act in those water years, plus
 - (d) any water allocations re-credited 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 a domestic and stock access licence, local water utility access licence or 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 any water allocations assigned to or from the water allocation account for the access licence under section 71T or 71V of the Act in those three water years, and
 - (iv) any water allocations re-credited 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 or 71V of the Act in those three water years, and
 - (v) any water allocations re-credited 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 unregulated river (special additional high flow) access licence must not exceed a volume equal to—
- (a) the sum of water allocations accrued under 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 or 71V of the Act in that water year, plus
 - (c) any water allocation re-credited 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 a domestic and stock access licence, local water utility access licence or unregulated river access licence is equal to—
- (a) 100% of the access licence share component, for access licences with share components

expressed as ML/year, or

- (b) 1 ML per unit share of access licence share component, for access licences with share components expressed as a number of unit shares.
- (6) Water allocations remaining in the water allocation account for an unregulated river (special additional high flow) access licence cannot be carried over from one water year to the next.

42 (Repealed)

Division 2 Daily access rules

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

43 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.

44 Access rules for the taking of surface water

- (1) This clause applies to the taking of water under an access licence from from these water sources, excluding the taking of water under an access licence used—
 - (a) in association with an aquifer interference activity that is an approved EP&A Act development when—
 - (i) in the Minister’s opinion, there are no reasonably practicable measures the access licence holder can take to comply with the access rules under this clause, and
 - (ii) the access licence holder has a water management plan for the aquifer interference activity that has been approved in accordance with the development consent for the activity under the *Environmental Planning and Assessment Act 1979*, and
 - (iii) the water management plan includes conditions that require the return of water to the water source to mitigate the taking of water during times when the access rules apply under this clause, or
 - (b) in association with an aquifer interference activity when—
 - (i) in the Minister’s opinion, there are no reasonably practicable measures the access licence holder can take to comply with the access rules under this clause, and
 - (ii) the access licence holder has a water management plan for the aquifer interference activity that has been approved by the Minister, and
 - (iii) the water management plan includes conditions that require the return of water to the water source to mitigate the taking of water during times when the access rules apply under this clause.

Note. *Approved EP&A Act development* is defined in the Dictionary.

- (2) Subject to subclause (10), water must not be taken under an access licence when there is no visible flow in the water source at the location at which water is proposed to be taken. This

subclause does not apply to the taking of water from an in-river pool or an off-river pool.

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

- (3) Water must not be taken under an access licence specified in Column 1 of the table in Schedule 1A, with a share component that specifies the water source in Column 2 of the table in Schedule 1A, in contradiction of the access rule specified in Column 3 of the table in Schedule 1A.

Note. Those former *Water Act 1912* entitlements and the cease to take conditions that have been identified as being higher than the upper limit of the relevant access rule specified in subclauses (2), (4) and (5) are listed in Schedule 1A.

- (4) Subject to subclause (10), water must not be taken under an access licence from an in-river pool or an off-river pool when the volume of water in that pool is less than the full capacity of the pool. This rule does not apply to an access licence listed in Schedule 2.

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

- (5) Subject to subclause (10), water must not be taken under an access licences specified in Column 1 in contradiction of the access rule specified in Column 2 in the water source specified in Column 3 of the table in clause 1 of Schedule 2.

- (6) Water must not be taken under an unregulated river (special additional high flow) access licence specified in Column 1 in contradiction of the access rule specified in Column 2 in the water source specified in Column 3 of Schedule 3.

- (7) Water must not be taken under an access licence from an in-river dam pool created by a structure authorised by a water supply work approval when flows or storage levels in that pool are at or less than a cease to take condition that was specified on the *Water Act 1912* entitlement that the access licence replaces.

- (8) 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.

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

- (9) The flows and circumstances to be specified on the water supply work approval for the in-river dam referred to in subclause (8) are—

- (a) the flows and circumstances that were specified on the *Water Act 1912* entitlement that the approval replaces, or
- (b) where no flows and circumstances were specified on the *Water Act 1912* entitlement, the flows determined by the Minister.

- (10) Subclauses (2), (4) and (5) do not apply to the following—

- (a) the taking of water under an access licence to which clause 1 of Schedule 4 applies or an access licence which replaces a *Water Act 1912* entitlement, for any of the following purposes, 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 (11)—

- (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 hygiene purposes,
- (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 or at the commencement of the *Water Sharing Plan for the Tenterfield Creek Water Source 2003*, provided that the volume of water taken does not exceed 1 kilolitre per house supplied by the access licence per day,
- (c) (Repealed)
- (d) the taking of water using a runoff harvesting dam or from an in-river dam pool, and
- Note.** *Runoff harvesting dam* is defined in the Dictionary.
- (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 4 applies.
- (11) The Minister may reduce the maximum daily volume limit imposed by the rule under subclause (10) (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. 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 give effect to a relevant management plan.
- (12) Subject to subclause (2), the taking of water under an access licence with a share component that specifies the Tenterfield Creek Water Source must not commence until there has been a visible flow for a period of 24 hours at the location at which water is proposed to be taken.

45 Total daily extraction limits

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

Notes.

1 TDELs are an assessment tool only and will be used by the Department to determine which access licences (if any), may require individual daily extraction limits. Where TDELs have been established continued exceedance of a TDEL may result in the imposition of individual daily extraction limits under clause 46.

2 **Total daily extraction limit** is defined in the Dictionary.

46 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 45 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 limits” are defined in the Dictionary.

Part 9 Rules for water supply work approvals

Notes.

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

47 General

The rules in this Division apply to water supply work approvals for water supply works authorised to take water from these water sources.

48 Granting or amending water supply work approvals

(1) (Repealed)

(1A) A water supply work approval must not be granted or amended to authorise an in-river dam on a third order or higher stream within the following water sources—

- (a) the Glenn Innes Water Source,
- (b) the Mole River Water Source,
- (c) the Ottleys Creek Water Source,
- (d) the Beardy Creek Water Source,
- (e) the Reedy Creek Water Source,
- (f) the Bonshaw Water Source,
- (g) the Croppa Creek Water Source,
- (h) the Camp Creek Water Source,
- (i) the Campbells Creek Water Source,
- (j) the Tenterfield Creek Water Source.

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

- (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 proposed to be used to take water from a pool, lagoon, lake or wetland listed in Schedules 5 or 6.
- (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 these water sources where—
 - (a) the existing water supply work is authorised by a water supply work approval under the Act,
and

- (b) the replacement surface water work is to be constructed to extract water from the same water source and the same location as the existing water supply work.

Part 10 Access licence dealing rules

57 General

- (1) The access licence dealing rules established in this Part apply to all access licence dealings in these water sources.
- (2) This Plan establishes the following trading zones located in the following water sources—
 - (a) Inverell Water Source—
 - (i) Macintyre River Trading Zone, and
 - (ii) Macintyre River Tributaries Trading Zone,
 - (b) Glen Innes Water Source—
 - (i) Glen Innes Tributaries Trading Zone,
 - (ii) Beardy Waters Trading Zone,
 - (iii) Upstream Beardy Waters Dam Trading Zone, and
 - (iv) Severn River Trading Zone,
 - (c) Kings Plains Water Source—
 - (i) Kings Plains Trading Zone, and
 - (ii) Upstream Nullamanna Road Crossing Trading Zone,
 - (d) Mole River Water Source—
 - (i) Mole River Trading Zone,
 - (ii) Unregulated Dumaresq River Trading Zone,
 - (iii) Bluff River and Brassington Creek and Tributaries Trading Zone,
 - (iv) Deepwater River and Tributaries Trading Zone, and
 - (v) Mole River Tributaries Trading Zone, and
 - (e) Croppa Creek and Whalan Creek Water Source—
 - (i) Croppa Creek and Whalan Creek and Tributaries Trading Zone, and
 - (ii) Boomi River and the tributaries and effluents of both the Boomi River and the Macintyre River Trading Zone.

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

- (3) The trading zones in subclause (2) are as shown on the [Plan Map](#).

Notes.

- 1 Overview maps of the trading zones are shown in Appendix 2.
- 2 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.
- 3 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.

58 Conversion of access licence to new category

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

59 Assignment of rights dealings

- (1) Dealings under section 71Q of the Act within the same water source are prohibited if the dealing involves an assignment of rights from—
 - (a) an access licence that does not nominate a water supply work located on a natural pool, lagoon, lake or wetland listed in Schedules 5 or 6, to an access licence that does nominate a water supply work located on a natural pool, lagoon, lake or wetland that is listed in Schedules 5 or 6,
 - (b) an access licence that nominates a water supply work located on a natural pool, lagoon, lake or wetland listed in Schedules 5 or 6, to an access licence that nominates a water supply work located on another natural pool, lagoon, lake or wetland listed in Schedules 5 or 6,
 - (c) an access licence that nominates a water supply work located in the Macintyre River Trading Zone in the Inverell Water Source to an access licence that nominates a water supply work located in the Macintyre River Tributaries Trading Zone in the Inverell Water Source,
 - (d) an access licence that nominates a water supply work located in a trading zone in the Glen Innes Water Source to an access licence that nominates a water supply work located in another trading zone in the Glen Innes Water Source,
 - (e) an access licence that does not nominate a water supply work located in the Upstream Nullamanna Road Crossing Trading Zone in the Kings Plains Water Source to an access licence that does nominate a water supply work located in the Upstream Nullamanna Road Crossing Trading Zone in the Kings Plains Water Source,
 - (f) an access licence that nominates a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source to an access licence that nominates a water supply work located in the Mole River Trading Zone in the Mole River Water Source,
 - (g) an access licence that does not nominate a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source to an access licence that does nominate a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located in the Mole River Trading Zone or the Mole River Tributaries Trading Zone in the Mole River Water Source,
 - (h) an access licence that does not nominate a water supply work located in the Mole River Tributaries Trading Zone to an access licence that does nominate a water supply work located in the Mole River Tributaries Trading Zone,

- (i) an access licence that does not nominate a water supply work located in the Bluff River and Brassington Creek and Tributaries Trading Zone in the Mole River Water Source to an access licence that does nominate a water supply work located in the Bluff River and Brassington Creek and Tributaries Trading Zone in the Mole River Water Source,
 - (j) an access licence that does not nominate a water supply work located in the Deepwater River and Tributaries Trading Zone in the Mole River Water Source to an access licence that does nominate a water supply work located in the Deepwater River and Tributaries Trading Zone in the Mole River Water Source, and
 - (k) an access licence that nominates a water supply work located in a trading zone in the Croppa Creek and Whalan Creek Water Source to an access licence that nominates a water supply work located in another trading zone in the Croppa Creek and Whalan Creek Water Source, and
 - (l) an access licence that nominates water supply work located in a management zone in the Tenterfield Creek Water Source to an access licence that nominates a water supply work located in another management zone in the Tenterfield Creek Water Source.
- (2) Dealings under section 71Q of the Act are prohibited if the dealing involves an unregulated river (special additional high flow) access licence.
- (3) Dealings under section 71Q of the Act between water sources within the same water management area are prohibited in these water sources.

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

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

61 Assignment of water allocations dealings

- (1) Dealings within a water source under section 71T of the Act are prohibited if the dealing involves an assignment of water allocation from—
- (a) an access licence that does not nominate a water supply work located on a natural pool, lagoon, lake or wetland listed in Schedules 5 or 6 to an access licence that does nominate a water supply work located on a natural pool, lagoon, lake or wetland listed in Schedules 5 or 6,
 - (b) an access licence that does nominate a water supply work located on a natural pool, lagoon, lake or wetland listed in Schedules 5 or 6 to an access licence that nominates a water supply work located on another natural pool, lagoon, lake or wetland listed in Schedules 5 or 6,
 - (c) an access licence that nominates a water supply work located in the Macintyre River Trading Zone in the Inverell Water Source to an access licence that nominates a water supply work located in the Macintyre River Tributaries Trading Zone in the Inverell Water Source,
 - (d) an access licence that nominates a water supply work located in a trading zone in the Glen Innes Water Source to an access licence that nominates a water supply work located in another trading zone in the Glen Innes Water Source,

- (e) an access licence that does not nominate a water supply work located in the Upstream Nullamanna Road Crossing Trading Zone in the Kings Plains Water Source to an access licence that does nominate a water supply work located in the Upstream Nullamanna Road Crossing Trading Zone in the Kings Plains Water Source,
 - (f) an access licence that nominates a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source to an access licence that nominates a water supply work located in the Mole River Trading Zone in the Mole River Water Source,
 - (g) an access licence that does not nominate a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source to an access licence that does nominate a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located in the Mole River Trading Zone or the Mole River Tributaries Trading Zone in the Mole River Water Source,
 - (h) an access licence that does not nominate a water supply work located in the Mole River Tributaries Trading Zone to an access licence that does nominate a water supply work located in the Mole River Tributaries Trading Zone,
 - (i) an access licence that does not nominate a water supply work located in the Bluff River and Brassington Creek and Tributaries Trading Zone in the Mole River Water Source to an access licence that does nominate a water supply work located in the Bluff River and Brassington Creek and Tributaries Trading Zone in the Mole River Water Source,
 - (j) an access licence that does not nominate a water supply work located in the Deepwater River and Tributaries Trading Zone in the Mole River Water Source to an access licence that does nominate a water supply work located in the Deepwater River and Tributaries Trading Zone in the Mole River Water Source, and
 - (k) an access licence that nominates a water supply work located in a trading zone in the Croppa Creek and Whalan Creek Water Source to an access licence that nominates a water supply work located in another trading zone in the Croppa Creek and Whalan Creek Water Source, or
 - (l) an access licence that nominates water supply work located in a management zone in the Tenterfield Creek Water Source to an access licence that nominates a water supply work located in another management zone in the Tenterfield Creek Water Source.
- (2) Dealings within a water source under section 71T of the Act are prohibited in these water sources if the dealing involves an unregulated river (special additional high flow) access licence.
 - (3) Dealings under section 71T of the Act between water sources are prohibited in these water sources.

62 Interstate transfer of access licences and assignment of water allocation

- (1) Dealings under section 71U of the Act involving the interstate transfer of an access licence to or from access licences in these water sources may only be permitted where administrative arrangements have been agreed to and put in place by, NSW and the other State or Territory.
- (2) Dealings under section 71V of the Act involving the interstate assignment of water allocations to

or from access licences in these water sources may only be permitted where administrative arrangements have been agreed to and put in place by, NSW and the other State or Territory.

63 Nomination of water supply works dealings

- (1) Dealings under section 71W of the Act are prohibited if the dealing involves—
- (a) an access licence that does not nominate a water supply work located on a natural pool, lagoon, lake or wetland listed in Schedules 5 or 6 being amended to nominate a water supply work located on a natural pool, lagoon, lake or wetland that is listed in Schedules 5 or 6,
 - (b) an access licence that nominates a water supply work located on a natural pool, lagoon, lake or wetland listed in Schedules 5 or 6 being amended to nominate a water supply work located on another natural pool, lagoon, lake or wetland listed in Schedules 5 or 6,
 - (c) an access licence that nominates a water supply work located in the Macintyre River Trading Zone in the Inverell Water Source being amended to nominate a water supply work located in the Macintyre River Tributaries Trading Zone in the Inverell Water Source,
 - (d) an access licence that nominates a water supply work located in a trading zone in the Glen Innes Water Source being amended to nominate a water supply work located in another trading zone in the Glen Innes Water Source,
 - (e) an access licence that does not nominate a water supply work located in the Upstream Nullamanna Road Crossing Trading Zone in the Kings Plains Water Source being amended to nominate a water supply work located in the Upstream Nullamanna Road Crossing Trading Zone in the Kings Plains Water Source,
 - (f) an access licence that nominates a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source being amended to nominate a water supply work located in the Mole River Trading Zone in the Mole River Water Source,
 - (g) an access licence that does not nominate a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source being amended to nominate a water supply work located in the Unregulated Dumaresq River Trading Zone in the Mole River Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located in the Mole River Trading Zone or the Mole River Tributaries Trading Zone in the Mole River Water Source,
 - (h) an access licence that does not nominate a water supply work located in the Mole River Tributaries Trading Zone being amended to nominate a water supply work located in the Mole River Tributaries Trading Zone,
 - (i) an access licence that does not nominate a water supply work located in the Bluff River and Brassington Creek and Tributaries Trading Zone in the Mole River Water Source being amended to nominate a water supply work located in the Bluff River and Brassington Creek and Tributaries Trading Zone in the Mole River Water Source,
 - (j) an access licence that does not nominate a water supply work located in the Deepwater River and Tributaries Trading Zone in the Mole River Water Source being amended to nominate a water supply work located in the Deepwater River and Tributaries Trading Zone in the

Mole River Water Source,

- (k) an access licence that nominates a water supply work located in a trading zone in the Croppa Creek and Whalan Creek Water Source being amended to nominate a water supply work located in another trading zone in the Croppa Creek and Whalan Creek Water Source,
 - (l) an access licence that nominates water supply work located in a management zone in the Tenterfield Creek Water Source to an access licence that nominates a water supply work located in another management zone in the Tenterfield Creek Water Source, or
 - (m) an access licence being amended to nominate a water supply work located in a different water source to that specified in the share component of the access licence.
- (2) Dealings under section 71W of the Act are prohibited if the dealing involves an unregulated river (special additional high flow) access licence.
 - (3) Dealings under section 71W of the Act that involve the interstate nomination of water supply works by access licences in these water sources may be permitted where administrative arrangements have been agreed to and put in place by, NSW and the other State or Territory.
 - (4) A dealing under section 71W of the Act is prohibited if it involves an access licence being amended to nominate a water supply work located in a different water source to that specified in the share component of the access licence.

Part 11 Mandatory conditions

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

Division 1 General

64 General

In this Part—

- (a) a requirement to notify the Minister in writing will only be satisfied by writing to the address listed in Schedule 7 of this Plan or to the email address for enquiries on the Department's website, and

Note. At the commencement of this Plan, the email address for enquiries on the Department's website is water.enquiries@dpi.nsw.gov.au.

- (b) ***metered water supply work with a data logger*** means a water supply work with—
 - (i) a meter that complies with the Australian Standard AS 4747, *Meters for non-urban water supply*, as may be updated or replaced from time to time, and
 - (ii) a data logger, and
- (c) if the holder of a water supply work approval is the same person 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.

65 General

- (1) Access licences in these water sources must have mandatory conditions 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) the relevant access rules for the taking of water specified in Division 2 of Part 8 of this Plan,
 - (c) the holder of the access licence upon becoming aware of a breach of any condition of the access licence must—
 - (i) notify the Minister as soon as practicable, and
 - (ii) if the notification under subparagraph (i) was not in writing, confirm this notification in writing within seven days of becoming aware of the breach,
 - (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 to give effect to the following—
 - (a) the holder of the access licence must keep a Logbook,
 - (b) the holder of the access licence must record the following in the Logbook—
 - (i) each date and start and end time during which water was taken under the access licence,
 - (ii) the volume of water taken on that date,
 - (iii) the water supply work approval number of the water supply work used to take the water on that date,
 - (iv) the purpose or purposes for which the water was taken on that date,
 - (v) (Repealed)
 - (vi) for domestic and stock access licences, local water utility access licences and unregulated river access licences with share components that specify one of these water sources, the volume of water taken in any three consecutive water years after the first water year in which this Plan has effect, by comparison to the volume of water permitted to be taken in those years under clause 41 (3),
 - (vii) for unregulated river (special additional high flow) access licences with share components that specify one of these water sources, the volume of water taken in any water year, by comparison to the volume of water permitted to be taken in that water year under clause 41 (4),

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

Division 3 Water supply work approvals

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

66 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) when directed by the Minister by notice in writing, the approval holder must have metering equipment installed that meets the following requirements—
 - (i) the metering equipment must accurately measure and record the flow of all water taken through the water supply work,
 - (ii) the metering equipment must comply with the Australian Standard AS 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,
 - (v) any other requirements as to type, standard or other criteria for the metering equipment

specified in the notice,

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

(b) if a water supply work is to no longer be used permanently, then the approval holder of that work must provide the Minister with notice in writing that the approval holder intends to decommission the water supply work, at least 90 days prior to the date of commencement of decommissioning,

(c) upon receiving notice of the intention to decommission from the approval holder under paragraph (b), the Minister may by notice in writing, require that the water supply work not be decommissioned, or that the water supply work be decommissioned in accordance with other requirements. These requirements may be specified by the Minister in a work plan,

Note. If a notice in writing is required from the Minister regarding the decommissioning of a water supply work, this notice will be sent to the approval holder within 60 days of the notice under paragraph (b) being sent.

(d) if the approval holder receives a notice from the Minister under paragraph (c), the approval holder must proceed in accordance with any requirements in that notice,

(e) if the approval holder does not receive a notice from the Minister under paragraph (c) within 60 days of providing notice of the intent to decommission under paragraph (b), the approval holder must decommission the water supply work,

(f) within 60 days of the water supply work being decommissioned under paragraphs (d) or (e), the approval holder must notify the Minister in writing that the water supply work has been decommissioned,

(g) the holder of the water supply work approval upon becoming aware of a breach of any condition of the approval must—

(i) notify the Minister as soon as practicable, and

(ii) if the notification under subparagraph (i) was not in writing, confirm this notification in writing within seven days of becoming aware of the breach,

(h) any other condition required to implement the provisions of this Plan.

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

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

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

(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 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 start and end time during which water was taken using the water supply work,
 - (ii) the volume of water taken on that date,
 - (iii) the number of the access licence under which water was taken on that date or if water was taken under some other authority (such as basic landholder rights), the authority under which water was taken,
 - (iv) the purpose or purposes for which the water was taken on that date,
 - (v) details of any cropping carried out using the water taken through the water supply work including the type of crop, area cropped and dates of planting and harvesting,
 - (vi) where metering equipment has been installed for use in connection with the water supply work, the meter reading before water is taken,
 - (vii) where metering equipment has not been installed for use in connection with the water supply work, details of all pumping activities for the water supply work including pump running hours, pump power usage or pump fuel usage, pump start and stop times and pump capacity per unit of time, and
 - (viii) any other information required to be recorded in the Logbook under the rules of this Plan,
 - (c) the holder of a water supply work approval must produce the Logbook to the Minister for inspection when requested, and
 - (d) the holder of a water supply work approval must retain the information required to be recorded in the Logbook for five years from the date to which that information relates.
- (3) The Minister may require the holder of a water supply work approval for a metered water supply work with a data logger to keep a Logbook in accordance with any requirements under subclause (2).
- (3A) If an approval for a water supply work is subject to a mandatory condition imposed by Part 10 or Part 11 of the *Water Management (General) Regulation 2018* relating to the recording or reporting of water that is taken by the work, subclauses (2) and (3) cease to have effect in relation to the work on the day on which the condition applies to the approval.
- (3B) Subclauses (2), (3) and (3A) are taken to be repealed on the day on which the temporary exemption from the mandatory metering equipment condition ceases to apply to these water sources in accordance with clause 230 (1) of the *Water Management (General) Regulation 2018*.
- (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 contain a mandatory condition that requires approval holders to comply with any direction by the Minister to modify or remove the dam to ensure that the capability of the dam to capture water is reduced to reflect any reduction in share components arising from—
 - (a) a dealing under section 71Q or 71W of the Act,
 - (b) the surrender under section 77 (4) of the Act of an access licence and then the subsequent cancellation of an access licence under section 77A (6) of the Act,
 - (c) the amendment of the share component of the access licence by the Minister under section 68A of the Act, or
 - (d) the cancellation of an access licence under section 78 of the Act or via the compulsory acquisition of an access licence under section 79 of the Act.
- (6) A water supply work approval for a replacement surface water supply work must have mandatory conditions to give effect to the requirements for a replacement surface water supply work specified in clause 48 (4).

67 (Repealed)

Part 12 Amendment of this Plan

68 General

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

Note. For example, if Part 1 is amended to add a new management zone, this may require amendments to other parts of this Plan to include rules for that management zone.
- (3) An amendment authorised by this Plan which results in a variation of the bulk access regime is an amendment authorised by this Plan for the purposes of sections 87 (2) (c) and 87AA of the Act.

69 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 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](#).

70 (Repealed)

71 Part 6

- (1) Part 6 may be amended to specify that reductions to available water determinations for unregulated river (special additional high flow) access licences may be made prior to, or at a rate greater than, reductions for unregulated river access licences.
- (2) 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 amend clause 28 to vary the long-term average annual extraction limit that applies to the respective extraction management unit.
- (3) Division 3 of Part 6 may be amended to establish a long-term average sustainable diversion limit that combines the long-term average sustainable diversion limits for these water sources and the NSW Border Rivers Regulated River Water Source.

72 Part 8

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

- (a) establish 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 69,
- (b) to specify alternate access rules for access licence which replace the following *Water Act 1912* entitlements—
 - (i) 90SL048827, or
 - (ii) 90SL048830,
- (c) (Repealed)
- (d) establish or assign TDELS in these water sources or management zones following the imposition of an adaptive environmental water condition on an access licence that requires the water to be left in the water source or management zone for environmental purposes,
- (e) establish or assign TDELS in these water sources or management zones to protect a proportion of flow within each flow class for the environment,
- (f) amend or remove TDELS if TDELS have been established or assigned,
- (g) include rules for the establishment, assignment and removal of IDELS,
- (h) remove the existing access rules where TDELS and/or IDELS have been established under paragraphs (e) and/or (g) to protect a proportion of flow within each flow class for the environment,
- (i) reinstate access rules that applied at the commencement of this Plan, where TDELS and IDELS

have been removed under paragraphs (f) and (g),

- (j) amend existing flow classes, establish new or additional flow classes or amend the flow reference point in order to establish TDEs and IDEs.

73 Part 9

Part 9 may be amended to specify water sources or management zones where water supply work approvals must not be granted or amended to authorise an in-river dam on a third or higher order stream.

73A Part 10

Part 10 may be amended to permit conversion of regulated river (high security) access licences that specify regulated river water sources connected to, and downstream of, these water sources to access licences with share components that specify these water sources.

74 Part 11

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

75 Dictionary

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

76 Schedules

- (1) (Repealed)

(1A) Schedule 1A may be amended to—

- (a) remove an access licence or *Water Act 1912* entitlement specified in Column 1 of the table to the Schedule and the corresponding water source and access rule in Columns 2 and 3,
- (b) add a new access licence to Column 1 of the table to the Schedule and specify a water source and access rule in Columns 2 and 3, if, in the Minister's opinion—
 - (i) the cease to take conditions that were specified on the *Water Act 1912* entitlement were more restrictive than the access rules specified in clause 44 of this Plan, and
 - (ii) the access rule to be specified in Column 3 of the table to the Schedule for that access licence is no more restrictive than the cease to take conditions that were specified on the *Water Act 1912* entitlement.

(2) Schedule 2 may be amended to do any of the following—

- (a) remove an access licence or *Water Act 1912* entitlement specified in Column 1 and the corresponding access rule and water source in Column 2 and Column 3 of the Schedule,
- (b) amend the access rule specified in Column 2 of the Schedule, or
- (c) add an access licence to Column 1 and specify an access rule and water source in Column 2 and Column 3 of the Schedule, based on the following requirements—

- (i) the holder of an access licence has applied in writing to the Department within 12 months from the commencement of this Plan to have their access licence listed in the Schedule,
 - (ii) the applicant has held a *Water Act 1912* entitlement that has been converted to an access licence on commencement of this Plan,
 - (iii) for in-river pools, the share component of the access licence specifies the Mole River Water Source or the Beardy River Water Source,
 - (iv) the applicant must demonstrate a history of extraction regarding the taking of water from off-river pools or in-river pools and provide any other information as required by the Minister,
 - (v) the access rule for an in-river pool in the Mole River Water Source must allow no greater access than the more restrictive of the following—
 - (A) water must not be taken from an in-river pool when the in-river pool level is at or less than a volume determined by the Minister to be equivalent to the historical access practices under the *Water Act 1912* entitlement, or
 - (B) water must not be taken from an in-river pool when the in-river pool is at or less than 0.3 metres below the full capacity or 70% of the full capacity from 1 March to 31 August, whichever will equate to the greater volume in the pool, and 0.2 metres below the full capacity or 80% of the full capacity from 1 September to 28/29 February, whichever will equate to the greater volume in the pool,
 - (vi) the access rule for an in-river pool in the Beardy River Water Source must allow no greater access than the more restrictive of the following—
 - (A) water must not be taken from an in-river pool when the in-river pool level is at or less than a volume as determined by the Minister to be equivalent to the historical access practices under the *Water Act 1912* entitlement, or
 - (B) water must not be taken from an in-river pool when the in-river pool is at or less than 0.5 metres below the full capacity or 50% of the full capacity from 1 March to 31 August, whichever will equate to the greater volume in the pool, and 0.35 metres below the full capacity or 65% of the full capacity from 1 September to 28/29 February, whichever will equate to the greater volume in the pool, and
 - (vii) the access rule for an off-river pool in these water sources must allow no greater access than the more restrictive of the following—
 - (A) water must not be taken from an off-river pool when the off-river pool level is at or less than a volume as determined by the Minister to be equivalent to the historical access practices under the *Water Act 1912* entitlement, or
 - (B) water must not be taken from an off-river pool when the off-river pool is at or less than 50% of the full capacity.
- (3) Schedule 4 may be amended to do any of the following—
- (a) add a new access licence to clause 1 of Schedule 4, 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 44 (10) (a) and that purpose was specified on or referred to in the conditions of the *Water Act 1912* entitlement that was replaced by the access licence or referred to in its conditions,

- (b) add a local water utility access licence or an access licence of the subcategory “Town water supply” to clause 2 of Schedule 4, provided the Minister is satisfied that the water supply system used to take, store and deliver water has not undergone major augmentation since the commencement of this Plan,
- (c) remove an access licence or *Water Act 1912* entitlement from clause 1 of Schedule 4 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, or
- (d) remove a local water utility access licence or an access licence of the subcategory “Town water supply” or *Water Act 1912* entitlement from clause 2 of Schedule 4 if—
 - (i) the Minister is satisfied that the water supply system used to extract, store and deliver water has undergone major augmentation since the commencement of this Plan, or
 - (ii) the access licence is surrendered or cancelled.
- (4) Schedule 4 may be deleted if the Minister is satisfied that it is no longer required.
- (5) Schedule 5 or 6 may be amended to add or remove a lagoon, wetland or threatened ecological community based on further studies undertaken or assessed by the Minister.
- (6) Schedule 7 may be amended to add or remove an office.
- (7) (Repealed)

77 Other

- (1) This Plan may be amended to include rules for the following—
 - (a) (Repealed)
 - (b) the management of floodplain harvesting within these water sources,
 - (c) the shepherding of water,
 - Note.** “Shepherding” is defined in the Dictionary.
 - (d) any new category of access licence established for the purpose of urban stormwater harvesting,
 - (e) the interception of water before it reaches a stream or aquifer by plantations or other means,
 - (f) the management of salt interception schemes, or

- (g) (Repealed)
- (2) This Plan may be amended to give effect to an intergovernmental agreement between the New South Wales and Queensland governments for the management of water contained within these water sources.
- (3) Consequential amendments may be made to this Plan as a result of an amendment to the Act or regulations.
- (4) This Plan may be amended to give effect to, or in connection with, a determination of native title under the *Native Title Act 1993* of the Commonwealth.
- (5) This Plan may be amended after year five to provide rules for the protection of water dependent Aboriginal cultural assets by—
- (a) identifying water dependent Aboriginal cultural assets,
 - (b) amending the access rules to protect water dependent Aboriginal cultural assets,
 - (c) restricting the granting and amending of water supply work approvals to protect water dependent Aboriginal cultural assets, and/or
 - (d) amending 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.

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 Land Rights Act 1983*.

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

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

approved EP&A Act development means—

- (a) a project approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (whether before or after its repeal), or
- (b) State significant development authorised by a development consent under Part 4 of that Act, or
- (c) State significant infrastructure approved under Part 5.1 of that Act.

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

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

cease to take condition means any term or condition on a water supply work approval, access licence or *Water Act*

1912 entitlement that prohibits the taking of water in a particular circumstance.

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

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

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

full capacity means, unless otherwise specified in Schedules to this Plan, 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.

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

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

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

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

- (a) a pool that is on a flood-runner or floodplain, or
- (b) a pool that is on an effluent that only 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.

NSW Border Rivers SDL resource unit has the same meaning as provided for in section 6.02 of the Basin Plan.

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

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

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

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

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

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

target ecological processes are processes that support a range of ecological communities, such as connecting flows or flow events that can mobilise nutrients and other water-borne materials within and between water sources. These processes must be easily monitored and measurable.

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

trading zone is an area within a water source, established in clause 57 of this Plan and shown on the [Plan Map](#), to which restrictions on dealings apply.

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

Water Act 1912 entitlement has the same meaning as entitlement has in clause 2 of Schedule 10 to the Act.

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

Schedule 1 (Repealed)

Schedule 1A Access licences subject to the cease to take condition specified in clause 44 (3)

The access licences which replaced [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 access rule specified in Column 3 imposed as mandatory conditions to give effect to clause 44 (3).

Column 1	Column 2	Column 3
Water Act 1912 entitlements that were replaced by access licences on commencement of this Plan	Water Source	Access rules

90SL007352	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL009399	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL010064	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL011943	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL012388	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL012423	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL012439	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL013833	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL014189	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Swan Brook at the road bridge on the Gwydir State Highway.
90SL014989	Inverell	When there is a flow in Sheep Station Gully at the southern boundary of Lot 299 DP 753287, Parish of Inverell, County of Gough, the authorised work shall not be used unless there is a visible flow in the said gully at or near the eastern boundary of Lot 393 DP 753287, said Parish of Inverell.
90SL015050	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Swan Brook at the road bridge on the Gwydir State Highway.
90SL015052	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL015166	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at "Redrock" Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.

90SL015170	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL017618	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL018027	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL024062	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL025135	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL025241	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL025525	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL026337	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL026351	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Swan Brook at the Ashford-Inverell Road bridge, located just upstream of the junction of Swan Brook with the Macintyre River at the point where Swan Brook crosses the Kings Plain Road, located about 40 metres downstream of the north-western corner of Lot 183 DP 753269, Parish of Campbell, County of Gough and also at the point where Swan Brook crosses the Woodstock Road located immediately upstream of the most easterly corner of Lot 182 DP 753315, Parish of Swan Brook, said County of Gough.
90SL027386	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL027653	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL028263	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.

90SL028503	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL028762	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Swan Brook at the Ashford-Inverell Road bridge, located just upstream of the junction of Swan Brook with the Macintyre River at the point where Swan Brook crosses the Kings Plain Road, located about 40 metres downstream of the north-western corner of Lot 183 DP 753269, Parish of Campbell, County of Gough and also at the point where Swan Brook crosses the Woodstock Road located immediately upstream of the most easterly corner of Lot 182 DP 753315, Parish of Swan Brook, said County of Gough.
90SL028969	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL031131	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL031236	Inverell	When there is a flow in sheep station gully at the southern boundary of Lot 299 DP 753287, Parish of Inverell, County of Gough, the authorised work shall not be used unless there is a visible flow in the said gully at or near the eastern boundary of Lot 393 DP 753287, said Parish of Inverell.
90SL031428	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL031743	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL033753	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL034408	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL034499	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL034509	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL036140	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.

90SL036825	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL037165	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL037660	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL038050	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL038878	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL038954	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL038995	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL039918	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL040940	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL041484	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL041493	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL041538	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.

90SL041779	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL041861	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Swan Brook at the road bridge on the Gwydir State Highway.
90SL041864	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL042144	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL042151	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL042983	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road Bridge.
90SL043295	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road Bridge.
90SL043366	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL043397	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL043444	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL043831	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL043859	Inverell	The authorised work shall not be used for the purpose of irrigation unless a visible flow is maintained in Bannockburn Creek at or near the road crossing located north of Lot 266 DP 750068, Parish of Bannockburn, County of Arrawatta and at or near the road bridge on the Yetman Road.
90SL044366	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.

90SL044658	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Swan Brook at the Ashford-Inverell Road bridge, located just upstream of the junction of Swan Brook with the Macintyre River at the point where Swan Brook crosses the Kings Plain Road, located about 40 metres downstream of the north-western corner of Lot 183 DP 753269, Parish of Campbell, County of Gough and also at the point where Swan Brook crosses the Woodstock Road located immediately upstream of the most easterly corner of Lot 182 DP 753315, Parish of Swan Brook, said County of Gough.
90SL044820	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at "Redrock" Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL044843	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL045031	Inverell	The licensed work shall not be used when the discharge of the Macintyre River at the Wallangra gauge is less than 2 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.64 metres or such other reading as may be determined from time to time).
90SL045866	Inverell	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Rob Roy Gully between Lot 2 DP 1046661 and Lot 2 DP 711375, Parish of Byron, County of Arrawatta.
90SL046993	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL047342	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at "Redrock" Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL047565	Inverell	The authorised work on kings creek shall not be used for the purpose of irrigation unless there is a visible flow over the concrete road causeway at the Silver Mines Road situated on Lot 2 DP 654518, Parish of Anderson, County of Gough.
90SL047565	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL047573	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at "Redrock" Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL047574	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at "Redrock" Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL047599	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Bannockburn Creek on Lot 1 DP 731840, Lot 35 DP 750068 and Lot 4 DP 701124, Parish of Bannockburn, County of Arrawatta. These flows must be maintained during pumping.

90SL048377	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Graman-Ashford Road bridge.
90SL048577	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL048822	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL048835	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at “Redrock” Reserve Road crossing, located between Lot 11 DP 612316 and Lot 273 DP 753287, Parish of Inverell, both in the County of Gough.
90SL049150	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL049256	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL050616	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL052004	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL100038	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL100043	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL100106	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL100124	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Macintyre River downstream of the work at the road crossing between Lot 2 DP 1109732 and Lot 43 DP 753258, Parish of Anderson, County of Gough.

90SL100454	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River at the Arrawatta Road causeway located between Lot 23 DP 5217, Parish of Champagne and Lot 2 DP 1053745, Parish of Burgundy, both in the County of Arrawatta.
90SL100616	Inverell	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow maintained in the Macintyre River through the box culverts at Brodies Plains causeway, located between Lot 1 DP 1022611, Parish of Campbell and Lot 98 DP 753277, Parish of Elmsmore, both in the County of Gough.
90SL100871	Inverell	The pump shall not be used for the purpose of irrigation unless a flow is maintained in Frying Pan Creek at the Inverell/Bukkull Road culverts (Dinton Vale) throughout pumping operations.
90SL100874	Inverell	The pump shall not be used for the purpose of irrigation unless a flow is maintained in Frying Pan Creek at the Inverell/Bukkulla Rd culverts (Dinton Vale) throughout pumping operations.
90SL012025	Glen Innes	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Furracabad Creek at the road bridge at the eastern corner of Lot 348 DP 753282, Parish of Glen Innes, County of Gough (Glen Innes-Wellingrove Road crossing) and at or near the old concrete causeway on the Glen Innes-Emmaville Road crossing.
90SL012871	Glen Innes	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Furracabad Creek at the road bridge at the eastern corner of Lot 348 DP 753282, Parish of Glen Innes, County of Gough (Glen Innes-Wellingrove Road crossing) and at or near the old concrete causeway on the Glen Innes-Emmaville Road crossing.
90SL025245	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River over the rock bar located immediately upstream of NSW Office of Water's gauging station, located on Lot 26 DP 753278, Parish of Fladbury, County of Gough.
90SL028466	Glen Innes	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Furracabad Creek at the road bridge at the eastern corner of Lot 348 DP 753282, Parish of Glen Innes, County of Gough (Glen Innes-Wellingrove Road crossing) and at or near the old concrete causeway on the Glen Innes-Emmaville Road crossing.
90SL029543	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River over the rock bar located immediately upstream of NSW Office of Water's gauging station, located on Lot 26 DP 753278, Parish of Fladbury, County of Gough.
90SL030689	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River over the rock bar located immediately upstream of NSW Office of Water's gauging station, located on Lot 26 DP 753278, Parish of Fladbury, County of Gough.
90SL031126	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River over the rock bar located immediately upstream of NSW Office of Water's gauging station, located on Lot 26 DP 753278, Parish of Fladbury, County of Gough.
90SL033073	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a flow over the Glen Innes town water supply weir which is located at the eastern boundary of Lot 47 DP 753262, Parish of Beardy Plains, County of Gough.

90SL035356	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Furracabad Creek at the road bridge at the eastern corner of Lot 348 DP 753282, Parish of Glen Innes, County of Gough, (Glen Innes-Wellingrove Road crossing).
90SL038168	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River over the rock bar located immediately upstream of NSW Office of Water's gauging station, located on Lot 26 DP 753278, Parish of Fladbury, County of Gough.
90SL042607	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Beardy Waters at the rock bar located on the northern end of c & t s r 22238, Parish of Boyd, County of Gough adjacent to the apex park on the New England Highway.
90SL043016	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River over the rock bar located immediately upstream of NSW Office of Water's gauging station, located on Lot 26 DP 753278, Parish of Fladbury, County of Gough.
90SL043240	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River over the rock bar located immediately upstream of NSW Office of Water's gauging station, located on Lot 26 DP 753278, Parish of Fladbury, County of Gough.
90SL043739	Glen Innes	The authorised work shall not be used for the purpose of irrigation when there is a visible flow in Pine Creek at or near the south eastern boundary of Lot 3 DP 632253 (formerly portion 47), Parish of Waterloo, County of Gough, unless a visible flow is maintained in Pine Creek at or near the northern boundary of Lot 104 DP 753320 (formerly portion 104), Parish of Ditmar, County of Gough.
90SL044027	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Beardy Waters at the rock bar located on the northern end of c & t s r 22238, Parish of Boyd, County of Gough adjacent to the apex park on the New England Highway.
90SL045588	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Beardy Waters at the rock bar located on the northern end of c & t s r 22238, Parish of Boyd, County of Gough adjacent to the apex park on the New England Highway.
90SL047076	Glen Innes	The pump shall not be used for the purpose of irrigation unless there is a visible flow in Reddestone Creek over the low level concrete causeway, immediately downstream of the Glen Innes-Emmaville Road bridge.
90SL047579	Glen Innes	The licensed work shall not be operated when the flow of the Severn River at Fladbury gauge is less than 0.25 metre (such discharge corresponding to a flow of 8.4 megalitres per day, or such other reading as may be determined by the department from time to time).
90SL048387	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Beardy Waters at the road crossing on the boundary of Lot 135 DP 753280 and Lot 2 DP 597180, both in the Parish of Fletcher, County of Gough.
90SL048811	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a flow over the Glen Innes town water supply weir which is located at the eastern boundary of Lot 47 DP 753262, Parish of Beardy Plains, County of Gough.

90SL051092	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Beardy Waters at the rock bar located on the northern end of c & t s r 22238, Parish of Boyd, County of Gough adjacent to the apex park on the New England Highway.
90SL051225	Glen Innes	The authorised work shall not be used for irrigation unless there is a visible flow in Rocky Ponds Creek downstream of the northern boundary of DP 786996.
90SL051336	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Reddestone Creek downstream of the pump site at a road crossing situated near the northern boundary of Lot 70 DP 753325, Parish of Yarraford, County of Gough.
90SL051485	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Beardy Waters at the rock bar located on the northern end of c & t s r 22238, Parish of Boyd, County of Gough adjacent to the apex park on the New England Highway.
90SL100049	Glen Innes	The pump shall not be used for the purpose of irrigation unless there is a visible flow in the Severn River at the rocky outcrop between Lots 15 and 21 both in DP 753310, Parish of Severn, County of Gough.
90SL100111	Glen Innes	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Furracabad Creek at or near its junction with Beardy Waters.
90SL100907	Glen Innes	The approval holder must not take any water from an approved work for the purpose of irrigation, unless the water level in Severn River at the Fladbury gauge is greater than 0.27 metre.
90SL041810	Kings Plains	The authorised work shall not be used for any purpose unless there is a visible flow over the rock bar situated immediately downstream of the pump site on Lots 143 and 130 both DP 750121, Parish of Swamp Oak, County of Arrawatta.
90SL047593	Kings Plains	The authorised work shall not be used for the purpose of mining unless there is a visible flow in Frasers Creek over the natural rock bar immediately downstream of the pump site, within Lot 27 DP 750112, Parish of North Nullamanna, County of Arrawatta.
90SL048390	Kings Plains	The pump shall not be operated unless there is a visible flow maintained in King's Plains Creek at the road causeway between Lot 2 DP 113862, Parish of Vivier and Lot 2 DP 1050098, Parish of Buckley, both County of Arrawatta.
90SL100486	Kings Plains	The licensed work shall not be used for the purpose of irrigation unless a visible flow is maintained during pumping operations at the gravel bars in close proximity to the Ashford-Pindari Dam Road bridge over Frasers Creek.
90SL044768	Mole River	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Gardeners Gully at the downstream end of the culvert passing under the New England Highway.
90SL046990	Mole River	The licensed work shall not be used for irrigation unless a visible flow is maintained in gipsies creek at the Woodside Road crossing between Lots 27 and 9 DP 751542 and at the same time between Lot 7 DP 751542 and Lot 72 DP 40978, all Parish of Woodside, County of Clive.
90SL050760	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Mole River at the "6 mile" causeway, located between Lot 1 DP 1050660, Parish of Donaldson and Lot 26 DP 751515, Parish of Gibraltar, both in the County of Clive.

90SL051480	Mole River	The pump shall not be used for the purpose of irrigation unless there is a visible flow in the Bluff River at double crossing, located on the Bluff River Road immediately upstream of the Mole River junction.
90SL100052	Mole River	The authorised work shall not be used for the purpose of irrigation unless a visible flow is maintained in Brassington Creek at its junction with the Bluff River.
90SL100053	Mole River	The pumps shall not be used for the purpose of irrigation or the filling of off river storages for irrigation, unless there is a visible flow in the Bluff River at the double crossing located between Lot 103 DP 751498, Parish of Bolivia and Lot 8 DP 751522, Parish of Irby, both in the County of Clive.
90SL100053	Mole River	When there is a visible flow in the Bluff River at double crossing the two pumps shall not be operated simultaneously.
90SL100091	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Mole River at the road bridge on the Bruxner Highway adjacent to the northeast corner of Lot 24 DP 751509, Parish of Dumaresq, County of Clive.
90SL100092	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Mole River at the road bridge on the Bruxner Highway adjacent to the northeast corner of Lot 24 DP 751509, Parish of Dumaresq, County of Clive.
90SL100855	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Mole River at the Mole River Road causeway downstream from Boggy Camp Flat.
90SL100856	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Mole River at the Mole River Road causeway downstream from 'Boggy Camp Flat'.
90SL100858	Mole River	When a flow is entering the storage of the waterhole at the site of the authorised work, the said work shall not be used for the purpose of irrigation unless there is a visible flow at the Bondonga Ford.
90SL100859	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Mole River at the Bondonga Ford.
90SL100860	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Mole River at the 'Bondonga' Ford.
90SL100908	Mole River	The pump shall not be used for the purpose of irrigation unless there is a visible flow is maintained at the double crossing on the Bluff River, located between Lot 103 DP 751498, Parish of Bolivia and Lot 8 DP 751522, Parish of Irby, both County of Clive.
90SL100988	Mole River	The approval holder must not take any water from an approved work for the purpose of irrigation, unless there is a visible flow in the Mole River at the causeway across the Mole River adjacent to Lot 26 DP 751515 Parish Gilbralter, County Clive.
90SL101006	Mole River	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Mole River at 'Bondonga' Ford.
90SA011593	Ottleys Creek	No water shall be diverted from Ottley's Creek by means of the authorised diversion pipes until a gauge reading of 0.20 has been reached on a gauge established on the Ottley's Creek Bridge located on the old Bruxner Highway within Lot 63 DP 755982, Parish of Boonal, County of Stapylton.

90SL049970	Ottleys Creek	No water shall be diverted from Ottley's Creek by means of the licensed work until a gauge reading of 0.20 has been reached on a gauge established on the Ottley's Creek Bridge located on the old Bruxner Highway within Lot 63 DP 755982, Parish of Boonal, County of Stapylton.
90SL049970	Ottleys Creek	The authorised work shall not be used for the purpose of diverting water unless a visible flow is maintained at the bridge over Ottley's Creek on Lot 63 DP 755982, Parish of Boonal, County of Stapylton.
90SL100177	Beardy River	The authorised work should not be used for the purpose of pumping unless there is a visible flow in the Beardy River at the bridge crossing on the Bruxner Highway, east of Lot 5 DP 632280, Parish of Bowman, County of Arrawatta.
90SL046507	Bonshaw	The authorised work shall only be operated when there is a visible flow in Little Oaky Creek between Lot 46 DP 750075 and Lot 200 DP 879480, Parish of Bowman, County of Arrawatta and at the same time a flow is maintained at the Bruxner Highway Bridge.
90SL040423	Croppa Creek and Whalan Creek	The authorised work shall not be used for the purpose of irrigation unless the flow in the Boomi river at Neeworra Bridge, situated on the Moree-Mungindi Road, exceeds 100 megalitres/day, such flow to have a corresponding reading of 0.85 metres on the gauge adjacent.
90SL044979	Croppa Creek and Whalan Creek	The authorised work shall not be used for the purpose of irrigation when the level of water in Whalan Creek is lower than 0.50 metres below the level of a gauge located immediately adjacent to the site of the work.
90SL048817	Croppa Creek and Whalan Creek	The licensed work shall not be operated unless the flow in the Boomi river at Neeworra Bridge, situated on the Moree-Mungindi Road, exceeds 130 megalitres/day, such flow to have a corresponding reading of 1.05 metres on the gauge adjacent
90SL048827	Croppa Creek and Whalan Creek	The work shall not be used unless the Department of Water and Energy, through its area customer services manager, state water north at Moree has first announced that flows are of sufficient magnitude to allow the holder of this entitlement to commence pump.
90SL048830	Croppa Creek and Whalan Creek	The work shall not be used unless the Department of Water and Energy, through its area customer services manager, state water north at Moree has first announced that flows are of sufficient magnitude to allow the holder of this entitlement to commence pump.
90SL050049	Croppa Creek and Whalan Creek	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in the Boomi River immediately upstream of its junction with Gil Gil Creek.
90SL050238	Croppa Creek and Whalan Creek	The licensed work shall not be used for the purpose of irrigation unless the flow in the Boomi River at Neeworra Bridge situated on the Moree-Mungindi Road, exceeds 100 megalitres/day, such flow to have a corresponding reading of 0.85 metres on the gauge adjacent or such other reading as may be determined from time to time.
90SL050617	Croppa Creek and Whalan Creek	The licensed works shall not be used for the purpose of irrigation unless there is a visible flow in the Boomi River, immediately upstream of its junction with Gil Gil Creek.
90SL100543	Croppa Creek and Whalan Creek	The licensed work shall not be used for the purpose of irrigation unless the flow in the Boomi River at Neeworra Bridge situated on the Moree-Mungindi Road, exceeds 100 megalitres/day, such flow to have a corresponding reading of 0.85 metres on the gauge adjacent or such other reading as may be determined from time to time.

90SL100543	Croppa Creek and Whalan Creek	The licensed works shall not be used simultaneously for the purpose of irrigation unless the flow in the Boomi River at Neeworra gauge exceeds 745 megalitres per day, which corresponds to a reading on the said gauge of 2.00 metres (or such other reading as may be determined from time to time)
90SL100673	Croppa Creek and Whalan Creek	The licensed work shall not be used for the purpose of irrigation unless the flow in the Boomi River at Neeworra Bridge situated on the Moree-Mungindi Road, exceeds 100 megalitres/day, such flow to have a corresponding reading of 0.85 metres on the gauge adjacent or such other reading as may be determined from time to time.
90SL100688	Croppa Creek and Whalan Creek	The licensed work shall not be used for the purpose of irrigation unless the flow in the Boomi River at Neeworra Bridge situated on the Moree-Mungindi Road, exceeds 100 megalitres/day, such flow to have a corresponding reading of 0.85 metres on the gauge adjacent or such other reading as may be determined from time to time.
90SL100725	Croppa Creek and Whalan Creek	The licensed works shall not be used for the purpose of irrigation unless there is a visible flow in Carwal Creek at its confluence with the Boomi River, located within Lot 24 DP 750462, Parish of Galloway, County of Benarba.
90SL100754	Croppa Creek and Whalan Creek	The licensed works shall not be used for the purpose of irrigation unless there is a visible flow in the Boomi River, Presbury Road crossing located within Lot 21 DP 750462, Parish of Galloway, County of Benarba.
90SL100838	Croppa Creek and Whalan Creek	The pumps shall not be operated unless the flow in the Boomi River reaches a height of 0.98 metres at Neeworra gauge (which corresponds to a flow of 100 megalitres per day).
90SL100877	Croppa Creek and Whalan Creek	The pumps shall not be operated unless the flow in the Boomi River reaches a height of 0.98 metres at Neeworra gauge (which corresponds to a flow of 100 megalitres per day).
90SL100913	Croppa Creek and Whalan Creek	The approval holder must not take any water from an approved work for the purpose of irrigation, unless the water flow in Whalan Creek is greater than 120 megalitres/day.
90SL100930	Croppa Creek and Whalan Creek	The licenced works shall not be used for the purpose of irrigation unless there is a visible flow in Carwal Creek at its confluence with the Boomi River, located within Lot 25 DP 750462 Parish, Galloway; County Benarba.
90SL045910	Campbells Creek	The work shall not be used for the purpose of irrigation unless there is a visible flow in Campbell's Creek between Lots 25 and 14 DP 750070, Parish of Bebo, County of Arrawatta.

Schedule 2 Access rules for in-river pools or off-river pools

1 General

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

Column 1

Column 2

Column 3

Water Act 1912 entitlements that were replaced by access licences on commencement of this Plan	Access rules	Water Source
90SL022126	Water must not be taken when the water level of the pool in the Boobera Watercourse is less than 0.08 metres on a gauge established on the left bank of the watercourse on TS & CR 29416, Parish of Boobera, County of Stapleton.	Croppa Creek and Whalan Creek Water Source
90SL049222	Water must not be taken from an in-river pool located within Lot 2 of DP 566722 or within Lot 55 of DP 726327 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source
90SL051340	Water must not be taken from an in-river pool located within Lots 19 and 20 of DP 751508 or Lot 105 of DP 39479 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source
90SL051327	Water must not be taken from an in-river pool located within Lot 32 of DP 751509 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source
90SL028243	Water must not be taken from an in-river pool located within Lot 1 of DP 540165 or Lot 38 of DP 751529 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at that in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source

90SL038791	Water must not be taken from an in-river pool located within Lot 70 of DP 705186, Lots 6,7,8,10 of DP 751508 or Lots 17 and 44 of DP 751509 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source
90SL100091	Water must not be taken from an in-river pool located within Lot 2 of DP 235160 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source
90SL018831	Water must not be taken from an in-river pool located within Lot 2 of DP 235160 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source
90SL027176	Water must not be taken from an in-river pool located within Lots 7 and 15 of DP 751529 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River Water Source
90SL014174	Water must not be taken from an in-river pool located within Lots 8 and 9 of DP 753275 when the water level of that in-river pool is more than 0.5 metres below the full capacity from 1 March to 31 August or more than 0.35 metres below the full capacity volume from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Beardy River Water Source

90SL100943	Water must not be taken from an in-river pool located within Lots 8, 9 and 10 of DP 753275 when the water level of that in-river pool is more than 0.5 metres below the full capacity from 1 March to 31 August or more than 0.35 metres below the full capacity volume from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Beardy River Water Source
90SL101038	Water must not be taken from an in-river pool located within Lots 8, 9 and 10 of DP 753275 when the water level of that in-river pool is more than 0.5 metres below the full capacity from 1 March to 31 August or more than 0.35 metres below the full capacity volume from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Beardy River Water Source
90AL802855	Water must not be taken from an in-river pool when the water level of that in-river pool is more than 0.12 metres below the full capacity.	Tenterfield Creek Water Source
90AL802917	Water must not be taken from an in-river pool when the water level of that in-river pool is more than 0.12 metres below the full capacity.	Tenterfield Creek Water Source
90AL802835	Water must not be taken from an in-river pool when the water level of that in-river pool is more than 0.12 metres below the full capacity.	Tenterfield Creek Water Source
90AL802921	Water must not be taken from an in-river pool when the water level of that in-river pool is more than 0.12 metres below the full capacity.	Tenterfield Creek Water Source

Note. The area listed in Column 2 to which the access rule applies may be larger than the area identified in the water supply work approval for that water supply work. If this is the case, the construction of a new water supply work within the area listed in Column 2 will require a new or amended water supply work approval if it is outside the area identified in the water supply work approval.

2 Access licences

This clause applies to each access licence listed in the table below.

Column 1	Column 2	Column 3
Access licence	Access rules	Water Source

90AL827397	Water must not be taken from an in-river pool located within Lot 26 of DP 751529 and Lots 1 and 2 of DP 585506 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River
90AL827432	Water must not be taken from an in-river pool located within Lots 1 and 2 of DP 585506 when the water level of that in-river pool is more than 0.3 metres below the full capacity from 1 March to 31 August or more than 0.2 metres below the full capacity from 1 September to 28/29 February. Where a staff gauge is installed at the in-river pool, full capacity will be designated on the staff gauge.	Mole River

Note. The area listed in Column 2 of Schedule 2 to which the access rule applies may be larger than the area identified in the water supply work approval for that water supply work. If this is the case, the construction of a new water supply work within the area listed in Column 2 of Schedule 2 will require a new or amended water supply work approval if it is outside the area identified in the water supply work approval.

Schedule 3 Access rules for unregulated river (special additional high flow) access licences subject to clause 44 (6)

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

Column 1	Column 2	Column 3
<i>Water Act 1912</i> entitlements that were replaced by access licences on commencement of this Plan	Access rules	Water Source
90SL037621H	The authorised work shall not be used for the purpose of irrigating the authorised area or any part thereof unless the discharge of the Severn River at the Flabury gauge exceeds 97 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.58 metres or such other reading as may be determined from time to time).	Glen Innes Water Source

Schedule 4 Access licences used to take surface water exempt from cease to pump rules

1 General

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

Water Act 1912 entitlements that were replaced by access licences on commencement of this Plan

90SL033073

90SL100616

90SL100577

90SL100599

90SL100683

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

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

Water Act 1912 entitlements that were replaced by local water utility access licences or access licences of the subcategory “Town water supply” on commencement of this Plan

90SL045337

90SL046467

90SL043506

Schedule 5 Significant identified lagoons and wetlands

Water Source	Name of Lagoon	Location	Parish
Camp Creek	Unnamed Lagoon	Lots 29 and 30 in DP 750070	Bebo
Camp Creek	Unnamed Lagoon	Lots 16 and 29 in DP 750070	Bebo
Camp Creek	Unnamed Lagoon	Lot 1 DP 750074	Bora
Camp Creek	Browns Lagoon	Lots 18 and 27 in DP 750074	Bora
Camp Creek	Unnamed Lagoon	Lots 3 and 29 in DP 750074	Bora
Croppa Creek and Whalan Creek	Crooked Lagoon	Lots 1, 2 and 10 in DP 751084	Abercrombie
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lots 47, 48 and 62 in DP 755980	Boggabilla
Croppa Creek and Whalan Creek	Boobera Lagoon & Morella Watercourse	Numerous	Boobera
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 2 DP 750432	Boroo
Croppa Creek and Whalan Creek	Unnamed Lagoon	Crown Land adjacent to Lot 78 DP 751098	Cox
Croppa Creek and Whalan Creek	Unnamed Lagoon	Crown Land adjacent to Lot 79 DP 751098	Cox

Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2012 [NSW]

Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 2 DP 833554 and Lots 61 and 78 in DP 751098	Cox
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 82 DP 751098	Cox
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 3 DP 750458	Dindierna
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 17 DP 750471	Hamilton
Croppa Creek and Whalan Creek	Unnamed Lagoons	Lot 22 DP 750471	Hamilton
Croppa Creek and Whalan Creek	Carwell Waterhole	Crown Land and Lots 10, 11, 18, 19 and 21 in DP 750471	Hamilton
Croppa Creek and Whalan Creek	Polidoroi Lagoon	Crown Land adjacent to Lots 29 and 54 in DP 756003	Illingrammindi
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 32 DP 727852	Lay Green
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 20 DP 43342 and Lot 60 DP 42782	Lay Green
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 3 DP 756005 and Lot 18 DP 43338	Lay Green
Croppa Creek and Whalan Creek	Morella Lagoon	Crown Land, Parish of Boggabilla	Mayne
Croppa Creek and Whalan Creek	Mayne Lagoon	Crown Land, Parish of Mayne	Mayne
Croppa Creek and Whalan Creek	Gobbooyallana Lagoon	Parcel of Crown land, adjacent to Lots 16 and 83 in DP 756009	Merriwa
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 55 DP 751116	Mitchell
Croppa Creek and Whalan Creek	Gooroo Lagoon	Crown Land, adjacent to Lots 1 and 2 in DP 602920, and Lots 10 and 11 in DP 756013	Morella
Croppa Creek and Whalan Creek	Pungbougall Lagoon	Crown Land, adjacent to Lot 3 DP 602920 and Lots 24 and 80 in DP 756013	Morella
Croppa Creek and Whalan Creek	Poopoopirby Lagoon	Crown Land adjacent to Lots 37 and 70 DP 756013	Morella
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 9 DP 859316	Narrawal
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lots 53 and 54 in DP 821299	Narrawal
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 37 DP 756020	Toongooma

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Croppa Creek and Whalan Creek	Mundine Waterhole	Crown Land adjacent to Lot 1 DP 756021	Trinkeby
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 1 DP 835535	Tulloona
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lots 4 and 5 in DP 750502	Turrawah
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 4 DP 750502	Turrawah
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 5 DP 750502	Turrawah
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 8 DP 750505	Umbri
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 3 DP 750505	Umbri
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 9 DP 750505	Umbri
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 28 DP 756027	Warra Warrama
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 21 DP 45252	Werrina
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 6 DP 750510	Werrina
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 15 DP 750510	Werrina
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 4 DP 750510	Werrina
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lot 14 DP 750510	Werrina
Croppa Creek and Whalan Creek	Malgarai Lagoon	Lots 54, 55, 56 and 116 in DP 756029, Lot 9 DP 756009 and Lot 13 DP 755982	Whalan
Croppa Creek and Whalan Creek	Unnamed Lagoon	Lots 7 and 9 DP 750513	Winslow
Ottleys Creek	Unnamed Lagoon	Lot 1 DP 187272, Lot 2 DP 632744 and Lot 20 DP 750069	Barden
Ottleys Creek	Barden Lagoon	Lots 9, 23, 25, 26 and 28 in DP 750069	Barden
Ottleys Creek	Unnamed Lagoon	Lots 8 and 9 in DP 750069	Barden
Ottleys Creek	Unnamed Lagoon	Lot 16 DP 750071	Bengalla
Ottleys Creek	Unnamed Lagoon	Lot 7 DP 750071	Bengalla
Ottleys Creek	Unnamed Lagoon	Lot 2 DP 732089	Bengalla

Ottleys Creek	Big Lagoon	Lots 24 and 32 DP 755979 and Lot 51 DP 756022	Blue Nobby
Ottleys Creek	Milchomi Lagoon	Lot 29 DP 755979	Blue Nobby
Ottleys Creek	Wollon Lagoon	Lots 2 and 3 in DP 589179	Blue Nobby
Ottleys Creek	Unnamed Lagoon	Lots 11 and 12 in DP 755979	Blue Nobby
Ottleys Creek	Unnamed Lagoon	Lot 5 DP 30063	Blue Nobby
Ottleys Creek	Telephone Lagoon	Lots 14, 15 and 16 in DP 755982	Boonal
Ottleys Creek	Unnamed Lagoon	Lot 3 DP 750087	Dumaresq
Ottleys Creek	Unnamed Lagoon	Lot 10 DP 750087	Dumaresq
Ottleys Creek	Unnamed Lagoon	Crown Road Reserve located between Lot 6 DP 750100 and Lot 41 DP 756023	Holdfast
Ottleys Creek	Unnamed Lagoon	Lot 1 DP 595903	Tubble Gah
Ottleys Creek	Unnamed Lagoon	Lot 37 DP 756023	Tucka Tucka
Yetman	Unnamed Lagoon	Lots 19, 20 and 21 in DP 750086	Dight

Schedule 6 Upland wetlands of the drainage divide of the New England Tablelands Bioregion Endangered Ecological Community

Water Source	Name of Upland Wetland	Location	Parish
Inverell	Novar	Lot 99 DP 753292	Macintyre
Glen Innes	Reddestone	Lot 7301 DP 1157106	Ditmas
Glen Innes	Dunvegan	Lot 71 DP 753325	Yarrowford
Glen Innes	Clarevaux	Lot 2 DP 838786	Wellington
Glen Innes	Treriffiths	Lot 1 DP 1055482	Glen Innes
Glen Innes	Novar	Lot 99 DP 753292	Macintyre
Kings Plains	Kings Plains	Lot 7303 DP 1150526	Buckley

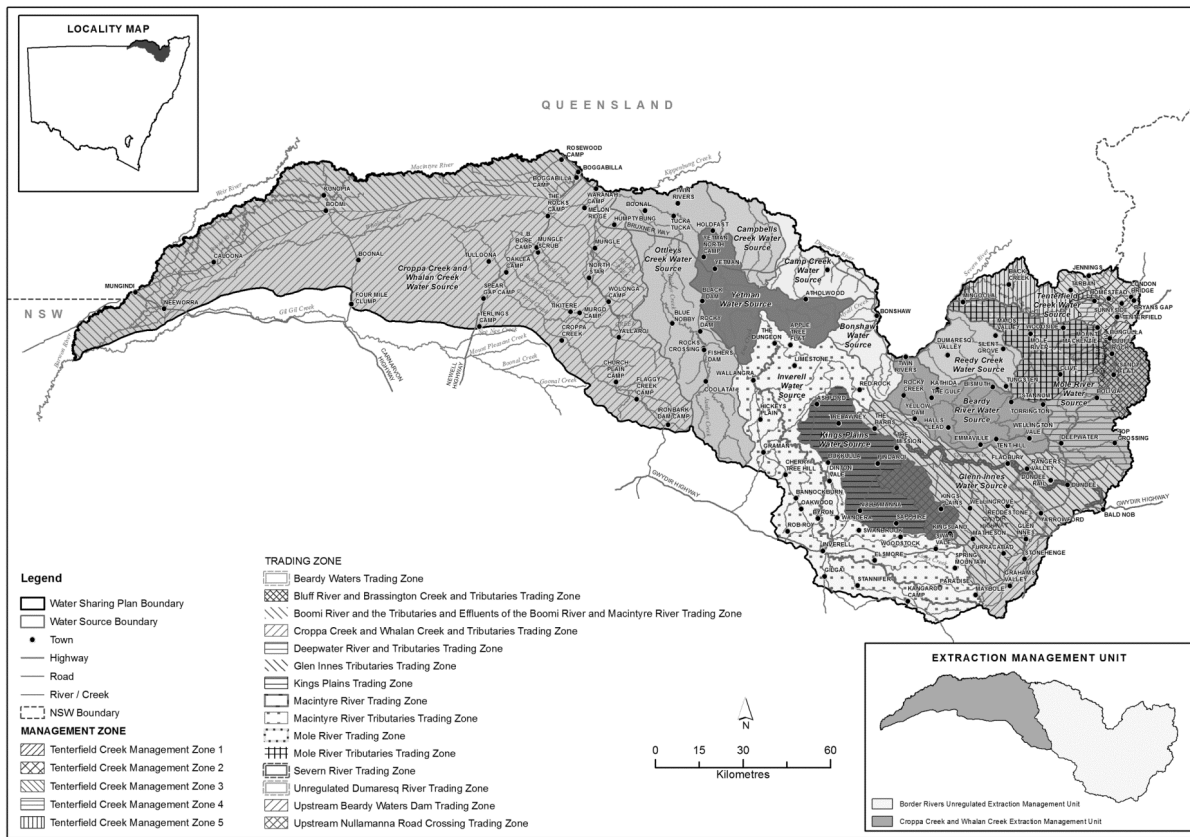
Schedule 7 Office

Department of Planning, Industry and Environment, Water
 PO Box 486
 MOREE NSW 2400

Schedules 8, 9 (Repealed)

Appendix 1 Overview of the [Plan Map](#)

[Overview of the Plan Map \(WSP020_Version 2\) Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2012](#)

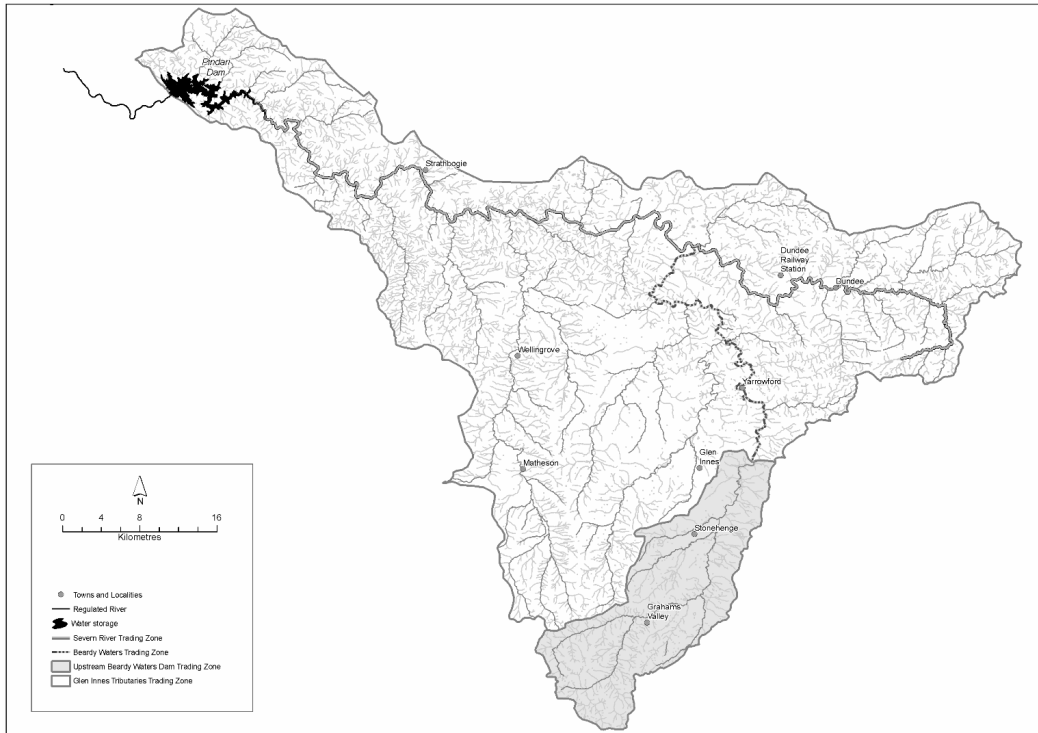


Appendix 2 Overview maps of the trading zones

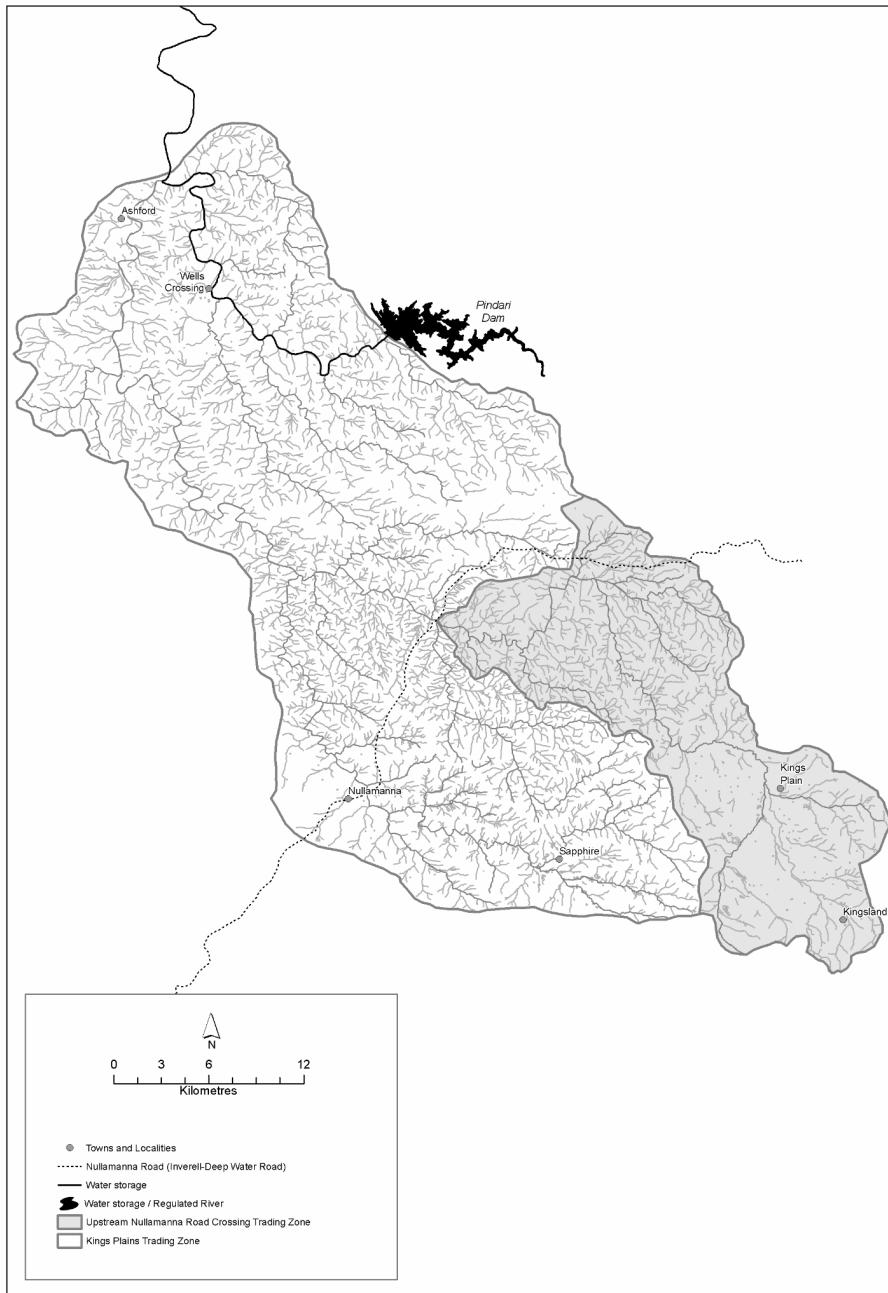
Map of the trading zones in the Inverell Water Source



Map of the trading zones in the Glen Innes Water Source



Map of the trading zones in the Kings Plains Water Source



Map of the trading zones in the Mole River Water Source

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
ClI	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2012 (210) (formerly *Water Sharing Plan for the NSW Border Rivers Unregulated and Alluvial Water Sources 2012*). LW 1.6.2012. Date of commencement, 1.6.2012, cl 3. This Plan has been amended as follows—

2012	No 95	<i>Statute Law (Miscellaneous Provisions) Act (No 2) 2012</i> . Assented to 21.11.2012. Date of commencement of Sch 2, 4.1.2013, sec 2 (1).
2014	(648)	<i>Water Sharing Plan for the NSW Border Rivers Unregulated and Alluvial Water Sources Amendment Order 2014</i> . LW 26.9.2014. Date of commencement, on publication on LW, cl 2.
2016	(369)	<i>Water Sharing Plan for the NSW Border Rivers Unregulated and Alluvial Water Sources Amendment Order 2016</i> . LW 1.7.2016. Date of commencement, on publication on LW, cl 2.
2019	No 1	<i>Statute Law (Miscellaneous Provisions) Act 2019</i> . Assented to 17.6.2019. Date of commencement of Sch 2.40, 14 days after assent, sec 2 (1).
2020	(365)	<i>Water Sharing Plan for the NSW Border Rivers Unregulated and Alluvial Water Sources Amendment Order 2020</i> . LW 1.7.2020. Date of commencement, 1.7.2020, cl 2.

Table of amendments

Part 1, note	Subst 2020 (365), Sch 1[1].
Cl 1	Am 2020 (365), Sch 1[2].
Cl 3	Am 2020 (365), Sch 1[3].
Cl 4	Am 2016 (369), Sch 1 [1]–[5]; 2019 No 1, Sch 2.40 [1]; 2020 (365), Sch 1[4]–[10].
Cl 4A	Ins 2016 (369), Sch 1 [6].
Cl 5	Am 2016 (369), Sch 1 [7]–[9]; 2020 (365), Sch 1[11]–[13].
Cl 7	Am 2020 (365), Sch 1[14].
Part 2	Subst 2020 (365), Sch 1[15].
Cl 7A	Ins 2020 (365), Sch 1[15].
Cl 8	Subst 2020 (365), Sch 1[15].
Cl 8A	Ins 2016 (369), Sch 1 [10]. Rep 2020 (365), Sch 1[15].

CI 9	Subst 2020 (365), Sch 1[15].
CI 10	Subst 2016 (369), Sch 1 [11]; 2020 (365), Sch 1[15]
CI 11	Subst 2016 (369), Sch 1 [12]; 2020 (365), Sch 1[15].
CI 11A	Ins 2020 (365), Sch 1[15].
CI 12	Am 2020 (365), Sch 1[16]–[19].
CI 13	Am 2016 (369), Sch 1 [13]; 2020 (365), Sch 1[20]–[24].
Part 4, note	Subst 2020 (365), Sch 1[25].
CI 15	Am 2020 (365), Sch 1[26]–[28].
CI 16	Subst 2020 (365), Sch 1[29].
CI 17	Am 2020 (365), Sch 1[30][31].
CI 18	Subst 2016 (369), Sch 1 [14]. Am 2020 (365), Sch 1[32][33].
CI 19	Am 2016 (369), Sch 1 [15]; 2019 No 1, Sch 2.40 [2]. Subst 2020 (365), Sch 1[34].
CI 20	Am 2020 (365), Sch 1[35].
CI 21	Subst 2016 (369), Sch 1 [16]. Am 2020 (365), Sch 1[36].
CI 22	Subst 2016 (369), Sch 1 [17]. Am 2020 (365), Sch 1[37][38].
CI 23	Subst 2016 (369), Sch 1 [18]. Am 2020 (365), Sch 1[39].
CI 24	Am 2016 (369), Sch 1 [19].
CI 25	Am 2016 (369), Sch 1 [20]. Rep 2020 (365), Sch 1[40].
CI 26	Am 2016 (369), Sch 1 [21]. Rep 2020 (365), Sch 1[41].
Part 6	Subst 2020 (365), Sch 1[42].
Part 6, Div 1 (cl 27)	Subst 2020 (365), Sch 1[42].
Part 6, Div 2	Subst 2020 (365), Sch 1[42].
CI 28	Subst 2016 (369), Sch 1 [22]; 2020 (365), Sch 1[42].
CII 29, 30	Subst 2020 (365), Sch 1[42].
Part 6, Div 3	Ins 2020 (365), Sch 1[42].
CII 30A, 30B	Ins 2020 (365), Sch 1[42].
CI 31	Am 2016 (369), Sch 1 [23]. Subst 2020 (365), Sch 1[42].
Part 6, Div 4 (cl 31A)	Ins 2020 (365), Sch 1[42].
Part 6, Div 5	Ins 2020 (365), Sch 1[42].
CII 32–36	Subst 2020 (365), Sch 1[42].
CII 37, 38	Rep 2020 (365), Sch 1[42].
Part 7, note	Subst 2020 (365), Sch 1[43].

CI 39	Am 2020 (365), Sch 1[44] [45].
CI 40	Rep 2020 (365), Sch 1[46].
Part 8, Div 1, note	Subst 2020 (365), Sch 1[47].
CI 41	Am 2020 (365), Sch 1[48]–[50].
CI 42	Rep 2020 (365), Sch 1[51].
CI 44	Subst 2016 (369), Sch 1 [24]. Am 2020 (365), Sch 1[52]–[57]
CI 45	Am 2020 (365), Sch 1[58].
Part 9, Div 1, heading	Rep 2020 (365), Sch 1[59].
CI 47	Am 2020 (365), Sch 1[60].
CI 48	Am 2016 (369), Sch 1 [25] [26]; 2020 (365), Sch 1[61]–[63].
Part 9, Div 2	Rep 2020 (365), Sch 1[64].
CII 49–51	Rep 2020 (365), Sch 1[64].
CI 52	Am 2016 (369), Sch 1 [27] [28]. Rep 2020 (365), Sch 1[64].
CI 53	Am 2016 (369), Sch 1 [29]. Rep 2020 (365), Sch 1[64].
CI 54	Am 2016 (369), Sch 1 [30]. Rep 2020 (365), Sch 1[64].
CI 55	Rep 2020 (365), Sch 1[64].
Part 9, Div 3	Rep 2020 (365), Sch 1[64].
CI 56	Am 2016 (369), Sch 1 [31]. Rep 2020 (365), Sch 1[64].
CI 57	Am 2020 (365), Sch 1[65]–[67].
CI 59	Am 2016 (369), Sch 1 [32]–[35].
CI 61	Am 2016 (369), Sch 1 [36]; 2020 (365), Sch 1[68].
CI 62	Am 2020 (365), Sch 1[69].
CI 63	Am 2016 (369), Sch 1 [37]; 2019 No 1, Sch 2.40 [3]; 2020 (365), Sch 1[70][71].
CI 64	Subst 2016 (369), Sch 1 [38]. Am 2020 (365), Sch 1[72]–[75].
CI 65	Am 2016 (369), Sch 1 [39]–[42]; 2020 (365), Sch 1[76]–[80].
CI 66	Am 2016 (369), Sch 1 [43]–[45]; 2020 (365), Sch 1[81]–[87].
CI 67	Am 2016 (369), Sch 1 [46]. Rep 2020 (365), Sch 1[88].
CI 69	Am 2016 (369), Sch 1 [47]; 2020 (365), Sch 1[89].
CI 70	Rep 2020 (365), Sch 1[90].
CI 71	Subst 2016 (369), Sch 1 [48]; 2020 (365), Sch 1[91].
CI 72	Am 2016 (369), Sch 1 [49]; 2019 No 1, Sch 2.40 [4]; 2020 (365), Sch 1[92][93].
CI 73	Subst 2020 (365), Sch 1[94].

CI 73A	Ins 2020 (365), Sch 1[95].
CI 74	Subst 2020 (365), Sch 1[96].
CI 76	Am 2016 (369), Sch 1 [50]; 2020 (365), Sch 1[97]–[99].
CI 77	Am 2020 (365), Sch 1[100]–[102].
Dictionary	Am 2016 (369), Sch 1 [51]; 2020 (365), Sch 1[103]–[108].
Sch 1	Rep 2020 (365), Sch 1[109].
Sch 1A	Ins 2016 (369), Sch 1 [52]. Am 2020 (365), Sch 1[110][111].
Sch 2	Subst 2014 (648), Sch 1 [1]. Am 2016 (369), Sch 1 [53]; 2020 (365), Sch 1[112][113].
Sch 3	Subst 2014 (648), Sch 1 [2]. Am 2020 (365), Sch 1[114][115].
Sch 4	Am 2016 (369), Sch 1 [54]; 2020 (365), Sch 1[116]–[119].
Sch 7	Subst 2020 (365), Sch 1[120].
Sch 8	Rep 2020 (365), Sch 1[121].
Sch 9	Rep 2020 (365), Sch 1[122].
Appendix 1	Subst 2016 (369), Sch 1 [55]. Am 2020 (365), Sch 1[123].
Appendix 2	Subst 2016 (369), Sch 1 [56]. Am 2020 (365), Sch 1[124].
Appendix 3	Rep 2016 (369), Sch 1 [57].
Appendix 4	Am 2012 No 95, Sch 2.44. Subst 2016 (369), Sch 1 [58]. Rep 2020 (365), Sch 1[125].