



Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2025

under the

Water Management Act 2000

I, the Minister for Water, make the following plan under the *Water Management Act 2000*, section 50.

Minister for Water

Contents

Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2025.....	5
Part 1 Introduction	5
1 Name of Plan	5
2 Commencement	5
3 Water source to which Plan applies	5
4 Management zones to which Plan applies	5
4A River Sections	6
5 Extraction management units established by Plan—the Act, s 20(2)(a)	6
6 Interpretation	6
7 Maps	6
Part 2 Vision, objectives, strategies and performance indicators.....	8
8 Vision statement—the Act, s 35(1)(a)	8
9 Objectives of Plan—the Act, s 35(1)(b)	8
10 Strategies for reaching objectives—the Act, s 35(1)(c)	8
11 Performance indicators—the Act, s 35(1)(d)	9
11A Monitoring and evaluation	9
Part 3 Requirements for water	10
Division 1 Requirements for water to satisfy basic landholder rights— the Act, s 20(1)(b) 10	
12 Domestic and stock rights	10
13 Native title rights	10
14 Harvestable rights.....	10
Division 2 Requirements for water for extraction under access licences..... 10	
15 Share components of access licences in the water sources—the Act, s 20(1)(c) 10	
Part 4 Limits to the availability of water.....	12
Division 1 Available water determinations—the Act, s 20(2)(b)	12
16 Available water determinations	12
Division 2 Extraction limits—the Act, s 20(1)(a) and s 20(1)(e)	13
Subdivision 1 Preliminary	13
17 Operation of Division—the Act, s 8	13
18 Definitions	13
Subdivision 2 LTAAELs and SDLs	13
19 Establishment of LTAAEL.....	13
20 Calculation of long-term average annual extraction	14
21 Assessment of compliance with LTAAEL	14
22 Establishment of SDL	14
23 Calculation of annual permitted take and annual actual take.....	14
24 Assessment of compliance with SDL	15
25 Compliance with LTAAEL and SDL.....	15
Part 5 Rules for granting and managing access licences—the Act, s 20(2)(b) 17	
26 Specific purpose access licences.....	17
27 Management of access licences	17
Part 6 Operation of water allocation accounts and managing access	

licences 19

Division 1 Preliminary.....	19
28 Operation of Part—the Act, s 8	19
Division 2 Operation of water allocation accounts—the Act, s 21(c)	19
29 Water allocation account debiting	19
29A Determination of maximum volume of water that may be taken under certain access licences	20
29B Take in accordance with individual daily extraction components	20
29C Rules for access licences intending to protect water from extraction	21
29D Active Management Procedures Manual	21
30 Carryover of water remaining in water allocation account	21
Division 3 Flow classes	22
31 Flow classes for specified management zones—the Act, s 21(a)	22
32 Minister may determine flow classes in certain circumstances	22
32A Resumption of flows	22
Division 4 Access rules for take of surface water—the Act, s 20(1)(a) and s 21(a) 24	
33 General	24
34 Specific access rules	25
34A Specific access rules—supplementary water (Aboriginal environmental) access licences.....	26
34B Specific access rules—floodplain harvesting (unregulated river) access licences	26
35 Exceptions	28
Part 7 Construction and use of water supply works—the Act, s 21(b)	30
36 Application of Part	30
37 In-river dams.....	30
38 Wetlands.....	30
38A Additional prohibitions on construction of certain water supply works	31
Part 8 Access licence dealing rules—the Act, s 20(1)(d).....	33
39 Conversion of access licence to new category dealings	33
40 Assignment of rights dealings	33
40A Assignment of individual daily extraction component dealings	35
41 Amendment of share component dealings—change of water source	35
42 Amendment of extraction component dealings	35
43 Assignment of water allocations dealings	35
44 Interstate access licence transfer dealings	35
45 Interstate assignment of water allocations dealings.....	35
46 Nominations of water supply works dealings	35
Part 9 Mandatory conditions—the Act, s 17(c).....	38
Division 1 General	38
47 Definitions	38
Division 2 Access licences.....	38
48 General conditions.....	38
49 Record-keeping conditions	38
Division 3 Water supply work approvals	38
50 General conditions.....	38
51 Record-keeping conditions	39
Part 10 Amendment of this Plan—the Act, s 17(d).....	40

52	Amendments	40
Schedule 1	Sections of watercourses included in the water source.....	42
Schedule 2	Flow classes and thresholds.....	45
Schedule 3	Access licences temporarily exempt from section 29(3)	56
Schedule 4	Access licences with cease to pump rules that are in addition to the flow class announcement rules.....	59
	Schedule 5 Access licences exempt from specified access rules.....	62
Schedule 6	Dictionary.....	63

Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2025

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Part 1 Introduction

Note— 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, the Central West Water Management Area, the Gwydir Water Management Area, the Namoi Water Management Area and the Western Water Management Area.

1 Name of Plan

This Plan is the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2025*.

2 Commencement

This Plan commences on 1 July 2025.

3 Water source to which Plan applies

- (1) This Plan applies to the Barwon-Darling Unregulated River Water Source (*the water source*), comprised of—
 - (a) the water source identified on the Plan Map, and
 - (b) all water between the bed and banks of the sections of the water courses specified in Schedule 1, Column 2 of the water courses specified in Schedule 1, Column 1, being a water source within the Border Rivers Water Management Area, the Central West Water Management Area, the Gwydir Water Management Area, the Namoi Water Management Area and the Western Water Management Area.
- (2) The water source includes the following—
 - (a) all surface water,
 - (b) all water taken under a floodplain harvesting (unregulated river) access licence with a share component that specifies the water source.

4 Management zones to which Plan applies

The water source is divided into the following management zones as shown on the Plan Map—

- (a) Boomi River Confluence to Upstream Mogil Mogil Weir Pool Management Zone,
- (b) Boorooma to Brewarrina Management Zone,
- (c) Bourke to Louth Management Zone,
- (d) Brewarrina to Culgoa River Junction Management Zone,
- (e) Collarenebri to Upstream Walgett Weir Pool Management Zone,
- (f) Culgoa River Junction to Bourke Management Zone,
- (g) Downstream Mogil Mogil to Collarenebri Management Zone,
- (h) Downstream Walgett to Boorooma Management Zone,
- (i) Louth to Tilpa Management Zone,
- (j) Mogil Mogil Weir Pool Management Zone,
- (k) Mungindi to Boomi River Confluence Management Zone,

- (l) Tilpa to Wilcannia Management Zone,
- (m) Walgett Weir Pool Management Zone,
- (n) Wilcannia to Upstream Lake Wetherell Management Zone.

4A River Sections

The water source is divided into the following River Sections as shown on the Plan Map—

- (a) River Section 1, which is comprised of the following management zones—
 - (i) Boomi River Confluence to Upstream Mogil Mogil Weir Pool Management Zone,
 - (ii) Collarenebri to Upstream Walgett Weir Pool Management Zone,
 - (iii) Downstream Mogil Mogil to Collarenebri Management Zone,
 - (iv) Mogil Mogil Weir Pool Management Zone,
 - (v) Mungindi to Boomi River Confluence Management Zone,
 - (vi) Walgett Weir Pool Management Zone,
- (b) River Section 2, which is comprised of the following management zones—
 - (i) Boorooma to Brewarrina Management Zone,
 - (ii) Downstream Walgett to Boorooma Management Zone,
- (c) River Section 3, which is comprised of the following management zones—
 - (i) Brewarrina to Culgoa River Junction Management Zone,
 - (ii) Culgoa River Junction to Bourke Management Zone,
- (d) River Section 4, which is comprised of the following management zones—
 - (i) Bourke to Louth Management Zone,
 - (ii) Louth to Tilpa Management Zone,
 - (iii) Tilpa to Wilcannia Management Zone,
 - (iv) Wilcannia to Upstream Lake Wetherell Management Zone.

5 Extraction management units established by Plan—the Act, s 20(2)(a)

[Not applicable]

6 Interpretation

- (1) The Dictionary in Schedule 6 defines words used in this Plan.

Note— The *Interpretation Act 1987* contains definitions and other provisions affecting the interpretation and application of this Plan.

- (2) Unless otherwise specified in this Plan, a category of an access licence includes a reference to a subcategory of the access licence.

7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name kept and made available for public access in accordance with arrangements approved by the Minister.

Note— The following maps are available on the Department's website—

- (a) the Plan Map,

- (b) the WSP Prescribed Wetlands Map.
- (2) A map that amends or replaces a map adopted by this Plan has effect only if this Plan is amended to give effect to it.

Part 2 Vision, objectives, strategies and performance indicators

8 Vision statement—the Act, s 35(1)(a)

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

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

9 Objectives of Plan—the Act, s 35(1)(b)

The objectives of this Plan are as follows—

- (a) to protect and, where possible, enhance and restore the condition of the water sources and their water-dependent ecosystems,
- (b) to maintain and, where possible, improve access to water to optimise economic benefits for agriculture, water-dependent industries and local economies,
- (c) to maintain and, where possible, improve the spiritual, social, customary and economic values and uses of water by Aboriginal people,
- (d) to provide access to water to support water-dependent social and cultural values,
- (e) to maintain and where possible improve water quality within target ranges for the water sources to support water-dependent ecosystems and social, cultural and economic values.

10 Strategies for reaching objectives—the Act, s 35(1)(c)

- (1) The strategies for reaching the objectives of this Plan include the following—
 - (a) on average, reserve all water in excess of each long-term average annual extraction limit and long-term average sustainable diversion limit for the environment,
 - (b) reserve a portion of natural flows to partially mitigate alterations to natural flow regimes in the water sources,
 - (c) restrict the take of water from an in-river pool or off-river pool when the volume of water in the pool is less than the volume of water that can be held by the pool when at full capacity,
 - (d) reserve a portion of natural flows to maintain hydrological connectivity between the water sources and other connected water sources,
 - (e) manage the construction and use of water supply works to minimise impacts on in-stream ecosystems, basic landholder rights and town water supply,
 - (f) restrict or prevent water supply work approvals for in-river dams on third or higher order streams within specified water sources,
 - (g) provide for trade of water allocations and share components subject to environmental constraints and local impacts,
 - (h) provide a stable and predictable framework for sharing water among water users,
 - (i) provide for flexibility of access to water,

- (j) manage access to water consistently with the exercise of native title rights and domestic and stock rights,
 - (k) provide for water associated with Aboriginal cultural values and uses,
 - (l) restrict the take of water to protect Active Environmental Water.
- (2) Each strategy may contribute to achieving one or more of the objectives of this Plan.

11 Performance indicators—the Act, s 35(1)(d)

The performance indicators used to measure the success of the strategies for reaching the objectives of this Plan are the changes or trends, during the term of this Plan, in the following—

- (a) the ecological condition of the water sources,
- (b) economic benefits,
- (c) Aboriginal cultural benefits,
- (d) social and cultural benefits,
- (e) water quality condition.

11A Monitoring and evaluation

- (1) Monitoring and evaluation of this Plan's objectives, strategies and performance indicators must be undertaken in the way approved by the Minister.
- (2) By 31 December 2026, the Minister must publish the monitoring, evaluation and reporting plan for this Plan that links with the objectives, strategies and performance indicators of this Plan.
- (3) By 31 December 2025, and annually thereafter, the Minister must publicly report on implementation of this Plan, including on progress against the monitoring, evaluation and reporting plan.
- (4) Commencing work in year 8 of this Plan, the Minister must publicly report in year 9 of this Plan on the results of the monitoring and evaluation undertaken according to the plan developed under subsection (2).

Part 3 Requirements for water

Division 1 Requirements for water to satisfy basic landholder rights—the Act, s 20(1)(b)

12 Domestic and stock rights

On the commencement of this Plan, the amount of water required to satisfy domestic and stock rights in the water source is estimated to be 283 ML/year.

13 Native title rights

The requirement 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 Barkandji Traditional Owners #8 (Parts A and B, National Native Title Tribunal references NCD2015/001 and NCD2017/001),
- (b) the native title determination for the Ngemba Ngiyampaa, Wangaapuwana and Wayliwan Peoples, National Native Title Tribunal reference NCD2024/002,
- (c) any other determination of native title, and
- (d) any indigenous land use agreement.

Note— A native title holder is entitled, without the need for an access licence, water supply work approval or water use approval, to take and use water in the exercise of native title rights—see the Act, section 55.

14 Harvestable rights

On the commencement of this Plan, the amount of water required to satisfy harvestable rights had not been estimated.

Division 2 Requirements for water for extraction under access licences

15 Share components of access licences in the water sources—the Act, s 20(1)(c)

- (1) On the commencement of this Plan, the share components of domestic and stock access licences in the water source are estimated to be a total of 962 ML/year.
- (2) On the commencement of this Plan, the share components of local water utility access licences in the water source are estimated to be a total of 5,373 ML/year.
- (3) On the commencement of this Plan, the share components of unregulated river access licences in the water source are estimated to be a total of 1,488 unit shares.
- (4) On the commencement of this Plan, the share components of unregulated river (A Class) access licences in the water source are estimated to be a total of 9,856 ML/year.
- (5) On the commencement of this Plan, the share components of unregulated river (B Class) access licences in the water source are estimated to be a total of 133,069 ML/year.
- (6) On the commencement of this Plan, the share components of unregulated river (C Class) access licences in the water source are estimated to be a total of 45,746 ML/year.
- (7) On the commencement of this Plan, the share components of floodplain harvesting (unregulated river) access licences in the water source are estimated to be a total of 51,322 ML/year.
- (8) On the commencement of this Plan, the share components of supplementary water (Aboriginal environmental) access licences in the water source are estimated to be a total of 0 ML/year.

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

- (a) the grant, surrender or cancellation of access licences in the water sources, or
- (b) the variation of local water utility licences under the Act, section 66, or
- (c) ongoing conversion of entitlements under the *Water Act 1912* to access licences under the Act, or
- (d) amendments to access licences under the Act, section 68A.

Part 4 Limits to the availability of water

Division 1 Available water determinations—the Act, s 20(2)(b)

16 Available water determinations

- (1) The sum of available water determinations made for an access licence must not be more than the following in a water year—
 - (a) for an access licence specifying the share component in ML/year—100% of the access licence share component,
 - (b) for an access licence specifying the share component as a number of unit shares (other than an unregulated river (A Class) access licence, unregulated river (B Class) access licence or unregulated river (C Class) access licence)—1 ML/unit share of the access licence share component,
 - (c) for an unregulated river (A Class) access licence, unregulated river (B Class) access licence or unregulated river (C Class) access licence—the volume calculated under subsection (3).
- (2) At the start of each water year, available water determinations must be made as follows unless the Minister is of the opinion that a different available water determination should be made—
 - (a) for domestic and stock access licences—100%,
 - (b) for local water utility access licences—100%,
 - (c) for unregulated river access licences—1 ML/unit share,
 - (d) for unregulated river (A Class) access licences—the volume calculated under subsection (3),
 - (e) for unregulated river (B Class) access licences—the volume calculated under subsection (3),
 - (f) for unregulated river (C Class) access licences—the volume calculated under subsection (3),
 - (g) for floodplain harvesting (unregulated river) access licences—1 ML/unit share,
 - (h) for supplementary water (Aboriginal environmental) access licences—100%.
- (3) The volume of available water determinations for unregulated river (A Class) access licences, unregulated river (B Class) access licences and unregulated river (C Class) access licences, is an amount that is equal to A divided by B , where—
 - (a) A is the long-term average annual extractions for irrigation that would have occurred under the long-term average annual extraction limit conditions calculated using the hydrologic computer model that, at the time, is approved by the Minister for assessing long-term extraction from the water source, and
 - (b) B is the sum of share components of all unregulated river (A Class) access licences, unregulated river (B Class) access licences and unregulated river (C Class) access licences at that time.
- (4) This section is subject to section 25.

Note— The Minister may, at any time, make available water determinations in relation to the availability of water for a category or subcategory of access licence—see the Act, section 59.

Division 2 Extraction limits—the Act, s 20(1)(a) and s 20(1)(e)

Subdivision 1 Preliminary

17 Operation of Division—the Act, s 8

For the Act, section 8(1A)(b) and (2), this Division—

- (a) sets out environmental water rules, and
- (b) commits water as planned environmental water by reference to the long-term average annual commitment of water resulting from compliance with the long-term average annual extraction limit.

18 Definitions

In this Division—

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

long-term average annual extraction—see section 20.

LTAAEL means the long-term average annual extraction limit established by section 19.

Murray-Darling Basin Agreement has the same meaning as in the *Water Act 2007* of the Commonwealth, section 18A.

plantation forestry means a commercial plantation, as defined in the Basin Plan.

reduced available water determination means available water determinations of a sum that is less than the amount specified in section 16(2) for the category of licence for which the determination is made.

SDL means the long-term average sustainable diversion limit established by section 22.

Subdivision 2 LTAAELs and SDLs

19 Establishment of LTAAEL

- (1) The long-term average annual extraction limit is the long-term average annual extraction from the water source that would occur under Cap baseline conditions as agreed under the Murray-Darling Basin Agreement at the commencement of this Plan..
- (2) For the purposes of subsection (1), the long-term average annual extraction limit must be calculated over the duration of available climate records using the hydrological computer model approved by the Minister.
- (3) By 2028, the Minister will undertake a review of the LTAAEL to ensure a sustainable level of take (the **sustainable LTAAEL review**). The sustainable LTAAEL review will commence in 2026 and include consideration of the following—
 - (a) the protection of water sources and their dependent ecosystems and species,
 - (b) the health of hydrologically connected water sources and their dependent ecosystems,
 - (c) future climate projections, including likely bounds of climate change impact within the term of the plan,
 - (d) a precautionary and adaptive approach to how the limit is determined as climate projections change,
 - (e) cultural, social and economic outcomes
 - (f) the review of the Basin Plan, including the review of sustainable diversion limits, if that review is completed in time.

- (4) The Minister is to request the Natural Resources Commission to provide advice on the method for reviewing the LTAAEL under subclause (4) during the review process, and to also review its findings.
- (5) By 31 December 2031, unless, by 30 September 2031, the Minister and the Minister for the Environment agree on an extension of that date, the Minister may amend this Plan to give effect to the findings of the sustainable LTAAEL review and considering the Natural Resources Commission review under subclause (3).

Note— The LTAAEL is taken to be varied by a change to the amount of water committed as licensed environmental water—see the Act, section 8F(2).

Editorial note— Calculation of the long-term average annual extraction in the water source under this section indicates a long-term average annual extraction volume of 204.4 GL.

20 Calculation of long-term average annual extraction

- (1) As soon as practicable after the end of a water year, the long-term average annual extraction for the water source must be calculated.
- (2) The long-term average annual extraction is to be calculated over the duration of available climate records and based on the following—
 - (a) the water storages and water use development that existed in that water year,
 - (b) the basic landholder rights and access licence share components that existed in that water year,
 - (c) the rules in this Plan or in the water sharing plan that applied in that water year,
 - (d) the level of development for plantation forestry in that water year.
- (3) The long-term average annual extraction is to be calculated using the current conditions hydrological computer model approved by the Minister.

21 Assessment of compliance with LTAAEL

- (1) As soon as practicable after the end of a water year, the long-term average annual extraction for the water source must be compared against the LTAAEL.
- (2) There is non-compliance with the LTAAEL if the long-term average annual extraction exceeds the LTAAEL by 3% or more.

22 Establishment of SDL

- (1) The SDL for the water source is the part of the long-term average sustainable diversion limit for the Barwon-Darling Watercourse Sustainable Diversion Limit Resource Unit established by the Basin Plan that, in the Minister's opinion, applies to the water source.
- (2) The SDL must be varied in accordance with an amendment made to the Basin Plan under the *Water Act 2007* of the Commonwealth, section 23B.

23 Calculation of annual permitted take and annual actual take

- (1) After the end of a water year, the annual permitted take and annual actual take of water for the water year must be calculated for the water source in accordance with the Basin Plan, Chapter 6, Part 4, Division 2.
- (2) For the purposes of the calculation—
 - (a) a reference to the SDL resource unit in the Basin Plan, Chapter 6, Part 4, Division 2, is taken to be a reference to the water source, and
 - (b) a reference to the water accounting period in the Basin Plan, Chapter 6, Part 4, Division 2, is taken to be a reference to the water year.

- (3) In this section—

annual actual take and **annual permitted take** have the same meaning as they have in the Basin Plan, section 6.10.

24 Assessment of compliance with SDL

- (1) After the end of a water year, compliance with the SDL must be assessed using the method set out in the Basin Plan, Chapter 6, Part 4, Division 2.
- (2) For the purposes of the calculation—
 - (a) a reference to the long-term annual diversion limit in the Basin Plan, Chapter 6, Part 4, Division 2, is taken to be a reference to the SDL for the water source, and
 - (b) a reference to the SDL resource unit in the Basin Plan, Chapter 6, Part 4, Division 2, is taken to be a reference to the water source.
- (3) There is non-compliance with the SDL in the circumstances set out in the Basin Plan, Chapter 6, Part 4, Division 2.

25 Compliance with LTAAEL and SDL

- (1) This section applies if—
 - (a) there is non-compliance with the LTAAEL for the water source, or
 - (b) there is non-compliance with the SDL for the water source.
- (2) In the water year occurring immediately after a non-compliance is assessed (the **next water year**), one or both of the following reduced available water determinations must be made—
 - (a) for unregulated river (A Class) access licences, unregulated river (B Class) access licences and unregulated river (C Class) access licences—an available water determination of less than the volume calculated under section 16(3),
 - (b) for floodplain harvesting (unregulated river) access licences—an available water determination of less than 1 ML/unit share.
- (3) Reduced available water determinations must be made to the extent necessary—
 - (a) for non-compliance with a LTAAEL—to return the long-term average annual extraction to be calculated at the end of that water year to the LTAAEL, and
 - (b) otherwise—to ensure compliance with a SDL in accordance with the Basin Plan, Chapter 6, Part 4, Division 2.

Note— The Minister may, at any time, make available water determinations in relation to the availability of water for a category or subcategory of access licence—see the Act, section 59.

- (4) Unless the Minister determines otherwise, a reduced available water determination described in subsection (2)(a) may only be made—
 - (a) if total extractions, excluding extractions under floodplain harvesting (unregulated river) access licences, exceed the component of the LTAAEL that in the Minister's opinion is attributable to basic landholder rights and access licences other than floodplain harvesting (unregulated river) access licences, and
 - (b) to the extent that, in the Minister's opinion, total extractions, excluding extractions by floodplain harvesting (unregulated river) access licences, have exceeded that component of the LTAAEL.
- (5) Unless the Minister determines otherwise, a reduced available water determination described in subsection 2(b) may only be made—

- (a) if the total extractions under floodplain harvesting (unregulated river) access licences exceed the component of the LTAAEL that, in the Minister's opinion, is attributable to such licences, and
 - (b) to the extent that, in the Minister's opinion, total extractions by floodplain harvesting (unregulated river) access licences have exceeded that component of the LTAAEL.
- (6) The Minister may also take one or more actions specified in this section if there would have been non-compliance with the SDL but for a reasonable excuse under the Basin Plan, Chapter 6, Part 4, Division 2, as a result of any action taken under clause 6.12 (5) of the Basin Plan.

Part 5 Rules for granting and managing access licences—the Act, s 20(2)(b)

26 Specific purpose access licences

Note— A person may also apply for a specific purpose access licence in circumstances where the regulations provide that an application for the licence may be made—see the Act, section 61(1)(a).

- (1) An application for a specific purpose access licence must not be made unless the share and extraction components of the access licence are the minimum amount required for the proposed use.
- (2) A person may apply for a supplementary water (Aboriginal environmental) access licence if—
 - (a) the share component of the licence is no more than 500 ML/year,
 - (b) the licence is for the taking of water by an Aboriginal person or Aboriginal community for the purpose of enhancing Aboriginal cultural value of important lagoons and billabongs, and
 - (c) the granting of the licence would not cause the sum of the share components of all supplementary water (Aboriginal environmental) access licences in the water source to exceed 2,000 ML/year.
- (3) A person may apply for a specific purpose access licence of the subcategory Aboriginal cultural if—
 - (a) the share component of the licence is no more than 10 ML/year, and
 - (b) the licence is primarily for the taking of water by an Aboriginal person or Aboriginal community for personal, domestic or communal purposes, including the following—
 - (i) drinking and food preparation,
 - (ii) washing,
 - (iii) manufacturing traditional artefacts,
 - (iv) watering domestic gardens,
 - (v) cultural teaching,
 - (vi) hunting, fishing and gathering,
 - (vii) traditional food production,
 - (viii) purposes to achieve environmental outcomes,
 - (ix) recreational, cultural and ceremonial purposes, and
 - (c) any commercial benefit obtained by the taking or use of the water is only ancillary or incidental to the purpose for which the water was taken.

- (4) In this section—

Aboriginal person has the same meaning as in the *Aboriginal Land Rights Act 1983*.

27 Management of access licences

- (1) This section applies to an access licence affected by a change to the boundary of a water source or water management area to which this Plan applies, whether the change is made on the commencement of this Plan or as an amendment to this Plan.
- (2) The Minister may amend the share component or extraction component, or both, of an access licence to which this section applies to change the following—

- (a) the water management area or water source to which the share component of the licence relates,
- (b) the management zones from which water may be taken in accordance with the extraction component of the licence.

27A Amendment of share components of access licences (hydrological computer model)

- (1) The Minister may amend the share component of an access licence under the Act, section 68A to increase it following a recalibration of the hydrologic computer model, if the Minister is satisfied that the sum of amended share components of —
 - (a) unregulated river (A Class) access licences,
 - (b) unregulated river (B Class) access licences, and
 - (c) unregulated river (C Class) access licences,

in the water source will equal the long-term average annual extractions for irrigation that would have occurred under the long-term average annual extraction limit conditions specified in section 19(1).

- (2) The Minister may not amend access licences under this section unless the amendment maintains the weighting of active Annual Volumetric Limit to inactive Annual Volumetric Limit of 2.25:1 that was applied when Annual Volumetric Limits were converted to Barwon-Darling Cap-compliant shares as determined by the Minister.

- (3) In this section—

active is the average annual extraction under a *Water Act 1912* entitlement between 1995/96 and 2004/5 with appropriate adjustment for years with zero extraction, as determined by the Minister.

hydrologic computer model means a model approved by the Minister for assessing long term extraction from the water source.

inactive is the difference between the *Water Act 1912* entitlement's Annual Volumetric Limit and active.

- (4) This section does not authorise the amendment of the share component of a floodplain harvesting (unregulated river) access licence.

Part 6 Operation of water allocation accounts and managing access licences

Division 1 Preliminary

28 Operation of Part—the Act, s 8

For the Act, section 8(1A)(a) and (c) and (2), this Part—

- (a) sets out environmental water rules, and
- (b) in Divisions 2–4—commits water as planned environmental water 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, and
- (c) in Divisions 3–4—commits water as planned environmental water by reference to the commitment of the physical presence of water in the water source.

Division 2 Operation of water allocation accounts—the Act, s 21(c)

Note— The *Water Management (General) Regulation 2018*, clause 17, also includes provisions regarding the debiting of water allocation accounts.

29 Water allocation account debiting

- (1) The volume of water debited from the water allocation account of an access licence other than an unregulated river (A Class) access licence, unregulated river (B Class) access licence, unregulated river (C Class) access licence or floodplain harvesting (unregulated river) access licence must not be more than the relevant sum during a water year.
- (2) The volume of water debited from the water allocation account of a floodplain harvesting (unregulated river) access licence must be the volume of water extracted during a nominated floodplain harvesting measurement period by the water supply works nominated by the access licence.
- (3) The volume of water debited from the water allocation account of an unregulated river (A Class) access licence, unregulated river (B Class) access licence or unregulated river (C Class) access licence must not be more than the sum of the following during a water year—
 - (a) three times the share component of the access licence at the commencement of that water year multiplied by 1 ML/unit share,
 - (b) the water allocations assigned to the water allocation account under the Act, section 71T or 71V,
 - (c) the water allocations reccredited to the water allocation account under the Act, section 76.
- (4) Subsection (3) does not apply to an access licence listed in Schedule 3 until the earlier of the following—
 - (a) the amount of water in the water allocation account for the access licence is equal to or less than 10 times the share component of the access licence as at 17 February 2023,
 - (b) 17 February 2030.
- (5) In this section—

debited means taken, assigned under the Act, section 71T, or otherwise debited or withdrawn from a water allocation account.

relevant sum means the sum of the following—

- (a) the water allocations credited to the water allocation account from available water determinations made during the water year,
- (b) the water allocations assigned to the water allocation account under the Act, section 71T or 71V,
- (c) the water allocations reccredited to the water allocation account under the Act, section 76.

29A Determination of maximum volume of water that may be taken under certain access licences

- (1) This section applies to an unregulated river (A Class) access licence, unregulated river (B Class) access licence or unregulated river (C Class) access licence.
- (2) The Minister may determine that the maximum volume of water that may be taken under, and assigned under section 71T of the Act from, an access licence over a period of three consecutive water years must not exceed a volume equal to the sum of the following—
 - (a) the share component of the access licence at the commencement of the first of those three water years multiplied by 1 ML/unit share,
 - (b) the share component of the access licence at the commencement of the second of those three water years, multiplied by 1 ML/unit share,
 - (c) the share component of the access licence at the commencement of the third of those three water years, multiplied by 1 ML/unit share,
 - (d) the net amount of any water allocations assigned to the water allocation account for the access licence under section 71T of the Act in those water years,
 - (e) any water allocations reccredited to the water allocation account for the access licence in accordance with section 76 of the Act in those water years.
- (3) The Minister must notify in writing a determination under subsection (2) to the holders of access licences to which the determination applies.
- (4) An access licence holder who is notified of a determination under subsection (2) must not take more water under the access licence than is permitted under that determination.

29B Take in accordance with individual daily extraction components

- (1) The maximum volume of water that may be taken on any day under an access licence with an IDEC is—
 - (a) 1 ML per daily flow share, or
 - (b) if the Minister has made an announcement under subsection (2)—the amount permitted under that announcement.
- (2) The Minister may announce that 1 ML per daily flow share or a lesser amount is the maximum volume of water permitted to be taken on any day in a specified management zone in relation to specified access licences over a specified period.
- (3) An announcement under this section—
 - (a) may not be made unless the Minister has invited expressions of interest to take water from relevant access licence holders in accordance with the Active Management Procedures Manual, and
 - (b) must be made in accordance with the Active Management Procedures Manual, and
 - (c) only applies to access licences in relation to which expressions of interest have been made in response to the Minister's invitation, and

- (d) may only be made to protect—
 - (i) Active Environmental Water, or
 - (ii) water below the flow class threshold for a flow class listed in Schedule 2, Table A.

29C Rules for access licences intending to protect water from extraction

- (1) An access licence holder may notify the Minister of the holder's intent to have water that would otherwise be permitted to be taken under that access licence protected from extraction.
- (2) The licence holder must make, and the Minister must assess, a notification under this section in accordance with the Active Management Procedures Manual.
- (3) The water allocation account of an access licence for which a notification is made under this section is to be debited by an amount determined by the Minister, in accordance with the Active Management Procedures Manual.

29D Active Management Procedures Manual

- (1) The Minister may amend or replace the Active Management Procedures Manual.
- (2) The Minister must publish any amended or replacement Active Management Procedures Manual on the Department's website.
- (3) The matters which an Active Management Procedures Manual may deal with include the following—
 - (a) the means for identifying and determining Active Environmental Water on any given day,
 - (b) the means for determining and making announcements under section 29B(2),
 - (c) the requirements for access licence holders intending to protect water from extraction to notify the Minister under section 29C,
 - (d) the means for assessing a notification and determining the amounts to be debited from access licence water allocation accounts under section 29C,
 - (e) the means for determining the amounts necessary to protect Active Environmental Water under sections 31 and 34,
 - (f) the means for determining the circumstances set out in section 32A to enable the management of resumption of flows,
 - (g) any other matter the Minister considers relevant.

30 Carryover of water remaining in water allocation account

- (1) Water allocations remaining in the water allocation account—
 - (a) of an access licence other than an unregulated river (A Class) access licence, an unregulated river (B Class) access licence or an unregulated river (C Class) access licence or a floodplain harvesting (unregulated river) access licence—must not be carried over from one water year to the next water year,
 - (b) of an unregulated river (A Class) access licence, an unregulated river (B Class) access licence or an unregulated river (C Class) access licence or a floodplain harvesting (unregulated river) access licence—must be carried over from one water year to the next water year.
- (2) The maximum credit that may be allowed to accumulate in the water allocation account of a floodplain harvesting (unregulated river) access licence is 5 ML per unit share.

Division 3 Flow classes

31 Flow classes for specified management zones—the Act, s 21(a)

- (1) This Plan establishes the flow classes set out in Schedule 2, Table A for the management zones specified.
- (2) In Schedule 2, Table A, the flow class applies when the Minister announces that the management zone flow meets the flow specified under the flow class threshold for the management zone as observed at the flow reference point specified.
- (3) The announcement made under subsection (2) is to apply for a 24 hour or longer period from the time specified in the announcement, as determined by the Minister.
- (4) If the Minister has not announced a specific flow class for a specific period of time under subsections (2) and (3), then the flow class that was previously announced is to continue to apply to each subsequent 24 hour period until a new flow class is announced.
- (5) The Minister may amend an announcement under subsection (2) if satisfied that it is necessary to do so due to inaccuracies between the forecast flows the announcement was based on and the actual flows that occur at the relevant flow reference point.
- (6) The Minister may adjust the flow class threshold referred to in Schedule 2, Table A by an amount determined by the Minister as necessary to protect Active Environmental Water in accordance with the Active Management Procedures Manual.

32 Minister may determine flow classes in certain circumstances

- (1) If the Minister is satisfied accurate flow data is not available from a gauge used to determine a flow class, the Minister may determine the flow class.
- (2) If the Minister determines a flow class, the Minister must cause a notice to be published on the Department's website specifying the following—
 - (a) the flow class or flow class threshold determined by the Minister,
 - (b) the management zone, if any, to which the flow class applies,
 - (c) the day on which the flow class applies.
- (3) In determining the flow class, the Minister may consider the following—
 - (a) evidence of past and current flows,
 - (b) readings at other functioning upstream and downstream gauges.
- (4) A flow class published in a notice under this section is taken to be a flow class established by this Plan.

32A Resumption of flows

- (1) Despite section 31, the Minister must make a No Flow Class announcement for a management zone in River Section 1 for each day following the occurrence of one or more of the following—
 - (a) the flow in the Barwon River at Dangar Bridge (Walgett) (422001) has been less than 326 ML/day for more than 150 consecutive days,
 - (b) the flow in the Barwon River at Brewarrina (422002) has been less than 468 ML/day for more than 150 consecutive days,
 - (c) the flow in the Darling River at Bourke Town (425003) has been less than 450 ML/day for 120 days consecutive days,

- (d) the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (2) Subsection (1) ceases to apply if, in the Minister's opinion, an announcement of a flow class other than a No Flow Class under section 31 will not prevent one of the following from occurring—
 - (a) each of—
 - (i) a flow greater than 706 ML/day for 10 consecutive days in the Barwon River at Dangar Bridge (Walgett) (422001),
 - (ii) a flow greater than 1008 ML/day for more than 10 consecutive days in the Barwon River at Brewarrina (422002),
 - (iii) a flow greater than 972 ML/day for more than 10 consecutive days in the Darling River at Bourke Town (425003), and
 - (iv) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (b) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period when the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.
- (3) Despite section 31, the Minister must make a No Flow Class announcement for a management zone in River Section 2 for each day following the occurrence of one or more of the following—
 - (a) the flow in the Barwon River at Brewarrina (422002) has been less than 468 ML/day for more than 150 consecutive days,
 - (b) the flow in the Darling River at Bourke Town (42 003) has been less than 450 ML/day for 120 days consecutive days,
 - (c) the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (4) Subsection (3) ceases to apply if, in the Minister's opinion, an announcement of a flow class other than a No Flow Class under section 31 will not prevent one of the following flows from occurring—
 - (a) each of—
 - (i) a flow greater than 1008 ML/day for more than 10 consecutive days in the Barwon River at Brewarrina (422002),
 - (ii) a flow greater than 972 ML/day for more than 10 consecutive days in the Darling River at Bourke Town (425003),
 - (iii) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (b) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period where the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.
- (5) Despite section 31, the Minister must make a No Flow Class announcement for a management zone in River Section 3 for each day following the occurrence of one or more of the following—

- (a) the flow in the Darling River at Bourke Town (425003) has been less than 450 ML/day for 120 consecutive days,
 - (b) the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (6) Subsection (5) ceases to apply if, in the Minister's opinion, an announcement of a flow class other than a No Flow Class under section 31 will not prevent one of the following flows from occurring—
 - (a) each of—
 - (i) a flow greater than 972 ML/day for more than 10 consecutive days in the Darling River at Bourke Town (425003),
 - (ii) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (b) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period when the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.
- (7) Despite section 31, the Minister must make a No Flow Class announcement for a management zone in River Section 4 for each day following a period where the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (8) Subsection (7) ceases to apply if, in the Minister's opinion, an announcement of a flow class other than a No Flow Class under section 31 will not prevent one of the following flows from occurring—
 - (a) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (b) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period when the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.

Division 4 Access rules for take of surface water—the Act, s 20(1)(a) and s 21(a)

Note— Discretionary conditions may also be imposed under sections 66(1)(b) and 100(1)(b) of the Act, in addition to mandatory conditions which are required to be imposed by the access rules in this Division.

33 General

- (1) Surface water must not be taken if there is no visible flow at the location from which the water would be taken, except from the following locations—
 - (a) an in-river pool,
 - (b) an off-river pool,
 - (c) an in-river dam pool.
- (2) Surface water must not be taken from—
 - (a) an in-river pool that is below full capacity, or
 - (b) an off-river pool that is below full capacity, or

- (c) an in-river dam pool unless the take is not inconsistent with a water supply work approval authorising the use of a water supply work for the purpose of taking water from the in-river dam pool.

34 Specific access rules

- (1) Surface water must not be taken under the following access licences unless the Minister has made an announcement under section 31 that flows in the management zone specified by the licence are in the Low Flow Class, A Class, B Class or C Class—
 - (a) a domestic and stock access licence,
 - (b) a local water utility access licence, or
 - (c) an unregulated river access licence
- (2) The volume of water taken under a domestic and stock access licence must not exceed 0.6 ML/ day if the Minister has made an announcement under section 31 that flows in the management zone specified in the access licence are in the Low Flow Class.
- (3) Surface water must not be taken under an unregulated river (A Class) access licence, unregulated river (B Class) access licence or unregulated river (C Class) access licence during any period that the Minister has made an announcement under section 31, unless—
 - (a) the holder of the access licence has placed an expression of interest to take that water in accordance with the Active Management Procedures Manual, and
 - (b) the holder of the access licence takes water in accordance with the announcement.
- (4) Surface water must not be taken under an unregulated river (A Class) access licence unless the Minister has made an announcement under section 31 that flows in the management zone specified in the access licence are in A Class, B Class, or C Class.
- (5) Surface water must not be taken under an unregulated river (B Class) access licence unless the Minister has made an announcement under section 31 that flows in the management zone specified in the access licence are in B Class or C Class.
- (6) Surface water must not be taken under an unregulated river (C Class) access licence unless the Minister has made an announcement under section 31 that flows in the management zone specified in the access licence are C Class.
- (7) Water must not be taken under any IDEC assigned under the Act, section 71QA between access licences in different management zones unless take under both access licences is permitted under subsections (3) to (6).
- (8) Despite any other subsection, surface water must not be taken under an access licence specified in Schedule 4—
 - (a) in contravention of the specified cease-to-take condition, and
 - (b) for an access licence specified in Schedule 4, Tables A and B, during any period that the Minister has made an announcement under section 29B, unless—
 - (i) the licence holder has placed an expression of interest to take that water in accordance with the Active Management Procedures Manual, and
 - (ii) the licence holder takes water is in accordance with the announcement.
- (9) On any day that accurate flow data is not available from a flow measuring gauge used to determine whether water is permitted to be taken under an access rule specified in Schedule 4, then the following applies—

- (a) the Minister is to determine and announce whether water is permitted to be taken, and
 - (b) water may only be taken under an access licence specified in Schedule 4 in accordance with announcements made by the Minister.
- (10) The Minister may adjust an access rule referred to in Schedule 4 by an amount determined by the Minister as necessary to protect Active Environmental Water in accordance with the Active Management Procedures Manual.

34A Specific access rules—supplementary water (Aboriginal environmental) access licences

- (1) The Minister may make an announcement that water may be taken under a supplementary water (Aboriginal environmental) access licence.
- (2) Water may only be taken under a supplementary water (Aboriginal environmental) access licence if all of the following apply—
 - (a) the Minister has made an announcement that such water may be taken,
 - (b) the holder of the licence has written to the Minister expressing interest in taking water during that water year,
 - (c) the expression of interest by the holder of the licence is made between one week and 12 months prior to the period during which access will be permitted by an announcement,
 - (d) the holder of the licence takes water in accordance with the announcement.
- (3) An announcement under this section must not be made for a management zone specified in Schedule 2, Table B, Column 1 when flows in that management zone are less than the corresponding flow threshold specified in Schedule 2, Table B, Column 2 at the corresponding flow reference point specified in Schedule 2, Table B, Column 3.
- (4) An announcement under this section—
 - (a) must not permit the total take of water of more than 500 ML in any water year, and
 - (b) must only permit take under following order of priority—
 - (i) firstly—in order of least frequent to most frequent history of access provided by announcements made under this section,
 - (ii) secondly—in the chronological order that a written expression of interest was received.

34B Specific access rules—floodplain harvesting (unregulated river) access licences

- (1) In this section, *Menindee Lakes Storage* has the same meaning as it does under the Murray-Darling Basin Agreement.
- (2) The taking of water under a floodplain harvesting (unregulated river) access licence may only occur if the Minister has announced that the taking of overland flow water is permitted.
- (3) The Minister must not announce that the taking of water from overland flow water is permitted if the total volume of water in Menindee Lakes Storage that can be delivered to the Lower Darling Regulated River Water Source from the Menindee Main Weir is less than 250 gegalitres .
- (4) Subsection (3) does not apply during periods for which, in the Minister's opinion, a flow in the Darling River at Wilcannia gauge (425008) will remain at or above 7,900 ML/day.

- (5) **River Section 1** The Minister must not announce that the taking of overland flow water is permitted for a management zone in River Section 1 if any of the following occurs—
- (a) the flow in the Barwon River at Dangar Bridge (Walgett) (422001) has been less than 326 ML/day for more than 150 consecutive days,
 - (b) the flow in the Barwon River at Brewarrina (422002) has been less than 468 ML/day for more than 150 consecutive days,
 - (c) the flow in the Darling River at Bourke Town (425003) has been less than 450 ML/day for 120 days consecutive days,
 - (d) the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (6) Subsection (5) does not apply if, in the Minister’s opinion, an announcement permitting the taking of overland flow water will not prevent one of the following from occurring—
- (a) a flow greater than 706 ML/day for 10 consecutive days in the Barwon River at Dangar Bridge (Walgett) (422001),
 - (b) a flow greater than 1008 ML/day for more than 10 consecutive days in the Barwon River at Brewarrina (422002),
 - (c) a flow greater than 972 ML/day for more than 10 consecutive days in the Darling River at Bourke Town (425003), and
 - (d) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (e) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period when the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.
- (7) **River Section 2** The Minister must not announce that the taking of overland flow water is permitted for a management zone in River Section 2 if any of the following occurs—
- (a) the flow in the Barwon River at Brewarrina (422002) has been less than 468 ML/day for more than 150 consecutive days,
 - (b) the flow in the Darling River at Bourke Town (425003) has been less than 450 ML/day for 120 days consecutive days,
 - (c) the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (8) Subsection (7) does not apply if, in the Minister’s opinion, an announcement permitting the taking of overland flow water will not prevent one of the following from occurring—
- (a) a flow greater than 1008 ML/day for more than 10 consecutive days in the Barwon River at Brewarrina (422002),
 - (b) a flow greater than 972 ML/day for more than 10 consecutive days in the Darling River at Bourke Town (425003),
 - (c) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (d) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period where the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.

- (9) **River Section 3** The Minister must not announce that the taking of overland flow water is permitted for a management zone in River Section 3 if any of the following occurs—
- (a) the flow in the Darling River at Bourke Town (425003) has been less than 450 ML/day for 120 consecutive days,
 - (b) the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (10) Subsection (9) does not apply if, in the Minister’s opinion, an announcement permitting the taking of overland flow water will not prevent one of the following from occurring—
- (a) a flow greater than 972 ML/day for more than 10 consecutive days in the Darling River at Bourke Town (425003),
 - (b) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (c) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period when the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.
- (11) **River Section 4** The Minister must not announce that the taking of overland flow water is permitted for a management zone in River Section 4 if the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for 90 consecutive days.
- (12) Subsection (11) does not apply if, in the Minister’s opinion, an announcement permitting the taking of overland flow water will not prevent one of the following from occurring—
- (a) a flow greater than 400 ML/day for more than 10 consecutive days in the Darling River at Wilcannia (425008),
 - (b) a total cumulative flow of 30,000 ML in the Darling River at Bourke Town (425003) since the commencement of the most recent period when the flow in the Darling River at Wilcannia (425008) has been less than 200 ML/day for more than 90 consecutive days.

35 Exceptions

- (1) Section 33(2)(a) and (b) does not apply to the take of surface water from an in-river pool or off-river pool subject to a cease-to-take condition that permits the taking of water when the pool is below full capacity.
- (2) Sections 33 and 34 do not apply to the take of surface water in the following circumstances—
- (a) for the following purposes under an access licence specified in Schedule 5, Table A, if no more than 20 kl/day or a lower amount specified by the Minister is taken—
 - (i) fruit and vegetable washing,
 - (ii) cleaning of dairy plant and equipment for hygiene purposes,
 - (iii) poultry watering and misting,
 - (iv) cleaning of enclosures used for intensive animal production for hygiene purposes,
 - (b) for domestic consumption authorised under a domestic and stock access licence if no more than 1 kl/day for each household supplied by the access licence is taken,
 - (c) from a runoff harvesting dam,

- (d) under an access licence specified in Schedule 5, Table B,
 - (e) under an access licence in relation to an aquifer interference activity for which a planning approval is in force if—
 - (i) the licence holder complies with the water management plans, if any, required under the planning approval in relation to the aquifer interference activity, and
 - (ii) in the Minister’s opinion, the licence holder is not reasonably capable of complying with the access rule concerned,
 - (f) under a floodplain harvesting (unregulated river) access licence.
- (3) Section 34(1) does not apply to the take of surface water in the following circumstances—
- (a) from an off-river pool in a water source or management zone to which that section applies,
 - (b) from an in-river dam pool formed by an in-river dam that is referred to in a water supply work approval.

Part 7 Construction and use of water supply works—the Act, s 21(b)

Note— An approval must not be granted in contravention of this Part—see the Act, section 95(3). An application to amend an approval relating to additional uses, works, activities or land must be assessed and determined in the same way as an application for a new approval, but only in relation to the additional uses, works, activities or land—see the Act, section 107(5). This does not affect works that can be constructed pursuant to a basic landholder right.

36 Application of Part

In this Part, a reference to a water supply work located within a specified distance includes a reference to a water supply work proposed to be located within a specified distance.

37 In-river dams

- (1) An in-river dam on a third or higher order stream must not be constructed within the water source.
- (2) This section does not apply to—
 - (a) a water supply work that replaces an existing water supply work where—
 - (i) the existing water supply work is authorised by a water supply work approval, and
 - (ii) the replacement water supply work is to be constructed to impound water from the same water source and the same location as the existing water supply work,
 - (b) a water supply work to be used for town water supply purposes.

38 Wetlands

- (1) A water supply work must not be constructed within the following areas unless, in the Minister's opinion, there will be no more than minimal harm to the wetland concerned—
 - (a) within 3km upstream of, or within, a declared Ramsar wetland,
 - (b) within a WSP prescribed wetland.
- (2) Subsection (1) does not apply to a replacement water supply work.
- (3) In this section—

replacement water supply work means a water supply work that—

 - (a) replaces an existing water supply work authorised by a water supply work approval (the **replaced water supply work**),
 - (b) is constructed and used to extract water from the same water source as the replaced water supply work,
 - (c) is, in the Minister's opinion, the same size or smaller than the replaced water supply work,
 - (d) is located within 20m of the replaced water supply work,
 - (e) is not located within 20m of the replaced water supply work and, in the Minister's opinion, the water supply work is not likely to—
 - (i) result in a greater adverse impact than the replaced water supply work on the water source or public health and safety, and
 - (ii) adversely affect the ability of another person to take water using an existing water supply work.

38A Additional prohibitions on construction of certain water supply works

- (1) A water supply work must not be constructed if the work is to be—
 - (a) nominated by a floodplain harvesting (unregulated river) access licence, and
 - (b) located within—
 - (i) Barwon-Darling Management Zone A or Barwon-Darling Management Zone D, or
 - (ii) Lower Namoi Management Zone AD or Lower Namoi Management Zone D.
- (2) Subsection (1) does not apply if—
 - (a) the applicant for the water supply work approval to construct the work has been determined to be eligible for a floodplain harvesting (unregulated river) access licence, and
 - (b) the work is the subject of an application to grant a water supply work approval that was made prior to 30 June 2023.
- (3) A water supply work approval must not be amended to add a work to which the approval relates if—
 - (a) the water supply works currently subject to the approval are nominated by a floodplain harvesting (unregulated river) access licence, and
 - (b) the work is either—
 - (i) not located on a property that is fully or partially located on the Barwon-Darling Valley Floodplain, or
 - (ii) located within—
 - A. Barwon-Darling Management Zone A or Barwon-Darling Management Zone D, or
 - B. Lower Namoi Management Zone AD or Lower Namoi Management Zone D.
- (4) A water supply work approval must not be amended if all of the following apply—
 - (a) the water supply works currently subject to the approval are nominated by a floodplain harvesting (unregulated river) access licence,
 - (b) amending the water supply work approval would increase the capability of water supply works subject to the approval to take water within—
 - (i) Barwon-Darling Management Zone A or Barwon-Darling Management Zone D, or
 - (ii) Lower Namoi Management Zone AD or Lower Namoi Management Zone D,
 - (c) the increase in capacity is not a result of adding a water supply work that is or was previously nominated by that floodplain harvesting (unregulated river) access licence.
- (5) Subsections (3) and (4) do not apply if all of the following apply—
 - (a) the applicant for the amendment of the approval has been determined to be eligible for a replacement floodplain harvesting access licence,

- (b) the work was constructed on or before 12 February 2021, but was not the subject of a water supply work approval prior to that date,
- (c) if the work is also a flood work, the work is subject to a flood work approval,
- (d) the work is the subject of an application for the grant or amendment of a water supply work approval which was made prior to 31 December 2023.

Part 8 Access licence dealing rules—the Act, s 20(1)(d)

Note— The access licence dealing principles established by the *Access Licence Dealing Principles Order 2004* prevail over the access licence dealing rules in this Part to the extent of an inconsistency.

39 Conversion of access licence to new category dealings

Dealings under the Act, section 71O, are prohibited.

40 Assignment of rights dealings

(1) The following assignments of rights under the Act, section 71Q, are prohibited—

- (a) an assignment from an unregulated river (A Class) access licence to an unregulated river (A Class) access licence that nominates a water supply work located in River Section 1 if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in River Section 1 to exceed 3,434 unit shares,
- (b) an assignment from an unregulated river (B Class) access licence to an unregulated river (B Class) access licence that nominates a water supply work located in River Section 1 if it would cause the sum of the share components of all unregulated river (B Class) access licences that nominate water supply works located in River Section 1 to exceed 82,940 unit shares,
- (c) an assignment from an unregulated river (C Class) access licence to an unregulated river (C Class) access licence that nominates a water supply work located in River Section 1 if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 1 to exceed 26,040 unit shares,
- (d) an assignment from an unregulated river (A Class) access licence to an unregulated river (A Class) access licence that nominates a water supply work located in River Section 2 if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in River Section 2 to exceed 2,535 unit shares,
- (e) an assignment from an unregulated river (B Class) access licence to an unregulated river (B Class) access licence that nominates a water supply work located in River Section 2 if it would cause the sum of the share components of all unregulated river (B Class) access licences that nominate water supply works located in River Section 2 to exceed 38,282 unit shares,
- (f) an assignment from an unregulated river (C Class) access licence to an unregulated river (C Class) access licence that nominates a water supply work located in River Section 2 if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 2 to exceed 114,197 unit shares,
- (g) an assignment from an unregulated river (A Class) access licence to an unregulated river (A Class) access licence that nominates a water supply work located in River Section 3 if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in River Section 3 to exceed 13,515 unit shares,
- (h) an assignment from an unregulated river (B Class) access licence to an unregulated river (B Class) access licence that nominates a water supply work located in River Section 3 if it would cause the sum of the share components of all unregulated

- river (B Class) access licences that nominate water supply works located in River Section 3 to exceed 126,019 unit shares,
- (i) an assignment from an unregulated river (C Class) access licence to an unregulated river (C Class) access licence that nominates a water supply work located in River Section 3 if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 3 to exceed 34,344 unit shares,
 - (j) an assignment from an unregulated river (A Class) access licence to an unregulated river (A Class) access licence that nominates a water supply work located in River Section 4 if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in River Section 4 to exceed 5,860 unit shares,
 - (k) an assignment from an unregulated river (B Class) access licence to an unregulated river (B Class) access licence that nominates a water supply work located in River Section 4 if it would cause the sum of the share components of all unregulated river (B Class) access licences that nominate water supply works located in River Section 4 to exceed 38,246 unit shares,
 - (l) an assignment from an unregulated river (C Class) access licence to an unregulated river (C Class) access licence that nominates a water supply work located in River Section 4 if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 4 to exceed 44,720 unit shares,
 - (m) an assignment of daily flow shares from an access licence specifying one river section to an access licence specifying a different river section,
 - (n) an assignment of daily flow shares from an access licence specifying one river section to an access licence that is subject to less restrictive take conditions,
 - (o) an assignment of rights to a floodplain harvesting (unregulated river) access licence—
 - (i) that nominates a water supply work not located on a property that is wholly or partially located within the Barwon-Darling Valley Floodplain unless the work was nominated by the licence when the licence was first issued in the water source, or
 - (ii) that nominates a water supply work located within Barwon-Darling Management Zone A, Barwon-Darling Management Zone D, Lower Namoi Management Zone AD or Lower Namoi Management Zone D, unless the work was nominated by the licence when the licence was first issued in the water source, or
 - (iii) from a floodplain harvesting (unregulated river) access licence that nominates a water supply work located in a different river section,
 - (p) an assignment of rights to or from a water source to which this Plan does not apply.
- (2) An assignment of rights under the Act, section 71Q, is prohibited if it is an assignment to an access licence that nominates a water supply work—
- (a) within, or within 3km upstream of, a declared Ramsar wetland, or
 - (b) within a WSP prescribed wetland,

unless the assignment is from an access licence that nominates a water supply work—

- (c) within, or within 3km upstream of, the same declared Ramsar wetland, or
- (d) within the same WSP prescribed wetland.

40A Assignment of individual daily extraction component dealings

The following assignments of the rights to individual daily extraction components under the Act, section 71QA, are prohibited—

- (a) an assignment to an access licence with a share component that specifies a different river section,
- (b) an assignment to an access licence that is subject to less restrictive conditions regulating the take of water.

41 Amendment of share component dealings—change of water source

Dealings under the Act, section 71R, are prohibited.

42 Amendment of extraction component dealings

The following dealings under the Act, section 71S, are prohibited—

- (a) the variation of the extraction component of an access licence to specify a different river section,
- (b) the amendment of daily flow shares.

43 Assignment of water allocations dealings

The following assignments of water allocations under the Act, section 71T, are prohibited—

- (a) an assignment to an access licence with less restrictive conditions relating to the take of water,
- (b) an assignment to or from an access licence in a water source to which this Plan does not apply,
- (c) an assignment to or from a floodplain harvesting (unregulated river) access licence,
- (d) an assignment to an access licence that nominates a water supply work—
 - (i) within, or within 3km upstream of, a declared Ramsar wetland, or
 - (ii) within a WSP prescribed wetland,unless the assignment is from an access licence that nominates a water supply work—
 - (iii) within, or within 3km upstream of, the same declared Ramsar wetland, or
 - (iv) within the same WSP prescribed wetland.

44 Interstate access licence transfer dealings

Dealings under the Act, section 71U, are prohibited.

45 Interstate assignment of water allocations dealings

Dealings under the Act, section 71V, are prohibited.

46 Nominations of water supply works dealings

The following dealings under the Act, section 71W, are prohibited—

- (a) an access licence being amended to nominate a water supply work located in a water source to which this Plan does not apply,
- (b) an access licence being amended to nominate a water supply work that was nominated by an access licence specified in Schedule 4, Table A, Column 1 as at 4 October 2012,
- (c) an unregulated river (A Class) access licence being amended to nominate a water supply work located in River Section 1, if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in River Section 1 to exceed 3,434 unit shares,
- (d) an unregulated river (B Class) access licence being amended to nominate a water supply work located in River Section 1, if it would cause the sum of the share components of all unregulated river (B Class) access licences that nominate water supply works located in River Section 1 to exceed 82,940 unit shares,
- (e) an unregulated river (C Class) access licence being amended to nominate a water supply work located in River Section 1, if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 1 to exceed 26,040 unit shares,
- (f) an unregulated river (A Class) access licence being amended to nominate a water supply work located in River Section 2, if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in River Section 2 to exceed 2,535 unit shares,
- (g) an unregulated river (B Class) access licence being amended to nominate a water supply work located in River Section 2, if it would cause the sum of the share components of all unregulated river (B Class) access licences that nominate water supply works located in River Section 2 to exceed 38,282 unit shares,
- (h) an unregulated river (C Class) access licence being amended to nominate a water supply work located in River Section 2, if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 2 to exceed 114,197 unit shares,
- (i) an unregulated river (A Class) access licence being amended to nominate a water supply work located in River Section 3, if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in River Section 3 to exceed 13,515 unit shares,
- (j) an unregulated river (B Class) access licence being amended to nominate a water supply work located in River Section 3, if it would cause the sum of the share components of all unregulated river (B Class) access licences that nominate water supply works located in River Section 3 to exceed 126,019 unit shares,
- (k) an unregulated river (C Class) access licence being amended to nominate a water supply work located in River Section 3, if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 3 to exceed 34,344 unit shares,
- (l) an unregulated river (A Class) access licence being amended to nominate a water supply work located in River Section 4, if it would cause the sum of the share components of all unregulated river (A Class) access licences that nominate water supply works located in iver Section 4 to exceed 5,860 unit shares,

- (m) an unregulated river (B Class) access licence being amended to nominate a water supply work located in River Section 4, if it would cause the sum of the share components of all unregulated river (B Class) access licences that nominate water supply works located in River Section 4 to exceed 38,246 unit shares,
- (n) an unregulated river (C Class) access licence being amended to nominate a water supply work located in River Section 4, if it would cause the sum of the share components of all unregulated river (C Class) access licences that nominate water supply works located in River Section 4 to exceed 44,720 unit shares, or
- (o) an unregulated river (C Class) access licence that arose from the *Water Act 1912* entitlement 85SL105068 at 4 October 2012 being amended to nominate a water supply work that is not located on Collymongle lagoon,
- (p) an access licence being amended to nominate a water supply work—
 - (i) within, or within 3km upstream of, a declared Ramsar wetland, or
 - (ii) within a sign WSP prescribed wetland,unless the access licence being amended nominates a water supply work—
 - (iii) within, or within 3km upstream of, the same declared Ramsar wetland, or
 - (iv) within the same WSP prescribed wetland,and, in the Minister's opinion there will be no more than minimal harm to the wetland concerned.
- (q) an access licence that does not nominate a water supply work located—
 - (i) within a natural pool, lagoon or lake that is not within a river or stream (regardless of size),
 - (ii) on a flood-runner or floodplain, or
 - (iii) on an effluent,being amended to nominate a water supply work in one of those locations,
- (r) a floodplain harvesting (unregulated river) access licence being amended to nominate a water supply work located—
 - (i) outside a property that is not wholly or partially located within the Barwon-Darling Valley Floodplain, unless the work was nominated by the licence when the licence was first issued, or
 - (ii) within Barwon-Darling Management Zone A, Barwon-Darling Management Zone D, Lower Namoi Management Zone AD or Lower Namoi Management Zone D, unless the work was nominated by the licence when the licence was first issued, or
 - (iii) in a different river section to the river section specified in the share component of the licence.

Note—The *Access Licence Dealing Principles Order 2004*, clause 20, and the *Water Management (General) Regulation 2018*, clause 12, regulate dealings under the Act, section 71W, including with respect to amending an access licence to nominate works in another water source or location.

Part 9 Mandatory conditions—the Act, s 17(c)

Division 1 General

47 Definitions

In this Part—

Logbook means a written record kept in hard copy or electronic form.

water account debit means a water allocation that is taken, assigned under the Act, section 71T or 71V, or otherwise debited or withdrawn from a water allocation account.

Division 2 Access licences

48 General conditions

- (1) Each access licence must be subject to the following mandatory conditions—
 - (a) the water taken under an access licence must not be more than—
 - (i) for all access licences—the maximum water account debit permitted under section 29, and
 - (ii) for an access licence with an IDEC—the maximum volume of water that may be taken on any day under section 29B,
 - (b) the relevant access rules for the taking of water specified in Part 6, Division 4,
 - (c) unless otherwise specified, any written notice required to be given to the Minister must be sent to the email address for enquiries specified on the Department's website,
 - (d) before water is taken under an access licence, the licence holder must confirm a cease-to-take condition does not apply,
 - (e) other conditions required to implement the provisions of this Plan, including a condition requiring compliance with section 49.
- (2) Each floodplain harvesting (unregulated river) access licence must be subject to a mandatory condition that water may only be taken from the following—
 - (a) overland flow water within the Barwon-Darling Valley Floodplain,
 - (b) overland flow water within the Lower Namoi Valley Floodplain but only if taken from a property that is partially located within both the Barwon-Darling Valley Floodplain and the Lower Namoi Valley Floodplain,
 - (c) an off-river pool in the water source specified on the water supply work approval nominated by the licence.

49 Record-keeping conditions

The licence holder must keep any information required to be recorded in a Logbook prior to application of the mandatory metering equipment condition for 5 years from the date to which that information relates.

Division 3 Water supply work approvals

50 General conditions

- (1) Each water supply work approval must be subject to the following mandatory conditions—

- (a) unless otherwise specified, any written notice required to be given to the Minister must be sent to the email address for enquiries specified on the Department's website,
 - (b) if the water supply work is approved for the purpose of monitoring, an environmental remediation activity or emergency services—the work must be used only for that purpose,
 - (c) before a water supply work is used to take water, the approval holder must confirm a cease-to-take condition does not apply,
 - (d) the water supply work must not be used to take water under an access licence unless in accordance with the relevant access rules for the taking of water specified in Part 6, Division 4,
 - (e) other conditions required to implement the provisions of this Plan, including conditions requiring compliance with section 51.
- (2) A water supply work approval for a runoff harvesting dam or an in-river dam must be subject to a mandatory condition that requires the approval holder 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 component arising from—
- (a) a dealing under the Act, section 71Q or 71W,
 - (b) the surrender of an access licence and then the subsequent cancellation of that access licence under the Act, section 77A,
 - (c) the amendment of the share component of an access licence by the Minister under the Act, section 68A, 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.

51 Record-keeping conditions

- (1) This section does not apply to a water supply work approval if the work is used only for the purpose of taking water under basic landholder rights.
- (2) The approval holder must keep any information required to be recorded in a Logbook prior to application of the mandatory metering equipment condition for 5 years from the date to which that information relates.

Part 10 Amendment of this Plan—the Act, s 17(d)

52 Amendments

- (1) This Plan may be amended as follows—
 - (a) to extend the application of this Plan to a water source or water management area, or to modify or remove a water source or water management area to which this Plan applies,
 - (b) to add, remove or modify—
 - (i) a management zone, including the water sources to which a management zone applies and the boundaries of the zone, or
 - (ii) a river section, including the water sources or management zones to which the river section applies and the boundaries of the section,
 - (c) to add, remove or modify the access rules that apply to the take of water from in-river pools, off-river pools and in-river dam pools,
 - (d) to add or modify flow classes, flow reference points and surface water access rules in response to changes in water availability by amending Part 6, Divisions 2–4 and Schedule 2,
 - (e) to add or modify provisions relating to the following—
 - (i) the interception of water before it reaches a stream or aquifer by plantations or other means,
 - (ii) the management of aquifer interference activities, including the granting of aquifer interference approvals,
 - (iii) stormwater harvesting,
 - (iv) total daily extraction limits,
 - (v) individual daily extraction components,
 - (vi) floodplain harvesting (unregulated river) access licences,
 - (vii) the facilitation of active management to share flows,
 - (viii) the taking of water after the resumption of flows following a dry period,
 - (f) to protect water-dependent Aboriginal cultural assets, including as follows—
 - (i) by identifying water-dependent Aboriginal cultural assets,
 - (ii) by establishing new flow classes or access rules,
 - (iii) by restricting the construction and use of water supply works,
 - (iv) by establishing new access licence dealing rules,
 - (g) to give effect to, or in connection with, a determination of native title under the *Native Title Act 1993* of the Commonwealth,
 - (h) to add, modify or remove a definition,
 - (i) to modify Schedule 3, 4 or 5 to add or remove an access licence,
 - (j) to add or modify flow classes, flow reference points and surface water access rules for the Boorooma to Brewarrina Management Zone in the water source following a study that shows to the satisfaction of the Minister that the current access rules are having an adverse impact on the Aboriginal cultural value of the fish traps at Brewarrina, provided that—

- (i) such amendments do not apply to domestic and stock access licences and local water utility access licences, and
 - (ii) the Minister has consulted with relevant Government agencies and stakeholders,
 - (k) to add or modify flow classes, flow reference points and surface water access rules for any management zone in the water source following a study that shows to the satisfaction of the Minister that the current access rules are having an adverse impact on an endangered aquatic ecological community in the water source, or an individual listed threatened fish species within that community, provided that—
 - (i) such amendments do not apply to domestic and stock access licences and local water utility access licences, and
 - (ii) the Minister has consulted with relevant Government agencies and stakeholders,
 - (l) to modify access rules that apply to supplementary water (Aboriginal environmental) access licences,
 - (m) to give effect to the review described in subsection (3),
 - (n) to change the volume of water in Menindee Lakes Storage specified in section 34B(3), following the replacement of the *Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Source 2016* if there is a change in the Menindee storage volume requirements to protect the Lower Darling water sources and their dependent ecosystems,
 - (o) to make amendments consequential on an amendment to the Act or regulations.
- (2) This Plan may be amended to make consequential amendments necessary to give effect to an amendment authorised by subsection (1).
- (3) By 31 December 2025, the Minister is to review the following—
- (a) resumption of flow rules in section 32A,
 - (b) the restrictions on the take of overland flow in section,
 - (c) the flow classes in Schedule 2, Table A,
- for the purpose of improving connectivity between water sources and plan areas to protect water dependant ecosystems, considering the recommendations of the Connectivity Expert Panel.

Schedule 1 Sections of watercourses included in the water source

section 3

Barwon River	The section from the Mungindi Weir (end of Border Rivers Regulated River water source) to the junction with Culgoa River (formation of Darling, SW corner of Lot 3327, DP 765583)
Darling River	The section from the junction of Culgoa and Barwon Rivers (SW corner of Lot 3327, DP 765583) downstream to a point adjacent to "Billila Homestead" on Lot 3671, DP766053, County of Livingstone (grid ref. YKD35760 Wilcannina 1:100,000) (start of Darling Regulated River)
Briery Anabranh	The section from the junction with Barwon River (NW corner of Lot 8, DP 751619) to the junction with the unregulated Macquarie River (NE corner of Lot 19, DP 42179)
Collymungle Lagoon	The section from the junction with Gnungarah Creek (SE corner of Lot 32, DP 750445) to the junction with the unregulated Gwydir River (NE corner of Lot 4, DP 1192025)
Dead Horse Creek	The section from the junction with Darling River to the border of Lot 6659, DP820415 and Lot 6657, DP 820416
Gnurdarah Creek	The section from the junction with Barwon River (northern most point of Lot 61, DP 727897) to the junction with Collymungle Lagoon (SE corner of Lot 32, DP 750445)
Gwydir River	The section from the junction with Collymungle Lagoon (NE corner of Lot 4, DP 1192025) to the junction with Balonne River.
Kiar Lagoon	The section from the upstream junction with Barwon River (within Lot 18, DP 752725) to the downstream junction with Barwon River (within Lot 18, DP 752725) Little Weir River The section from the junction with Barwon River to the Queensland Border
Orange Tree Lagoon	The section from the upstream junction with Darling River (within Lot 6683, DP 820484) to the downstream junction with Darling River (within Lot 6683, DP 820484)
Ross Billabong	The section from the junction with Darling River (within Lot 5185, DP 720967) to Peebles Dam diversion bank
Talyawalka Creek	The section from the downstream junction with Darling River (near western corner of Lot 4, DP 1092567) to the crossing with Toorale Rd (SE boundary of Lot 5758, DP 768658)
Pagan Creek	The section from the junction with Barwon River (most Northern point of Lot 7004, DP 1058926) to the junction with Thalaba Creek

Thalaba Creek	The section from the junction with Pagan Creek to the junction with the second crossing with a public road within Lot 22, DP 1153722, between Ivanhoe crossing Rd and Mercadool Rd
The Big Billabong	The section from the upstream junction with the Darling River (near Culgoa St) to the downstream junction with Darling River (within Lot 20, DP 753574)
Unnamed water courses	The section within Lot 6232, DP 769084, Parish of Werribilla, County of Finch
Unnamed water courses	The section within Lot 65, DP 827166 and Lot 20, DP 750445, Parish of Collymongle, County of Benarba
Unnamed water courses	The section within Lot 35, DP 752697, Parish of Gingie, County of Finch
Unnamed water courses	The section within Lot 6218, DP 769070, Parish of Townday, County of Finch
Unnamed water courses	The section within Lot 3990, DP 766463, Parish of Mohenia, County of Narran
Unnamed water courses	The section within Lot 25, DP 752745, Parish of Scott, County of Finch
Unnamed water courses	The section within Lot 1, DP 751597, Parish of Stonehenge, County of Clyde
Unnamed water courses	The section within Lot 6360, DP 769254, Parish of Euminbah, County of Finch
Unnamed water courses	The section within Lot 6709, DP 822028, Parish of Pera, County of Gunderbooka
Unnamed water courses	The section within Lot 2789, DP 764923, Parish of Milrea, County of Finch
Unnamed water courses	The section within Lots 2 and 31, DP 752725, Parish of Milrea, County of Finch
Unnamed water courses	The section within crown land adjacent to Lot 2, DP 752725 and Lot 2789, DP 764923, Parish of Milrea, County of Finch
Unnamed water courses	The section within Lots 20, 53, 54 and 60, DP 752263, Parish of Pokataroo, County of Denham
Unnamed water courses	The section within Lot 50, DP 1112131, Lot 13,5 DP 751848 and Lot 6568, DP 768113, Parish of Bourke, County of Cowper
Unnamed water courses	The section within Lot 6927, DP 1032628, Parish of Banga, County of Cowper
Unnamed water courses	The section within Lot 9, DP 753545, Parish of Boyong, County of Gunderbooka

Unnamed water courses	The section within Lot 6, DP 753545 and Lot 8, DP 815343, Parish of Boyong, County of Gunderbooka
Unnamed water courses	The section within Lot 5159, DP 720987, Parish of Nil, County of Gunderbooka
Unnamed water courses	The section within Lots 33 and 32, DP 750435, Parish of Bucknel, County of Benarba

Schedule 2 Flow classes and thresholds

sections 31 and 34A (2012 Plan, clause 49A, Table B & clause 44, Table A)

TABLE A

Column 1 Management Zone	Column 2 Flow class	Column 3 Flow class thresholds (ML/day) as at 9:00 am	Column 4 Flow reference point
Mungindi to Boomi River Confluence Management Zone	No Flow Class	0 ML/day at Mungindi gauge and more than 0 ML/day at Presbury gauge	Barwon River at Mungindi gauge (416001) and Barwon River upstream of Presbury Weir gauge (416050)
	Low Flow Class	1. More than 0 ML/day at Mungindi gauge and more than 0 ML/day at Presbury gauge, and 2. Less than or equal to 198 ML/day at Mungindi gauge or less than or equal to 176 ML/day at Presbury gauge	
	A Class	1. More than 198 ML/day at Mungindi gauge and more than 176 ML/day at Presbury gauge, and 2. Less than or equal to 270 ML/day at Presbury gauge	
	B Class	1. Equal to or more than 230 ML/day at Mungindi gauge and equal to or more than 270 ML/day at Presbury gauge, and 2. Less than or equal to 1,500 ML/day at Presbury gauge	
	C Class	Equal to or more than 230 ML/day at Mungindi gauge and more than 1,500 ML/day at Presbury gauge	
Boomi River Confluence to Upstream Mogil Mogil Weir Pool Management Zone	No Flow Class	0 ML/day at Presbury gauge or 0 ML/day at Mogil Mogil gauge	Barwon River upstream of Presbury Weir gauge (416050) and Barwon River at Mogil Mogil gauge (422004)
	Low Flow Class	1. More than 0 ML/day at Presbury	

Mogil Mogil Weir Pool Management Zone		gauge and more than 0 ML/day at Mogil Mogil gauge, and	
		2. Less than or equal to 176 ML/day at Presbury gauge or less than or equal to 220 ML/day at Mogil Mogil gauge	
	A Class	1. More than 176 ML/day at Presbury gauge and more than 220 ML/day at Mogil Mogil, and	
		2. Less than or equal to 270 ML/day at Presbury gauge or less than or equal to 230 ML/day at Mogil Mogil gauge	
	B Class	1. Equal to or more than 270 ML/day at Presbury gauge and more than 230 ML/day at Mogil Mogil gauge, and	
		2. Less than or equal to 1,800 ML/day at Mogil Mogil gauge	
	C Class	More than 270 ML/day at Presbury gauge and more than 1,800 ML/day at Mogil Mogil gauge	
Mogil Mogil Weir Pool Management Zone	No Flow Class	0 ML/day	Barwon River at Mogil Mogil gauge (422004)
	Low Flow Class	More than 0 ML/day and less than or equal to 220 ML/day	
	A Class	More than 220 ML/day and less than or equal to 570 ML/day	
	B Class	More than 570 ML/day and less than or equal to 1,800 ML/day	
	C Class	More than 1,800 ML/day	
Downstream Mogil Mogil to Collarenebri Management Zone	No Flow Class	0 ML/day at Mogil Mogil gauge or 0 ML/day at Collarenebri gauge	Barwon River at Mogil Mogil (422004) and Barwon River at Collarenebri Main Channel gauge (422003)
	Low Flow Class	1. More than 0 ML/day at Mogil Mogil gauge and more than 0 ML/day	

		at Collarenebri gauge, and	
		2. Less than or equal to 220 ML/day at Mogil Mogil gauge or less than or equal to 317 ML/day at Collarenebri gauge	
	A Class	1. More than 220 ML/day at Mogil Mogil gauge and more than 317 ML/day at Collarenebri gauge, and	
		2. Less than or equal to 570 ML/day at Mogil Mogil gauge or less than or equal to 500 ML/day at Collarenebri gauge	
	B Class	1. More than 570 ML/day at Mogil Mogil gauge and more than 500 ML/day at Collarenebri gauge, and	
		2. Less than or equal to 2,900 ML/day at Collarenebri gauge	
	C Class	More than 570 ML/day at Mogil Mogil gauge and more than 2,900 ML/day at Collarenebri gauge	
Collarenebri to Upstream Walgett Weir Pool Management Zone	No Flow Class	0 ML/day at Collarenebri gauge (422003) or 0 ML/day at Caloola gauge (422035)	Barwon River at Collarenebri Main Channel gauge (422003) and Barwon River at Caloola gauge (422035)
	Low Flow Class	1. More than 0 ML/day at Collarenebri) gauge and more than 0 ML/day at Caloola gauge (422035), and	
		2. Less than or equal to 317 ML/day at Collarenebri gauge or less than or equal to 275 ML/day at Caloola gauge (422035)	
	A Class	1. More than 317 ML/day at Collarenebri gauge and more than 275 ML/day at Caloola gauge (422035), and	

		2. Less than or equal to 500 ML/day at Collarenebri gauge or less than or equal to 430 ML/day at Caloola gauge (422035)	
	B Class	1. More than 500 ML/day at Collarenebri gauge and more than 430 ML/day at Caloola gauge (422035), and	
		2. Less than or equal to 3,050 ML/day at Caloola gauge	
	C Class	More than 500 ML/day at Collarenebri gauge and more than 3,050 ML/day at Caloola gauge (422035)	
Walgett Weir Pool Management Zone	No Flow Class	0 ML/day	Barwon River at Dangar Bridge gauge (422001)
	Low Flow Class	More than 0 ML/day and less than or equal to 600 ML/day or less	
	A Class	More than 600 ML/day and less than or equal to 900 ML/day	
	B Class	More than 900 ML/day and less than or equal to 5,650 ML/day	
	C Class	More than 5,650 ML/day	
Downstream Walgett to Boorooma Management Zone	No Flow Class	0 ML/day at Dangar Bridge gauge or 0 ML/day at Boorooma gauge	Barwon River at Dangar Bridge gauge (422001) and Barwon River at Boorooma gauge (422026)
	Low Flow Class	1. More than 0 ML/day at Dangar Bridge gauge and more than 0 ML/day at Boorooma gauge, and	
		2. Less than or equal to 600 ML/day at Dangar Bridge gauge or less than or equal to 400 ML/day at Boorooma gauge	
	A Class	1. More than 600 ML/day at Dangar Bridge gauge and more than 400 ML/day at Boorooma gauge, and	

Boorooma to Brewarrina Management Zone	B Class	2. Less than or equal to 900 ML/day at Dangar Bridge gauge or less than or equal to 870 ML/day at Boorooma gauge	Barwon River at Geera gauge (422027) and Barwon River at Brewarrina gauge (422002)
		1. More than 900 ML/day at Dangar Bridge gauge and more than 870 ML/day at Boorooma gauge, and	
		2. Less than or equal to 5,500 ML/day at Boorooma gauge	
	C Class	More than 900 ML/day at Dangar Bridge gauge and more than 5,500 ML/day at Boorooma gauge	
	No Flow Class	0 ML/day at Geera gauge or 0 ML/day at Brewarrina gauge	
	Low Flow Class	1. More than 0 ML/day at Geera gauge and more than 0 ML/day at Brewarrina gauge, and	
		2. Less than or equal to 496 ML/day at Geera gauge and equal to or more than 550 ML/day at Brewarrina gauge	
	A Class	1. More than 496 ML/day at Geera gauge and more than 550 ML/day at Brewarrina gauge, and	
	B Class	2. Less than or equal to 870 ML/day at Geera gauge or less than or equal to 840 ML/day at Brewarrina gauge	
		1. More than 870 ML/day at Geera gauge and more than 840 ML/day at Brewarrina gauge, and	
		2. Less than or equal to 6,800 ML/day at Brewarrina gauge	
	C Class	More than 870 ML/day at Geera gauge and more	

		than 6,800 ML/day at Brewarrina gauge	
Brewarrina to Culgoa River Junction Management Zone	No Flow Class	0 ML/day at Brewarrina gauge or 0 ML/day at Beemery gauge	Barwon River at Brewarrina gauge (422002) and Barwon River at Beemery gauge (422028)
	Low Flow Class	1. More than 0 ML/day at Brewarrina gauge and more than 0 ML/day at Beemery gauge, and 2. Less than or equal to 550 ML/day at Brewarrina gauge or less than or equal to 570 ML/day at Beemery gauge	
	A Class	1. More than 550 ML/day at Brewarrina gauge and more than 570 ML/day at Beemery gauge, and 2. Less than or equal to 840 ML/day at Brewarrina gauge or less than or equal to 760 ML/day at Beemery gauge	
	B Class	1. More than 840 ML/day at Brewarrina gauge and more than 760 ML/day at Beemery gauge, and 2. Less than or equal to 8,250 ML/day at Beemery gauge	
	C Class	More than 840 ML/day at Brewarrina gauge and more than 8,250 ML/day at Beemery gauge	
Culgoa River Junction to Bourke Management Zone	No Flow Class	0 ML/day at Warraweena gauge or 0 ML/day at Bourke Town gauge	Darling River at Warraweena gauge (425039) and Darling River at Bourke Town gauge (425003)
	Low Flow Class	1. More than 0 ML/day at Warraweena gauge and more than 0 ML/day at Bourke Town gauge, and	

Bourke to Louth Management Zone	A Class	2. Less than or equal to 645 ML/day at Warraweena gauge or less than or equal to 605 ML/day at Bourke Town gauge 1. More than 645 ML/day at Warraweena gauge and more than 605 ML/day at Bourke Town gauge, and	
	B Class	2. Less than or equal to 1,330 ML/day at Warraweena gauge or less than or equal to 1,250 ML/day at Bourke Town gauge 1. More than 1,330 ML/day at Warraweena gauge and more than 1,250 ML/day at Bourke Town gauge, and	
	C Class	2. Less than or equal to 11,000 ML/day at Bourke Town gauge More than 1,330 ML/day at Warraweena gauge and more than 11,000 ML/day at Bourke Town gauge	
	No Flow Class	0 ML/day at Bourke Town gauge or 0 ML/day at Louth gauge	Darling River at Bourke Town gauge (425003) and Darling River at Louth gauge (425004)
	Low Flow Class	1. More than 0 ML/day at Bourke Town gauge and more than 0 ML/day at Louth gauge, and 2. Less than or equal to 605 ML/day at Bourke Town gauge or less than or equal to 555 ML/day at Louth gauge	
	A Class	1. More than 605 ML/day at Bourke Town gauge and more than 555 ML/day at Louth gauge, and 2. Less than or equal to 1,250 ML/day at Bourke Town gauge or less than	

Louth to Tilpa Management Zone		or equal to 1,130 ML/day at Louth gauge	
	B Class	1. More than 1,250 ML/day at Bourke Town gauge and more than 1,130 ML/day at Louth gauge, and	
		2. Less than or equal to 11,150 ML/ day at Louth gauge	
	C Class	More than 1,250 ML/day at Bourke Town gauge and more than 11,150 ML/ day at Louth gauge	
	No Flow Class	0 ML/day at Louth gauge or 0 ML/day at Tilpa gauge	Darling River at Louth gauge (425004) and Darling River at Tilpa gauge (425900)
	Low Flow Class	1. More than 0 ML/day at Louth gauge and more than 0 ML/day at Tilpa gauge, and	
		2. Less than or equal to 555 ML/day at Louth gauge or less than or equal to 505 ML/day at Tilpa gauge	
	A Class	1. More than 555 ML/day at Louth gauge and more than 505 ML/day at Tilpa gauge, and	
		2. Less than or equal to 1,130 ML/day at Louth gauge or less than or equal to 1,010 ML/day at Tilpa gauge	
	B Class	1. More than 1,130 ML/day at Louth gauge and more than 1,010 ML/ day at Tilpa gauge, and	
		2. Less than or equal to 11,000 ML/ day at Tilpa gauge	
	C Class	More than 1,130 ML/day at Louth gauge and more than 11,000 ML/day at Tilpa gauge	

Tilpa to Wilcannia Management Zone	No Flow Class	0 ML/day at Tilpa gauge or 0 ML/day at Wilcannia gauge	Darling River at Tilpa gauge (425900) and Darling River at Wilcannia Main Channel gauge (425008)
	Low Flow Class	1. More than 0 ML/day at Tilpa gauge and more than 0 ML/day at Wilcannia gauge, and 2. Less than or equal to 505 ML/day at Tilpa gauge or less than or equal to 455 ML/day at Wilcannia gauge	
	A Class	1. More than 505 ML/day at Tilpa gauge and more than 455 ML/day at Wilcannia gauge, and 2. Less than or equal to 1,010 ML/day at Tilpa gauge or less than or equal to 850 ML/day at Wilcannia gauge	
	B Class	1. More than 1,010 ML/day at Tilpa gauge and more than 850 ML/day at Wilcannia gauge, and 2. Less than or equal to 12,000 ML/ day at Wilcannia gauge	
	C Class	More than 1,010 ML/day at Tilpa gauge and more than 12,000 ML/day at Wilcannia gauge	
Wilcannia to Upstream Lake Wetherell Management Zone	No Flow Class	0 ML/day	Darling River at Wilcannia Main Channel gauge (425008)
	Low Flow Class	More than 0 ML/day and less than or equal to 455 ML/day	
	A Class	More than 455 ML/day and less than or equal to 850 ML/day	
	B Class	More than 850 ML/day and less than or equal to 12,000 ML/day	
	C Class	More than 12,000 ML/day	

TABLE B

Flow thresholds for supplementary water (Aboriginal environmental) access licences

Column 1 Management Zone	Column 2 Flow threshold (ML/day)	Column 3 Flow reference point
Mungindi to Boomi River Confluence Management Zone	197	Barwon River upstream of Presbury Weir gauge (416050)
Boomi River Confluence to Upstream Mogil Mogil Weir Pool Management Zone	273	Barwon River at Mogil Mogil Gauge (422004)
Mogil Mogil Weir Pool Management Zone	273	Barwon River at Mogil Mogil gauge (422004)
Downstream Mogil Mogil to Collarenebri Management Zone	435	Barwon River at Collarenebri Main Channel gauge (422003)
Collarenebri to Upstream Walgett Weir Pool Management Zone	440	Barwon River at Caloola gauge (422035)
Walgett Weir Pool Management Zone	761	Barwon River at Dangar Bridge gauge (422001)
Downstream Walgett to Boorooma Management Zone	756	Barwon River at Boorooma gauge (422026)
Boorooma to Brewarrina Management Zone	916	Barwon River at Brewarrina gauge (422002)
Brewarrina to Culgoa River Junction Management Zone	958	Barwon River at Beemery gauge (422028)
Culgoa River Junction to Bourke Management Zone	1,339	Darling River at Bourke Town gauge (425003)
Bourke to Louth Management Zone	1,180	Darling River at Louth gauge (425004)
Louth to Tilpa Management Zone	1,074	Darling River at Tilpa gauge (425900)
Tilpa to Wilcannia Management Zone	942	Darling River at Wilcannia Main Channel gauge (425008)
Wilcannia to Upstream Lake Wetherell Management Zone	942	Darling River at Wilcannia Main Channel gauge (425008)

Public exhibition

Schedule 3 Access licences temporarily exempt from section 29(3)

section 29(3)

Table 1

Column 1	Column 2	Column 3	Column 4
WAL Number	Licence	Water Management Zone	Licence Category
33608	85AL753002	TILPA TO WILCANNIA MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33620	85AL753334	COLLARENEBRI TO UPSTREAM WALGETT WEIR POOL MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33624	85AL752942	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33625	85AL752956	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33633	85AL753057	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33647	85AL752980	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33666	85AL753370	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33667	85AL753372	BOURKE TO LOUTH MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)
33669	85AL753320	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33670	85AL753323	BOURKE TO LOUTH MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)
33672	85AL752974	BOOROOMA TO BREWARRINA MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33673	85AL753342	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33675	85AL753006	DOWNSTREAM WALGETT TO BOOROOMA MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33676	85AL753053	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33677	85AL753059	BOURKE TO LOUTH MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33689	85AL753188	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33702	85AL752964	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)

33705	85AL752976	TILPA TO WILCANNIA MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33713	85AL753200	BOOROOMA TO BREWARRINA MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33723	85AL752928	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33724	85AL752938	BOOROOMA TO BREWARRINA MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33732	85AL753098	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33740	85AL753184	WALGETT WEIR POOL MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33748	85AL753390	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33753	85AL752984	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33759	85AL753052	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33767	85AL753178	LOUTH TO TILPA MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33770	85AL753216	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33773	85AL753321	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)
33779	85AL752996	WALGETT WEIR POOL MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
33781	85AL753020	BOOROOMA TO BREWARRINA MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
33799	85AL752930	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
35386	85AL753462	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)
35393	85AL753408	BREWARRINA TO CULGOA RIVER JUNCTION MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)
35402	85AL753405	MUNGINDI TO BOOMI RIVER CONFLUENCE MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)
35411	85AL753406	BREWARRINA TO CULGOA RIVER JUNCTION MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)
35417	85AL753409	BREWARRINA TO CULGOA RIVER JUNCTION MANAGEMENT ZONE	UNREGULATED RIVER (C CLASS)

36559	85AL753544	DOWNSTREAM WALGETT TO BOOROOMA MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
37047	85AL753615	CULGOA RIVER JUNCTION TO BOURKE MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
37353	85AL753652	BOOMI RIVER CONFLUENCE TO UPSTREAM OF MOGIL MOGIL WEIR POOL MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)
37432	85AL753658	LOUTH TO TILPA MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
37517	85AL753679	DOWNSTREAM MOGIL MOGIL TO COLLARENEBRI MANAGEMENT ZONE	UNREGULATED RIVER (A CLASS)
41463	85AL753769	MUNGINDI TO BOOMI RIVER CONFLUENCE MANAGEMENT ZONE	UNREGULATED RIVER (B CLASS)

Schedule 4 Access licences with cease to pump rules that are in addition to the flow class announcement rules

section 34(8)

TABLE A: Access licences with cease to pump rules that are in addition to the flow class announcement rules

Column 1 <i>Water Management Act 2000</i> water access licence	Column 2 Access rule	Column 3 Management zone
33670	Water must not be taken when the flow in the Darling River at the Louth gauge (425004) is equal to or less than 1,339 ML/day	Bourke to Louth Management Zone
35432	Water must not be taken when the flow in the Darling River at Bourke Town gauge (425003) is equal to or less than 11,000 ML/day	Downstream Walgett to Boorooma Management Zone
35402	Water must not be taken when the flow in the Barwon River at the Presbury Weir gauge (416050) is equal to or less than 1,500 ML/day	Mungindi to Boomi River Confluence Management Zone
33667	(1) Subject to subclause (2), water must not be taken when the flow in the Darling River at Bourke Town gauge (425003) is equal to or less than 1,610 ML/day. (2) Notwithstanding subclause (1), when the flow in the Darling River at Bourke Town gauge (425003) is more than 1,250 ML/day and less than or equal to 1,610 ML/day, application may be made in writing to the Minister for permission to take water for the irrigation of an area equal to or less than 1,000 hectares on properties: Lot 4914 Plan 40034, Lot 5159 Plan 720987 (Western Land Lease 13652), and Lot 5183 Plan 720986 (Western Land Lease 13879) in Parish Paka and County Gunderbooka, Lot 6656 Plan 820416 (Western Land Lease 14082) in Parish Nulty and County Gunderbooka and/or Lot 7 Plan 815343 in Parish Boyong and County Gunderbooka. Permission to divert water, for limited periods, for the purpose of such irrigation is to only be granted by the Department when the quantity of water flowing in the Darling River exceeds the quantity considered by the Department to be required for all purposes. If any such application is granted in whole or in part by the Department, then the water may be	Bourke to Louth Management Zone

	taken for such period and under such conditions as specified by the Department in granting the application. The application and the granting thereof by the Department is to be in writing.	
33784	Water must not be taken by the water supply work located on the Darling River unless the water supply work on Ross Billabong is operating and the storage in Ross Billabong is not increasing	Bourke to Louth Management Zone
35411	Water must not be taken when the flow in the Darling River at Bourke Town gauge (425003) is equal to or less than 11,000 ML/day.	Brewarrina to Culgoa River Junction Management Zone
33688	Water must not be taken when the flow in the Barwon River at the Brewarrina gauge (422002) is equal to or less than 2,500 ML/day	Boorooma to Brewarrina Management Zone
33768	Water must not be taken when the flow in the Barwon River at the Brewarrina gauge (422002) is equal to or less than 2,500 ML/day	Boorooma to Brewarrina Management Zone
35393	Water must not be taken when the flow in the Darling River at Bourke Town gauge (425003) is equal to or less than 11,000 ML/day	Brewarrina to Culgoa River Junction Management Zone
35417	Water must not be taken when the flow in the Darling River at Bourke Town gauge (425003) is equal to or less than 11,000 ML/day	Brewarrina to Culgoa River Junction Management Zone
33692	Water must not be taken when the flow in the Darling River at Bourke Town gauge (425003) is equal to or less than 4,894 ML/day	Brewarrina to Culgoa River Junction Management Zone

TABLE B: Unregulated river (C Class) access licences with cease to pump rules in addition to the C Class flow announcement rule

Column 1 Water Management Act 2000 water access licence	Column 2 Access rule	Column 3 Management zone
33773	Water must not be taken under an unregulated river (C Class) access licence when the flow in the Darling River at Bourke Town gauge (425003) is equal to or less than 11,000 ML/day.	Culgoa River Junction to Bourke Management Zone
33798	Water must not be taken under an unregulated river (C Class) access licence when the flow in the Barwon River at the Collarenebri gauge (422003) is equal to or less than 1,100 ML/day	Downstream Mogil Mogil to Collarenebri Management Zone

TABLE C: Access licences with cease to pump rules in addition to the C Class flow announcement rule (section 34(8)(b) does not apply)

Column 1 <i>Water Management Act 2000</i> water access licence	Column 2 Access rule	Column 3 Management zone
36273 36274	Water must not be taken when the flow in the Barwon River at the Brewarrina gauge (422002) is equal to or less than 750 ML/day	Boorooma to Brewarrina Management Zone
33671	Water must not be taken when the flow in the Darling River at the Louth gauge (425004) is equal to or less than 1,339 ML/day	Bourke to Louth Management Zone

Schedule 5 Access licences exempt from specified access rules

Table A: Access licences exempt under section 35(2)(a)

33627

Table B: Access licences exempt for purpose of town water supply

35197

36573

35198

35195

35433

33718

35420

Schedule 6 Dictionary

section 6

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

- (d) held environmental water flowing from a water source that is upstream of the water source,
- (e) a notification by a licence holder to the Minister of the licence holder's intention to protect the water from extraction under section 29B of this Plan.

Active Management Procedures Manual means the document titled *Active Management Procedures Manual for the Barwon-Darling Unregulated Rivers Water Source* (NSW Department of Planning, Industry and Environment, November 2020) and published on the Department's website.

Barwon-Darling Management Zone A and **Barwon-Darling Management Zone D** mean the management zones of those names established by the *Floodplain Management Plan for the Barwon-Darling Floodplain 2017*, clause 5.

Barwon-Darling Valley Floodplain means the land declared as the Barwon-Darling Valley Floodplain under the *Water Management (General) Regulation 2018*, clause 252(1)(b).

Basin Plan—see section 18.

cease-to-take condition means a term or condition of an access licence or a water supply work approval that prohibits the take of water in a particular circumstance.

daily flow share means a number specified in the extraction component of an access licence as part of the IDEC.

declared Ramsar wetland has the same meaning as in the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth.

extraction management unit means an extraction management unit established under section 5.

flood-runner means a stream or part of a stream that only flows during a flood.

former entitlement has the same meaning as in the Act, Schedule 10, clause 2.

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

held environmental water means water available under an access licence that—

- (a) is an environmental water subcategory,
- (b) has a non-statutory environmental purpose agreed between the Department and the holder of the access licence,
- (c) is subject to an adaptive environmental water condition imposed under the *Water Management Act 2000* sections 8B, 8C, 8D or 62B, or
- (d) is of a class prescribed by the regulations for environmental purposes.

IDEC means individual daily extraction component.

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

in-river dam pool means the water impounded by an in-river dam, but does not include water in an in-river pool.

in-river pool means a natural pool, lagoon or lake within a river or stream, but does not include—

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

kl/day means kilolitres per day.

Logbook—see section 47.

Lower Namoi Management Zone AD and **Lower Namoi Management Zone D** mean the management zones of those names established by the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020*, clause 5.

Lower Namoi Valley Floodplain means the land declared as the Lower Namoi Valley Floodplain under the *Water Management (General) Regulation 2018*, clause 252(1)(d).

LTAAEL—see section 18.

mandatory metering equipment condition has the same meaning as in the *Water Management (General) Regulation 2018*, clause 228.

ML/unit share means megalitres per unit share.

ML/day means megalitres per day.

ML/year means megalitres per year.

off-river pool means a natural pool, lagoon or lake that is not within a river or stream, regardless of stream size, and located on—

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

Plan Map means the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2025 Plan Map* [version number to be added].

Note— The Plan Map is available on the Department's website.

planning approval means—

- (a) a development consent under the *Environmental Planning and Assessment Act 1979*, Part 4,
- (b) a State significant infrastructure approval under that Act, Part 5.2, or
- (c) a transitional Part 3A project approval under that Act, Schedule 6A.

Note— The *Environmental Planning and Assessment Act 1979*, Schedule 6A has been transferred to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

plantation forestry—see section 18.

reduced available water determination—see section 18.

runoff harvesting dam means a dam on a hillside or minor stream which collects and stores rainfall runoff.

Note— Minor stream is defined in the *Water Management (General) Regulation 2018*, clause 3.

SDL—see section 18.

surface water means all water naturally occurring on the surface of the land, including all rivers, lakes and wetlands, within the boundaries of the water sources shown on the Plan Map.

the Act means the *Water Management Act 2000*.

the water source—see section 3.

third or higher order stream means a stream identified as a third or higher order stream, as determined in accordance with the system set out in the *Water Management (General) Regulation 2018*, Schedule 2.

visible flow means the continuous perceptible downstream movement of water.

water account debit—see section 47.

Water Act 1912 entitlement has the same meaning as *entitlement* in the Act, Schedule 10, clause 2.

water year means a period of 1 year commencing on 1 July.

WSP prescribed wetland means a wetland shown on the WSP Prescribed Wetlands Map.

WSP Prescribed Wetlands Map means the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2025 WSP Prescribed Wetlands Map* ([reference to be added])

Note— The WSP Prescribed Wetlands Map is available on the Department's website.