



New South Wales

Water Sharing Plan for the Lachlan Unregulated River Water Sources 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 Lachlan Unregulated River Water Sources 2025.... 5

Part 1	Introduction	5
1	Name of Plan	5
2	Commencement	5
3	Water sources to which Plan applies	5
4	Management zones and trading zone to which Plan applies	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.....	11
Division 2	Requirements for water for extraction under access licences.....	11
15	Share components of access licences in the water sources—the Act, s 20(1)(c).....	11
Part 4	Limits to the availability of water.....	14
Division 1	Available water determinations—the Act, s 20(2)(b)	14
16	Available water determinations	14
Division 2	Extraction limits—the Act, s 20(1)(a) and s 20(1)(e)	14
Subdivision 1	Preliminary	14
17	Operation of Division—the Act, s 8	14
18	Definitions	14
Subdivision 2	LTAAEL and SDL	15
19	Establishment of LTAAEL.....	15
20	Calculation of annual extraction	17
21	Assessment of compliance with LTAAEL	17
22	Establishment of SDL	17
23	Calculation of annual permitted take and annual actual take.....	17
24	Assessment of compliance with SDL	17
25	Compliance with LTAAEL and SDL.....	17
Part 5	Rules for granting and managing access licences—the Act, s 20(2)(b)	19
26	Specific purpose access licences.....	19
27	Management of access licences	19
Part 6	Operation of water allocation accounts and managing access	

licences 21

Division 1 Preliminary.....	21
28 Operation of Part—the Act, s 8	21
Division 2 Operation of water allocation accounts—the Act, s 21(c)	21
29 Water allocation account debiting	21
30 Carryover of water remaining in water allocation account	21
Division 3 Flow classes	22
31 Flow classes for specified water sources and management zones—the Act, s 21(a)	22
32 Minister may determine flow classes in certain circumstances	22
Division 4 Access rules for take of surface water—the Act, s 20(1)(a) and s 21(a) 22	
33 General	22
34 Specific access rules	23
34A Access rules for access licences on Booberoi Creek	24
34B Access rules for access licences in the Unregulated Effluent Creeks Water Source	25
35 Exceptions	26

Part 7 Construction and use of water supply works—the Act, s 21(b) 28

36 Application of Part	28
37 In-river dams	28
38 Wetlands	29
38A Additional prohibitions on construction of certain water supply works	29

Part 8 Access licence dealing rules—the Act, s 20(1)(d)..... 30

39 Conversion of access licence to new category dealings	30
40 Assignment of rights dealings	30
41 Amendment of share component dealings—change of water source	32
42 Amendment of extraction component dealings	33
43 Assignment of water allocations dealings	33
44 Interstate access licence transfer prohibited	36
45 Interstate assignment of water allocations dealings prohibited	36
46 Nominations of water supply works dealings	36

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 Flow classes

Schedule 2 Access licences exempt from specified access rules

Schedule 3 Access licences and approvals subject to cease-to-take condition of a former entitlement.....	44
Schedule 4 Access licences under which water may be taken from Booberoi Creek and the Unregulated Effluent Creeks Water Source	48
Schedule 5 Dictionary	49

Water Sharing Plan for the Lachlan Unregulated River Water Sources 2025

under the

Water Management Act 2000

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 Lachlan Water Management Area and of the Lachlan River also known as the Kalari and within the Murrumbidgee Water Management Area.

1 Name of Plan

This Plan is the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2025*.

2 Commencement

This Plan commences on 1 July 2025.

3 Water sources to which Plan applies

- (1) This Plan applies to the following water sources (**the water sources**) identified on the Plan Map, being water sources within the Lachlan Water Management Area and Murrumbidgee Water Management Area—

- (a) Abercrombie River above Wyangala Water Source,
- (b) Belubula River above Carcoar Dam Water Source,
- (c) Belubula Tributaries below Carcoar Dam Water Source,
- (d) Bogandillon and Manna Creeks Water Source,
- (e) Boorowa River and Hovells Creek Water Source,
- (f) Burrangong Creek Water Source,
- (g) Crookwell River Water Source,
- (h) Crowther Creek Water Source,
- (i) Goobang and Billabong Creeks Water Source,
- (j) Goonigal and Kangaroo Creek Water Source,
- (k) Gunningbland and Yarrabandai Water Source,
- (l) Humbug Creek Water Source,
- (m) Lachlan River above Reids Flat Water Source,
- (n) Lake Forbes and Back Yamma Creek Water Source,
- (o) Mandagery Creek Water Source,
- (p) Mid Lachlan Unregulated Water Source,
- (q) Mount Hope Area Water Source,
- (r) Naradhan Area Water Source,
- (s) Ooma Creek and Tributaries Water Source,

- (t) Tyagong Creek Water Source,
 - (u) Unregulated Effluent Creeks Water Source,
 - (v) Waugoola Creek Water Source, and
 - (w) Western Bland Creek Water Source.
- (2) Subject to subclause (3), these water sources include all water—
- (a) occurring naturally on the surface of the ground within the boundaries of these water sources as shown on the Plan Map, and
 - (b) in rivers, lakes and wetlands within the boundaries of these water sources as shown on the Plan Map.
- (3) These water sources do not include water—
- (a) contained in the Lachlan Regulated River Water Source to which the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016* applies,
 - (b) contained in the Belubula Regulated River Water Source to which the *Water Sharing Plan for the Belubula Regulated River Water Source 2025* applies.

Note— Under the Act, section 57A(4), water taken from the floodplain for a regulated river water source under a floodplain harvesting access licence is treated as having been taken from the regulated river water source.

4 Management zones and trading zone to which Plan applies

- (1) The Lower Mandagery Creek Management Zone, in the Mandagery Creek Water Source, is established as shown on the Plan Map.
- (2) The Lachlan River above Reids Flat Water Source is divided into the following management zones shown on the Plan Map—
 - (a) Narrawa Management Zone, and
 - (b) Reids Flat Management Zone.
- (3) The Mandagery Creek Trading Zone, in the Mandagery Creek Water Source, is established as shown on the Plan Map.

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

Not applicable.

6 Interpretation

- (1) The Dictionary in Schedule 5 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.
- (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 is estimated to be 7,196ML/year distributed as follows—

- (a) 889 ML/year in the Abercrombie River above Wyangala Water Source,
- (b) 103 ML/year in the Belubula River above Carcoar Dam Water Source,
- (c) 665 ML/year in the Belubula Tributaries below Carcoar Dam Water Source,
- (d) 103 ML/year in the Bogandillon and Manna Creeks Water Source,
- (e) 528 ML/year in the Boorowa River and Hovells Creek Water Source,
- (f) 247 ML/year in the Burrangong Creek Water Source,
- (g) 242 ML/year in the Crookwell River Water Source,
- (h) 508 ML/year in the Crowther Creek Water Source,
- (i) 342 ML/year in the Goobang and Billabong Creeks Water Source,
- (j) 39 ML/year in the Goonigal and Kangaroo Creek Water Source,
- (k) 157 ML/year in the Gunningbland and Yarrabandai Water Source,
- (l) 86 ML/year in the Humbug Creek Water Source,
- (m) 856 ML/year in the Lachlan River above Reids Flat Water Source,
- (n) 190 ML/year in the Lake Forbes and Back Yamma Creek Water Source,
- (o) 494 ML/year in the Mandagery Creek Water Source,
- (p) 144 ML/year in the Mid Lachlan Unregulated Water Source,
- (q) 114 ML/year in the Mount Hope Area Water Source,
- (r) 103 ML/year in the Naradhan Area Water Source,
- (s) 152 ML/year in the Ooma Creek and Tributaries Water Source,
- (t) 161 ML/year in the Tyagong Creek Water Source,
- (u) 169 ML/year in the Unregulated Effluent Creeks Water Source,
- (v) 259 ML/year in the Waugoola Creek Water Source, and
- (w) 645 ML/year in the Western Bland Creek Water Source.

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, Wangaaypuwan and Wayilwan People (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 (subcategory ‘town water supply’) access licences are estimated to be a total of 323 ML/year distributed as follows—
 - (a) 10 ML/year in the Abercrombie River above Wyangala Water Source,
 - (b) 304 ML/year in the Unregulated Effluent Creeks Water Source,
 - (c) 9 ML/year in the Western Bland Creek Water Source, and
 - (d) 0 ML/year in all other water sources.
- (2) On the commencement of this Plan, the share components of domestic and stock access licences (other than those specified in subsection (1)) are estimated to be a total of 649 ML/year distributed as follows—
 - (a) 24 ML/year in the Abercrombie River above Wyangala Water Source,
 - (b) 48 ML/year in the Belubula Tributaries below Carcoar Dam Water Source,
 - (c) 8 ML/year in the Bogandillon and Mann Creeks Water Source,
 - (d) 59 ML/year in the Burrangong Creek Water Source,
 - (e) 47 ML/year in the Burrangong Creek Water Source,
 - (f) 6 ML/year in the Crookwell River Water Source,
 - (g) 27 ML/year in the Crowther Creek Water Source,
 - (h) 18 ML/year in the Goobang and Billabong Creeks Water Source,
 - (i) 4 ML/year in the Goonigal and Kangaroo Creek Water Source,
 - (j) 12 ML/year in the Gunningbland and Yarrabandai Water Source,
 - (k) 32.5 ML/year in the Lachlan River above Reids Flat Water Source,
 - (l) 82 ML/year in the Mandagery Creek Water Source,
 - (m) 51 ML/year in the Mid Lachlan Unregulated Water Source,
 - (n) 27 ML/year in the Mount Hope Area Water Source,
 - (o) 145.5 ML/year in the Unregulated Effluent Creeks Water Source,
 - (p) 8 ML/year in the Waugoola Creek Water Source,
 - (q) 50 ML/year in the Western Bland Creek Water Source, and
 - (r) 0 ML/year in all other water sources.

- (3) On the commencement of this Plan, the share components of local water utility access licences are estimated to be a total of 5,617 ML/year distributed as follows—
- (a) 3,150 ML/year in the Belubula Tributaries below Carcoar Dam Water Source,
 - (b) 340 ML/year in the Boorowa River and Hovells Creek Water Source,
 - (c) 400 ML/year in the Crookwell River Water Source,
 - (d) 1,500 ML/year in the Goobang and Billabong Creeks Water Source,
 - (e) 2 ML/year in the Gunningbland and Yarrabandai Water Source,
 - (f) 110 ML/year in the Lachlan River above Reids Flat Water Source,
 - (g) 5 ML/year in the Mid Lachlan Unregulated Water Source,
 - (h) 100 ML/year in the Ooma Creek and Tributaries Water Source,
 - (i) 10 ML/year in the Western Bland Creek Water Source, and
 - (j) 0 ML/year in all other water sources.
- (4) On the commencement of this Plan, the share components of unregulated river access licences are estimated to be a total of 48,779.5 unit shares distributed as follows—
- (a) 969 unit shares in the Abercrombie River above Wyangala Water Source,
 - (b) 456 unit shares in the Belubula River above Carcoar Dam Water Source,
 - (c) 6,380 unit shares in the Belubula Tributaries below Carcoar Dam Water Source,
 - (d) 2,754 unit shares in the Bogandillon and Manna Creeks Water Source,
 - (e) 1,128 unit shares in the Boorowa River and Hovells Creek Water Source,
 - (f) 2,537.5 unit shares in the Burrangong Creek Water Source,
 - (g) 1,289 unit shares in the Crookwell River Water Source,
 - (h) 1,363 unit shares in the Crowther Creek Water Source,
 - (i) 2,200 unit shares in the Goobang and Billabong Creeks Water Source,
 - (j) 1,103 unit shares in the Goonigal and Kangaroo Creek Water Source,
 - (k) 219 unit shares in the Gunningbland and Yarrabandai Water Source,
 - (l) 9 unit shares in the Humbug Creek Water Source,
 - (m) 1,872 unit shares in the Lachlan River above Reids Flat Water Source,
 - (n) 170 unit shares in the Lake Forbes and Back Yamma Creek Water Source,
 - (o) 8,054 unit shares in the Mandagery Creek Water Source,
 - (p) 12,765 unit shares in the Mid Lachlan Unregulated Water Source,
 - (q) 116 unit shares in the Ooma Creek and Tributaries Water Source,
 - (r) 184 unit shares in the Tyagong Creek Water Source,
 - (s) 2,762 unit shares in the Unregulated Effluent Creeks Water Source,
 - (t) 341 unit shares in the Waugoola Creek Water Source,
 - (u) 2,108 unit shares in the Western Bland Creek Water Source, and
 - (v) 0 ML/year in all other water sources.

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—1ML/unit share of the access licence share component.
- (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.
- (3) 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—

3-year average extraction means the average of the annual extractions calculated for the most recent 3 consecutive water years for the water sources.

annual extraction means the estimated volume of water taken from the water source for the water year—

- (a) under an access licence, or
- (b) in the exercise of basic landholder rights, or
- (c) for the purposes of plantation forestry, or
- (d) for the purposes of floodplain harvesting, other than under an access licence.

average annual extraction means the average volume of water taken each year calculated over a defined period.

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

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

numeric LTAAEL means an LTAAEL expressed as a number of megalitres or gigalitres.

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 LTAAEL and SDL

19 Establishment of LTAAEL

- (1) The LTAAEL is the sum of the following within the water sources—
- (a) an estimate of the average annual extraction under entitlements under the *Water Act 1912*, Part 2 between 1 July 1993 and 30 June 1999,
 - (b) an estimate of the annual water requirements for basic landholder rights in the following water sources at the commencement of the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2012*—
 - (i) Abercrombie River above Wyangala Water Source,
 - (ii) Belubula River above Carcoar Dam Water Source,
 - (iii) Belubula Tributaries below Carcoar Dam Water Source,
 - (iv) Bogandillon and Manna Creeks Water Source,
 - (v) Boorowa River and Hovells Creek Water Source,
 - (vi) Burrangong Creek Water Source,
 - (vii) Crookwell River Water Source,
 - (viii) Crowther Creek Water Source,
 - (ix) Goobang and Billabong Creeks Water Source,
 - (x) Goonigal and Kangarooby Creeks Water Source,
 - (xi) Gunningbland and Yarrabandai Water Source,
 - (xii) Humbug Creek Water Source,
 - (xiii) Lachlan River above Reids Flat Water Source,
 - (xiv) Lake Forbes and Back Yamma Creek Source,
 - (xv) Mid Lachlan Unregulated Water Source,
 - (xvi) Mount Hope Area Water Source,
 - (xvii) Naradhan Area Water Source,
 - (xviii) Ooma Creek and Tributaries Water Source,
 - (xix) Tyagong Creek Water Source,
 - (xx) Unregulated Effluent Creeks Water Source,
 - (xxi) Waugoola Creek Water Source, and
 - (xxii) Western Bland Creek Water Source,
 - (c) an estimate of the annual water requirements for basic landholder rights in the Mandagery Creek Water Source at the commencement of the *Water Sharing Plan for the Mandagery Creek Water Source 2003*,

- (d) the estimated annual take of water from the water sources by plantation forestry that existed on 30 June 2009,
 - (e) an estimate of the annual average extraction for the purposes of floodplain harvesting between 1 July 1993 and 30 June 1999.
- (2) By 31 December 2026, the Minister is to—
 - (a) determine a numeric LTAAEL, for the purpose of facilitating the assessment of compliance with the LTAAEL under section 21,
 - (b) in the course of determining a numeric LTAAEL, request the Natural Resources Commission to provide advice on the method used to establish the numeric LTAAEL, and
 - (c) publish that numeric LTAAEL.
- (3) Following the determination and publication of a numeric LTAAEL, the Minister may amend this Plan to replace the LTAAEL (as established under subsection (1)) with that numeric LTAAEL.
- (4) By year 5 of this Plan, the Minister is to review the numeric LTAAEL to determine whether that LTAAEL ensures a sustainable level of take (the **sustainable LTAAEL review**).
- (5) In carrying out the sustainable LTAAEL review, the Minister is to consider the following, among any other matters the Minister considers relevant —
 - (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 terms of this Plan,
 - (d) a precautionary and adaptive approach to how the limit is determined as climate projections change,
 - (e) cultural, social and economic outcomes.
- (6) The Minister is to request the Natural Resources Commission to provide advice on the sustainable LTAAEL review method during the review process, and to also review its findings .
- (7) By year 5 of this Plan, the Minister is to consider whether any amendments to this Plan should be made in light of the reviews described in the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*, clause 58(4) and in the *Water Sharing Plan for the Belubula Regulated River Water Source 2025*, section 52(1)(j)(i).
- (8) 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 in the following circumstances—
 - (a) to give effect to the findings of the sustainable LTAAEL review, provided that, if the review of the Basin Plan has been completed, the Minister has also considered the outcomes of the review of the Basin Plan and any associated changes to the sustainable diversion limits,

- (b) on the basis of the consideration of the review described in subsection (7), for the purpose of ensuring that the rules in the Plan consider and adapt to climate change.

20 Calculation of annual extraction

As soon as practicable after the end of a water year, the annual extraction for the water sources must be calculated.

21 Assessment of compliance with LTAAEL

- (1) As soon as practicable after the end of a water year, the 3-year average extraction for the water sources must be compared against the LTAAEL for the water sources.
- (2) There is non-compliance with a LTAAEL if the 3-year average extraction exceeds the LTAAEL by 5% or more.

22 Establishment of SDL

- (1) The SDL for the water sources is the part of the long-term average sustainable diversion limit for the Lachlan SDL resource unit established by the Basin Plan that, in the Minister's opinion, applies to the water sources.
- (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 sources 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 sources, 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 sources, 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 sources.
- (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 sources, or

- (b) there is non-compliance with the SDL for the water sources.
- (2) In the water year occurring immediately after a non-compliance is assessed (the **next water year**), reduced available water determinations of less than 1 ML/unit share must be made for unregulated river access licences.
- (3) Reduced available water determinations must be made to the extent necessary—
 - (a) for non-compliance with the LTAAEL—to return the 3 year-average extraction to be calculated at the end of that water year to the LTAAEL, and
 - (b) otherwise—to ensure compliance with the 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) 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

- (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 specific purpose access licence of the subcategory Aboriginal cultural if—
 - (a) the share component of the licence is no more than 10ML/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.
- (3) 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.
- (3) On commencement of this Plan, an access licence with an extraction component that specifies one of the following former management zones described in the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2012*, clause 5, is taken to no longer specify a management zone—
 - (a) Bourimbla Creek Management Zone,

- (b) Lower Boree Creek Management Zone,
- (c) Mid Mandagery Creek Management Zone,
- (d) Upper Boree Creek Management Zone, and
- (e) other tributaries.

Note— Other tributaries included all rivers not nominated as part of the other management zones in Mandagery Creek Water Source.

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—
 - (a) an unregulated river access licence must not be more than the relevant sum during a period of 3 consecutive water years,
 - (b) a domestic and stock access licence or a local water utility access licence must not be more than the relevant sum in that water year.

- (2) 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—
 - (i) during those 3 water years for an unregulated river access licence, or
 - (ii) in that water year for a domestic and stock access licence or a local water utility access licence,
- (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.

30 Carryover of water remaining in water allocation account

Water allocations remaining in the water allocation account—

- (a) of a domestic and stock access licence or a local water utility access licence — must not be carried over from one water year to the next water year, or
- (b) otherwise—must be carried over from one water year to the next water year, up to an amount equal to the following—

- (i) for access licences with share components expressed as ML/year—100% of the share component,
- (ii) for access licences with share components expressed as a number of unit shares—1 ML/unit share.

Division 3 Flow classes

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

- (1) This Plan establishes the flow classes set out in Schedule 1 for the water sources and management zones specified.
- (2) In Schedule 1, the flow class applies when the water source or management zone flow meets the flow specified under the flow class threshold for the water source or management zone as observed at the flow reference point specified.

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 and flow class threshold determined by the Minister,
 - (b) the water source and 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.

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 is 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 from the following water sources or management zones if flows are in the Very Low Flow Class—
 - (a) Abercrombie River above Wyangala Water Source,
 - (b) Boorowa River and Hovells Creek Water Source,
 - (c) Crookwell River Water Source,
 - (d) Lachlan River above Reids Flat Water Source (Narrawa Management Zone),
 - (e) Lachlan River above Reids Flat Water Source (Reids Flat Management Zone),
 - (f) Mandagery Creek Water Source (Lower Mandagery Creek Management Zone).
- (2) Surface water must not be taken by means of a relevant nominated work under the authority of an access licence or water supply work approval specified in Schedule 3, Column 1, in contravention of the applicable cease-to-take condition specified in Schedule 3, Column 3.
- (3) Surface water must not be taken from an in-river dam pool under a replacement access licence in the following circumstances —
 - (a) the in-river dam pool was created by a structure authorised by a water supply work approval,
 - (b) flows or storage levels of the in-river dam pool are at or less than the flows or storage levels at which water could not be taken under the entitlement from which the replacement access licence arose.
- (4) Surface water must not be taken from an in-river dam pool to which a replacement approval applies unless the in-river dam is passing—
 - (a) the flows that were specified in the entitlement from which the replacement approval arose, or
 - (b) if no such flows were specified, such flows as are determined by the Minister.
- (5) In this section —
 - (a) **entitlement, replacement access licence and replacement approval** have the same meaning as in the Act, Schedule 10.
 - (b) **relevant nominated work** means a water supply work that is nominated by—
 - (i) an access licence specified in Schedule 3, Column 1, if the work was nominated at the commencement of the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2012*, or
 - (ii) an access licence that is granted as a result of the subdivision of any such licence, or
 - (iii) any subsequent access licences that are granted as a result of any future subdivisions.

34A Access rules for access licences on Booberoi Creek

- (1) Surface water may not be taken from Booberoi Creek in the Mid Lachlan Unregulated River Water Source under the authority of an access licence specified in Schedule 4, Table A, except in accordance with a notice given by the Minister under this section.
- (2) The Minister may, by notice in writing to the access licence holder, permit the taking of water under an access licence specified in Schedule 4, Table A from Booberoi Creek in the Mid Lachlan Unregulated Water Source.
- (3) Before giving notice under subsection (2), the Minister must be satisfied that—
 - (a) the access licence holder has written to the Minister requesting access under this clause,
 - (b) replenishment flows have been provided in that water year under clause 59 (1) of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*,
 - (c) a visible flow is being maintained in the Lachlan River at Geramy in accordance with clause 59(4) of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*,
 - (d) all orders for water in the Lachlan Regulated River Water Source as defined in the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016* downstream of the Booberoi Creek off-take have been met,
 - (e) Lake Cargelligo and Lake Brewster storages are at full capacity,
 - (f) flows are not occurring in the Lachlan Regulated River Water Source that are required to satisfy the provisions of clause 52 of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*, and
 - (g) releases are not being made from the environmental water allowance held in Wyangala Dam water storage or the water quality allowance established by clauses 53 and 56 of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*.
- (4) The Minister must include the following requirements in the notice to the access licence holder—
 - (a) water must not be taken unless the flow in Booberoi Creek at the Return (Cannons Bridge) gauge (412192) is greater than 3 ML/day
 - (b) the period of time during which water is permitted to be taken,
 - (c) water must not be taken when there is no visible flow at the location at which water is proposed to be taken, unless the water is taken from—
 - (i) an in-river pool, or
 - (ii) an in-river dam pool,
 - (d) water must not be taken from an in-river pool when the volume of water in that pool is at less than the full capacity of the pool,
 - (e) water must not be taken from an in-river dam pool created by a structure authorised by a water supply work approval when flows or storage level in that dam are at or less than the cease-to-take conditions that was imposed on the *Water Act 1912* entitlement that the access licence replaces,

- (f) water must not be taken from an in-river dam pool unless the in-river dam is passing such flows as specified on the water supply work approval for the in-river dam, and
- (g) the flows specified on the water supply work approval for the in-river dam referred to in paragraph (f) are—
 - (i) the flows that were specified in the conditions on the *Water Act 1912* entitlement that the approval replaces, or
 - (ii) where no flows were specified, the flows determined by the Minister.
- (5) The Minister may include in the notice to the access licence holder one or more of the following requirements—
 - (a) that specific records of extraction are to be kept and provided to the Minister, as determined by the Minister,
 - (b) a maximum volume that may be extracted, and
 - (c) a rate in ML/day that water may be taken.

34B Access rules for access licences in the Unregulated Effluent Creeks Water Source

- (1) Surface water may not be taken from the Unregulated Effluent Creeks Water Source under the authority of an access licence listed in Schedule 4, Table B, except in accordance with a notice given by the Minister under this section.
- (2) The Minister may, by notice in writing to the access licence holder, permit the taking of water under an access licence specified in Schedule 4, Table B from the Unregulated Effluent Creeks Water Source.
- (3) Before giving notice under subclause (2), the Minister must be satisfied that—
 - (a) the access licence holder has written to the Minister requesting access under this clause,
 - (b) replenishment flows have been provided in that water year under clause 59(1) of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*,
 - (c) a visible flow is being maintained in the Lachlan River at Geramy in accordance with clause 59(4) of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*,
 - (d) all orders for water in the Lachlan Regulated River Water Source as defined in the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016* downstream of the junction of the creek on which the water supply work nominated by that access licence is located and the Lachlan Regulated River Water Source have been met,
 - (e) flows are not occurring in the Lachlan Regulated River Water Source that are required to satisfy the provisions of clause 52 of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*, and
 - (f) releases are not being made from the environmental water allowance held in Wyangala Dam water storage, the environmental contingency allowance held in Lake Brewster or the water quality allowance established by clauses 53 and 56 of the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016*.
- (4) The Minister must include the following requirements in the notice to the access licence holder—

- (a) water must not be taken when there is no visible flow at the location at which water is proposed to be taken, unless the water is taken from—
 - (i) an off-river pool,
 - (ii) an in-river pool, or
 - (iii) an in-river dam pool,
 - (b) water must not be taken from an off-river pool or an in-river pool when the volume of water in that pool is at less than the full capacity of the pool,
 - (c) the period of time during which water is permitted to be taken,
 - (d) water must not be taken from an in-river dam pool created by a structure authorised by a water supply work approval when flows or storage level in that dam are at or less than the cease-to-take conditions that was imposed on the *Water Act 1912* entitlement that the access licence replaces,
 - (e) water must not be taken from an in-river dam pool unless the in-river dam is passing such flows as specified on the water supply work approval for the in-river dam,
 - (f) the flows specified on the water supply work approval for the in-river dam referred to in paragraph (e) are—
 - (i) the flows that were specified in the conditions on the *Water Act 1912* entitlement that the approval replaces, or
 - (ii) where no flows were specified, the flows determined by the Minister.
- (5) The Minister may include in the notice to the access licence holder one or more of the following requirements—
- (a) that specific records of extraction are to be kept and provided to the Minister, as determined by the Minister,
 - (b) a maximum volume that may be extracted,
 - (c) a rate in ML/day that water may be taken.

35 Exceptions

- (1) Section 33(2)(a) and (b) does not apply to the take of surface water from—
 - (a) Lake Forbes in the Lake Forbes and Back Yamma Creek Water Source, if the water level in Lake Forbes is 50% or more of the full capacity of the lake, or
 - (b) in any other case, an in-river pool or an 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 2, 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, if—
 - (i) the licence was in effect at the commencement of the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2012*, and
 - (ii) the share component of the access licence specifies one of the water sources, other than the Mandagery Creek Water Source,
- (c) for domestic consumption authorised under a domestic and stock access licence if no more than 1kl/day for each household supplied by the access licence is taken, if—
 - (i) the licence was in effect at the commencement of the *Water Sharing Plan for the Mandagery Creek Water Source 2003*, and
 - (ii) the share component of the access licence specifies the Mandagery Creek Water Source,
- (d) from a runoff harvesting dam,
- (e) under an access licence specified in Schedule 2, Table B,
- (f) 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,
- (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.
- (4) Section 34(2) does not apply to the take of water from an in-river dam pool or a run-off harvesting dam.

Minister's Note— Clause 47(9) of the current Plan allows drawdown in Lake Waljeers in the Unregulated Effluent Creeks Water Source to 80%. It is proposed to remove this clause and make Lake Waljeers subject to the default rule of no drawdown below full capacity (100%) from commencement of this Plan. Existing users on Lake Waljeers will have the opportunity to apply to retain access down to 80% of full capacity, and a provision may be added to except specific license holders from section 33(2).

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 order or higher stream must not be constructed within the following water sources—
 - (a) Abercrombie River above Wyangala Water Source,
 - (b) Belubula Tributaries below Carcoar Dam Water Source,
 - (c) Bogandillon and Manna Creeks Water Source,
 - (d) Boorowa River and Hovells Creek Water Source,
 - (e) Crookwell River Water Source,
 - (f) Crowther Creek Water Source,
 - (g) Goobang and Billabong Creeks Water Source,
 - (h) Goonigal and Kangaroo Creek Water Source,
 - (i) Humbug Creek Water Source,
 - (j) Lachlan River above Reids Flat Water Source,
 - (k) Lake Forbes and Back Yamma Creek Water Source,
 - (l) Mandagery Creek Water Source,
 - (m) Mid Lachlan Unregulated Water Source,
 - (n) Naradhan Area Water Source,
 - (o) Ooma Creek and Tributaries Water Source,
 - (p) Unregulated Effluent Creeks Water Source, and
 - (q) Waugoola Creek 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 (other than a WSP prescribed wetland from prior WSP).
- (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**), and
- (b) is constructed and used to extract water from the same water source as the replaced water supply work, and
- (c) is, in the Minister's opinion, the same size or smaller than the replaced water supply work, and
- (d) is located within 20m of the replaced water supply work, or
- (e) is not located within 20m of the replaced water supply work and, in the Minister's opinion 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, or
 - (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 in the Minister's opinion, it is being proposed to be used to take water from a WSP prescribed wetland from prior WSP.
- (2) This section does not apply to a water supply work that replaces an existing water supply work that takes surface water where—
 - (a) the existing water supply work is authorised by a water supply work approval, and
 - (b) the replacement water supply work is to be constructed to extract water from the same water source and the same location as the existing water supply work.

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, in the same water source are prohibited—
 - (a) an assignment from an access licence that nominates a water supply work located in the catchment area downstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source to an access licence that nominates a water supply work located in the catchment area at or upstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source,
 - (b) an assignment from an access licence that does not nominate a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source to an access licence that nominates a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source,
 - (c) an assignment from an access licence that does not nominate a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
 - (d) an assignment from an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that nominates a water supply work located on another off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
 - (e) an assignment from an access licence that does not nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
 - (f) an assignment from an access licence that does not nominate a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
 - (g) an assignment from an access licence that does not nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Merrowie Creek in the Unregulated Effluent Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,

- (h) an assignment from an access licence that does not nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
 - (i) an assignment from an access licence that does not nominate a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work on an off-river pool within the Unregulated Effluent Creeks Water Source,
 - (j) an assignment from an access licence that nominates a water supply work on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work on another off-river pool within the Unregulated Effluent Creeks Water Source,
 - (k) an assignment from an access licence that does not nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source to an access licence that nominates a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source,
 - (l) an assignment from an access licence that does not nominate a water supply work located in the Mandagery Creek Trading Zone in the Mandagery Creek Water Source to an access licence that nominates a water supply work located in the Mandagery Creek Trading Zone in the Mandagery Creek Water Source.
- (2) The following assignments of rights under the Act, section 71Q, between water sources in the same water management area are prohibited—
- (a) an assignment to an access licence with a share component that specifies a water source other than the following water sources—
 - (i) the Gunningbland and Yarrabandai Water Source,
 - (ii) the Humbug Creek Water Source,
 - (iii) the Lake Forbes and Back Yamma Water Source,
 - (iv) the Mount Hope Area Water Source,
 - (v) the Western Bland Water Source,
 - (b) an assignment to an access licence in the Gunningbland and Yarrabandai Water Source, if it would cause the sum of share components in the water source to exceed—
 - (i) the sum of share components in the Gunningbland and Yarrabandai Water Source at the commencement of this Plan, plus
 - (ii) 35 ML/year,
 - (c) an assignment to an access licence in the Humbug Creek Water Source, if it would cause the sum of share components in the Humbug Creek Water Source to exceed—
 - (i) the sum of share components in the Humbug Creek Water Source at the commencement of this Plan, plus
 - (ii) 10 ML/year,
 - (d) an assignment to the Lake Forbes and Back Yamma Creek Water Source, if it would cause the sum of share components in the water source to exceed—

- (i) the sum of share components in the Lake Forbes and Back Yamma Creek Water Source at the commencement of this Plan, plus
 - (ii) 26 ML/year, or
 - (e) an assignment to the Mount Hope Area Water Source, if it would cause the sum of share components in the water source to exceed—
 - (i) the sum of share components in the Mount Hope Area Water Source at the commencement of this Plan, plus
 - (ii) 10 ML/year,
 - (f) an assignment to an access licence with a share component that specifies the Western Bland Creek Water Source, unless the assignment is from an access licence with a share component that specifies the Burrangong Creek Water Source or the Tyagong Creek Water Source,
 - (g) an assignment from an access licence in a water source to which this Plan does not apply.
- (3) 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.

41 Amendment of share component dealings—change of water source

- (1) The following dealings under the Act, section 71R, are prohibited—
- (a) the granting of an access licence with a share component that specifies a water source other than the following water sources—
 - (i) the Gunningbland and Yarrabandai Water Source,
 - (ii) the Humbug Creek Water Source,
 - (iii) the Lake Forbes and Back Yamma Water Source,
 - (iv) the Mount Hope Area Water Source,
 - (v) the Western Bland Water Source,
 - (b) the granting of an access licence with a share component that specifies—
 - (i) the Gunningbland and Yarrabandai Water Source, following the cancellation of an access licence in a different water source, if it would cause the sum of share components in the water source to exceed—
 - A. the sum of share components in the Gunningbland and Yarrabandai Water Source at the commencement of this Plan, plus
 - B. 35 ML/year,
 - (ii) the Humbug Creek Water Source, following the cancellation of an access licence in a different water source, if it would cause the sum of share components in the Humbug Creek Water Source to exceed—

- A. the sum of share components in the Humbug Creek Water Source at the commencement of this Plan, plus
 - B. 10 ML/year,
 - (iii) the Lake Forbes and Back Yamma Creek Water Source, following the cancellation of an access licence in a different water source, if it would cause the sum of share components in the water source to exceed—
 - A. the sum of share components in the Lake Forbes and Back Yamma Creek Water Source at the commencement of this Plan, plus
 - B. 26 ML/year,
 - (iv) the Mount Hope Area Water Source, following the cancellation of an access licence in a different water source, if it would cause the sum of share components in the water source to exceed—
 - A. the sum of share components in the Mount Hope Area Water Source at the commencement of this Plan, plus
 - B. 10 ML/year,
 - (v) the Western Bland Creek Water Source, if the share component of the cancelled access licence specifies a water source other than the Burrangong Creek Water Source or the Tyagong Creek Water Source,
- (c) the granting of an access licence with a share component that is not equal to the share component of the cancelled access licence,
- (d) the cancellation of an access licence in a water source to which this Plan does not apply to grant an access licence in a water source to which this Plan applies.
- (2) The extraction component of a new access licence granted in accordance with the Act, section 71R, does not carry over the extraction component from the cancelled access licence.

42 Amendment of extraction component dealings

The following dealings under the Act, section 71S(1)(b), are prohibited—

- (a) the extraction component of an access licence being amended to specify an area or location being within, or within 3km upstream of, a declared Ramsar wetland as an area or location from which water may be taken under the licence, unless the extraction component of the access licence currently specifies an area or location being within, or within 3km upstream of, the same declared Ramsar wetland,
- (b) the extraction component of an access licence being amended to specify an area or location being within a WSP prescribed wetland as an area or location from which water may be taken under the licence, unless the extraction component of the access licence currently specifies an area or location being within the same WSP prescribed wetland.

43 Assignment of water allocations dealings

- (1) The following assignments of water allocations under the Act, section 71T, are prohibited—
 - (a) an assignment within the same water source if the dealing involves an assignment of a water allocation from an access licence that—

- (i) nominates a water supply work located in the catchment area downstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source to an access licence that nominates a water supply work located in the catchment area at or upstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source,
- (ii) does not nominate a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source to an access licence that nominates a water supply work on Lake Cowal in the Bogandillon and Manna Creeks Water Source,
- (iii) does not nominate a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
- (iv) nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source to an access licence that nominates a water supply work located on another off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
- (v) does not nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (vi) does not nominate a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (vii) does not nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located in Merrowie Creek in the Unregulated Effluent Creek Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing was located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (viii) does not nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source to an access licence that nominates a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (ix) does not nominate a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that nominates an off-river pool within the Unregulated Effluent Creeks Water Source,
- (x) nominates a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source to an access licence that

- nominates a water supply work located on another off-river pool within the Unregulated Effluent Creeks Water Source,
- (xi) does not nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source to an access licence that nominates a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source,
 - (xii) does not nominate a water supply work located in the Mandagery Creek Trading Zone in the Mandagery Creek Water Source to an access licence that nominates a water supply work located in the Mandagery Creek Trading Zone in the Mandagery Creek Water Source,
- (b) assignments between different water sources if they involve an assignment of water allocation to an access licence—
- (i) with a share component that specifies a water source other than the following water sources—
 - A. the Gunningbland and Yarranbandai Water Source,
 - B. the Humbug Creek Water Source,
 - C. the Lake Forbes and Back Yamma Water Source,
 - D. the Mount Hope Area Water Source,
 - E. the Western Bland Water Source,
 - (ii) that causes the sum of water allocations in the Gunningbland and Yarrabandai Water Source to exceed—
 - A. the sum of share components in the Gunningbland and Yarrabandai Water Source at the commencement of this Plan, plus
 - B. 35 ML/year,
 - (iii) that causes the sum of water allocations in the Humbug Creek Water Source to exceed—
 - A. the sum of share components in the Humbug Creek Water Source at the commencement of this Plan, plus
 - B. 10 ML/year,
 - (iv) that causes the sum of water allocations in the Lake Forbes and Back Yamma Creek Water Source to exceed—
 - A. the sum of share components in the Lake Forbes and Back Yamma Creek Water Source at the commencement of this Plan, plus
 - B. 26 ML/year, or
 - (v) that causes the sum of water allocations in the Mount Hope Area Water Source to exceed—
 - A. the sum of share components in the Mount Hope Area Water Source at the commencement of this Plan, plus
 - B. 10 ML/year,
 - (vi) with a share component that specifies the Western Bland Creek Water Source, unless the assignment is from an access licence with a share component that specifies the Burrangong Creek Water Source or Tyagong Creek Water Source,

- (c) an assignment from an access licence in a water source to which this Plan does not apply,
- (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 prohibited

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

45 Interstate assignment of water allocations dealings prohibited

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 that nominates a water supply work located in the catchment area downstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source being amended to nominate a water supply work located in the catchment area at or upstream of the junction of the Abercrombie River with the Bolong River in the Abercrombie River above Wyangala Water Source,
- (c) an access licence that does not nominate a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source being amended to nominate a water supply work located on Lake Cowal in the Bogandillon and Manna Creeks Water Source,
- (d) an access licence that does not nominate a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source being amended to nominate a water supply work located on an off-river pool within the Lake Forbes and Back Yamma Creek Water Source,
- (e) an access licence that nominates a water supply work located on an off-river pool in the Lake Forbes and Back Yamma Creek Water Source being amended to nominate a water supply work located on another off-river pool in the Lake Forbes and Back Yamma Creek Water Source,
- (f) an access licence that does not nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located in Willandra Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing is located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (g) an access licence that does not nominate a water supply work located in Middle Creek in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located in Middle Creek in the Unregulated Effluent

Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing is located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,

- (h) an access licence that does not nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located in Merrowie Creek in the Unregulated Effluent Creeks Water Source, unless the water supply work nominated on the access licence immediately prior to the dealing is located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (i) an access licence that does not nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located on Lake Waljeers in the Unregulated Effluent Creeks Water Source,
- (j) an access licence that does not nominate a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source,
- (k) an access licence that nominates a water supply work located on an off-river pool within the Unregulated Effluent Creeks Water Source being amended to nominate a water supply work located on another off-river pool within the Unregulated Effluent Creeks Water Source,
- (l) an access licence that does not nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source being amended to nominate a water supply work located on Booberoi Creek in the Mid Lachlan Unregulated Water Source,
- (m) an access licence that does not nominate a water supply work located in the Mandagery Creek Trading Zone being amended to nominate a water supply work located in the Mandagery Creek Trading Zone, or
- (n) an access licence being amended to nominate a water supply work located in a State other than New South Wales,
- (o) 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 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.

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 the maximum water account debit permitted under section 29,
 - (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.

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

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) other conditions required to implement the provisions of this Plan, including conditions requiring compliance with section 51.

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 a management zone or extraction management unit, including the water sources to which a management zone or extraction management unit applies and the boundaries of the zone or unit,
 - (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 1,
 - (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,
 - (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 establish a long-term average sustainable diversion limit that combines the long-term average sustainable diversion limits for the water sources, the Lachlan Regulated River Water Source and the Belubula Regulated River Water Source,
 - (i) to add, modify or remove a definition,
 - (j) to modify Schedule 2, 3 or 4 to add or remove an access licence,
 - (k) after year 5 of this Plan, to add, modify or remove access rules for the following water sources or management zones, for the purpose of improving protection of water dependent ecosystems and connectivity between water sources —
 - (i) Bogandillon and Manna Creeks Water Source,
 - (ii) Crowther Creek Water Source,
 - (iii) Goobang and Billabong Creeks Water Source,

- (iv) Unregulated Effluent Creeks Water Source,
- (v) Waugoola Creek Water Source,
- (vi) Western Bland Creek Water Source,

Any such amendment will be informed by a review of those access rules that was completed in the first 5 years of the Plan. In carrying out this review, the Minister is to consider the following, among any other matters the Minister considers relevant—

- (i) new information on gauge suitability or methods for managing extraction,
 - (ii) water requirements of relevant species,
 - (iii) water usage data (where available), and
 - (iv) associated cultural, social and economic implications of any changes to access rules,
 - (l) to make amendments consequential on an amendment to the Act or regulations,
 - (m) to add or modify flow classes, flow reference points, and surface water access rules for the taking of water in the Boorowa River and Hovells Creek Water Source, following completion of remediation of the gauging station control structure at Prossers Crossing (412029) and confirmation that the gauge is suitable as a flow reference point,
 - (n) to modify the flow class threshold in the Lower Mandagery Creek Management Zone in the Mandagery Creek Water Source to 5 ML/day (or another more appropriate limit) from year 6 to the end of this Plan, following a review by the Minister of the following, among any other matters the Minister considers relevant—
 - (i) new information on gauge suitability or methods for managing extraction,
 - (ii) water requirements of relevant species,
 - (iii) water usage data (where available), and
 - (iv) associated cultural, social and economic implications of any changes to access rules,
 - (o) to add flow classes in—
 - (i) any water source where management zones are added, or
 - (ii) any water source or management zone that is amended,
 - (p) to modify the access rule specified in section 35(1)(a), following the establishment of a gauge that measures the water level at Lake Forbes in the Lake Forbes and Back Yamma Creek Water Source, in order to determine a water level at the gauge that, in the Minister's opinion, is equivalent to 50% of the full capacity of the lake,
 - (q) to modify access rules for lagoons, lakes, in-river pools or other lentic water bodies,
 - (r) to modify access rules for access licences listed in Schedule 4,
 - (s) to add or modify access rules in order to protect replenishment flows or environmental flows released under the *Water Sharing Plan for the Lachlan Regulated River Water Source 2016* (or any relevant replacement plan).
- (2) This Plan may be amended to make consequential amendments necessary to give effect to an amendment authorised by subsection (1).

Schedule 1 Flow classes

section 32

Column 1	Column 2	Column 3	Column 4	Column 5
Water source	Management zone	Flow class	Flow class threshold	Flow reference point
Abercrombie River above Wyangala Water Source		Very Low Flow Class	Less than or equal to 7 ML/day	Abercrombie River at Abercrombie No.2 gauge (41200209)
Boorowa River and Hovells Creek Water Source		Very Low Flow Class	0 ML/day	Boorowa River at Prossers Crossing gauge (412029)
Crookwell River Water Source		Very Low Flow Class	4 ML/day	Crookwell River at Narrawa North gauge (412050)
Lachlan River above Reids Flat Water Source	Narrawa Management Zone	Very Low Flow Class	5 ML/day	Lachlan River at Narrawa gauge (412065)
Lachlan River above Redis Flat Water Source	Reids Flat Management Zone	Very Low Flow Class	10 ML/day	Lachlan River at Reids Flat gauge (412027)
Mandagery Creek Water Source	Lower Mandagery Creek Management Zone	Very Low Flow Class	2 ML/day	Mandagery Creek upstream Eugowra gauge (412030)

Schedule 2 Access licences exempt from specified access rules

sections 35(2)(a) and (e)

Table A—Access licences used to take surface water other than for town water supply purposes

Access licence numbers	Water Source	Management Zone
31617	Burrangong Creek Water Source	-
31659	Burrangong Creek Water Source	-
31644	Burrangong Creek Water Source	-
31748	Gunningbland and Yarrabandai Water Source	-
32158	Waugoola Creek Water Source	-
32197	Western Bland Creek Water Source	-
36819	Burrangong Creek Water Source	-
36965	Burrangong Creek Water Source	-

Table B—Local water utility access licences and access licences of subcategory ‘town water supply’

Access licence numbers	Water Source	Management Zone
31512	Belubula Tributaries Below Carcoar Dam Water Source	-
31679	Crookwell River Water Source	-
31738	Goobang And Billabong Creeks Water Source	-
31747	Gunningbland And Yarrabandai Water Source	-
31780	Lachlan River Above Reids Flat Water Source	Narrawa Management Zone
31812	Mid Lachlan Unregulated Water Source	
31816	Ooma Creek And Tributaries Water Source	-
32182	Western Bland Creek Water Source	-
36816	Unregulated Effluent Creeks Water Source	
37757	Boorowa River And Hovells Creek Water Source	-

Schedule 3 Access licences and approvals subject to cease-to-take condition of a former entitlement

section 34(2)

Column 1	Column 2	Column 3
Access licence	Water source	Cease-to-take condition
31563	Bogandillon and Manna Creeks	The pump is to be located no further east than the high water level of Lake Cowal, (GPS coordinates e537200, n6281300, mga 94 datum), particulars of which are retained by the relevant licensor.
31568	Bogandillon and Manna Creeks	The pump is to be located no further east than the high water level of Lake Cowal, (GPS coordinates e537200, n6281300, mga 94 datum), particulars of which are retained by the relevant licensor.
32193	Western Bland Creek	The authorised work shall not be used for the purpose of irrigation when the level of the storage of the dam authorised by approval 70WA611192 is lower than 1.60 m below the level of a bench mark established on a gum tree on the left bank of Bland Creek approximately 91 m downstream from Billabong station homestead and particulars of which are retained by the relevant approval holder.
32189	Western Bland Creek	The authorised work shall not be used for the purpose of irrigation when the level of the storage of the dam authorised by approval 70WA611192 is lower than 1.60 m below the level of a bench mark established on a gum tree on the left bank of Bland Creek approximately 91 m downstream from Billabong station homestead and particulars of which are retained by the relevant approval holder.
31562	Western Bland Creek	The authorised work shall not be used for the purpose of irrigation when the level of the storage of the dam authorised by approval 70WA611192 is lower than 1.60 metres below the level of a bench mark established on a gum tree on the left bank of bland creek approximately 91 metres down stream from billabong station homestead and particulars of which are retained by the Department of

		Climate Change, Energy, the Environment and Water.
31638	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31616	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31652	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31646	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31635	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31649	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31639	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of

31663	Burrangong Creek	Lot 2 DP 876125, Parish of Burramunda, County of Monteagle. The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31620	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31660	Burrangong Creek	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Burrangong Creek to a depth of 30 cm through the three pipes at Gerrards crossing, east of Lot 2 DP 876125, Parish of Burramunda, County of Monteagle.
31516	Belubula Tributaries below Carcoar Dam	The holder must not take any water from an approved work, for the purpose of irrigation, unless there is a visible flow in Cowriga Creek at the road bridge on the Tallwood-Blayney road between Lot 304 DP 750367, Parish of Calvert and Lot 27 DP 750390, Parish of Lindsay, both County of Bathurst.
31524	Belubula Tributaries below Carcoar Dam	The licensed pumps shall not be used in Coombing Creek for the purpose of irrigation or augmenting the supply of water in the unnamed watercourses unless there is a visible flow of water in Coombing Creek at the northernmost road bridge on the Barry-Newbridge road about 1 km north of the village of Barry.
31729	Goobang and Billabong Creeks	The authorised work shall not be used for any purpose when the discharge of Goobang Creek at the Corridgery-Bogan gate road is less than 25 ML/day (such discharge being equivalent to water flowing through the box culverts at their maximum capacity and commencing to flow over the carriage way); and the authorised work shall not be used for any purpose unless there is a flow over the crest of the weir

		located on Goobang Creek within Lot 37 DP 6442, Parish of Badjerribong, County of Cunningham.
31730	Goobang and Billabong Creeks	The authorised work shall not be used for irrigation unless there is a visible flow in Goobang Creek at the Yarrabandai - Warroo road bridge. The Australian map grid reference for the nominated bridge being e551093 - n6324335.

Schedule 4 Access licences under which water may be taken from Booberoi Creek and the Unregulated Effluent Creeks Water Source

sections 34A and 34B

**Table A—Access licences under which water may be taken from Booberoi Creek in the Mid
Lachlan Unregulated Water Source**

Access licence numbers

31799

31800

31804

31806

31807

31809

31810

31811

**Table B—Access licences under which water may be taken from the Unregulated Effluent
Creeks Water Source**

Access licence numbers

31833

31836

31838

31820

31821

31822

31823

31827

31828

31829

31832

31835

31837

31839

31840

31843

Schedule 5 Dictionary

section 6

3-year average extraction—see section 18.

annual extraction—see section 18.

average annual extraction—see section 18.

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.

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.

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.

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/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 Lachlan Unregulated River Water Sources 2025 Plan Map* (WSP024_Version 4).

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.

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 sources—see section 3.

third order or higher stream means a stream identified as a third order or higher 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 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 wetland from prior WSP means a WSP prescribed wetland designated as a “WSP prescribed wetland from prior WSP” on the WSP Prescribed Wetlands Map.

WSP Prescribed Wetlands Map means the *Water Sharing Plan for the Lachlan Unregulated River Water Sources 2025* WSP Prescribed Wetlands Map (WET010_Version 1))

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