

Coastal harvestable rights notification form sample questions

This document is **not** a notification form. It is a sample of the questions you will be asked when filling out a notification form using the online portal.

Further information on the notification form and a link to the online portal can be found here:
<https://water.dpie.nsw.gov.au/licensing-and-trade/basic-landholder-rights/harvestable-rights/coastal-draining-catchments/notification-form>

Sample notification form questions

Section 1 – Landholder (owner or occupier) details

1. First name
2. Surname
3. Company/corporation name (if applicable)
4. Phone
5. Email
6. Tick the option that applies:
 - I am the **owner** of the landholding
 - I am the **occupier** of the landholding
 - I am the **owner and occupier** of the landholding

Section 2 – Details of the landholding to which the harvestable right applies

7. Please provide the Lot/Section/DP of the landholding below. If the landholding is made up of multiple lots, enter the details of the largest lot. The landholding may not have a 'Section' number.

This information should be available on the landholder's rates notice issued by your local council. You may also access this information via the ePlanner Spatial Viewer available on the NSW Planning Portal - <https://www.planning.nsw.gov.au/About-Us/NSW-Planning-Portal>

8. Town
9. Postcode

10. According to the Maximum Harvestable Rights Dam Capacity Calculator, what is the combined maximum dam capacity (in megalitres) of all harvestable rights dams on the landholding with reference to 30 per cent of rainfall runoff?

The calculator can be accessed here – <https://www.waternsw.com.au/customer-service/water-licensing/blr/harvestable-rights-dams/maximum-harvestable-right-calculator>

Section 3 – Uptake of harvestable rights above 10 per cent for the landholding

11. To capture and store more than 10 per cent of rainfall runoff (up to 30 per cent of rainfall runoff) from the landholding as a harvestable right, you are (tick ALL that apply):

- Constructing a new harvestable rights dam/s
- Making an existing harvestable rights dam/s larger
- Converting a non-harvestable rights dam to a harvestable rights dam
- Making an existing non-harvestable rights dam larger and then converting it to a harvestable rights dam

12. Prior to the construction, enlargement or conversion of dam/s (question 11), were you capturing any water on the landholding as a harvestable right?

This *includes* capturing water as a harvestable right in mixed rights dams.

Mixed-rights dams are dams that capture and store harvestable rights water as well as other water that has been lawfully taken from a water source. For example, water taken from a groundwater bore or pumped from a river as a basic landholder right, a native title right or under a water access licence.

Tick the box that applies:

- Yes
- No

If you answered 'Yes' continue to question 13

If you answered 'No' skip to question 16

13. What was the combined capacity (in megalitres) of all harvestable rights dams on the landholding prior to the construction, enlargement or conversion of dam/s (question 11)?

EXCLUDE the capacity of any mixed-rights dams on the landholding.

See the *Frequently Asked Questions on the DPE Water website* -

<https://water.dpie.nsw.gov.au/licensing-and-trade/basic-landholder-rights/harvestable-rights/coastal-draining-catchments/faqs/> for information on how to estimate the capacity of existing dams on the landholding.

14. Prior to the construction, enlargement or conversion of dam/s (question 11) did you have any mixed-rights dams on the landholding?

Yes

No

If you answered 'Yes' continue to question 15.

If you answered 'No' skip to question 16.

15. What portion of the capacity of mixed-rights dam/s was used to capture and store harvestable rights water (in megalitres)?

Contact WaterNSW to calculate the harvestable rights portion of any 'mixed rights' dams - <https://www.waternsw.com.au/about/contact>

16. What will be the combined capacity (in megalitres) of all harvestable rights dams on the landholding once you have constructed, enlarged or converted dam/s to capture more than 10 per cent of rainfall runoff as a harvestable right (up to the 30 per cent maximum)?

INCLUDE the harvestable rights portion of any mixed-rights dams on the landholding.

This cannot exceed the combined maximum capacity of all harvestable right dams for the landholding (question 10).

Contact WaterNSW to calculate the harvestable rights portion of any mixed-rights dams on the landholding - <https://www.waternsw.com.au/about/contact>

17. What do you intend to use the additional harvestable rights water for (select ALL that apply)?

stock watering

domestic/household use

the production of pasture or fodder crops for the primary purpose of feeding livestock

the care of livestock (excluding livestock raised on intensive commercial basis)

Section 4 - Low flow bypass trials

The Department of Planning and Environment - Water is investigating the option of requiring landholders in coastal-draining catchments to install low flow bypasses on harvestable rights dams capturing water in excess of the 10 per cent rainfall runoff value for their landholding, to help in reducing potential impacts on downstream users and the environment.

Low flow bypasses have the potential to reduce impacts of these new harvestable rights dams on low flows and freshes in our streams and rivers by diverting runoff from smaller rainfall events around a dam. More work is needed to determine whether they would function efficiently and be cost-effective.

The department may conduct field trials to test the design efficacy of low flow bypasses under NSW conditions. It may take several years to test low flow bypasses over a range of conditions.

18. Would you be willing to be involved in any future field trials of low flow bypasses in dams on the landholding (yes/no)?

If you select yes, this does not bind you to anything. It simply means the Department may contact you if and when field trials are planned to be undertaken to discuss how you could be involved.

- Yes
- No

Section 5 – Acknowledgements

Please read and acknowledge the following important information:

- Water captured and stored in harvestable rights dams on the landholding above the 10 per cent dam capacity, to the maximum 30 per cent dam capacity, can only be used for the permitted purposes - domestic consumption, stock watering, and extensive agriculture.
[Refer to paragraph 6 of the Harvestable Rights (coastal-draining catchments) Order 2022 (the Order)]
- If a mixed-rights dam captures and/or stores water taken:
 - under a domestic and stock licence or a licence granted under Part 5 of the *Water Act 1912* for stock and domestic purposes, or
 - in the exercise of a domestic and stock right under section 52 of the *Water Management Act 2000*, or
 - in works located on a river or lake constructed under section 7 of the *Water Act 1912* before 1 January 2001 that are used solely for stock, domestic or stock and domestic purposes, or for purposes which do not require extraction of water, or

- in works that exceed the harvestable rights referred to in the Order that were constructed before 1 January 1999, and that are used solely for domestic consumption and stock watering or that do not result in the extraction of water, and are located on a minor stream, and from which water is being used only on the landholding on which the dam is located,

all water in that dam can only be used for domestic consumption and stock watering.

[Refer to paragraph 7 of the Order].

- If you are converting a currently licensed dam to capture and store water harvestable rights water above the 10 per cent dam capacity for the landholding, this notification form does not address how your water access licence will be managed or used by you from this point forward. Contact WaterNSW to discuss your options for managing your licence including updating details such as the nominated work/dam - <https://www.waternsw.com.au/about/contact>.
 - The combined capacity of all existing harvestable rights dams on the landholding must be taken into account when constructing, enlarging or converting a dam or dams to capture and store water up to the maximum 30 per cent dam capacity. All existing and new harvestable rights dams on the landholding contribute to the total amount of water you can capture and store under your harvestable right.
 - Further assessments will commence in 2022 to confirm whether the 30 per cent limit remains appropriate at the local level, considering the needs of the environment, other water users and communities with each catchment, and seek to simplify the requirements where possible. A new harvestable rights order may be made once the assessments are complete that allows less harvestable rights water to be captured in your catchment. If so, you may be required to re-size any harvestable rights dam that was constructed, enlarged or converted after the Harvestable Rights (coastal-draining catchments) Order 2022 was made. Any modifications needed to the dam would be at your own cost.
 - You may be required to install a low flow bypass on any harvestable rights dams taking in excess of the 10 per cent dam capacity for the landholding, if a future harvestable rights order prescribes their use.
- I have read and acknowledge the above information**