



New South Wales

Water Sharing Plan for the Namoi and Peel Unregulated Rivers 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

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Water Sharing Plan for the Namoi and Peel 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 Namoi Water Management Area.

1 Name of Plan

This Plan is the *Water Sharing Plan for the Namoi and Peel 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 Namoi Water Management Area —
- (a) Baradine Creek Water Source,
 - (b) Bluevale Water Source,
 - (c) Bohena Creek Water Source,
 - (d) Brigalow Creek Water Source,
 - (e) Bundock Creek Water Source,
 - (f) Chaffey Water Source,
 - (g) Cockburn River Water Source,
 - (h) Coghill Creek Water Source,
 - (i) Coxs Creek Water Source,
 - (j) Etoo and Talluba Creeks Water Source,
 - (k) Eulah Creek Water Source,
 - (l) Goonoo Goonoo Creek Water Source,
 - (m) Keepit Water Source,
 - (n) Lake Goran Water Source,
 - (o) Lower Namoi Water Source,
 - (p) Lower Peel River Tributaries Water Source,
 - (q) Maules Creek Water Source,
 - (r) Mid Macdonald River Water Source,
 - (s) Mooki River Water Source,
 - (t) Phillips Creek Water Source,
 - (u) Pian Creek Water Source,
 - (v) Quirindi Creek Water Source,
 - (w) Rangira Creek Water Source,

- (x) Split Rock Water Source,
- (y) Spring and Bobbiwaa Creeks Water Source,
- (z) Upper Macdonald River Water Source,
- (za) Upper Manilla Water Source,
- (zb) Upper Namoi Water Source,
- (zc) Upper Peel River Tributaries Water Source,
- (zd) Warrah Creek Water Source,
- (ze) Werris Creek Water Source.

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.

- (2) Subject to subsection (3), the water sources include all surface water.
- (3) The water sources do not include water contained in the water sources to which the following water sharing plans apply—
 - (a) the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012*,
 - (b) the *Water Sharing Plan for the Peel Regulated River Water Source 2022*, and
 - (c) the *Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2016*.

4 Management zones to which Plan applies

The water sources are divided into the following management zones shown on the Plan Map—

- (a) Brigalow Creek Water Source—
 - (i) Brigalow Creek Management Zone, and
 - (ii) Merri Merri Creek and Other Tributaries Management Zone,
- (b) Chaffey Water Source—
 - (i) Chaffey Tributaries Management Zone, and
 - (ii) Peel River Management Zone,
- (c) Cockburn River Water Source—
 - (i) Cockburn River Management Zone, and
 - (ii) Cockburn River Tributaries Management Zone,
- (d) Cocks Creek Water Source—
 - (i) Cocks Creek Tributaries Management Zone,
 - (ii) Lower Cocks Creek Management Zone, and
 - (iii) Mid Cocks Creek Management Zone,
- (e) Goonoo Goonoo Water Source—
 - (i) Downstream Boiling Down Creek Management Zone, and
 - (ii) Upstream Boiling Down Creek Management Zone,
- (f) Lake Goran Water Source—

- (i) Lake Goran Management Zone, and
 - (ii) Lake Goran Tributaries Management Zone,
- (g) Lower Peel River Tributaries Water Source—
 - (i) Lower Peel Tributaries Management Zone, and
 - (ii) Moore Creek Management Zone,
- (h) Maules Creek Water Source—
 - (i) Maules and Horsearm Creeks Management Zone, and
 - (ii) Maules Creek Tributaries Management Zone,
- (i) Mid Macdonald River Water Source—
 - (i) Macdonald River Downstream Woolbrook Management Zone,
 - (ii) Macdonald River Upstream Woolbrook Management Zone, and
 - (iii) Mid Macdonald River Tributaries Management Zone,
- (j) Pian Creek Water Source—
 - (i) Lower Pian Creek Management Zone, and
 - (ii) Pian Creek Tributaries Management Zone, and
- (k) Upper Manilla Water Source—
 - (i) Ironbark Creek Management Zone,
 - (ii) Ironbark Creek Tributaries Management Zone,
 - (iii) Manilla River Management Zone, and
 - (iv) Manilla River Tributaries Management Zone,
- (l) Upper Namoi Water Source—
 - (i) Halls Creek Management Zone,
 - (ii) Macdonald and Namoi Rivers Management Zone, and
 - (iii) Upper Namoi Tributaries Management Zone,
- (m) Upper Peel River Tributaries Water Source—
 - (i) Duncans Creek and Other Tributaries Management Zone, and
 - (ii) Dungowan Creek Management Zone.

4A Subcatchments established by Plan

The following subcatchments are established—

- (a) the Chaffey subcatchment consisting of the Chaffey Water Source,
- (b) the Keepit subcatchment consisting of the following water sources—
 - (i) Keepit Water Source,
 - (ii) Mid Macdonald River Water Source,
 - (iii) Upper Macdonald River Water Source,
 - (iv) Upper Namoi Water Source,
- (c) the Mooki subcatchment consisting of the following water sources—
 - (i) Mooki River Water Source

- (ii) Lake Goran Water Source,
- (iii) Phillips Creek Water Source,
- (iv) Quirindi Creek Water Source,
- (v) Warra Creek Water Source,
- (vi) Werris Creek Water Source,
- (d) the Namoi subcatchment consisting of the following areas—
 - (i) Baradine Creek Water Source,
 - (ii) Bluevale Water Source,
 - (iii) Bohena Creek Water Source,
 - (iv) Brigalow Creek Water Source,
 - (v) Bundock Creek Water Source,
 - (vi) Coghill Creek Water Source,
 - (vii) Coxs Creek Water Source,
 - (viii) Etoo and Talluba Creeks Water Source,
 - (ix) Eulah Creek Water Source,
 - (x) Lower Namoi Water Source,
 - (xi) Maules Creek Water Source,
 - (xii) Pian Creek Water Source,
 - (xiii) Rangira Creek Water Source,
 - (xiv) Spring and Bobbiwaa Creeks Water Source,
- (e) the Peel subcatchment consisting of the following water sources—
 - (i) Cockburn River Water Source,
 - (ii) Goonoo Goonoo Creek Water Source,
 - (iii) Lower Peel River Tributaries Water Source,
 - (iv) Upper Peel River Tributaries Water Source,
- (f) the Split Rock subcatchment consisting of the following water sources—
 - (i) Split Rock Water Source,
 - (ii) Upper Manilla Water Source.

4B Trading zones established by Plan

The water sources are divided into the following trading zones shown on the Plan Map—

- (a) Baradine Creek Water Source—
 - (i) Namoi Effluents and Barwon Trading Zone,
 - (ii) Turragulla and Gil Gil Creeks Trading Zone, and
 - (iii) Baradine Creek and Tributaries Trading Zone,
- (b) Bohena Creek Water Source—
 - (i) Bohena Namoi River Trading Zone, and
 - (ii) Bohena Creek and Tributaries Trading Zone,

- (c) Etoo and Talluba Creeks Water Source—
 - (i) Etoo and Talluba Creeks Tributaries Trading Zone, and
 - (ii) Turragulla Creek Trading Zone,
- (d) Lower Namoi Water Source—
 - (i) Drildool Warrambool and Gunidgera Creek Trading Zone, and
 - (ii) Other Anabanches Trading Zone.

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

[Not applicable]

6 Interpretation

- (1) The Dictionary in Schedule 4 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.
- (3) Appendices in this Plan do not form part of this Plan.

Minister's note— This is a consequential change in anticipation that section 38B will be added in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

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 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 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 a total of 5,138 ML/year distributed as follows—

- (a) 244 ML/year in the Baradine Creek Water Source,
- (b) 168 ML/year in the Bluevale Water Source,
- (c) 141 ML/year in the Bohena Creek Water Source,
- (d) 25 ML/year in the Brigalow Creek Water Source,
- (e) 42 ML/year in the Bundock Creek Water Source,
- (f) 95 ML/year in the Chaffey Water Source,
- (g) 328 ML/year in the Cockburn River Water Source,
- (h) 39 ML/year in the Coghill Creek Water Source,
- (i) 259 ML/year in the Coxs Creek Water Source,
- (j) 104 ML/year in the Etoo and Talluba Creeks Water Source,
- (k) 259 ML/year in the Eulah Creek Water Source,
- (l) 148 ML/year in the Goonoo Goonoo Creek Water Source,
- (m) 133 ML/year in the Keepit Water Source,
- (n) 157 ML/year in the Lake Goran Water Source,
- (o) 97 ML/year in the Lower Namoi Water Source,
- (p) 464 ML/year in the Lower Peel River Tributaries Water Source,
- (q) 121 ML/year in the Maules Creek Water Source,
- (r) 264 ML/year in the Mid Macdonald River Water Source,
- (s) 103 ML/year in the Mooki River Water Source,
- (t) 78 ML/year in the Phillips Creek Water Source,
- (u) 100 ML/year in the Pian Creek Water Source,
- (v) 301 ML/year in the Quirindi Creek Water Source,
- (w) 84 ML/year in the Rangira Creek Water Source,
- (x) 27 ML/year in the Split Rock Water Source,
- (y) 93 ML/year in the Spring and Bobbiwaa Creeks Water Source,
- (z) 130 ML/year in the Upper Macdonald River Water Source,
- (za) 222 ML/year in the Upper Manilla Water Source,
- (zb) 211 ML/year in the Upper Namoi Water Source,
- (zc) 211 ML/year in the Upper Peel River Tributaries Water Source,
- (zd) 287 ML/year in the Warrah Creek Water Source,
- (ze) 203 ML/year in the Werris 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) any determination of native title, and
- (b) and indigenous land use agreement.

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

14 Harvestable rights

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

Division 2 Requirements for water for extraction under access licences

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

- (1) On the commencement of this Plan, the share components of domestic and stock access licences are estimated to be a total of 920.5 ML/year distributed as follows—
 - (a) 104 ML/year in the Baradine Creek Water Source,
 - (b) 12 ML/year in the Bluevale Water Source,
 - (c) 12 ML/year in the Bohena Creek Water Source,
 - (d) 14 ML/year in the Brigalow Creek Water Source,
 - (e) 20.5 ML/year in the Bundock Creek Water Source,
 - (f) 4 ML/year in the Chaffey Water Source,
 - (g) 67 ML/year in the Cockburn River Water Source,
 - (h) 107.5 ML/year in the Coks Creek Water Source,
 - (i) 7 ML/year in the Etoo and Talluba Creeks Water Source,
 - (j) 35 ML/year in the Eulah Creek Water Source,
 - (k) 21.5 ML/year in the Goonoo Goonoo Water Source,
 - (l) 5 ML/year in the Keepit Water Source,
 - (m) 88 ML/year in the Lake Goran Water Source,
 - (n) 26 ML/year in the Lower Namoi Water Source,
 - (o) 58.5 ML/year in the Lower Peel River Tributaries Water Source,
 - (p) 7 ML/year in the Maules Creek Water Source,
 - (q) 44.5 ML/year in the Mid Macdonald River Water Source,
 - (r) 100.5 ML/year in the Mooki River Water Source,
 - (s) 32.5 ML/year in the Pian Creek Water Source,
 - (t) 40.5 ML/year in the Quirindi Creek Water Source,
 - (u) 21 ML/year in the Rangira Creek Water Source,
 - (v) 5 ML/year in the Spring and Bobbiwaa Creeks Water Source,
 - (w) 14 ML/year in the Upper Manilla Water Source,

- (x) 42.5 ML/year in the Upper Namoi Water Source,
 - (y) 25 ML/year in the Upper Peel River Tributaries Water Source,
 - (z) 6 ML/year in the Warrah Creek Water Source,
 - (za) 0 ML/year in all other water sources.
- (2) On the commencement of this Plan, the share components of local water utility access licences are estimated to be a total of 7,863 ML/year distributed as follows—
- (a) 842 ML/year in the Mid Macdonald River Water Source,
 - (b) 1,000 ML/year in the Quirindi Creek Water Source,
 - (c) 421 ML/year in the Upper Manilla Water Source,
 - (d) 5,600 ML/year in the Upper Peel River Tributaries Water Source,
 - (e) 0 ML/year in all other water sources.
- (3) On the commencement of this Plan, the share components of unregulated river access licences are estimated to be a total of 171,383.8 unit shares distributed as follows—
- (a) 19,635 unit shares in the Baradine Creek Water Source,
 - (b) 2,972 unit shares in the Bluevale Water Source,
 - (c) 1,161 unit shares in the Bohena Creek Water Source,
 - (d) 1,243 unit shares in the Brigalow Creek Water Source,
 - (e) 5,679 unit shares in the Bundock Creek Water Source,
 - (f) 384.5 unit shares in the Chaffey Water Source,
 - (g) 4,325 unit shares in the Cockburn River Water Source,
 - (h) 600 unit shares in the Coghill Creek Water Source,
 - (i) 18,171.5 unit shares in the Coxs Creek Water Source,
 - (j) 2,686 unit shares in the Etoo and Talluba Creeks Water Source,
 - (k) 3,858.8 unit shares in the Eulah Creek Water Source,
 - (l) 1,033.5 unit shares in the Goonoo Goonoo Creek Water Source,
 - (m) 769 unit shares in the Keepit Water Source,
 - (n) 33,190 unit shares in the Lake Goran Water Source,
 - (o) 2,646 unit shares in the Lower Namoi Water Source,
 - (p) 2,421 unit shares in the Lower Peel River Tributaries Water Source,
 - (q) 1,102 unit shares in the Maules Creek Water Source,
 - (r) 4,269 unit shares in the Mid Macdonald River Water Source,
 - (s) 30,287.5 unit shares in the Mooki River Water Source,
 - (t) 161 unit shares in the Phillips Creek Water Source,
 - (u) 13,113 unit shares in the Pian Creek Water Source,
 - (v) 1,740 unit shares in the Quirindi Creek Water Source,
 - (w) 1,458 unit shares in the Rangira Creek Water Source,
 - (x) 1,476 unit shares in the Spring and Bobbiwaa Creeks Water Source,
 - (y) 30 unit shares in the Upper Macdonald River Water Source,

- (z) 1,616 unit shares in the Upper Manilla Water Source,
 - (za) 9,747 unit shares in the Upper Namoi Water Source,
 - (zb) 4,006 unit shares in the Upper Peel River Tributaries Water Source,
 - (zc) 259 unit shares in the Warrah Creek Water Source,
 - (zd) 1,344 unit shares in the Werris Creek Water Source,
 - (ze) 0 unit shares in all other water sources.
- (4) On the commencement of this Plan, the share components of floodplain harvesting (unregulated river) access licences are estimated to be a total of 0 unit shares.
- Minister's note**—It is anticipated that subsection (4) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.
- (5) On the commencement of this Plan, the share components of unregulated river (special additional high flow) access licences are estimated to be a total of 729 unit shares distributed as follows—
- (a) 729 unit shares in the Lower Namoi Water Source,
 - (b) 0 unit shares 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,
 - (d) for unregulated river (special additional high flow) access licences—1 ML/unit share,
 - (e) for floodplain harvesting (unregulated river) access licences—1 ML/unit share.

Minister's note—It is anticipated that subsection (2)(e) will be added in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

- (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.

Note— The determination of the volume of water taken from the water sources excludes water committed as licensed environmental water—see the Act, section 8F(5).

annual extraction means the volume of water taken from the water sources 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.

Note— The determination of the volume of water taken from the water sources excludes water committed as licensed environmental water—see the Act, section 8F(5).

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 in the water year at the commencement of—
 - (i) the *Water Sharing Plan for the Namoi Unregulated and Alluvial Water Sources 2012*—
 - A. Baradine Creek Water Source,
 - B. Bluevale Water Source,
 - C. Bohena Creek Water Source,
 - D. Brigalow Creek Water Source,
 - E. Bundock Creek Water Source,
 - F. Coghill Creek Water Source,
 - G. Coxs Creek Water Source,
 - H. Etoo and Talluba Creeks Water Source,
 - I. Eulah Creek Water Source,
 - J. Keepit Water Source,
 - K. Lake Goran Water Source,
 - L. Lower Namoi Water Source,
 - M. Maules Creek Water Source,
 - N. Mid Macdonald River Water Source,
 - O. Pian Creek Water Source,

- P. Rangira Creek Water Source,
 - Q. Split Rock Water Source,
 - R. Spring and Bobbiwaa Creeks Water Source,
 - S. Upper Macdonald River Water Source,
 - T. Upper Manilla Water Source,
 - U. Upper Namoi Water Source,
 - V. Werris Creek Water Source,
 - (ii) the *Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010*—
 - A. Chaffey Water Source,
 - B. Cockburn River Water Source,
 - C. Goonoo Goonoo Creek Water Source,
 - D. Lower Peel River Tributaries Water Source,
 - E. Upper Peel River Tributaries Water Source,
 - (iii) the *Water Sharing Plan for the Phillips Creek, Mooki River, Quirindi Creek and Warrah Creek Water Sources 2003*—
 - A. Mooki River Water Source,
 - B. Phillips Creek Water Source,
 - C. Quirindi Creek Water Source,
 - D. Warrah Creek Water Source,
 - (c) the estimated annual take of water from the water sources by plantation forestry that existed on 30 June 2009,
 - (d) an estimate of the annual average extraction for the purposes of floodplain harvesting for which floodplain harvesting (unregulated river) access licences have been issued between 1 July 1993 and 30 June 1999.
- Minister's note**—It is anticipated that subsection (1)(d) in this Plan will be amended by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.
- (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 numerical 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 source 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 review described in the *Water Sharing Plan for the Peel Regulated River Water Source 2022*, section 52(4).
- (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 2012* has been completed, the Minister has also considered the outcomes of the review of the *Basin Plan 2012* 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.

Drafting note: Subsection (8) still under discussion.

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

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.
- (2) There is non-compliance with the 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 Namoi 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 at least one of the following categories of access licence—
 - (a) an unregulated river access licence,
 - (b) an unregulated river (special additional high flow) access licence,
 - (c) a floodplain harvesting (unregulated river) access licence.

Minister's note—It is anticipated that subsection (2) will be amended, and subsection 2(c) will be added, to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

- (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 section 6.12 (5) of the Basin Plan.
- (5) The Minister must only take action under subsection (2)(a) or (b)—
 - (a) if total extractions, excluding extractions under floodplain harvesting (unregulated river) access licences, exceed the sum of the amounts under section 19(1)(a)–(c), and
 - (b) having regard to the extent that total extractions, excluding extractions under floodplain harvesting (unregulated river) access licences, have exceeded the sum of the amounts under section 19(1)(a)–(c).

Minister's note—It is anticipated that subsection (5) will be added in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

- (6) The Minister must only take action under subsection (2)(c)—
 - (a) if total extractions under floodplain harvesting (unregulated river) access licences exceed the amount under section 19(1)(d), and
 - (b) having regard to the extent that total extraction under floodplain harvesting (unregulated river) access licences have exceeded the amount under section 19(1)(d).

Minister's note—It is anticipated that subsection (6) will be added in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

- (7) Subsections (2)(c) and (5)–(6) only apply if floodplain harvesting (unregulated river) access licences have been issued in the water sources specified in section 19(1)(b)(i) or (iii).

Minister's note—It is anticipated that subsection (7) will be added in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

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

26 Specific purpose access licences

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

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

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*, section 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 domestic and stock access licence, local water utility access licence, unregulated river access licence or floodplain harvesting (unregulated river) access licence must not be more than the relevant sum during a period of 3 consecutive water years.

Minister's note—It is anticipated that subsection (1) will be amended in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

- (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 during those 3 water years,
- (b) the amount of 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) for an unregulated river (special additional high flow) 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 or 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) Brigalow Creek Management Zone in the Brigalow Creek Water Source,

- (b) Cockburn River Management Zone in the Cockburn River Water Source,
 - (c) Downstream Boiling Down Creek Management Zone in the Goonoo Goonoo Water Source,
 - (d) Dungowan Creek Management Zone in the Upper Peel River Tributaries Water Source,
 - (e) Halls Creek Management Zone in the Upper Namoi Water Source,
 - (f) Ironbark Creek Management Zone in the Upper Manilla Water Source,
 - (g) Lake Goran Management Zone in the Lake Goran Water Source,
 - (h) Lower Coss Creek Management Zone in the Coss Creek Water Source,
 - (i) Lower Pian Creek Management Zone in the Pian Creek Water Source,
 - (j) Macdonald and Namoi Rivers Management Zone in the Upper Namoi Water Source,
 - (k) Macdonald River Downstream Woolbrook Management Zone in the Mid Macdonald Water Source,
 - (l) Macdonald River Upstream Woolbrook Management Zone in the Mid Macdonald Water Source,
 - (m) Manilla River Management Zone in the Upper Manilla Water Source,
 - (n) Maules and Horsearm Creek Management Zone in the Maules Creek Water Source,
 - (o) Mid Coss Creek Management Zone in the Coss Creek Water Source,
 - (p) Mooki River Water Source,
 - (q) Moore Creek Management Zone in the Lower Peel River Tributaries Water Source,
 - (r) Peel River Management Zone in the Chaffey Water Source,
 - (s) Quirindi Creek Water Source.
- (2) Surface water must not be taken under an access licence with a share component that specifies the Pian Creek Water Source from replenishment flows made according to section 59 of the *Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Source 2016* as notified by WaterNSW.
- (3) Surface water must not be taken under an access licence with an extraction component that specifies the Cockburn River Management Zone in the Cockburn River Water Source in the following circumstances when flows are between 2.5 ML/day and 0.3 ML/day at the Cockburn River at d/s Kootingal Bridge Weir gauge (419114) on a falling river—
- (a) between 7 am and 7 pm from 1 September to 31 May,
 - (b) between 7 pm and 7 am from 1 June to 31 August.
- (4) Surface water must not be taken under an access licence specified in Schedule 3 in contravention of the specified cease-to-take condition.
- (5) 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 the water could not be taken under the entitlement from which the replacement access licence arose.
- (6) Surface water must not be taken from an in-river dam pool to which a replacement approval applies unless the in-river dam pool 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.
- (7) In this section—

entitlement, replacement access licence and *replacement approval* have the same meaning as in the Act, Schedule 10.

35 Exceptions

- (1) Section 33(2)(b) does not apply to the take of surface water from an off-river pool subject to a cease-to-take condition that permits the taking of water when the off-river 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 20kl/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,
 - (v) the taking of water under a floodplain harvesting (unregulated river) access licence with a share component that specifies a water source specified in section 19(1)(b)(i) or (iii),

Minister's note—It is anticipated that subsection (2)(a)(v) will be added in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.
 - (b) for domestic consumption under a domestic and stock access licence if no more than 1kl/day for each household supplied by the access licence is taken,
 - (c) from a runoff harvesting dam,
 - (d) under an access licence specified in Schedule 2, Table B,
 - (e) under an access licence in relation to an aquifer interference activity for which a planning approval is in force if—
 - (i) the licence holder complies with a water management plan, 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, or
 - (c) under an access licence or water supply work approval arising from a former entitlement subject to a cease-to-take condition specified in Schedule 3, Table A.
- (4) Section 33(2)(b) does not apply to the take of surface water under an access licence or water supply work approval specified in Schedule 3, Table B.

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

- (1) 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.

- (2) In this Part—

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.

37 In-river dams

- (1) An in-river dam on a third or higher order stream must not be constructed within the following water sources—
- (a) Baradine Creek Water Source,
 - (b) Bobbiwaa Creek Water Source,
 - (c) Bohena Creek Water Source,
 - (d) Cockburn River Water Source,
 - (e) Etoo Creek Water Source,
 - (f) Eulah Creek Water Source,
 - (g) Lake Goran Water Source,
 - (h) Lower Namoi Water Source,
 - (i) Maules Creek Water Source,
 - (j) Mid Macdonald River Water Source,
 - (k) Mooki River Water Source,
 - (l) Phillips Creek Water Source,
 - (m) Pian Creek Water Source,

- (n) Quirindi Creek Water Source,
 - (o) Spring Creek Water Source,
 - (p) Talluba Creek Water Source,
 - (q) Upper Macdonald River Water Source,
 - (r) Upper Manilla Water Source,
 - (s) Upper Namoi Water Source,
 - (t) Upper Peel Tributaries Water Source,
 - (u) Warrah Creek Water Source.
- (2) This section does not apply to—
- (a) a water supply work that replaces an existing water supply work that takes surface water 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 by a local water utility.

38 Wetlands

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

38A Additional prohibitions on construction of certain water supply works

- (1) A water supply work must not be constructed in an off-river pool.
- (2) This section does not apply to—
- (a) a water supply work that replaces an existing water supply work that takes surface water 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 take 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 by a local water utility.

38B Additional prohibitions on grant or amendment of floodplain harvesting water supply work approvals

- (1) A water supply work approval must not be granted or amended to authorise a work if all of the following apply—

- (a) the work is also a flood work,
 - (b) there is no flood work approval in place for the work,
 - (c) the work is on land to which the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019* or the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020* applies,
 - (d) the granting or amendment of an approval for the work would not be permitted under the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019* or the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020*.
- (2) A reference in subsections (3)–(6) to a water supply work being located within a specified area includes a reference to a water supply work that is proposed to be located in a specified area.
- (3) A water supply work approval must not be granted if the water supply work is to be—
- (a) nominated by a floodplain harvesting (unregulated river) access licence, and
 - (b) located within—
 - (i) the Upper Namoi Management Zone AD or the Upper Namoi Management Zone D, as established under section 6 of the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019*, or
 - (ii) the Lower Namoi Management Zone AD or the Lower Namoi Management Zone D, as established under section 5 of the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020*.

Notes—

- 1 The Upper Namoi Management Zone AD and Lower Namoi Management Zone AD include areas of the floodplains where a significant discharge of floodwater occurs during floods, with relatively high flood flow velocity and depth.
 - 2 The Upper Namoi Management Zone D and Lower Namoi Management Zone D are special protection zones for areas of ecological or cultural significance, or both.
 - 3 An overview of Upper Namoi Management Zone AD and Upper Namoi Management Zone D is shown in Appendix 1.
 - 4 An overview of Lower Namoi Management Zone AD and Lower Namoi Management Zone D is shown in Appendix 2.
- (4) A water supply work approval must not be granted, or amended to add a work to which the approval relates, if the work is or is to be—
- (a) nominated by a floodplain harvesting (unregulated river) access licence, and
 - (b) a flood work, and
 - (c) not subject to a flood work approval, and
 - (d) located within—
 - (i) the Upper Namoi Management Zone AID, as established under section 6 of the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019*, or
 - (ii) the Lower Namoi Management Zone AID, as established under section 5 of the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020*.

Notes—

- 1 An overview of Upper Namoi Management Zone AID is shown in Appendix 1.

2 An overview of Lower Namoi Management Zone AID is shown in Appendix 2.

- (5) A water supply work approval must not be amended to add a work to which the approval relates if—
- (a) the water supply works currently subject to the approval are nominated by a floodplain harvesting (unregulated river) access licence, and
 - (b) the water supply work proposed to be added is not located on the Upper Namoi Valley Floodplain or the Lower Namoi Valley Floodplain, as declared under section 252 of the *Water Management (General) Regulation 2018*

Notes—

1 An overview of Upper Namoi Valley Floodplain is shown in Appendix 1.

2 An overview of Lower Namoi Valley Floodplain is shown in Appendix 2.

- (6) A water supply work approval must not be amended to add a work to which the approval relates if—
- (a) the water supply works currently subject to the approval are nominated by a floodplain harvesting (unregulated river) access licence, and
 - (b) the water supply work proposed to be added is located within—
 - (i) the Upper Namoi Management Zone AD or the Upper Namoi Management Zone D, as established under section 6 of the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019*, or
 - (ii) the Lower Namoi Management Zone AD or the Lower Namoi Management Zone D, as established under section 5 of the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020*.
- (7) A water supply work approval must not be amended if all of the following apply—
- (a) the water supply works currently subject to the approval are nominated by a floodplain harvesting (unregulated river) access licence,
 - (b) amending the water supply work approval would increase the capability of water supply works subject to the approval to take water within—
 - (i) the Upper Namoi Management Zone AD or the Upper Namoi Management Zone D, as established under section 6 of the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019*, or
 - (ii) the Lower Namoi Management Zone AD or the Lower Namoi Management Zone D, as established under section 5 of the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020*, and
 - (c) the increase in capability is not a result of adding a water supply work that is or was previously nominated by that floodplain harvesting (unregulated river) access licence.
- (8) Subsection (3) does not apply if all of the following apply—
- (a) the applicant was determined to be eligible for a replacement floodplain harvesting access licence,
 - (b) the work is the subject of an application made prior to 31 December 2023 to grant a water supply work approval.
- (9) Subsections (4)–(7) do not apply if all of the following apply—

- (a) the applicant was determined to be eligible for a replacement floodplain harvesting access licence,
- (b) the work was constructed on or before 12 February 2021, but was not the subject of a water supply work approval prior to that date,
- (c) if the work is also a flood work, the work is subject to a flood work approval, and
- (d) the work is the subject of an application for the grant or amendment of a water supply work approval which was made prior to 30 June 2024.

Editorial Note—*replacement floodplain harvesting access licences* is defined in the Act, section 57A(1).

Minister's note—It is anticipated that section 38B will be added in this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

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.

Note—The *Access Licence Dealing Principles Order 2004*, section 11(3) contains restrictions relating to dealings under the Act, section 71O.

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 with an extraction component that specifies the Macdonald River Downstream Woolbrook Management Zone to an access licence with an extraction component that specifies the Macdonald River Upstream Woolbrook Management Zone,
 - (b) an assignment from an access licence with an extraction component that specifies the Macdonald River Upstream Woolbrook Management Zone to an access licence with an extraction component that specifies the Macdonald River Downstream Woolbrook Management Zone,
 - (c) an assignment from an access licence with an extraction component that specifies the Macdonald and Namoi Rivers Management Zone or Upper Namoi Tributaries Management Zone to an access licence with an extraction component that specifies the Halls Creek Management Zone,
 - (d) an assignment from an access licence with an extraction component that specifies the Macdonald and Namoi Rivers Management Zone or Halls Creek Management Zone to an access licence with an extraction component that specifies the Upper Namoi Tributaries Management Zone,
 - (e) an assignment from an access licence with an extraction component that specifies the Ironbark Creek Management Zone or the Ironbark Creek Management Zone to an access licence with an extraction component that specifies the Manilla River Management Zone,
 - (f) an assignment from an access licence with an extraction component that specifies the Ironbark Creek Management Zone, the Ironbark Creek Tributaries Management Zone or the Manilla River Management Zone to an access licence with an extraction component that specifies the Manilla River Tributaries Management Zone,
 - (g) an assignment from an access licence with an extraction component that specifies the Ironbark Creek Management Zone, the Manilla River Management Zone or the Manilla River Tributaries Management Zone to an access licence with an extraction component that specifies the Ironbark Creek Tributaries Management Zone,
 - (h) an assignment from an access licence with an extraction component that specifies the Lake Goran Tributaries Management Zone to an access licence with an extraction component that specifies the Lake Goran Management Zone,
 - (i) an assignment from an access licence with an extraction component that specifies the Lower Coss Creek Management Zone or the Mid Coss Creek Management

Zone to an access licence with an extraction component that specifies the Cocks Creek Tributaries Management Zone,

- (j) an assignment from an access licence with an extraction component that specifies the Maules and Horsearm Creeks Management Zone to an access licence with an extraction component that specifies the Maules Creek Tributaries Management Zone,
- (k) an assignment from an access licence with an extraction component that specifies the Peel River Management Zone to an access licence with an extraction component that specifies the Chaffey Tributaries Management Zone,
- (l) an assignment from an access licence with an extraction component that specifies the Downstream Boiling Down Creek Management Zone to an access licence with an extraction component that specifies the Upstream Boiling Down Creek Management Zone,
- (m) an assignment from an access licence with an extraction component that specifies a management zone in the Upper Peel River Tributaries Water Source to an access licence with an extraction component that specifies a different management zone,
- (n) an assignment from an access licence with an extraction component that specifies the Cockburn River Management Zone to an access licence with an extraction component that specifies the Cockburn River Tributaries Management Zone,
- (o) an assignment from an access licence with an extraction component that specifies the Lower Pian Creek Management Zone to an access licence with an extraction component that specifies the Pian Creek Tributaries Management Zone,
- (p) an assignment from an access licence with an extraction component that specifies the Lower Peel Tributaries Management Zone or that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source to an access licence with an extraction component that specifies the Moore Creek Management Zone,
- (q) an assignment from an access licence with an extraction component that specifies the Moore Creek Management Zone or the Lower Peel River Tributaries Management Zone to an access licence that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source,
- (r) an assignment from an access licence with an extraction component that specifies the Moore Creek Management Zone or that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source to an access licence with an extraction component that specifies the Lower Peel River Tributaries Management Zone if the assignment would cause the sum of share components in the Lower Peel River Tributaries Management Zone to exceed the sum of share components in the management zone at the commencement of the *Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010*,
- (s) an assignment from an access licence that does not nominate a water supply work located on an off-river pool to an access licence that nominates a water supply work located on an off-river pool,
- (t) an assignment from an access licence that nominates a water supply work located on an off-river pool to an access licence that nominates a water supply work located on a different off-river pool,

- (u) an assignment from an access licence that nominates a water supply work located downstream of the offtake point for the Barraba town water supply in the Manilla River Management Zone to an access licence that nominates a water supply work located upstream of the offtake point,
 - (v) an assignment from an access licence that nominates a water supply work located in a trading zone in the Baradine Creek Water Source to an access licence that nominates a water supply work in a different trading zone,
 - (w) an assignment from an access licence that does not nominate a water supply work located on the Mollee Weir Pool in the Bohena Creek Water Source to an access licence that nominates a water supply work located on the Mollee Weir Pool,
 - (x) an assignment from an access licence that nominates a water supply work located in the Etoo and Talluba Creeks Tributaries Trading Zone to an access licence that nominates a water supply work located in the Turragulla Creek Trading Zone if the assignment would cause the sum of share components in the Turragulla Creek Trading Zone to exceed the sum of share components in the trading zone at the commencement of the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2012*,
 - (y) an assignment from an access licence that does not nominate a water supply work located in the Bohena Namoi River Trading Zone to an access licence that nominates a water supply work located in the Bohena Namoi River Trading Zone.
- (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 from an access licence in a water source to which this Plan does not apply,
 - (b) an assignment from an access licence in the Lake Goran Water Source to an access licence in a different water source,
 - (c) an assignment to an access licence in the Lake Goran Water Source from an access licence in a different water source,
 - (d) an assignment to an access licence in a subcatchment specified in Column 1 of Table A if it would cause the sum of share components in the subcatchment to exceed the corresponding limit specified in Column 2 of Table A,
 - (e) an assignment to an access licence in a water source specified in Column 1 of Table B if it would cause the sum of share components in the water source to exceed the corresponding limit specified in Column 2 of Table B,
 - (f) an assignment to an access licence that nominates a water supply work located in a trading zone specified in Column 1 of Table C if it would cause the sum of share components in the trading zone to exceed the corresponding limit specified in Column 2 of Table C,
 - (g) an assignment from an access licence in a water source specified in Column 3 of Table D to an access licence in a different water source,
 - (h) an assignment from an access licence that nominates a water supply work located in a trading zone specified in Column 3 of Table D to an access licence in a different water source,
 - (i) an assignment from an access licence in a water source specified in Column 2 of Table D to an access licence in a water source specified in Columns 1 or 2 of Table D,

- (j) an assignment from an access licence in a water source specified in Column 2 of Table D to an access licence that nominates a water supply work located in a trading zone specified in Column 1 of Table D,
 - (k) an assignment from an access licence in a water source specified in Column 1 of Table D to an access licence in a water source specified in Column 1 of Table D,
 - (l) an assignment from an access licence that nominates a water supply work in a trading zone specified in Column 1 of Table D to an access licence that nominates a water supply work in a trading zone specified in Column 1 of Table D.
- (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 significant 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 significant wetland.
- (4) An assignment of rights under the Act, section 71Q, to or from an unregulated river (special additional high flow) access licence is prohibited.
- (5) An assignment of rights under the Act, section 71Q, to a floodplain harvesting (unregulated river) access licence that nominates a water supply work located—
- (a) outside the Upper Namoi Valley Floodplain or the Lower Namoi Valley Floodplain, as declared under section 252 of the *Water Management (General) Regulation 2018*, unless the work was nominated by the licence when the licence was first issued in the water source,
 - (b) within the Upper Namoi Management Zone AD or the Upper Namoi Management Zone D, as established under section 6 of the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019*, unless the work was nominated by the licence when the licence was first issued in the water source, or
 - (c) within the Lower Namoi Management Zone AD or the Lower Namoi Management Zone D, as established under section 5 of the *Floodplain Management Plan for the Lower Namoi Valley Floodplain 2020*, unless the work was nominated by the licence when the licence was first issued in the water source.

Minister's Note—it is anticipated that subsection (5) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

Table A—Volumetric limits for subcatchments

Column 1	Column 2
Subcatchment	Volumetric Limit (ML/year)
Chaffey Subcatchment	389
Keepit Subcatchment	15,315
Mooki Subcatchment	67,208
Namoi Subcatchment	76,810

Peel River Subcatchment	17,565
Split Rock Subcatchment	2,051

Table B—Volumetric limits for water sources

Column 1	Column 2
Water Source	Volumetric Limit (ML/year)
Baradine Creek Water Source	20,396
Bluevale Water Source	3,147
Bohena Creek Water Source	1,453
Brigalow Creek Water Source	1,957
Bundock Creek Water Source	4,160
Chaffey Water Source	389
Cockburn River Water Source	4,399
Coghill Creek Water Source	1,390
Coxs Creek Water Source	17,627
Etoo and Talluba Creeks Water Source	1,925
Eulah Creek Water Source	4,704
Goonoo Goonoo Creek Water Source	1,055
Keepit Water Source	929
Lower Namoi Water Source	2,668
Lower Peel River Tributaries Water Source	2,480
Maules Creek Water Source	1,079
Mid Macdonald River Water Source	5,872
Mooki River Water Source	30,393
Phillips Creek Water Source	261
Pian Creek Water Source	13,146
Quirindi Creek Water Source	3,156
Rangira Creek Water Source	1,479

Split Rock Water Source	300
Spring and Bobbiwaa Creeks Water Source	1,681
Upper Macdonald River Water Source	70
Upper Manilla Water Source	2,051
Upper Namoi Water Source	9,790
Upper Peel River Tributaries Water Source	9,631
Warrah Creek Water Source	435
Werris Creek Water Source	1,704

Table C—Volumetric limits for trading zones

Column 1	Column 2
Trading Zone	Volumetric Limit (ML/year)
Baradine Creek and Tributaries Trading Zone	1,326
Bohena Creek and Tributaries Trading Zone	695
Drilool Warrambool and Gunidgera Creek Trading Zone	2,006
Etoo and Talluba Creeks Tributaries Trading Zone	1,260
Namoi Effluents and Barwon Trading Zone	47
Other Anabranches Trading Zone	662
Turrigulla and Gil Gil Creek Trading Zone	19,023
Turrigulla Creek Trading Zone	665

Table D—Locations for dealings

Column 1	Column 2	Column 3
Drilool Warrambool and Gunidgera Creek Trading Zone	Mid Macdonald River Water Source	Baradine Creek and Tributaries Trading Zone

Etoo and Talluba Creeks Water Source	Werris Creek Water Source	Bluevale Water Source
Pian Creek Water Source	Upper Manilla Water Source	Bohena Creek and Tributaries Trading Zone
Spring and Bobbiwaa Creeks Water Source	Chaffey Water Source	Brigalow Creek Water Source
Turragulla and Gil Gil Creeks Trading Zone	Upper Peel River Tributaries Water Source	Bundock Creek Water Source
Upper Namoi Water Source	Cockburn River Water Source	Coghill Creek Water Source
	Upper Macdonald River Water Source	Coxs Creek Water Source
	Lower Peel River Tributaries Water Source	Eulah Creek Water Source
		Maules Creek Water Source
		Namoi Effluents and Barwon Trading Zone
		Other Anabranches Trading Zone
		Mooki River Water Source
		Rangira Creek Water Source
		Phillips Creek Water Source
		Goonoo Goonoo Creek Water Source
		Split Rock Water Source
		Keepit Water Source
		Quirindi Creek Water Source
		Warrah Creek Water Source

41 Amendment of share component dealings—change of water source

- (1) The following dealings under the Act, section 71R, are prohibited—
 - (a) 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,
 - (b) the cancellation of an access licence in the Lake Goran Water Source to grant an access licence in a different water source,
 - (c) the grant of an access licence in the Lake Goran Water Source following the cancellation of an access licence in a different water source,
 - (d) the cancellation of an access licence that does not nominate a water supply work located in the Bohena Namoi River Trading Zone to grant an access licence that nominates a water supply work located in the Bohena Namoi River Trading Zone,
 - (e) the cancellation of an access licence to grant an access licence in a subcatchment specified in Column 1 of Table A if it would cause the sum of share components in the subcatchment to exceed the corresponding limit specified in Column 2 of Table A,
 - (f) the cancellation of an access licence to grant an access licence in a water source specified in Column 1 of Table B if it would cause the sum of share components in the water source to exceed the corresponding limit specified in Column 2 of Table B,
 - (g) the cancellation of an access licence to grant an access licence that nominates a water supply work located in a trading zone specified in Column 1 of Table C if it would cause the sum of share components in the trading zone to exceed the corresponding limit specified in Column 2 of Table C,
 - (h) the cancellation of an access licence in a water source specified in Column 3 of Table D to grant an access licence in a different water source,
 - (i) the cancellation of an access licence that nominates a water supply work located in a trading zone specified in Column 3 of Table D to grant an access licence in a different water source,
 - (j) the cancellation of an access licence in a water source specified in Column 2 of Table D to grant an access licence in a water source specified in Columns 1 or 2 of Table D,
 - (k) the cancellation of an access licence in a water source specified in Column 2 of Table D to grant an access licence that nominates a water supply work located in a trading zone specified in Column 1 of Table D,
 - (l) the cancellation of an access licence in a water source specified in Column 1 of Table D to grant an access licence in a water source specified in Column 1 of Table D,
 - (m) the cancellation of an access licence that nominates a water supply work in a trading zone specified in Column 1 of Table D to grant an access licence that nominates a water supply work in a trading zone specified in Column 1 of Table D.
- (2) The granting of an access licence under the Act, section 71R, following the cancellation of an unregulated river (special additional high flow) access licence is prohibited.
- (3) 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 licence.

Table A—Volumetric limits for subcatchments

Column 1	Column 2
Subcatchment	Volumetric Limit (ML/year)
Chaffey Subcatchment	389
Keepit Subcatchment	15,315
Mooki Subcatchment	67,208
Namoi Subcatchment	76,810
Peel River Subcatchment	17,565
Split Rock Subcatchment	2,051

Table B—Volumetric limits for water sources

Column 1	Column 2
Water Source	Volumetric Limit (ML/year)
Baradine Creek Water Source	20,396
Bluevale Water Source	3,147
Bohena Creek Water Source	1,453
Brigalow Creek Water Source	1,957
Bundock Creek Water Source	4,160
Chaffey Water Source	389
Cockburn River Water Source	4,399
Coghill Creek Water Source	1,390
Coxs Creek Water Source	17,627
Etoo and Talluba Creeks Water Source	1,925
Eulah Creek Water Source	4,704
Goonoo Goonoo Creek Water Source	1,055
Keepit Water Source	929
Lower Namoi Water Source	2,668
Lower Peel River Tributaries Water Source	2,480
Maules Creek Water Source	1,079

Mid Macdonald River Water Source	5,872
Mooki River Water Source	30,393
Phillips Creek Water Source	261
Pian Creek Water Source	13,146
Quirindi Creek Water Source	3,156
Rangira Creek Water Source	1,479
Split Rock Water Source	300
Spring and Bobbiwaa Creeks Water Source	1,681
Upper Macdonald River Water Source	70
Upper Manilla Water Source	2,051
Upper Namoi Water Source	9,790
Upper Peel River Tributaries Water Source	9,631
Warrah Creek Water Source	435
Werris Creek Water Source	1,704

Table C—Volumetric limits for trading zones

Column 1	Column 2
Trading Zone	Volumetric Limit (ML/year)
Baradine Creek and Tributaries Trading Zone	1,326
Bohena Creek and Tributaries Trading Zone	695
Drildool Warrambool and Gunidgera Creek Trading Zone	2,006
Etoo and Talluba Creeks Tributaries Trading Zone	1,260
Namoi Effluents and Barwon Trading Zone	47
Other Anabanches Trading Zone	662
Turragulla and Gil Gil Creek Trading Zone	19,023

Turrigulla Creek Trading Zone

665

Table D—Locations for dealings

Column 1	Column 2	Column 3
Drildool Warrambool and Gunidgera Creek Trading Zone	Mid Macdonald River Water Source	Baradine Creek and Tributaries Trading Zone
Etoo and Talluba Creeks Water Source	Werris Creek Water Source	Bluevale Water Source
Pian Creek Water Source	Upper Manilla Water Source	Bohena Creek and Tributaries Trading Zone
Spring and Bobbiwaa Creeks Water Source	Chaffey Water Source	Brigalow Creek Water Source
Turrigulla and Gil Gil Creeks Trading Zone	Upper Peel River Tributaries Water Source	Bundock Creek Water Source
Upper Namoi Water Source	Cockburn River Water Source	Coghill Creek Water Source
	Upper Macdonald River Water Source	Coxs Creek Water Source
	Lower Peel River Tributaries Water Source	Eulah Creek Water Source
		Maules Creek Water Source
		Namoi Effluents and Barwon Trading Zone
		Other Anabranches Trading Zone
		Mooki River Water Source
		Rangira Creek Water Source
		Phillips Creek Water Source
		Goonoo Goonoo Creek Water Source

Split Rock Water
Source

Keepit Water Source

Quirindi Creek Water
Source

Warrah Creek Water
Source

42 Amendment of extraction component dealings

- (1) The following dealings under the Act, section 71S(1)(b), are prohibited—
- (a) an access licence with an extraction component that specifies the Macdonald River Downstream Woolbrook Management Zone being amended to specify the Macdonald River Upstream Woolbrook Management Zone,
 - (b) an access licence with an extraction component that specifies the Macdonald River Upstream Woolbrook Management Zone being amended to specify the Macdonald River Downstream Woolbrook Management Zone,
 - (c) an access licence with an extraction component that specifies the Macdonald and Namoi Rivers Management Zone or Upper Namoi Tributaries Management Zone being amended to specify the Halls Creek Management Zone,
 - (d) an access licence with an extraction component that specifies the Macdonald and Namoi Rivers Management Zone or Halls Creek Management Zone being amended to specify the Upper Namoi Tributaries Management Zone,
 - (e) an access licence with an extraction component that specifies the Ironbark Creek Management Zone or the Ironbark Creek Management Zone being amended to specify the Manilla River Management Zone,
 - (f) an access licence with an extraction component that specifies the Ironbark Creek Management Zone, the Ironbark Creek Tributaries Management Zone or the Manilla River Management Zone being amended to specify the Manilla River Tributaries Management Zone,
 - (g) an access licence with an extraction component that specifies the Ironbark Creek Management Zone, the Manilla River Management Zone or the Manilla River Tributaries Management Zone being amended to specify the Ironbark Creek Tributaries Management Zone,
 - (h) an access licence with an extraction component that specifies the Lake Goran Tributaries Management Zone being amended to specify the Lake Goran Management Zone,
 - (i) an access licence with an extraction component that specifies the Lower Cocks Creek Management Zone or the Mid Cocks Creek Management Zone being amended to specify the Cocks Creek Tributaries Management Zone,
 - (j) access licence with an extraction component that specifies the Maules and Horsearm Creeks Management Zone being amended to specify the Maules Creek Tributaries Management Zone,

- (k) an access licence with an extraction component that specifies the Peel River Management Zone being amended to specify the Chaffey Tributaries Management Zone,
 - (l) an access licence with an extraction component that specifies the Downstream Boiling Down Creek Management Zone being amended to specify the Upstream Boiling Down Creek Management Zone,
 - (m) an access licence with an extraction component that specifies a management zone in the Upper Peel River Tributaries Water Source being amended to specify a different management zone,
 - (n) an access licence with an extraction component that specifies the Cockburn River Management Zone being amended to specify the Cockburn River Tributaries Management Zone,
 - (o) an access licence with an extraction component that specifies the Lower Pian Creek Management Zone being amended to specify the Pian Creek Tributaries Management Zone,
 - (p) an access licence with an extraction component that specifies the Lower Peel Tributaries Management Zone or that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source being amended to specify the Moore Creek Management Zone,
 - (q) an access licence with an extraction component that specifies the Moore Creek Management Zone or that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source being amended to specify the Lower Peel River Tributaries Management Zone if the amendment would cause the sum of share components in the Lower Peel River Tributaries Management Zone to exceed the sum of share components in the management zone at the commencement of the *Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010*.
- (2) 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 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 licence currently specifies an area or location being within the same WSP prescribed wetland.

Note—The *Access Licence Dealing Principles Order 2004*, section 16 regulates dealings under the Act, section 71S(1)(a).

43 Assignment of water allocations dealings

- (1) The following assignments of water allocations under the Act, section 71T, in the same water source are prohibited—
- (a) an assignment from an access licence with an extraction component that specifies the Macdonald River Downstream Woolbrook Management Zone to an access

- licence with an extraction component that specifies the Macdonald River Upstream Woolbrook Management Zone,
- (b) an assignment from an access licence with an extraction component that specifies the Macdonald River Upstream Woolbrook Management Zone to an access licence with an extraction component that specifies the Macdonald River Downstream Woolbrook Management Zone,
 - (c) an assignment from an access licence with an extraction component that specifies the Macdonald and Namoi Rivers Management Zone or Upper Namoi Tributaries Management Zone to an access licence with an extraction component that specifies the Halls Creek Management Zone,
 - (d) an assignment from an access licence with an extraction component that specifies the Macdonald and Namoi Rivers Management Zone or Halls Creek Management Zone to an access licence with an extraction component that specifies the Upper Namoi Tributaries Management Zone,
 - (e) an assignment from an access licence with an extraction component that specifies the Ironbark Creek Management Zone or the Ironbark Creek Management Zone to an access licence with an extraction component that specifies the Manilla River Management Zone,
 - (f) an assignment from an access licence with an extraction component that specifies the Ironbark Creek Management Zone, the Ironbark Creek Tributaries Management Zone or the Manilla River Management Zone to an access licence with an extraction component that specifies the Manilla River Tributaries Management Zone,
 - (g) an assignment from an access licence with an extraction component that specifies the Ironbark Creek Management Zone, the Manilla River Management Zone or the Manilla River Tributaries Management Zone to an access licence with an extraction component that specifies the Ironbark Creek Tributaries Management Zone,
 - (h) an assignment from an access licence with an extraction component that specifies the Lake Goran Tributaries Management Zone to an access licence with an extraction component that specifies the Lake Goran Management Zone,
 - (i) an assignment from an access licence with an extraction component that specifies the Lower Cocks Creek Management Zone or the Mid Cocks Creek Management Zone to an access licence with an extraction component that specifies the Cocks Creek Tributaries Management Zone,
 - (j) an assignment from an access licence with an extraction component that specifies the Maules and Horsearm Creeks Management Zone to an access licence with an extraction component that specifies the Maules Creek Tributaries Management Zone,
 - (k) an assignment from an access licence with an extraction component that specifies the Peel River Management Zone to an access licence with an extraction component that specifies the Chaffey Tributaries Management Zone,
 - (l) an assignment from an access licence with an extraction component that specifies the Downstream Boiling Down Creek Management Zone to an access licence with an extraction component that specifies the Upstream Boiling Down Creek Management Zone,

- (m) an assignment from an access licence with an extraction component that specifies a management zone in the Upper Peel River Tributaries Water Source to an access licence with an extraction component that specifies a different management zone,
- (n) an assignment from an access licence with an extraction component that specifies the Cockburn River Management Zone to an access licence with an extraction component that specifies the Cockburn River Tributaries Management Zone,
- (o) an assignment from an access licence with an extraction component that specifies the Lower Pian Creek Management Zone to an access licence with an extraction component that specifies the Pian Creek Tributaries Management Zone,
- (p) an assignment from an access licence with an extraction component that specifies the Lower Peel Tributaries Management Zone or that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source to an access licence with an extraction component that specifies the Moore Creek Management Zone,
- (q) an assignment from an access licence with an extraction component that specifies the Moore Creek Management Zone or the Lower Peel River Tributaries Management Zone to an access licence that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source,
- (r) an assignment from an access licence with an extraction component that specifies the Moore Creek Management Zone or that nominates a water supply work located in the Wallamoore Anabranch in the Lower Peel River Tributaries Water Source to an access licence with an extraction component that specifies the Lower Peel River Tributaries Management Zone if the assignment would cause the sum of water allocations in the Lower Peel River Tributaries Management Zone to exceed the sum of share components in the management zone at the commencement of the *Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010*,
- (s) an assignment from an access licence that does not nominate a water supply work located on an off-river pool to an access licence that nominates a water supply work located on an off-river pool,
- (t) an assignment from an access licence that nominates a water supply work located on an off-river pool to an access licence that nominates a water supply work located on a different off-river pool,
- (u) an assignment from an access licence that nominates a water supply work located downstream of the offtake point for the Barraba town water supply in the Manilla River Management Zone to an access licence that nominates a water supply work located upstream of the offtake point,
- (v) an assignment from an access licence that nominates a water supply work located in a trading zone in the Baradine Creek Water Source to an access licence that nominates a water supply work in a different trading zone,
- (w) an assignment from an access licence that does not nominate a water supply work located on the Mollee Weir Pool in the Bohena Creek Water Source to an access licence that nominates a water supply work located on the Mollee Weir Pool,
- (x) an assignment from an access licence that nominates a water supply work located in the Etoo and Talluba Creeks Tributaries Trading Zone to an access licence that nominates a water supply work located in the Turragulla Creek Trading Zone if the assignment would cause the sum of water allocations in the Turragulla Creek

Trading Zone to exceed the sum of share components in the trading zone at the commencement of the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2012*,

- (y) an assignment from an access licence that does not nominate a water supply work located in the Bohena Namoi River Trading Zone to an access licence that nominates a water supply work located in the Bohena Namoi River Trading Zone.
- (2) The following assignments of water allocations under the Act, section 71T, between water sources in the same water management area are prohibited—
- (a) an assignment from an access licence in a water source to which this Plan does not apply,
 - (b) an assignment from an access licence in the Lake Goran Water Source to an access licence in a different water source,
 - (c) an assignment to an access licence in the Lake Goran Water Source from an access licence in a different water source,
 - (d) an assignment to an access licence in a subcatchment specified in Column 1 of Table A if it would cause the sum of water allocations in the subcatchment to exceed the corresponding limit specified in Column 2 of Table A,
 - (e) an assignment to an access licence in a water source specified in Column 1 of Table B if it would cause the sum of water allocations in the water source to exceed the corresponding limit specified in Column 2 of Table B,
 - (f) an assignment to an access licence that nominates a water supply work located in a trading zone specified in Column 1 of Table C if it would cause the sum of water allocations in the trading zone to exceed the corresponding limit specified in Column 2 of Table C,
 - (g) an assignment from an access licence in a water source specified in Column 3 of Table D to an access licence in a different water source,
 - (h) an assignment from an access licence that nominates a water supply work located in a trading zone specified in Column 3 of Table D to an access licence in a different water source,
 - (i) an assignment from an access licence in a water source specified in Column 2 of Table D to an access licence in a water source specified in Columns 1 or 2 of Table D,
 - (j) an assignment from an access licence in a water source specified in Column 2 of Table D to an access licence that nominates a water supply work located in a trading zone specified in Column 1 of Table D,
 - (k) an assignment from an access licence in a water source specified in Column 1 of Table D to an access licence in a water source specified in Column 1 of Table D,
 - (l) an assignment from an access licence that nominates a water supply work in a trading zone specified in Column 1 of Table D to an access licence that nominates a water supply work in a trading zone specified in Column 1 of Table D.
- (3) An assignment of water allocations under the Act, section 71T, 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 significant 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 significant wetland.
- (4) An assignment of water allocations under the Act, section 71T, to or from an unregulated river (special additional high flow) access licence is prohibited.
- (5) An assignment of water allocations under the Act, section 71T, to or from a floodplain harvesting (unregulated river) access licence is prohibited.

Minister's Note—it is anticipated that subsection (5) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

Table A—Volumetric limits for subcatchments

Column 1	Column 2
Subcatchment	Volumetric Limit (ML/year)
Chaffey Subcatchment	389
Keepit Subcatchment	15,315
Mooki Subcatchment	67,208
Namoi Subcatchment	76,810
Peel River Subcatchment	17,565
Split Rock Subcatchment	2,051

Table B—Volumetric limits for water sources

Column 1	Column 2
Water Source	Volumetric Limit (ML/year)
Baradine Creek Water Source	20,396
Bluevale Water Source	3,147
Bohena Creek Water Source	1,453
Brigalow Creek Water Source	1,957
Bundock Creek Water Source	4,160
Chaffey Water Source	389
Cockburn River Water Source	4,399
Coghill Creek Water Source	1,390
Coxs Creek Water Source	17,627
Etoo and Talluba Creeks Water Source	1,925

Eulah Creek Water Source	4,704
Goonoo Goonoo Creek Water Source	1,055
Keepit Water Source	929
Lower Namoi Water Source	2,668
Lower Peel River Tributaries Water Source	2,480
Maules Creek Water Source	1,079
Mid Macdonald River Water Source	5,872
Mooki River Water Source	30,393
Phillips Creek Water Source	261
Pian Creek Water Source	13,146
Quirindi Creek Water Source	3,156
Rangira Creek Water Source	1,479
Split Rock Water Source	300
Spring and Bobbiwaa Creeks Water Source	1,681
Upper Macdonald River Water Source	70
Upper Manilla Water Source	2,051
Upper Namoi Water Source	9,790
Upper Peel River Tributaries Water Source	9,631
Warrah Creek Water Source	435
Werris Creek Water Source	1,704

Table C—Volumetric limits for trading zones

Column 1	Column 2
Trading Zone	Volumetric Limit (ML/year)
Baradine Creek and Tributaries Trading Zone	1,326
Bohena Creek and Tributaries Trading Zone	695

Drilbool Warrambool and Gunidgera Creek Trading Zone	2,006
Etoo and Talluba Creeks Tributaries Trading Zone	1,260
Namoi Effluents and Barwon Trading Zone	47
Other Anabranes Trading Zone	662
Turragulla and Gil Gil Creek Trading Zone	19,023
Turragulla Creek Trading Zone	665

Table D—Locations for dealings

Column 1	Column 2	Column 3
Drilbool Warrambool and Gunidgera Creek Trading Zone	Mid Macdonald River Water Source	Baradine Creek and Tributaries Trading Zone
Etoo and Talluba Creeks Water Source	Werris Creek Water Source	Bluevale Water Source
Pian Creek Water Source	Upper Manilla Water Source	Bohena Creek and Tributaries Trading Zone
Spring and Bobbiwaa Creeks Water Source	Chaffey Water Source	Brigalow Creek Water Source
Turragulla and Gil Gil Creeks Trading Zone	Upper Peel River Tributaries Water Source	Bundock Creek Water Source
Upper Namoi Water Source	Cockburn River Water Source	Coghill Creek Water Source
	Upper Macdonald River Water Source	Coxs Creek Water Source
	Lower Peel River Tributaries Water Source	Eulah Creek Water Source
		Maules Creek Water Source
		Namoi Effluents and Barwon Trading Zone
		Other Anabranes Trading Zone

Mooki River Water
Source

Rangira Creek Water
Source

Phillips Creek Water
Source

Goonoo Goonoo
Creek Water Source

Split Rock Water
Source

Keepit Water Source

Quirindi Creek Water
Source

Warrah Creek Water
Source

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

(1) 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 with an extraction component that specifies the Moore Creek Management Zone or the Lower Peel River Tributaries Management Zone being amended to nominate a water supply work located in the Wallamoore Anabranh in the Lower Peel River Tributaries Water Source,
- (c) an access licence that does not nominate a water supply work located on an off-river pool being amended to nominate a water supply work located on an off-river pool,
- (d) an access licence that nominates a water supply work located on an off-river pool being amended to nominate a water supply work located on a different off-river pool,
- (e) an access licence that nominates a water supply work located downstream of the offtake point for the Barraba town water supply in the Manilla River Management Zone being amended to nominate a water supply work located upstream of the offtake point,
- (f) an access licence that nominates a water supply work located in a trading zone in the Baradine Creek Water Source being amended to nominate a water supply work in a different trading zone,

- (g) an access licence that does not nominate a water supply work located on the Mollee Weir Pool in the Bohena Creek Water Source being amended to nominate a water supply work located on the Mollee Weir Pool,
- (h) an access licence that nominates a water supply work located in the Etoo and Talluba Creeks Tributaries Trading Zone being amended to nominate a water supply work located in the Turragulla Creek Trading Zone if the nomination would cause the sum of share components in the Turragulla Creek Trading Zone to exceed the sum of share components in the trading zone at the commencement of the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2012*,
- (i) 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,
- (j) an amendment of an unregulated river (special additional high flow) access licence,
- (k) an amendment of a floodplain harvesting (unregulated river) access licence to nominate a water supply work located—
 - (i) outside the Upper Namoi Valley Floodplain or the Lower Namoi Valley Floodplain, as declared under section 252 of the *Water Management (General) Regulation 2018*,
 - (ii) within the Upper Namoi Management Zone AD or the Upper Namoi Management Zone D, as established under section 6 of the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2019*, or
 - (iii) within the Lower Namoi Management Zone AD or the Lower Namoi Management Zone D, as established under section 5 of the *Floodplain Management Plan for the Upper Namoi Valley Floodplain 2020*,

Minister's Note—it is anticipated that subsection (1)(k) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

- (2) Subsection (1)(k) does not apply to a dealing that involves the amendment of a floodplain harvesting (unregulated river) access licence to nominate a work authorised by a water supply work approval (the **new approval**) if—
 - (a) the new approval was created as a result of the amendment of a water supply work approval (the **original approval**) that was nominated by the access licence to be amended, and
 - (b) the new approval does not authorise any works in addition to those that were authorised by the original approval.

Minister's Note—it is anticipated that subsection (2) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

- (3) Subsection (1)(k) does not apply to a dealing that involves the amendment of a floodplain harvesting (unregulated river) access licence if the Minister has made the following determinations—

- (a) the applicant for the dealing was eligible for a replacement floodplain harvesting access licence under the *Water Management (General) Regulation 2018*, section 23B,
- (b) the final share component for that licence was zero under the *Water Management (General) Regulation 2018*, Part 2A, Division 2.

Note—The *Access Licence Dealing Principles Order 2004*, section 20, and the *Water Management (General) Regulation 2018*, section 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.

Minister's Note—it is anticipated that subsection (3) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

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

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) other conditions required to implement the provisions of this Plan, including a condition requiring compliance with section 49.

49 Record-keeping conditions

- (1) Before water is taken under an access licence, the licence holder must confirm a cease-to-take condition does not apply.
- (2) The licence holder must keep any information required that was 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.
- (3) Each floodplain harvesting (unregulated river) access licence must have a mandatory condition requiring that the licence holder only take water from overland flow within the Upper Namoi Valley Floodplain or the Lower Namoi Valley Floodplain, as declared under section 252 of the *Water Management (General) Regulation 2018*.

Editorial Note—overland flow is defined under the Act, section 4A.

Minister's Note—it is anticipated that subsection (3) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

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) 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) Before a water supply work is used to take water, the approval holder must confirm a cease-to-take condition does not apply.
- (3) The approval holder must keep any information required that was 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, including the water sources to which a management zone applies and the boundaries of the zone,
 - (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 add, modify or remove provisions relating to floodplain harvesting (unregulated river) access licences in response to any of the following—
 - (i) the need to protect overbank flow for environmental purposes,
 - (ii) monitoring, evaluation and reporting outcomes,
 - (iii) an improved understanding of the influence of floodplain harvesting on downstream flows,
 - (iv) a review that assesses the potential benefits and impacts of new access provisions for floodplain harvesting (unregulated river) access licences,
 - (v) a review of the access licence dealing rules in Part 8 of this Plan,
 - (vi) other circumstances as determined by the Minister,
- Minister's Note**—it is anticipated that subsection (1)(f) will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.
- (g) 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,

- (h) to give effect to, or in connection with, a determination of native title under the *Native Title Act 1993* of the Commonwealth,
- (i) to establish a long-term average sustainable diversion limit that combines the long-term average sustainable diversion limits for the water sources, the Lower Namoi Regulated River Water Source, the Peel Regulated River Water Source and the Upper Namoi Regulated River Water Source,
- (j) by 2026, the Minister is to review the rules for the following water sources and consider the flows required to support connectivity to northern basin major tributaries and flows required to protect the water source and its dependent ecosystems across a range of flow conditions, including base and fresh flows—
 - (i) Baradine Creek Water Source,
 - (ii) Brigalow Creek Water Source,
 - (iii) Bundock Creek Water Source,
 - (iv) Coghill Creek Water Source,
 - (v) Etoo and Talluba Creeks Water Source,
 - (vi) Lower Namoi Water Source,
 - (vii) Pian Creek Water Source,

The Minister may amend this Plan based on that review,

- (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) Cockburn River Water Source,
 - (ii) Lower Peel Tributaries Water Source,
 - (iii) Maules Creek Water Source,
 - (iv) Werris 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 the review, the Minister is to consider the following, among any other matters the Minister considers relevant—

- (v) new information on gauge suitability or methods for managing extraction,
 - (vi) water requirements of relevant species,
 - (vii) water usage data (where available), and
 - (viii) associated cultural, social and economic implications of any changes to access rules,
- (l) to add, modify or remove a definition,
 - (m) to modify Schedule 2 or 3 to add or remove an access licence,
 - (n) to make amendments consequential on an amendment to the Act or regulations.
- (2) This Plan may be amended to make consequential amendments necessary to give effect to an amendment authorised by subsection (1).

Schedule 1 Flow classes

section 31

Column 1	Column 2	Column 3	Column 4	Column 5
Water source	Management Zone	Flow class	Flow class threshold	Flow reference point
Brigalow Creek	Brigalow Creek	Very Low Flow Class	4ML/day or less	Brigalow Creek at Tharlane gauge (419083)
Chaffey	Peel River	A Class	More than 4ML/day	
		Very Low Flow Class	2ML/day or less	Taroona gauge (419081)
		A Class	More than 2ML/day	Taroona gauge (419081)
Cockburn River	Cockburn River	Very Low Flow Class	2.5ML/day or less on a rising river and 0.3ML/day or less on a falling river	Downstream of Kootingal Bridge Weir gauge (419114)
		A Class	More than 2.5ML/day on a rising river and more than 0.3ML/day on a falling river	Downstream of Kootingal Bridge Weir gauge (419114)
Coxs Creek	Mid Coxs Creek	Very Low Flow Class	17.5ML/day or less at Tambar Springs gauge and 15ML/day or less at Tourable gauge	Tambar Springs gauge (419033) and Tourable gauge (419102)
		A Class	More than 17.5ML/day at Tambar Springs gauge and more than 15ML/day at Tourable gauge	Tambar Springs gauge (419033) and Tourable gauge (419102)
	Lower Coxs Creek	Very Low Flow Class	15ML/day or less at Tourable gauge and 11ML/day or less at Boggabri gauge	Tourable gauge (419102) and Boggabri gauge (419032)
		A Class	More than 15ML/day at Tourable gauge and more than 11ML/day at Boggabri gauge	Tourable gauge (419102) and Boggabri gauge (419032)
Goonoo Goonoo Creek	Downstream Boiling Down Creek	Very Low Flow Class	Zero flow at Timbumburi gauge or no visible flow at upstream Calala Lane Bridge	Timbumburi gauge (419035) and Goonoo Goonoo Creek upstream of Calala Lane Road Bridge, Lot 1821 DP 1122162, Parish Calala, County Parry
		A Class	Flow at Timbumburi gauge and visible flow at upstream Calala Lane Bridge	Timbumburi gauge (419035) and Goonoo Goonoo Creek upstream of Calala Lane Road Bridge, Lot 1821 DP 1122162,

Lake Goran	Lake Goran	Very Low Flow Class	294.7m AHD or less	Parish Calala, County Parry Hokey Pokey gauge (419066)
		A Class	More than 294.7m AHD	Hokey Pokey gauge (419066)
Lower Peel River Tributaries Water Source	Moore Creek Management Zone—those licences nominating works upstream of Slippery Rock	Very Low Flow Class	No visible flow at either flow reference point or a visible flow at both reference points without constant visible flow at Slippery Rock over the preceding 24 hours	Moore Creek at the road crossing (the Scout Camp) located within Lot 146 DP 753843 Parish Perry, County Inglis and Moore Creek at Slippery Rock located at Daruka Recreation Lot 36 DP 851460 Parish Moonbi, County Inglis
		A Class	Visible flow at both flow reference points with a constant visible flow at Slippery Rock over the preceding 24 hours	Moore Creek at the road crossing (the Scout Camp) located within Lot 146 DP 753843 Parish Perry, County Inglis and Moore Creek at Slippery Rock located at Daruka Recreation Lot 36 DP 851460 Parish Moonbi, County Inglis
		Very Low Flow Class	No visible flow	Moore Creek at Slippery Rock located at Daruka Recreation Reserve Lot 36 DP 851460
		A Class	Visible flow	Moore Creek at Slippery Rock located at Daruka Recreation Reserve Lot 36 DP 851460
Maules Creek	Maules and Horsearm Creek	Very Low Flow Class	1ML/day or less	Avoca East gauge (419051)
		A Class	More than 1ML/day	Avoca East gauge (419051)
Mid Macdonald	Macdonald River Downstream Woolbrook	Very Low Flow Class	15ML/day or less	Retreat gauge (419028)

		A Class	More than 15ML/day	Retreat gauge (419028)
	Macdonald River Upstream Woolbrook	Very Low Flow Class	10ML/day or less	Woolbrook gauge (419010)
		A Class	More than 10ML/day	Woolbrook gauge (419010)
Mooki River		Very Low Flow Class	100ML/day or less on a rising river and 50ML/day or less on a falling river	Breeza gauge (419027)
		A Class	More than 100ML/day on a rising river and more than 50ML/day on a falling river	Breeza gauge (419027)
Pian Creek	Lower Pian Creek	Very Low Flow Class	43ML/day or less at Dempseys Bridge gauge and 5ML/day at Waminda gauge	Dempseys Bridge gauge (419089) and Waminda gauge (419049)
		A Class	More than 43ML/day at Dempseys Bridge gauge and more than 5ML/day at Waminda gauge	Dempseys Bridge gauge (419089) and Waminda gauge (419049)
Quirindi Creek		Very Low Flow Class	2ML/day or less	Greenacres gauge (419098)
		A Class	More than 2ML/day	Greenacres gauge (419098)
Upper Manilla	Ironbark Creek	Very Low Flow Class	3ML/day or less	Woodsreef gauge (419047)
		A Class	More than 3ML/day	Woodsreef gauge (419047)
	Manilla River	Very Low Flow Class	3ML/day or less	Black Springs gauge (419053)
		A Class	More than 3ML/day	Black Springs gauge (419053)
Upper Namoi	Halls Creek	Very Low Flow Class	2ML/day or less	Ukolan gauge (419029)
		A Class	More than 2ML/day	Ukolan gauge (419029)
	Macdonald and Namoi Rivers	Very Low Flow Class	1ML/day or less at North Cuerindi gauge and no visible flow over the weir crest at Manilla Weir	North Cuerindi gauge (419005) and Manilla Weir
		A Class	More than 1ML/day at North Cuerindi gauge and visible flow over the weir crest at Manilla Weir	North Cuerindi gauge (419005) and Manilla Weir
Upper Peel River Tributaries	Dungowan Creek	Very Low Flow Class	For licences that nominate works downstream of Thorntons Road	Dungowan Creek at Upstream Dungowan gauge (419103)

A Class	Bridge—2ML/day or less	Dungowan Creek at Upstream Dungowan gauge (419103)
	For licences that nominate works downstream of Thorntons Road Bridge—more than 2ML/day	

Schedule 2 Access licences exempt from specified access rules

sections 35(2)(a) and (d)

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

Column 1 Water Source	Column 2 Management Zone	Column 3 Access licence numbers
Chaffey Water Source	Peel River Management Zone	20334
Coxs Creek Water Source	Coxs Creek Tributaries Management Zone	32406, 32419
Eulah Creek Water Source		32429
Mid Macdonald River Water Source	Mid Macdonald River Tributaries Management Zone	32503
Werris Creek Water Source		32678

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

Column 1 Water Source	Column 2 Management Zone	Column 3 Access licence numbers
Mid Macdonald River Water Source	Macdonald River Downstream Woolbrook Management Zone	32510
Mid Macdonald River Water Source	Mid Macdonald River Upstream Woolbrook Management Zone	37241
Upper Manilla Water Source	Manilla River management Zone	37242
Upper Manilla Water Source		90SL004850, 90SL042521, 90SL048393
Upper Namoi Water Source		90SL004965
Upper Peel River Tributaries Management Zone	Dungowan Creek Management Zone	20953

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

sections 34(3) and 35(3)(c) and (4)

Table A—Access licences subject to cease-to-take conditions relating to the taking of water other than from pools

Column 1 Access licence	Column 2 Water Source	Column 3 Cease-to-take condition
41852	Lower Namoi Water Source	The authorised work shall not be used for the purpose of irrigating the authorised area or any part thereof, unless the discharge of the Namoi River at the downstream Weeta Weir gauge exceeds 1600ML/day (such discharge corresponding to a reading on the said gauge of 179.15 metres or such other reading as may be determined from time to time).
36157	Werris Creek Water Source	The pump shall not be used for the purpose of irrigation unless there is a visible flow in the unnamed watercourse immediately above its junction with the pool level maintained by the “Gap Railway Dam” on Werris Creek.
32622	Upper Namoi River Water Source	The authorised work/s shall not be used for the purpose of irrigation unless there is a flow of 28 megalitres per day at the North Cuerindi Gauge on the Namoi River
32621	Upper Namoi River Water Source	The authorised 50 mm pump shall not be used for the purpose of irrigation unless there is a visible flow over the weir authorised by Licence No 90SL004754 held by Tamworth Regional Council and unless there is a flow in the Namoi River at Wittagoona/East Hills Gauge that exceeds 50 megalitres per day, with such flow corresponding to a gauge reading of 0.54 metres or such other reading as may be determined from time to time.
32640	Upper Namoi River Water Source	Any pump over 250mm in capacity shall not be used for the purpose of irrigation unless there is a flow over the weir authorised by licence no. 90SL004754 held by Tamworth Regional Council of least 100 megalitres per day.
32609	Upper Namoi River Water Source	The licensed 250mm pump shall not be used for the purpose of irrigation unless the flow in the Namoi River at the North Cuerindi Gauge is in excess of 100 megalitres per day.
32595	Upper Namoi River Water Source	Any pump over 250mm in capacity shall not be used for the purpose of irrigation unless there is a flow over the weir authorised by licence no. 90SL004754 held by Tamworth Regional Council of least 100 megalitres per day.
32649	Upper Namoi River Water Source	Any pump of 250mm capacity or greater capacity shall not be used for the purpose of irrigation unless there is a flow in the Namoi River at the North Cuerindi Gauge of at least 100 megalitres per day.
32641	Upper Namoi River Water Source	Any pump of 250mm capacity or greater capacity shall not be used for the purpose of irrigation unless there is a flow in the Namoi

32662	Upper Namoi River Water Source	River at the North Cuerindi Gauge of at least 100 megalitres per day Any pump of 250mm capacity or greater capacity shall not be used for the purpose of irrigation unless there is a flow in the Namoi River at the North Cuerindi Gauge of at least 100 megalitres per day
32594	Upper Namoi River Water Source	The licensed 380 mm pump shall not be used for the purpose of irrigation unless the flow in the Namoi River at the North Cuerindi Gauge is in excess of 95 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.88 metre or such other reading as may be determined from time to time).
32554	Upper Manilla Water Source	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Barraba Creek at the rock bar situated immediately downstream of the railway bridge on Lot 1 DP 709498, Parish of Barraba, County of Darling
32572	Upper Manilla Water Source	The pump shall not be used for the purpose of irrigation unless there is a visible flow in Paling Yard Creek at the road causeway on the Tiabundle Road located between Lots 166 and 40 of DP752197.
32549	Upper Macdonald River Water Source	The authorised work shall not be used for the purpose of irrigation unless the flow in Smith's Creek overtops a permanent mark fixed to a rock bar located approximately 50 metres upstream of the south west boundary of Lot 66 DP 756468, Parish of Branga, County of Vernon. The level of the permanent mark (bolt) shall be fixed at not higher than 2 metres below the level of a bench mark established on a gum tree on the left bank of the watercourse near the control point and particulars of which are retained in the office of NSW Office of Water .
32514	Pian Creek Water Source	No water shall be diverted from the Unnamed Watercourse unless water is being diverted into the said Unnamed Watercourse by means of the authorised works approval and associated access licence on the Namoi River and water has been continuously diverted for the preceding 12 hours.
32495	Mid Macdonald River Water Source	The approval holder must not take any water from an approved work for the purpose of irrigation, unless the water level in the Macdonald River at the Retreat Gauge is greater than 38 megalitres per day (such discharge corresponding to a reading on the said gauge of 0.53 metres or such other reading as may be determined from time to time).
32476	Maules Creek Water Source	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow over the concrete causeway crossing of Maules Creek known as Merriendi Crossing.
32477	Maules Creek Water Source	The pump shall not be used for the purpose of irrigation unless the flow in Maules Creek at Elfin Crossing exceeds 200 megalitres per day (such discharge corresponding to a gauge

		reading of 0.49 metre or such other reading as may be determined from time to time).
32479	Maules Creek Water Source	The 100 mm pump shall not be used for the purpose of irrigation unless the gauge height at Elfin Crossing exceeds 0.26 metres(which flow corresponds to a discharge of 14 ML/day).
32474	Maules Creek Water Source	The 380 mm pump shall not be used for the diversion of water for any purpose from Maules Creek until the gauge height at Elfin Crossing exceeds 0.41 metres (which flow corresponds to a discharge of 206 ML/day).
32478	Maules Creek Water Source	The authorised work shall not be used for the purpose of irrigation unless there is a visible flow in Maules Creek over the Merriendi concrete road causeway, situated on portion 41, Parish of Therribri, County of Nandewar.
32475	Maules Creek Water Source	The pump shall not be used for the purpose of irrigation unless the flow in Maules Creek at Elfin Crossing exceeds 206 megalitres per day (such discharge corresponding to a gauge reading of 0.61 metre or such other reading as may be determined from time to time). You can obtain the latest information regarding Maules Creek flow and gauge heights by logging into the Departments WEB site at http://www.water.nsw.gov.au/
32444	Keepit Water Source	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Greenhatch Creek at the Rushes Creek Road Crossing, the said crossing being located approximately 300 metres upstream of the junction of Greenhatch Creek with the Namoi River.
32448	Keepit Water Source	The authorised work shall not be used for any purpose unless there is a visible flow in Greenhatch Creek at the road crossing at the north west corner of Lot 228 DP 752191, Parish of Manilla, County of Darling, the said crossing being located approximately 1200 metres upstream of the junction of Greenhatch Creek with the Namoi River.
32440	Keepit Water Source	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Greenhatch Creek at the Rushes Creek Road Crossing, the said crossing being located approximately 300 metres upstream of the junction of Greenhatch Creek with the Namoi River.
32442	Keepit Water Source	The authorised work shall not be used for any purpose unless there is a visible flow in Greenhatch Creek at the road crossing at the north west corner of portion 228, Parish of Manilla, County of Darling, the said crossing being located approximately 1200 metres upstream of the junction of Greenhatch Creek with the Namoi River.
32443	Keepit Water Source	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Greenhatch Creek over a clay bar 100 metres downstream of the common boundary

		of Lot A DP 442930 and Lot 29 DP 752191, Parish of Manilla, County of Darling, and the licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Greenhatch Creek at the road crossing at the north west corner of Lot 228 DP 752191, Parish of Manilla, County of Darling, the said crossing being located approximately 1200 metres upstream of the junction of Greenhatch Creek with the Namoi River.
32446	Keepit Water Source	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Greenhatch Creek over a clay bar 100 metres downstream of the common boundary of Lot A DP 442930 and Lot 29 DP 752191, Parish of Manilla, County of Darling, and the licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Greenhatch Creek at the road crossing at the north west corner of Lot 228 DP 752191, Parish of Manilla, County of Darling, the said crossing being located approximately 1200 metres upstream of the junction of Greenhatch Creek with the Namoi River.
32449	Keepit Water Source	The licensed work shall not be used for the purpose of irrigation unless there is a visible flow in Greenhatch Creek at the Rushes Creek Road Crossing, the said crossing being located approximately 300 metres upstream of the junction of Greenhatch Creek with the Namoi River.
32384	Bundock Creek Water Source	The authorised work shall not be used to divert water for the purpose of irrigation unless there is a visible flow downstream in Molee Creek at the pipe culvert situated between part portion 55 and Portion 67, Parish of Gurleigh, county of White.
32388	Bundock Creek Water Source	The authorised work shall not be used to divert water for the purpose of irrigation unless there is a visible flow downstream in Molee Creek at the pipe culvert situated between part portion 55 and Portion 67, Parish of Gurleigh, county of White.
43909	Bundock Creek Water Source	The authorised work shall not be used to divert water for the purpose of irrigation unless there is a visible flow downstream in Molee Creek at the pipe culvert situated between Lot 102 DP 814925 (formerly part portion 55) and Lot 67 DP 757105 (formerly portion 67), Parish of Gurleigh, county of White.
43910	Bundock Creek Water Source	The authorised work shall not be used to divert water for the purpose of irrigation unless there is a visible flow downstream in Molee Creek at the pipe culvert situated between Lot 102 DP 814925 (formerly part portion 55) and Lot 67 DP 757105 (formerly portion 67), Parish of Gurleigh, county of White.
32390	Coghill Creek Water Source	The authorised work shall not be used unless a visible flow exists and is maintained in Coghill Creek from the road bridge on the Wee Waa -

32407	Coxs Creek Water Source	Pilliga road, downstream to its confluence with the Namoi River. The authorised works shall not be used for the purpose of irrigation unless there is a visible flow in Bomera Creek at the road crossing at the south- western corner of WR66, Parish of Bomera, County of Pottinger.
32405	Coxs Creek Water Source	The authorised work shall not be used for the diversion of water from Cox's Creek in excess of 60 MLs/day unless; the discharge of Cox's Creek at the Tourable Gauge is in excess of 15 ml/day; and the discharge of Cox's Creek at the Boggabri gauge is in excess of 20 ml/day, such discharge corresponding to readings on the said gauges of 0.66 metres and 0.44 metres respectively, or such other readings as may be determined from time to time.
32405	Coxs Creek Water Source	The authorised work shall not be used for the diversion of water from Cox's Creek to its maximum capacity unless; the discharge of Cox's Creek at the Tourable Gauge is in excess of 15MLs/day; and the discharge of Cox's Creek at the Boggabri gauge is in excess of 250 MLs/day, such discharge corresponding to readings on the said gauges of 0.66 metres and 0.98 metres respectively, or such other readings as may be determined from time to time.
32346	Baradine Creek Water Source	During periods of inflow into the storage of the weir on Baradine Creek diversion by the authorised works from the storage of the weir shall not commence until the Bungle Gully Dam spills.
32351	Baradine Creek Water Source	During periods of inflow into the storage of the weir on Baradine Creek diversion by the authorised works from the storage of the weir shall not commence until the Bungle Gully Dam spills.
36030	Baradine Creek Water Source	The authorised works shall not be used during periods of inflow into the storage of the weir on Turragulla Creek unless there is a visible flow in the said creek at the bridge on the Epping Road.
36042	Baradine Creek Water Source	The authorised works shall not be used during periods of inflow into the storage of the weir on Turragulla Creek unless there is a visible flow in the said creek at the bridge on the Epping Road.
32345	Baradine Creek Water Source	The authorised works shall not be used for the purpose of irrigation unless there is a visible flow in Baradine Creek at its confluence with the Namoi River between portions 19 and 25, Parish of Cumberland, County of Baradine

Table B—Access licences subject to cease-to-take conditions relating to the taking of water from pools

Column 1 Access licence	Column 2 Water Source	Column 3 Cease-to-take condition
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Schedule 4 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, section 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*, section 228.

ML/unit share means megalitres per unit share.

ML/day means megalitres per day.

ML/year means megalitres per year.

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

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

Plan Map means the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2025 Plan Map* ([insert plan map version number]).

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.

replenishment flows are flows provided to effluent river systems downstream of major headwater dams to address the flow related impacts within those systems caused by dam construction. The purpose of these flows is to refill pools and water holes in unregulated water sources to provide water for household and town use.

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

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

SDL—see section 18.

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

the Act means the *Water Management Act 2000*.

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

visible flow means the continuous perceptible downstream movement of water.

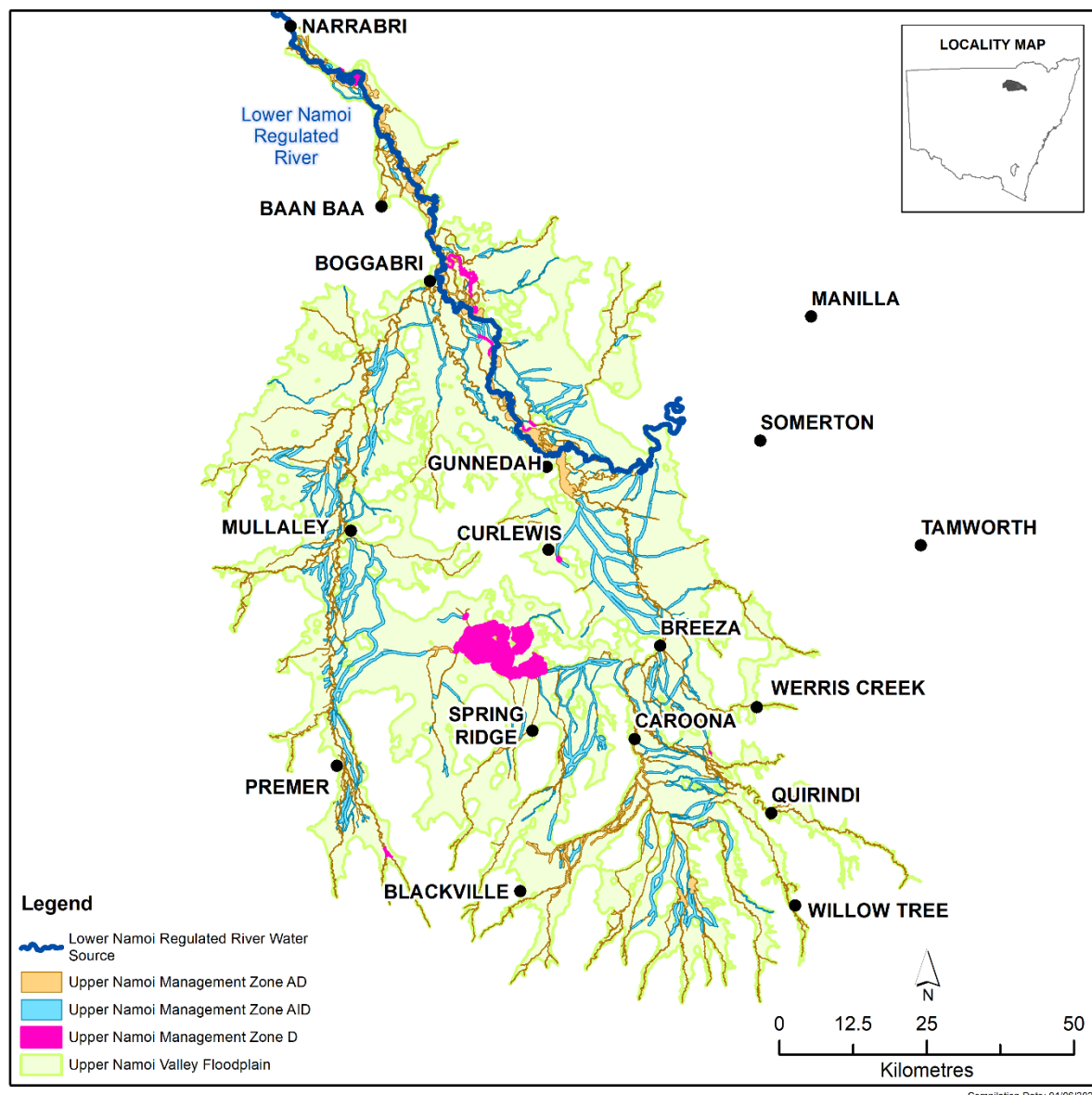
water account debit—see section 47.

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

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

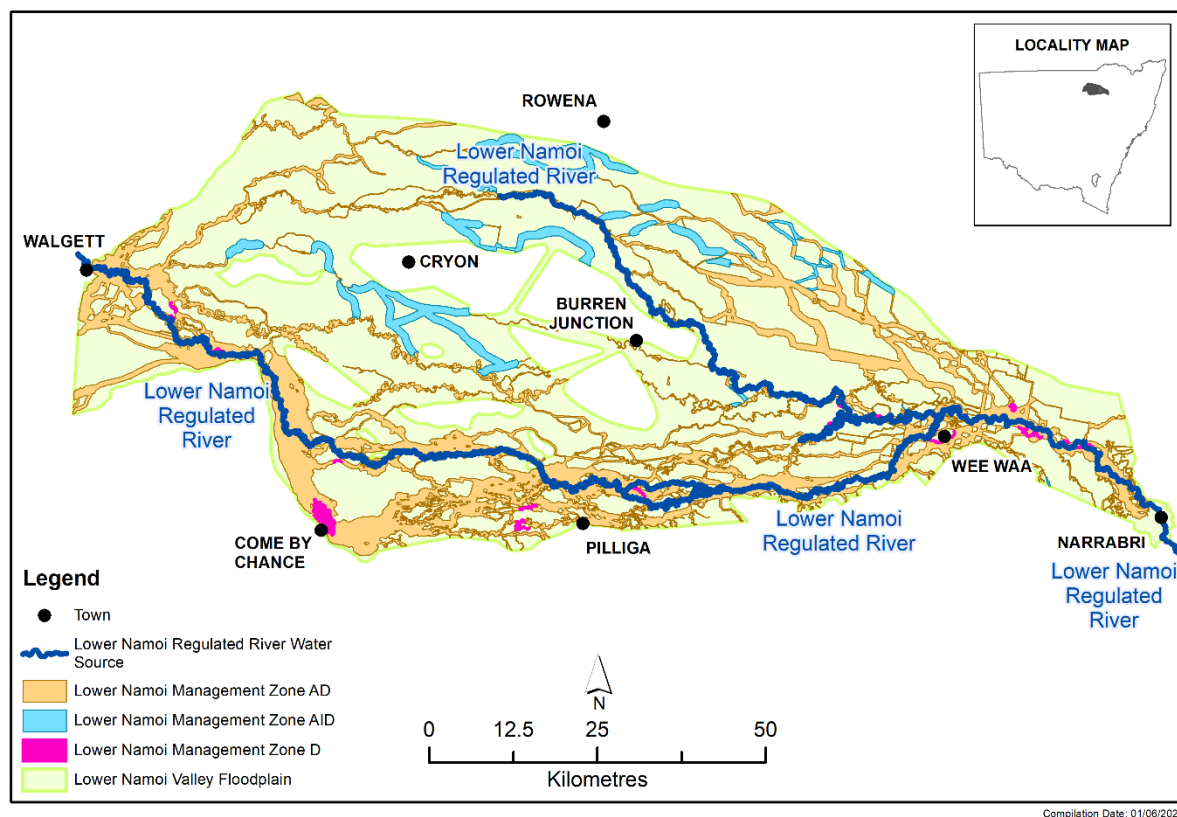
WSP Prescribed Wetlands Map means the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2025* WSP Prescribed Wetlands Map ([insert wetlands map reference]).

Appendix 1 Overview of Upper Namoi Valley Floodplain, Upper Namoi Management Zone AD, Upper Namoi Management Zone AID and Upper Namoi Management Zone D



Minister's Note—it is anticipated that Appendix 1 will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.

Appendix 2 Overview of Lower Namoi Valley Floodplain, Lower Namoi Management Zone AD, Lower Namoi Management Zone AID and Lower Namoi Management Zone D



Minister's Note—it is anticipated that Appendix 2 will be added to this Plan by the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources Amendment Order 2024*.