



Application details

Application number	D1015824
Application type	New water access licence - specific purpose (s61) under the <i>Water Management Act 2000</i> .
Applicant/s	WARRUMBUNGLE SHIRE COUNCIL

Decision

Decision

Granted, subject to conditions
This decision was made under section 63 of the *Water Management Act 2000*.

For the terms and conditions of the new water access licence, see Schedule 1.

Reference number	80AL725265
Date of decision	04 March 2019
Date of notice	05 March 2019
Registration expiry date	03 September 2019
Determining officer	Jane Taylor

by delegation from the Minister administering the *Water Management Act 2000* under the *Instrument of Delegation (Water Management Act) 2011*

Reasons for decision

This water access licence was granted on the basis DPI Water is satisfied adequate arrangements are in force to ensure that no more than minimal harm will be done to any water source as a consequence of water being taken from the water source under the licence.

Any conditions identified with the first letter "D" were applied for the purpose of protecting the environment from impacts associated with the licence, or to give effect to any agreement between the applicant and a person who objected to the application.

Right of appeal

Section 368 of the *Water Management Act 2000* provides a right of appeal to the Land and Environment Court in certain circumstances:

- The applicant/s may appeal against a decision **imposing certain conditions** on an access licence or **fixing the term** of an access licence.
Conditions identified with the first letter “D” can be appealed during the appeal period. This right of appeal also applies to conditions which are amended or added after an access licence is granted.
- A person who objected to the granting of the water access licence under section 62 of the *Water Management Act 2000* may appeal against a decision **granting** the water access licence.

If you wish to make an appeal you must do so **within 28 days** from the date of this notice.

Schedule 1 – Terms and conditions of water access licence

Important: This water access licence will take effect when it is recorded in the Water Access Licence Register.

WAL number	The WAL number will be issued when this water access licence is recorded in the Water Access Licence Register.
Reference number	80AL725265
Name of holder/s	1. Holder/s <hr/> 1.1 Water access licence holder/s WARRUMBUNGL SHIRE COUNCIL
Date of effect	2. Terms of this water access licence <hr/> 2.1 Duration This water access licence takes effect when it is recorded in the Water Access Licence Register.
Expiry	This water access licence continues to be in force until it is cancelled. <p>Note. In accordance with section 77A(2) of the <i>Water Management Act 2000</i>, the Minister is to cancel this water access licence if the Minister is of the opinion that the purpose for which this water access licence was granted no longer exists.</p>
Category/subcategory	2.2 Category AQUIFER[TOWN WATER SUPPLY] <p>Note. This category or subcategory of water access licence is a specific purpose access licence. A specific purpose access licence can only be used for the purpose for which it was granted.</p>
Water sharing plan	2.3 Share component <i>NSW MURRAY DARLING BASIN POROUS ROCK GROUNDWATER SOURCES 2011</i>

Water source	Sydney Basin Mdb Groundwater Source
Specified shares (ML/units)	155
	2.4 Extraction component
Times, rates circumstances	At any time or rate.
Areas or locations	Extraction from: Aquifer
	Extraction zone: Sydney Basin Mdb (Macquarie Oxley) Management Zone
	2.5 Nominated water supply work/s
	This water access licence does not nominate any water supply works.
	3. Conditions of this water access licence
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	This water access licence is subject to the following conditions.
	Plan conditions
Water sharing plan	<i>NSW MURRAY DARLING BASIN POROUS ROCK GROUNDWATER SOURCES 2011</i>
	Take of water
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MW0716-00001	The maximum volume of water that may be taken under this licence in any water year must not exceed a volume equal to:
	(A) the sum of water allocations accrued to the water allocation account for this licence from available water determinations in that year; plus
	(B) the water allocations carried over from the water year prior to that water year; plus
	(C) the net amount of any water allocations assigned to or from the water allocation account for this licence under section 71T of the Act; plus
	(D) any water allocations re-credited to the water allocation account for this licence in accordance with section 76 of the Act in that water year.
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MW0631-00001	Water must not be taken under this access licence otherwise than in compliance with the conditions of the nominated water supply work approval.

Monitoring and recording

MW0633-00001 The licence holder must record the following in the logbook:
(i) each date and period of time during which water is taken under this licence;
(ii) the volume of water taken on that date;
(iii) the water supply work approval number of the water supply work used to take the water on that date;
(iv) the purpose or purposes for which the water taken on that date.

MW0636-00001 The licence holder must produce the logbook to the Minister for inspection, when requested.

MW0635-00001 The licence holder must record the following in the logbook:

(vii) the volume of water taken in any water year from 1 July 2011, by comparison to the maximum volume of water permitted to be taken in that water year.

MW0632-00001 The licence holder must keep a log book, except where the access licence nominates only a metered work with a data logger. A "logbook" means a written record, kept in hard copy or electronic form, which accurately records all information required to be kept for this licence.

MW0637-00001 The licence holder must retain the information required to be recorded in the logbook for 5 years from the date to which that information relates.

MW0639-00001 When directed by the Minister by notice in writing, the licence holder of an access licence that nominates only a metered water supply work with a data logger must keep a logbook in accordance with any requirements that are specified in the notice.

Reporting

MW0831-00001 The licence holder must notify the Minister, in writing, immediately upon becoming aware of a breach of any condition of this licence. Note: a notification does not authorise a breach, or continuing breach, of a condition of this licence.

Additional conditions

MW0717-00001

The maximum water allocation that may be carried over in the water allocation account for this access licence from one water year to the next is either:
(A) 25 % of the access licence share component for access licences with share components expressed as ML/year; or
(B) 0.25 ML per unit share of access licence share component for access licences with share components expressed as a number of unit shares.

Other conditions

No other conditions applicable

Glossary

available water determination - An Available water determination (AWD) is a water allocation which specifies the amount of water that can be taken during the water year. AWDs are made for each access licence category in each water source. AWDs are defined under the Water Management Act 2000, s. 59.

cease to take - Cease to take conditions means any condition on this approval, or on the access licence under which water is proposed to be taken, that prohibits the taking of water in a particular circumstance.

logbook - A logbook is a document, electronic or hard copy, that records specific required information.

metered water supply work - A metered water supply work is a water supply work fitted with a data logger and a water meter that complies with Australian Standard AS 4747: Meters for non-urban water supply.

share component - The share component is the specified shares in the available water within a particular water management area.

water year - A water year starts on 1 July and ends on 30 June in the following year.

Note. All conditions on a water access licence require compliance. An appeal to the Land and Environment Court against a decision to impose certain conditions on a water access licence can be made **within 28 days** after the date the decision is made. Conditions identified with the first letter "D" are those that can be appealed during the appeal period.

Certain dealings and other matters relating to this water access licence or a holding in this water access licence must be registered in the Access Register in accordance with section 71A of the *Water Management Act 2000*. For information about the Access Register, contact Land and Property Information



(<http://www.lpi.nsw.gov.au>).