



Statement of Conditions
as at Monday, 10 May 2021
issued under Water Management Act 2000

WAL number 43572

Reference number 10AL124073

Contact for service of documents

Name TAHMOOR COAL PTY LTD

Address Po Box 100
Tahmoor NSW 2573

All holders

Name(s) TAHMOOR COAL PTY LTD

Licence details

Water source UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE

Water sharing plan GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES
2011

Management zone STONEQUARRY CREEK MANAGEMENT ZONE

Category UNREGULATED RIVER

Share component 16 units

Nominated work(s)

Tenure type Continuing

Conditions

The water access licence with Reference No 10AL124073 is subject to the following conditions:

Plan conditions

Greater Metropolitan Region Unregulated River Water Sources 2011

Take of water

Water sharing plan

MW0670-00001

Water must only be taken if there is visible flow in the water source at the location where water is to be taken.

This restriction does not apply if water is to be taken:

- A. from an off-river pool, an in-river pool, a runoff harvesting dam or an in-river dam pool, or
- B. from the following Weirs: Maldon, Douglas Park, Menangle, Camden, Sharpes, Cobbity, Mount Hunter Rivulet, Brownlow Hill, Theresa Park and Wallacia.

MW0605-00001

Water must be taken in compliance with the conditions of the approval for the nominated work on this access licence through which water is to be taken.

MW0004-00002

From 1 July 2012, the total volume of water taken in any three (3) consecutive water years under this access licence must not exceed a volume which is equal to the lesser of either:

- A. the sum of:
 - i. water in the account from the available water determinations in those 3 consecutive water years, plus
 - ii. water in the account carried over from the water year prior to those 3 consecutive water years, plus
 - iii. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus
 - iv. any water re-credited by the Minister to the account in those 3 consecutive water years,

or

- B. the sum of:
 - i. the share component of this licence at the beginning of the first year in those 3 consecutive water years, plus
 - ii. the share component of this licence at the beginning of the second year in those 3 consecutive water years, plus
 - iii. the share component of this licence at the beginning of the third year in those 3 consecutive water years, plus
 - iv. any net amount of water assigned to or from this account under a water allocation assignment in those 3 consecutive water years, plus
 - v. any water re-credited by the Minister to the account in those 3 consecutive water years.

MW0112-00001

The maximum water allocation that may be carried over in the account for this access licence from one water year to the next water year is:

- A. a volume equal to 100 % of the share component of the licence, or
- B. 1 ML/unit share of the share component of the licence.

MW0036-00002

The volume of water taken in any three (3) consecutive water years from 1 July 2012 must be recorded in the logbook at the end of those three water years. The maximum volume of water permitted to be taken in those years must also be recorded in the logbook.

MW0017-00021

From 1 July 2016, water must not be taken from the Stonequarry Creek Management Zone of the Upper Nepean and Upstream Warragamba Water Source when flows are in the Very Low Flow Class, which means that the flow at Stonequarry Creek at the Picton gauge [No. 212053] is:

- A. equal to or less than 0.7 ML/day on a rising river, or
- B. equal to or less than 0.6 ML/day on a falling river.

This restriction does not apply if water is to be taken from a runoff harvesting dam or an in-river dam pool.

Monitoring and recording

MW2339-00001

A logbook must be kept, unless the work is metered and fitted with a data logger. The logbook must be produced for inspection when requested by the relevant licensor.

MW2338-00001

The completed logbook must be retained for five (5) years from the last date recorded in the logbook.

MW2337-00001

The following information must be recorded in the logbook for each period of time that water is taken:

- A. date, volume of water, start and end time when water was taken as well as the pump capacity per unit of time, and
- B. the access licence number under which the water is taken, and
- C. the approval number under which the water is taken, and
- D. the volume of water taken for domestic consumption and/or stock watering.

Reporting

MW0051-00002

Once the licence holder becomes aware of a breach of any condition on this access licence, the licence holder must notify the Minister as soon as practicable. The Minister must be notified by:

A. email: water.enquiries@dpi.nsw.gov.au, or

B. telephone: 1800 353 104. Any notification by telephone must also be confirmed in writing within seven (7) business days of the telephone call.

Other conditions

No other conditions applicable

Glossary

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.

domestic consumption - Domestic consumption is the use of water for normal household purposes in domestic premises situated on the land.

falling river - The state of the river when gauge readings are decreasing day by day

in-river dam pool - An in-river dam pool is the area of water immediately upstream of an in-river dam where the river has pooled as a result of an in-river dam.

in-river pool - An in-river pool is a natural pool, lagoon or lake that is within a river or stream (regardless of stream size) and excludes:

- a pool that is on a flood-runner or floodplain, or
- a pool that is on an effluent that only commences to flow during high flows.

licensor - WaterNSW or DPI Water, depending on which organisation administers your licences and/or approvals

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.

off-river pool - An off-river pool means a natural pool, lagoon or lake that:

- A. is not within a river or stream (regardless of stream size), or
- B. is on a flood-runner or floodplain, or
- C. is on an effluent that only commences to flow during high flows.

rising river - The state of the river when gauge readings are increasing day by day

runoff harvesting dam - A runoff harvesting dam is a farm dam on a hillside or minor stream which collects and stores rainfall runoff. Minor streams are defined in an order made under the Water Management Act 2000, s. 53. Runoff harvesting dams include any associated pumps or works which take water from the dam.

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

stock watering - Stock watering is the use of water for stock animals being raised on the land. It does not include the use of water for the raising of stock animals on an intensive commercial basis (kept in feedlots or buildings for all, or a substantial part, of the period during which the stock animals are being raised).

visible flow - A visible flow is a continuous downstream movement of water that can be seen by the eye.

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

General Notes

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 an approval 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>).