

## Approval details

---

<b>Approval number</b>	10CA117220
<b>Status</b>	CURRENT*
<b>Approval kind</b>	Water Supply Works Water Use
<b>Water sharing plan</b>	GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011
<b>Date of effect</b>	01/Jul/2011
<b>Expiry date</b>	30/Jun/2031
<b>Approval holder(s)</b>	Schedule 1
<b>Water supply works</b>	Schedule 2
<b>Water use</b>	Schedule 3
<b>Conditions</b>	Schedule 4

## Contact for service of documents

---

<b>Name</b>	ENERGYAUSTRALIA NSW PTY LTD
<b>Address</b>	Locked Bag 1 PORTLAND NSW 2847

\* **Note:** An approval has effect for such period as is specified in the approval, or if the period is extended under section 105, that extended period. If an application for extension of an approval is lodged before the approval expires, the term of the expiring approval is extended until either the date of the final decision on the application, or a date fixed by the Minister for the approval, whichever is the later date. An approval which has expired can be the subject of an application to extend it but it needs to be accompanied by a statutory declaration of the reasons for the delay in making the application. If the Minister accepts these reasons the term of the approval is taken to have been extended, and the application may be dealt with, as if the application had been made before the approval expired.

It is an offence under the Water Management Act 2000 to breach a term or condition of the approval or to construct and use works to which the approval does not relate. It is also an offence to use works the subject of an approval if the approval has expired, been surrendered or cancelled.

### Schedule 1 - Approval holders

---

The holders of this approval are:

Approval holder(s)	ACN (if applicable)
ENERGYAUSTRALIA NSW PTY LTD	163 935 635

#### Important notice - change of landholder or contact

Please advise the Office in the event of any of the following, as soon as practicable:

- If there is a change in the ownership or occupation of the land benefited by this approval (see Schedule 2). Under the Water Management Act 2000, an approval is typically held by the owner or lawful occupier of the benefited land. Consequently, a change in occupation may cause a change in your legal obligations as an approval holder.\*
- If there is a change to the contact person. You will be required to lodge a written statement signed by all the holders.\*
- If there is a change to the mailing address for the nominated contact person. This should be done by the contact person in writing.

*\* An updated Statement of Approval will be issued free of charge*

**Schedule 2 - Water supply works**

---

**Part A: Authorised water supply works**

Subject to the conditions of this approval, in relation to each numbered work in the table, the holders of this approval are authorised to construct and use a water supply work of the type shown at the location specified:

**Work 1**

---

<b>Specified work</b>	LAKE LYELL	
<b>Specified location</b>	1//1181411	Whole Lot
<b>Management zone (if applicable)</b>	WYWANDY MANAGEMENT ZONE	
<b>Water source</b>	UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE	
<b>Water sharing plan</b>	GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011	

**Work 2**

---

<b>Specified work</b>	THOMPSON CREEK DAM	
<b>Specified location</b>	1//1183453	Whole Lot
<b>Specified location</b>	243//801915	Whole Lot
<b>Management zone (if applicable)</b>	WYWANDY MANAGEMENT ZONE	
<b>Water source</b>	UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE	
<b>Water sharing plan</b>	GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011	

**Work 3**

---

**Specified work**

TURBINE PUMP 500MM

**Specified location**

1//1181411                      Whole Lot

**Management zone (if applicable)**

WYWANDY MANAGEMENT ZONE

**Water source**

UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE

**Water sharing plan**

GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011

**Work 4**

---

**Specified work**

TURBINE PUMP 500MM

**Specified location**

1//1181411                      Whole Lot

**Management zone (if applicable)**

WYWANDY MANAGEMENT ZONE

**Water source**

UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE

**Water sharing plan**

GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011

**Work 5**

---

**Specified work**

TURBINE PUMP 500MM

**Specified location**

1//1181411                      Whole Lot

**Management zone (if applicable)**

WYWANDY MANAGEMENT ZONE

**Water source**

UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE

**Water sharing plan**

GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011

**Work 6**

---

<b>Specified work</b>	TURBINE PUMP 500MM
<b>Specified location</b>	1//1181411                      Whole Lot
<b>Management zone (if applicable)</b>	WYWANDY MANAGEMENT ZONE
<b>Water source</b>	UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE
<b>Water sharing plan</b>	GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011

**Work 7**

---

<b>Specified work</b>	DIVERSION PIPE
<b>Specified location</b>	1//1183453                      Whole Lot
<b>Management zone (if applicable)</b>	WYWANDY MANAGEMENT ZONE
<b>Water source</b>	UPPER NEPEAN AND UPSTREAM WARRAGAMBA WATER SOURCE
<b>Water sharing plan</b>	GREATER METROPOLITAN REGION UNREGULATED RIVER WATER SOURCES 2011

**Schedule 3 - Water Use**

---

Subject to the conditions of this approval, the holder(s) of this approval is authorised to use water for the following purpose(s) and location(s):

**Purpose 1**

---

**Specified purpose**

POWER GENERATION

**Specified location**

103//1164619

**Schedule 4 - Conditions**

---

The approval is subject to the following conditions:

**Plan conditions**

**Water sharing plan**

***Greater Metropolitan Region Unregulated River Water Sources 2011***

**Take of water**

---

**MW0655-00001**

Any water supply work authorised by this approval must take water in compliance with the conditions of the access licence under which water is being taken.

**MW0911-00001**

Before water is taken through the water supply work authorised by this approval, visible flow in the water source at the location at which water is proposed to be taken must be confirmed.

If a logbook is required to be kept:

- A. confirmation that water may be taken, and
- B. the method of confirmation, such as visual inspection, internet search

must be recorded in the logbook.

**MW2452-00001**

Water must be taken through metering equipment that meets the following requirements:

- A. the metering equipment must accurately measure and record the flow of all water taken through the water supply work authorised by this approval,
- B. the metering equipment must comply with the Australian Standard AS 4747: 'Meters for non-urban supply', as may be updated from time to time,
- C. the metering equipment must be sited and installed at a place in the pipe, channel or conduit between the water source and the first discharge outlet. There must be no flow of water into or out of the pipe, channel or conduit between the water source and the metering equipment, and
- D. the metering equipment must be operated and maintained in a proper and efficient manner at all times.

This condition ceases to apply to a work on the day on which that work is required to comply with the mandatory metering equipment condition under the Water Management (General) Regulation 2018.

**Water management works**

---

**MR6932-00001**

A. Under section 101A of the Water Management Act 2000, metering equipment must be installed, used and properly maintained in connection with all water supply works with surface pumps 500 mm and above from 1 December 2020.

B. Metering equipment standards are set out in the Water Management (General) Regulation 2018. An approval holder must comply with the standards set out in the Regulation.

Note. More information on how to comply with this condition is available on the Department's website.

**Environmental matters**

---

**MW5885-00001**

Annual channel maintenance flow releases must be made in accordance with the Energy Australia Operating Manual, signed December 2007, or as amended or replaced from time to time. A copy of the protocol is held at Crown Lands and Water Division, Parramatta Office. Releases are not required when total active storage at Lilyvale Dam is less than 50,000 ML.

**MW4981-00001**

Water credited to a Banked Environmental Flow (BEF) account in the Upper Nepean and Upstream Warragamba Water Source can be transferred to any BEF account in the Upper Nepean and Upstream Warragamba Water Source after being granted written approval from Crown Lands and Water Division.

**MW4982-00001**

The volume of water credited to a Banked Environmental Flow (BEF) account must:

- A. Only be released with the written direction of Crown Lands and Water Division.
- B. Reset to zero if any water spills over the water supply work.
- C. Be reduced at a rate of 1 % of the volume of water remaining in the BEF account per day.
- D. Releases must be managed so that the BEF account cannot have a negative balance.



**MW5884-00001**

- A. When the combined volume in Lake Lyell, Lake Wallace and Thompsons Creek Reservoir is:
- i. less than 50,000 ML, and has been for less than 6 months continuously, daily releases from Lake Lyell must be either 9 ML/day or equal to the daily inflow to Lake Lyell, whichever is the lesser,
  - ii. less than 50,000 ML, and has been 6 months continuously or more, daily releases from Lake Lyell must be either 5 ML/day or equal to the daily inflow to Lake Lyell, whichever is the lesser,
  - iii. equal to or greater than 50,000 ML, and inflow to Lake Lyell is 13.6 ML/day or less, daily releases from Lake Lyell must be equal to the daily inflow,
  - iv. equal to or greater than 50,000 ML, and inflow to Lake Lyell is greater than 13.6 ML/day, daily releases from Lake Lyell must be equal to 13.6 ML/day plus 25 % of the volume of the daily inflow above 13.6 ML.
- B. Releases are not required when:
- i. an emergency situation arises and Crown Lands and Water Division, Parramatta Office, is notified in writing within seven days of becoming aware of the emergency, or
  - ii. requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours. In this circumstance the approval holder must notify in writing Crown Lands and Water Division, Parramatta Office, and be granted permission not to release from Crown Lands and Water Division, or
  - iii. Crown Lands and Water Division requires an alternate release due to an emergency situation or a maintenance activity, or
  - iv. a channel maintenance flow release is being made
  - v. the storage is spilling at a rate that equals or exceeds the respective release requirement specified in (A) above.
- C. If releases are not made under B(i), B(ii), B(iv) or an alternative release is made under B(iii) then the approval holder must record the shortfall and credit the appropriate Banked Environmental Flow account.

**MW5878-00019**

- A. Daily releases of water must be made from Thompsons Creek Reservoir equal to:
- i. 0.8 ML/day between 1 September and 30 April, or
  - ii. 0.3 ML/day between 1 May and 31 August.
- B. The volume of releases must be calculated in accordance with the Energy Australia Operating Manual, signed December 2007, or as amended or replaced from time to time. A copy of the protocol is held at the Natural Resources Access Regulator, Parramatta Office.
- C. Releases are not required when:
- i. an emergency situation arises and the Natural Resources Access Regulator, Parramatta Office, is notified in writing within seven days of becoming aware of the emergency, or
  - ii. requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours. In this circumstance the approval holder must notify in writing the Natural Resources Access Regulator, Parramatta Office, and be granted permission by the Natural Resources Access Regulator not to release, or
  - iii. the Natural Resources Access Regulator requires an alternate release due to an emergency situation or a maintenance activity, or
  - iv. the storage is spilling at a rate that equal or exceeds the respective release requirement specified in (A) above.

**MW5883-00001**

- A. An investigation on the feasibility, suitability and adequacy of environmental releases from Lilyvale Dam must be:
- i. conducted independently, and
  - ii. peer-reviewed.
- B. A report must be submitted to the Natural Resources Access Regulator, Parramatta Office, by 1 July 2018 that addresses:
- i. transparent and translucent flow dam releases,
  - ii. annual channel maintenance flow releases,
  - iii. drought triggers, and
  - iv. options and recommendations for release rules.

**Monitoring and recording****MW0484-00001**

Before water is taken through the water supply work authorised by this approval, confirmation must be recorded in the logbook that cease to take conditions do not apply and water may be taken.

The method of confirming that water may be taken, such as visual inspection, internet search, must also be recorded in the logbook.

If water may be taken, the:

- A. date, and
  - B. time of the confirmation, and
  - C. flow rate or water level at the reference point in the water source
- must be recorded in the logbook.

**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.

This condition ceases to apply to a work on the day that the recording and reporting requirements apply to that work under the Water Management (General) Regulation 2018.

**MR6933-00003**

The approval holder must comply with the recording and reporting requirements set out in clause 244 of the Water Management (General) Regulation 2018 from 1 December 2023, and from 1 December 2020 for surface pumps 500 mm and above.

Note. Information about this condition, including the approved form and manner for recording and reporting is available on the Department's website.

**MW5882-00001**

The volume of daily inflows recorded and water releases must be calculated in accordance with the Energy Australia Operating Manual, signed December 2007, or as amended or replaced from time to time. A copy of the protocol is held at the Natural Resources Access Regulator, Parramatta Office.

**Reporting**

---

**MW6037-00001**

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

- A. email: [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au), or
- B. telephone: 1800 633 362. Any notification by telephone must also be confirmed in writing within seven (7) days of the telephone call.

**MW5876-00001**

Data must be made available to the public at the earliest time that is practically possible and no later than 9.00 am regarding details of any releases from its storages for environmental and other purposes, and details of any run of river transfers, planned for the next twenty four hours.

**MW3860-00001**

- A. When a water supply work authorised by this approval is no longer to be used permanently, the approval holder must:
  - i. notify the relevant licensor in writing of the intention to decommission the work at least 90 days before the start of decommissioning, and
  - ii. decommission the work, unless the approval holder receives notice in writing from the Minister within 60 days of notifying DPI Water requiring that the work is not to be decommissioned or be decommissioned in accordance with specific requirements.
- B. Within 60 days of the work being decommissioned, the approval holder must notify the relevant licensor in writing that the work has been decommissioned.

**MR7736-00001**

A. Under clause 238 of the Water Management (General) Regulation 2018, the approval holder must give a copy of a certificate provided under clause 237(1) and (2) to the Minister within 28 days of receiving the certificate.

B. This condition does not apply to works to which an exemption from the mandatory metering equipment condition applies as described in clauses 230, 231, 232 or 233 of the Water Management (General) Regulation 2018.

Note. More information on how to comply with this condition is available on the Department's website.

### Other conditions

#### Take of water

---

**DK7830-00001**

All instrumentation, monitoring, data management and reporting must be carried out in accordance with the quality assurance and quality control procedures listed in Energy Australia Operating Protocol, signed December 2007, or as amended or replaced from time to time. A copy of the protocol is held at the Natural Resources Access Regulator, Parramatta office.

#### Water management works

---

**DK7694-00034**

The location and specifications of the water supply work(s) authorised by this approval, shown on the attached plan titled - '10CA117220 - Description of authorised works' stamped February 2022, must not be altered. A copy of the plan is held in the relevant licensor, Parramatta Office.

#### Monitoring and recording

---

**DS4976-00002**

All instrumentation, monitoring, data management and reporting must be carried out in accordance with the quality assurance and quality control procedures listed in Energy Australia Operating Protocol, signed December 2007, or as amended or replaced from time to time. A copy of the protocol is held at Crown Lands and Water Division, Parramatta office.

**DK5860-00006**

A. Within 3 months of the issue of this approval, a protocol for the operation of the water supply works including any associated monitoring must be submitted to Natural Resources Access Regulator, Parramatta Office.

B. Once the protocol is approved by Natural Resources Access Regulator, monitoring of parameter(s), recording and reporting must be carried out in accordance with the protocol.

#### Reporting

---

**DS7849-00001**

- A. Once the licensor approves the monitoring plan for measuring and recording the effectiveness of environmental releases, monitoring, recording and reporting of parameter(s) must be carried out in accordance with the plan.
- B. Records, as specified in the plan, must be kept for 10 years and made available to the licensor when requested.

**DK5863-00039**

- A. By 30 November each year, an Annual Compliance Report for the preceding water year must be submitted to Natural Resources Access Regulator, Parramatta Office.
- B. The report must contain:
- i. compliance statement against each of the access licence and approval conditions;
  - ii. an introduction, including an overview of the Approval Holders water management activities associated with this water source;
  - iii. updated maps to scale, showing the location of this water source, the authorised water supply works and Lithgow Gauge [No. 212011], Farmers Creek at Mt Walker Gauge [No. 212042], Coxs River at Wallerawang Gauge [No. 212054], Coxs River Upstream of Lake Lyell Gauge [No. 212058];
  - iv. analysis of all data for flow releases and water extractions, including storage levels, banked environmental flows, comparisons with data from previous years and an interpretation of the results;
  - v. a summary of water use under the Fish River Water Supply Scheme;
  - vi. results and interpretation of the ecological and geomorphological monitoring program in accordance with the approved monitoring protocol;
  - vii. evidence verifying that the devices used for measuring and recording extractions and releases were subject to appropriate quality assurance and control;
  - viii. a list of notifiable events; and
  - ix. an electronic appendix that includes all raw data used in the preparation of this report.
- C. The report must be provided in electronic form.

**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.

**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.

**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 an approval 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.

The words in this approval have the same meaning as in the *Water Management Act 2000*

**Note: The words in this approval have the same meaning as in the WMA**

**END OF STATEMENT**