

Burdekin Groundwater Management Area

Water sharing rules

Seasonal water assignment rules

WSS/2013/277

Version 5.00

06/12/2016

This publication has been compiled by Department of Natural Resources and Mines.

© State of Queensland, 2016

The Queensland Government supports and encourages the dissemination and exchange of its information. The copyright in this publication is licensed under a Creative Commons Attribution 3.0 Australia (CC BY) licence.

Under this licence you are free, without having to seek our permission, to use this publication in accordance with the licence terms.



You must keep intact the copyright notice and attribute the State of Queensland as the source of the publication.

Note: Some content in this publication may have different licence terms as indicated.

For more information on this licence, visit <http://creativecommons.org/licenses/by/3.0/au/deed.en>

The information contained herein is subject to change without notice. The Queensland Government shall not be liable for technical or other errors or omissions contained herein. The reader/user accepts all risks and responsibility for losses, damages, costs and other consequences resulting directly or indirectly from using this information.

Version History

Version	Date	Comments
1.00	17/10/2005	Endorsed
1.01	25/06/2008	Update department name. Other minor amendments consistent with recent changes to insertion of common notification section, removal of 'relationship with 'management guidelines'.
2.00	25/05/2010	Update to water sharing rules due to the commencement of the Water Resource (Burdekin Basin) Plan 2007.
2.01	09/03/2012	Attach latest version of the water use assessment report form. Re-number attachments (the link to the water use assessment report form is to an external webpage so this is now the last attachment in the list.) Change reference to 'Attachment 2 water use assessment report' to indicate this form is available in the Attachments section. Remove text (Qld) from legislative references.
3.00	11/06/2013	Amend water sharing rules to include groundwater harvesting using 5-year permit.
4.00	12/06/2015	Amend water sharing rules to; exclude reference to both the annual groundwater permitting and 5 year groundwater harvesting permitting system, inclusion of; seasonal water assignments, prescribed activities allowances, meter readings, contact details. Changed ID number from WAM/2005/2280 to WSS/2013/277
5.00	06/12/2016	Amended announced entitlement, water accounting and metering sections and other minor amendments. Section references updated to be consistent with the changes from the Water Reform and Other Legislation Amendment Act 2014

Approval

Position	Name	Date
Director, Operations Support (Water)	Ian Gordon	06/12/2016

Table of contents

1	Overview.....	1
2	Purpose	1
3	Description of the groundwater management area	1
3.1	Geographical boundaries	1
3.2	Water to which these rules apply	2
4	Water year	2
5	Water sharing rules	2
5.1	Nominal and annual entitlement	2
5.2	Announced entitlement	3
	does not affect water licences to take underground water with a purpose of ‘water harvesting’	3
5.2.1	Considerations	3
5.2.2	Notification	3
5.3	Carry over.....	3
5.4	Forward draw	4
5.5	Seasonal water assignment	4
5.5.1	Application.....	4
5.5.2	Rules	4
5.5.3	General rules	4
5.5.4	Horseshoe Lagoon sub-area	5
5.5.5	Selkirk Coastal and Giru Coastal sub-areas	5
5.5.6	Selkirk sub-area	5
5.5.7	Other sub-areas.....	6
5.6	Approval	6
5.7	Conditions.....	6
5.8	Example.....	7
	Assignor/seller	7
	Assignee/buyer	7
6	Take of water for stock and domestic purposes and/or prescribed activities	8
7	Water accounting	9
8	Metering.....	9
8.1	Installation, maintenance and validation of meters.....	9
8.2	Meter readings	10
8.3	Triggered meter reading—licenses with a purpose of ‘water harvesting’	10
8.4	Quality check of readings.....	10
9	Responsibilities	10
10	Contact	11
	Appendix A —Sub-areas within the Burdekin groundwater management area.....	12
	Appendix B—Horseshoe Lagoon Zone Map.....	13

1 Overview

This policy defines the water sharing rules for the Burdekin groundwater management area, as prescribed in section 27 of the Water Regulation 2016 (Water Regulation), as well as the seasonal water assignment rules prescribed in section 39 of the Water Regulation.

Water sharing rules and seasonal water assignment rules are prescribed under the Water Regulation for a water licence not managed under a water management protocol. Water sharing rules describe the arrangements for access to water within a water management area whilst seasonal water assignment rules describe the arrangements for temporary seasonal trading.

2 Purpose

Water sharing rules and seasonal water assignment rules establish a framework for water use accounting and as such provide an accountable and auditable trail for the movement of water use within and between entitlements.

Water sharing rules and seasonal water assignment rules also ensure that arrangements for access to water and water use accounting within a groundwater management area are clearly articulated to entitlement holders to provide them with a stable water use accounting regime.

3 Description of the groundwater management area

3.1 Geographical boundaries

The Burdekin groundwater management area extends from the Burdekin River approximately 15 kilometres upstream of the town of Clare, northwest to the coastal zone near the Haughton River around the township of Giru. The Burdekin groundwater management area also extends east to the Burdekin River in the vicinity of Mt Kelly. The Burdekin groundwater management area occupies the same area as the Burdekin Subartesian Area. The geographical boundaries of the Burdekin groundwater management area are identified on map AP10054 which may be view at the department's Ayr office.

For management purposes the Burdekin groundwater management area has been divided into the following 12 sub-areas:

- Clare
- Jardine
- Selkirk
- Giru Coastal
- Mona Park
- Woodhouse
- Haughton

- Mulgrave
- Ironbark
- Horseshoe Lagoon
- Northcote
- Selkirk Coastal

These sub-areas can be viewed in Appendix A (map CAS1605). The sub-area boundaries are based on proximity, local geology and existing hydro-geological conditions, such as transmissivity, storage capacity and proximity to the risk of salt water intrusion.

It should be noted that the Giru Benefited Groundwater Area is managed under the Water Plan (Burdekin Basin) 2007, not under these water sharing rules.

3.2 Water to which these rules apply

The Burdekin groundwater management area water sharing rules and seasonal water assignment rules apply to underground water in the Burdekin River, Barratta Creek and Haughton River alluviums within the Burdekin groundwater management area. A water licence is required to take water for purposes other than stock and domestic, and prescribed activities.

4 Water year

A 'water year' is the accounting period for taking water under a water licence. The water year for the Burdekin groundwater management area is the twelve month period from 1 July to 30 June.

5 Water sharing rules

5.1 Nominal and annual entitlement

A nominal entitlement is the volume of water authorised to be taken during a water year, as specified on a water licence. This differs from the annual entitlement which is the actual volume of water that a licence holder may use during a water year. The annual entitlement is influenced by announced entitlements and seasonal water assignments.

The annual entitlement for a particular entitlement can be calculated using the following formula:

$$\text{Annual Entitlement} = \text{Nominal Entitlement} \times \text{Announced Entitlement} \pm \text{Seasonal Water Assignment}^*$$

* If applicable

5.2 Announced entitlement

In accordance with section 29 of the Water Regulation, the chief executive must decide an announced entitlement for the Burdekin groundwater management area.

The announced entitlement:

- is expressed as a percentage of the entitlement holder's nominal entitlement (it is the percentage of nominal entitlement that may be taken in a water year)
 - will be decided and announced before the start of the water year
 - may only be increased during the water year
 - may differ for each sub-area
- does not affect water licences to take underground water with a purpose of 'water harvesting'

5.2.1 Considerations

When deciding an announced entitlement, in addition to the considerations specified in section 29 (3) of the Water Regulation, the chief executive must consider the following:

- trends in underground water level and water quality
- for sub-areas near the coast—the risk of saltwater intrusion; and
- recommendations made by the Burdekin River Irrigation Area Irrigators Advisory Committee.

5.2.2 Notification

The chief executive will give notice of the announced entitlement in accordance with section 29 of the Water Regulation. Before the start of the water year and prior to the announced allocation during the water year, the chief executive must either:

- give written notice of the announced entitlement to the holders of the water licences to which the entitlement relate.
- publish the announced entitlement in the Ayr Advocate.
- publish the announced entitlement on the department's website.

5.3 Carry over

Entitlement holders in the Burdekin groundwater management area will not be permitted to carry over unused announced entitlement from the previous water year.

5.4 Forward draw

Entitlement holders in the Burdekin groundwater management area will not be authorised to forward draw from the following year's nominal entitlement in advance.

5.5 Seasonal water assignment

The holder of a water licence or seasonal water assignment notice in the Burdekin groundwater management area may apply for seasonal water assignment of their entitlement.

'Seasonal water assignment' means the assignment, by the holder of a seasonal water assignment notice or a water licence, of the benefit under the notice or licence to another person. A seasonal water assignment applies to a water year and for all or part of the water that may be taken under the notice or licence.

5.5.1 Application

An application for a seasonal water assignment must be made in accordance with Chapter 2, Part 3, Division 2 of the *Water Act 2000* (the Water Act). The application may only be made by the holder of a water licence or seasonal water assignment notice (assignor/seller) for the water year in which the application is made.

5.5.2 Rules

5.5.3 General rules

The general rules for all seasonal water assignments in the Burdekin groundwater management area include the following:

- a seasonal water assignment is only allowed:
 - for underground water in the Burdekin groundwater management area where both the assignor/seller and the assignee/buyer have works that are metered in compliance with the department's metering standards
 - for water licences with a purpose other than 'water harvesting'
- a seasonal water assignment is not allowed if the:
 - assignor/seller does not have sufficient available entitlement
 - chief executive considers that granting the assignment will potentially adversely affect other water users or the environment.

5.5.4 Horseshoe Lagoon sub-area

Rules specific to the Horseshoe Lagoon sub-area include the following:

- in zone 1 a seasonal water assignment is only allowed:
 - to be assigned within zone 1, with a maximum seasonal water assignment volume of 5 megalitres (ML)
 - to be assigned to zone 2, with a maximum seasonal water assignment volume of 10 ML
 - to be assigned to zone 3
- in zone 2 a seasonal water assignment is only allowed:
 - to be assigned within zone 2 with a maximum seasonal water assignment volume of 20 ML
 - to be assigned to zone 3
- in zone 3 a seasonal water assignment is only allowed:
 - to be assigned within zone 3
- a seasonal water assignment for greater than 10 ML will not be approved where the assignee's works are within 400 metres of an existing water bore on a neighbouring property unless agreement is obtained from the owner of that property.

A map delineating the seasonal water assignment zones in Horseshoe Lagoon is provided in Appendix B.

5.5.5 Selkirk Coastal and Giru Coastal sub-areas

Rules specific to the Selkirk Coastal and Giru Coastal sub-areas include the following:

- A seasonal water assignment is only allowed:
 - to be assigned within the assignor/sellers sub-area, with a maximum seasonal water assignment entitlement of 20 ML.

5.5.6 Selkirk sub-area

The Selkirk sub-area has been divided into two areas, zone 1 being north of the Bruce Highway and zone 2 being south of the Bruce Highway. Rules specific to the Selkirk sub-area include the following:

- in zone 1 a seasonal water assignment is only allowed:
 - to be assigned within zone 1, with a maximum seasonal water assignment entitlement of 20 ML
 - to be assigned to zone 2
- in zone 2 a seasonal water assignment is only allowed:
 - to be assigned within zone 2.

5.5.7 Other sub-areas

Rules specific to sub-areas not mentioned above include the following:

- A seasonal water assignment is only allowed:
 - to be assigned within the assignor/sellers sub-area.

5.6 Approval

The seasonal water assignment has effect from the day the information notice is given to the applicant (assignor/seller). The seasonal water notice only applies for the remainder of the current water year in which the assignment takes place (i.e. the assignment will expire midnight on 30 June).

If the application for seasonal water assignment is approved, the assignor/seller cannot take the assigned water from under the water licence from which it has been assigned. That is, the assignor/seller's annual entitlement is reduced to account for the volume of water that has been subject of seasonal water assignment and the assignee/buyer's annual entitlement is increased by the volume stated in the notice.

Approval of a seasonal water assignment in one water year does not imply that a similar seasonal water assignment will be approved in subsequent years.

Note: Applications for seasonal water assignments will not be approved retrospectively to cover excess water use. Any unauthorised water use in excess is an offence under the Water Act and may result in prosecution.

5.7 Conditions

The seasonal water assignment notice that is granted to the assignee/buyer will be subject to the following conditions:

- to which the water licence (from which the water was assigned) is subject
- prescribed under a regulation
- that the chief executive decides to impose for the particular seasonal water assignment notice.

Provisions under the Water Act allow the take of water under a seasonal water assignment notice to be limited.

A seasonal water assignment notice does not attach to land. If the holder of a seasonal water assignment notice sells their land, the new owner of the same land does not automatically acquire the seasonal water assignment notice. However, the holder of a seasonal water assignment notice may apply to re-assign the unused part of the seasonally assigned water to the new owner.

5.8 Example

Tables 1 and 2 provide examples of annual entitlement calculations in instances where a seasonal water assignment has been granted.

Assignor/seller

Nominal entitlement (NE) = 100 ML

Table 1: Calculating seasonal water assignments for assignors/sellers

Date	Description	Annual entitlement calculation	Annual entitlement (AE)	Available entitlement *
1 July 2015	Announced entitlement (ANE) for 2015–16 water year is 80%	$NE \times ANE = AE$ $100 \text{ ML} \times 80\% = 80 \text{ ML}$	80 ML	80 ML
5 September 2015	Metered use to date is 30 ML			50 ML
	Licence holder (assignor/seller) seasonally assigns 20 ML	$AE - SWA = AE$ $80 \text{ ML} - 20 \text{ ML} = 60 \text{ ML}$	60 ML	30 ML
30 June 2016	Total metered use for the 2015-16 is 50 ML			10 ML
1 July 2016	Announced entitlement for the 2016-17 water year is 100%	$NE \times ANE = AE$ $100 \text{ ML} \times 100\% = 100 \text{ ML}$		100 ML

* Available entitlement is the volume of water that a licensee is authorised to take during the remainder of the current water year (i.e. it is the unused volume of annual entitlement).

Assignee/buyer

Nominal entitlement = 100 ML

Table 2: Calculating seasonal water assignments for assignee/buyer

Date	Description	Annual entitlement calculation	Annual entitlement (AE)	Available entitlement *
1 July 2015	Announced entitlement (ANE) for 2015–16 water year is 80%	$NE \times ANE = AE$ $100 \text{ ML} \times 80\% = 80 \text{ ML}$	80 ML	80 ML
5 September 2015	Metered use to date is 40 ML			40 ML
	Licence holder receives (is assigned) a seasonal water assignment of 20 ML	$AE + SWA = AE$ $80 \text{ ML} + 20 \text{ ML} = 100 \text{ ML}$	100 ML	60 ML

30 June 2016	Total metered use for 2013-14 water year is 95 ML			5 ML
1 July 2016	Announced entitlement for the 2016-17 water year is 100%	$NE \times ANE = AE$ $100 \text{ ML} \times 100\% = 100 \text{ ML}$	100 ML	100 ML

* Available entitlement is the volume of water that a licensee is authorised to take during the remainder of the current water year (i.e. it is the unused volume of annual entitlement).

6 Take of water for stock and domestic purposes and/or prescribed activities

In accordance with schedule 3 of the Water Regulation, the take of underground water for stock and domestic purposes are authorised under section 96 and prescribed activities 101 of the Water Act. Section 101 also authorises prescribed activities listed in schedule 3 of the Water Regulation (for example: washing down agricultural equipment, filling spray units and washing produce).

The take of water for stock and domestic purposes may be established provided the holder of a metered entitlement has notified the department using the *Stock or domestic allowance notification form* (form W2F058) which is available on the department's website. The department may also require notification of prescribed activities if the take of water for these activities is to be achieved through metered works.

The take of stock and domestic and/or prescribed activities water is separate from the nominal entitlement associated with the water licence. Water authorised to be taken under this allowance is not subject to these water sharing rules, and consequently is not affected by the announced entitlement.

Where a stock or domestic and/or prescribed activities allowance has been established, the first volume of water taken under the water licence in a water year is taken to be the volume of water authorised to be taken under that allowance.

7 Water accounting

For each water year, water use will be accounted for in the following order (depicted in Figure 1 below):

1. Stock or domestic allowance; Prescribed activities (if applicable)
2. Announced entitlement
3. Seasonal water assignment (subject to approval)

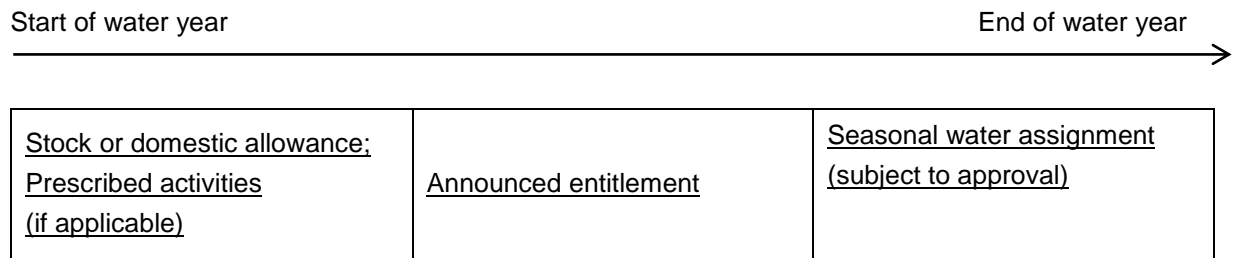


Figure 1: Order in which water use will be accounted during the water year.

8 Metering

The Burdekin Groundwater Management area is a declared metered entitlement area under Schedule 11 of the Water Regulation. The take of underground water for purposes other than stock and domestic is required to be metered.

8.1 Installation, maintenance and validation of meters

Water entitlement holders are required to manage the purchase, installation, maintenance and validation of their own water meter(s). The water meter can be purchased and installed by the entitlement holder or by an irrigation service company of the entitlement holder's choice.

A water meter validation certificate is required to be completed by an authorised meter validator and submitted to the department by the water entitlement holder. This certificate validates the meter in accordance with the Queensland Interim Water Meter Standard for Non-Urban Metering and verifies that the holder now has a metered entitlement.

Approved meters are required to be revalidated by a validator in accordance with schedule 11 of the Water Regulation. The water entitlement holder must submit a validation certificate when revalidation is completed.

8.2 Meter readings

Entitlement holders for unsupplemented water within the Burdekin groundwater management area will be required to provide one meter reading to the department, each water year, for each water meter. This reading will be required at the end of each water year.

Annual meter readings should be provided to the department at the end of the water year. The department will contact licence holders when meter readings are scheduled with details of what information is required. Further information on meter readings is available on the department's website or by contacting the Ayr office—refer to contact details.

If a meter is non-operational, the licensee must complete a *Water Use Assessment Report (W2F095)*. This will account for water used during the time the meter was malfunctioning or being repaired.

8.3 Triggered meter reading—licenses with a purpose of 'water harvesting'

Additional meter readings may also be required to be provided to the department during the water year. For example, the holder of a licence for the take of underground water with a purpose of 'water harvesting', may be required to provide the department with a meter read in accordance to the licence conditions. Meter reads will be required to be submitted to the department, prior to accessing the resource for 'water harvesting' purposes.

When it has been determined that underground water harvesting levels have been sufficiently reduced, licence holders will be notified of the need to provide an 'end of underground water harvest read' and this reading must be provided prior to taking water under their authorised underground water entitlement. Information that is required to accompany the meter reading includes:

- underground water harvesting licence reference
- date of reading
- works reference
- meter serial number

8.4 Quality check of readings

Meter readings supplied by the licence holder may be subject to a quality check to ensure that the supplied meter reading is accurate. For example:

- it must be equal to or more than the previous reading
- the supplied meter reading must correspond with the sequence of meter readings recorded for that meter by the department.

9 Responsibilities

Water entitlement holders within the Burdekin groundwater management area:

- must ensure that water is taken in accordance with the conditions of the water licence and/or, seasonal water assignment and/or underground water harvesting licence
- must be consistent with the water sharing rules and seasonal water assignment rules
- may apply for a seasonal water assignment, consistent with the seasonal water assignment rules
- must install, maintain, arrange validation and read water meters, consistent with the requirements outlined in the Water Regulation.

The department:

- must provide notification of the announced entitlement prior to the commencement of the water year and prior to the commencement of any subsequent variations to the announced entitlement
- must decide any applications for seasonal water assignment in accordance with the seasonal water assignment rules.

10 Contact

Position: Administration officer

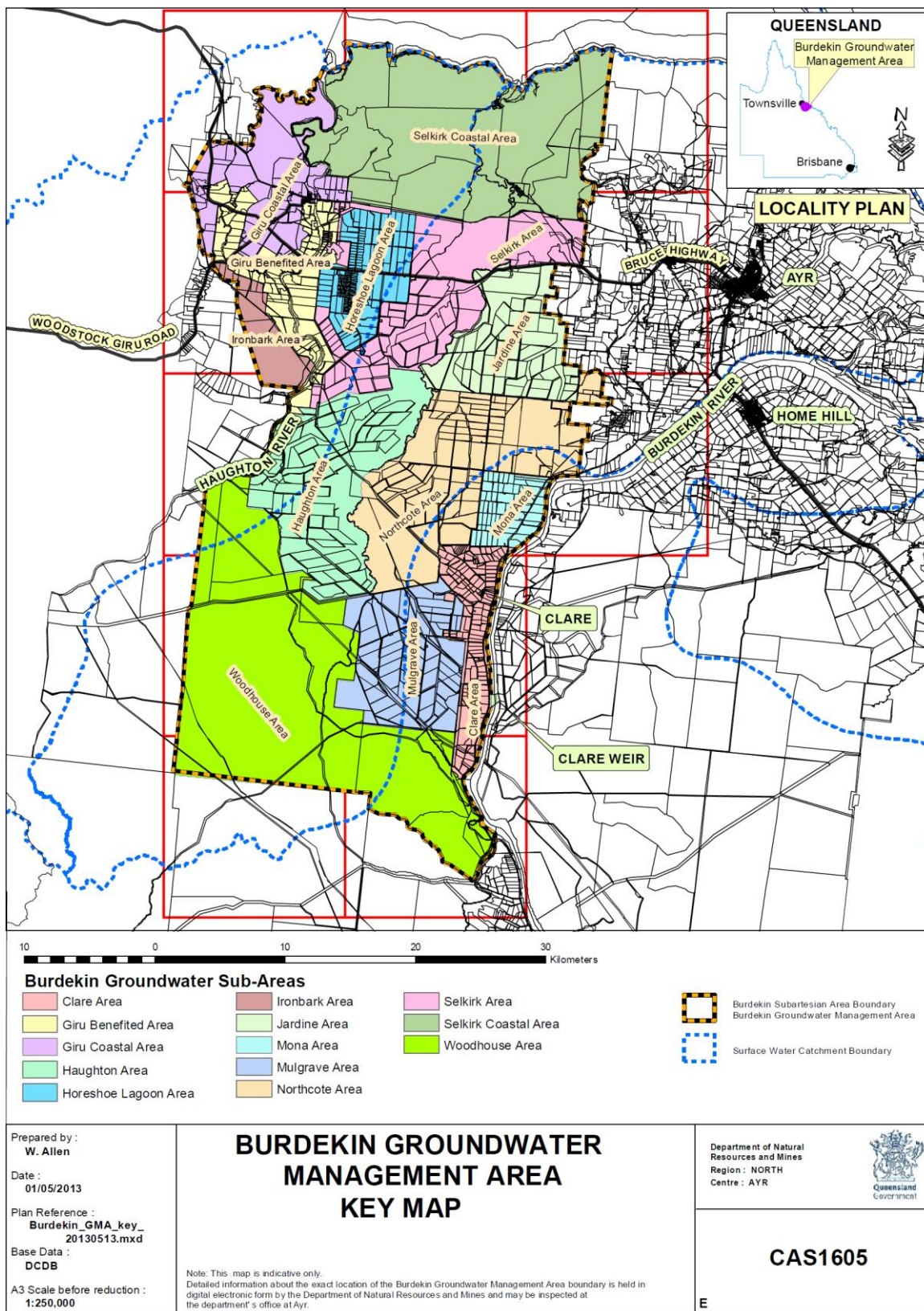
Street Address: Little Drysdale St Ayr QLD 4807.

Postal Address: PO Box 591, Ayr QLD 4807

Email: WaterInfonorth@dnrm.qld.gov.au

Telephone: (07) 4761 2223

Appendix A —Sub-areas within the Burdekin groundwater management area



Appendix B—Horseshoe Lagoon Zone Map

Horseshoe Lagoon Subarea
of the Burdekin Declared
Subartesian Area

