Queensland

Water Resource (Burnett Basin) Plan 2013

Subordinate Legislation 2013 No. ...

made under the

Water Act 2000

Contents

Contents

Chapter 1 Preliminary

1 Short title

This plan may be cited as the *Water Resource (Burnett Basin) Plan 2013*.

2 Purposes of plan

The following are the purposes of this plan—

(a) to define the availability of water in the plan area;

(b) to provide a framework for sustainably managing water and the taking of water;

(c) to identify priorities and mechanisms for dealing with future water requirements;

(d) to provide a framework for establishing water allocations;

(e) to provide a framework for reversing, where practicable, degradation that has occurred in natural ecosystems;

(f) to regulate the taking of overland flow water;

(g) to regulate the taking of groundwater.

3 Definitions

The dictionary in schedule 12 defines particular words used in this plan.

Chapter 2 Plan area and water to which plan applies

4 Plan area

This plan applies to the area shown as the plan area on the map in schedule 1.

5 Subcatchment areas

(1) Each part of the plan area shown as a subcatchment area on the map in schedule 2 is a ***subcatchment area***.

(2) A reference in this plan to a subcatchment area followed by a letter is a reference to the subcatchment area in schedule 2 with that letter.

6 Coastal Burnett overland flow area

The part of the plan area shown as the Coastal Burnett overland flow area on the map in schedule 3 is the ***Coastal Burnett overland flow area***.

7 Groundwater management areas

Each area shown on the map in schedule 4 under 1 of the following names is a ***groundwater management area*** under this plan and is referred to in this plan under that name—

(a) Barambah Creek groundwater management area;

(b) Barker Creek groundwater management area;

(c) Central Burnett River groundwater management area;

(d) Coalstoun Lakes groundwater management area;

(e) Coastal Burnett groundwater management area;

(f) Nangur Boonara Creeks groundwater management area;

(g) Upper Burnett groundwater management area.

8 Groundwater units and groundwater sub-areas

(1) The Coastal Burnett groundwater management area consists of the following (each a ***groundwater unit***)—

(a) the Coastal Burnett groundwater unit 1, containing the aquifers of—

(i) the Elliott Formation; and

(ii) the Gooburrum Clay; and

(iii) the Quaternary alluvium; and

(iv) the Coastal Dune Sands; and

(v) the Hummock Basalt; and

(vi) the Pemberton Basalt; and

(vii) the Burrum Coal Measures;

(b) the Coastal Burnett groundwater unit 2, containing the aquifers of the Fairymead beds.

(2) Each area of the Coastal Burnett groundwater unit 1 shown on map A in schedule 5 under 1 of the following names is a ***groundwater sub-area*** under this plan and is referred to in this plan under that name—

(a) Kolan-Burnett A groundwater sub-area;

(b) Kolan-Burnett B groundwater sub-area;

(c) Burnett-Elliott A groundwater sub-area;

(d) Burnett-Elliott B groundwater sub-area;

(e) Elliott-Gregory A groundwater sub-area;

(f) Elliott-Gregory B groundwater sub-area;

(g) Farnsfield B groundwater sub-area.

(3) Each area of the Coastal Burnett groundwater unit 2 shown on map B in schedule 5 under 1 of the following names is a ***groundwater sub-area*** under this plan and is referred to in this plan under that name—

(a) Fairymead A groundwater sub-area;

(b) Fairymead B groundwater sub-area.

(4) Each area of the Upper Burnett groundwater management area shown on map C in schedule 5 under 1 of the following names is a ***groundwater sub-area*** under this plan and is referred to in this plan under that name—

(a) Three Moon Creek groundwater sub-area;

(b) Cattle Creek groundwater sub-area;

(c) Monal Creek groundwater sub-area;

(d) Splinter Creek groundwater sub-area.

9 Declaration about watercourse—Act, s 1006(2)

The following water is declared to be water in a watercourse—

(a) groundwater in an aquifer under the Kolan River, between AMTD 14.5km and AMTD 76.4km, to a depth of 10m below the bed of the river;

(b) groundwater in an aquifer under the Burnett River, between AMTD 25.9km and AMTD 333.9km, to a depth of 10m below the bed of the river;

(c) groundwater in an aquifer under the Boyne River, between AMTD 0km and AMTD 180km, to a depth of 10m below the bed of the river;

(d) groundwater in an aquifer under the Nogo River, between AMTD 0km and AMTD 23km, to a depth of 10m below the bed of the river;

(e) groundwater in an aquifer under Barambah Creek, between AMTD 85km and AMTD 189.5km, to a depth of 15m below the bed of the creek;

(f) groundwater in an aquifer under the Stuart River, between AMTD 0km and AMTD 80km, to a depth of 10m below the bed of the river.

10 Information about areas

The exact location of the boundaries of the plan area, subcatchment areas, Coastal Burnett overland flow area, groundwater management areas and groundwater sub-areas is held in digital electronic form by the department and may be accessed, free of charge, at each office of the department.

Editor's note—

The location of each office of the department is available at <www.dnrm.qld.gov.au>.

11 Nodes

(1) A node mentioned in this plan is a point—

(a) on a watercourse in the plan area; or

(b) in a groundwater management area in the plan area.

(2) The location of each node is—

(a) shown on a map in schedule 6, part 1 or 2; and

(b) described in schedule 6, part 3 or 4.

(3) Each node is identified on a map by a number.

12 Water to which plan applies

(1) This plan applies to the following water (***surface water***) in the plan area—

(a) water in a watercourse or lake;

(b) water in a spring not connected to—

(i) artesian water; or

(ii) subartesian water connected to artesian water;

(c) overland flow water other than water in a spring connected to—

(i) artesian water; or

(ii) subartesian water connected to artesian water.

(2) This plan also applies to groundwater in the plan area.

Chapter 3 Outcomes for sustainable management of water

13 Outcomes for water in plan area

(1) This chapter states the outcomes for the sustainable management of water to which this plan applies.

(2) Without limiting subsection (1) or sections 14 to 16, the outcomes include the allocation and management of water in a way that—

(a) recognises that the natural state of watercourses, lakes, springs and aquifers has changed because of the taking of, and interfering with, water; and

(b) achieves a balance in the following outcomes—

(i) the economic outcomes mentioned in section 14;

(ii) the social outcomes mentioned in section 15;

(iii) the ecological outcomes mentioned in section 16.

14 Economic outcomes

(1) Each of the following is an economic outcome for water in the plan area—

(a) provision for—

(i) the use of water entitlements and other authorisations in the plan area; and

(ii) the continued use of existing overland flow works; and

(iii) the continued use of existing groundwater works;

(b) protection of the probability of being able to take water under a water entitlement;

(c) availability of water for the following—

(i) population growth in towns and communities dependent on water resources in the plan area;

(ii) growth in industries dependent on water resources in the plan area;

(iii) stock purposes in the plan area;

(iv) Indigenous communities dependent on water resources in the plan area to achieve their economic aspirations;

(d) the support of flexible and diverse water supply arrangements for water users;

(e) maintenance of flows that support water-related economic activities in the plan area, including, for example, tourism;

(f) encouragement of continual improvement in the efficient use of water;

(g) maintenance, to the extent practicable, of the quality of groundwater for consumptive purposes;

(h) for groundwater in the Coastal Burnett groundwater management area—management and allocation of groundwater to prevent further seawater intrusion;

(2) In this section—

existing groundwater works means—

(a) works that are prescribed existing groundwater works; and

(b) works for taking groundwater, other than prescribed existing groundwater works, that were in existence immediately before the commencement.

15 Social outcomes

Each of the following is a social outcome for water in the plan area—

(a) increased security for town water supplies that rely on groundwater;

(b) availability of water for the following—

(i) population growth in towns and communities dependent on water resources in the plan area;

(ii) domestic purposes in the plan area;

(iii) Indigenous communities dependent on water resources in the plan area to achieve their social aspirations;

(c) maintenance of flows that support water-related aesthetic, cultural and recreational values in the plan area, including the cultural values of the traditional owners in the plan area;

(d) for groundwater in the Coalstoun Lakes groundwater management area—the support of cultural values associated with Ban Ban Springs.

16 Ecological outcomes

Each of the following is an ecological outcome for water in the plan area—

(a) minimisation of changes to the natural variability of flows that support aquatic ecosystems;

(b) the continued capability of 1 part of the river system to be connected to another, including by maintaining flows that—

(i) allow for the movement of native aquatic fauna between riverine, floodplain, wetland, estuarine and marine environments; and

(ii) support water-related ecosystems; and

(iii) support river-forming processes;

(c) protection and maintenance of refugia associated with waterholes, lakes and wetlands;

(d) the support of ecosystems dependent on groundwater, including, for example, riparian vegetation and wetlands;

(e) provision of flows and hydraulic habitat for flow-spawning fish and endemic species, including, for example, the Australian lungfish (*Neoceratodus forsteri*) and the white-throated snapping turtle (*Elseya albagula*);

(f) maintenance of flows necessary for estuarine ecosystem functions, including flows for—

(i) barramundi (*Lates calcarifer*) and sea mullet (*Mugil cephalus*) recruitment; and

(ii) banana prawn (*Fenneropenaeus merguiensis*) growth; and

(iii) river mangroves (*Aegiceras corniculatum*);

(g) maintenance of a near natural flow regime that supports waterholes and riverine ecosystems in subcatchment area M.

Chapter 4 Performance indicators and objectives

Part 1 Environmental flow objectives

Division 1 Surface water

17 Performance indicators for environmental flow objectives

The performance indicators for the environmental flow objectives for surface water are—

(a) the number of periods of no flow of at least 6 months; and

(b) the mean annual flow; and

(c) the median annual flow; and

(d) the 1.5 year daily flow volume; and

(e) the 5 year daily flow volume; and

(f) the 20 year daily flow volume.

18 Environmental flow objectives

The environmental flow objectives for surface water for this plan are stated in schedule 7, part 1.

Division 2 Groundwater in Coastal Burnett groundwater management area

19 Performance indicators for environmental flow objectives—groundwater-dependent ecosystems

The performance indicators for the environmental flow objectives for a node for assessing groundwater levels to support groundwater-dependent ecosystems in the Coastal Burnett groundwater management area are—

(a) the average depth to the watertable; and

(b) the drawdown period; and

(c) the average ocean groundwater discharge.

20 Environmental flow objectives

The environmental flow objectives for groundwater in the Coastal Burnett groundwater management area are stated in schedule 7, part 2.

Part 2 Water allocation security objectives

21 Performance indicators for water allocation security objectives

The performance indicators for the water allocation security objectives are—

(a) for water allocations to take supplemented water—the monthly supplemented water sharing index; and

(b) for water allocations to take unsupplemented surface water—the annual volume probability; and

(c) for water allocations to take unsupplemented groundwater, the following—

(i) the groundwater annual volume probability;

(ii) 90% annual volume probability.

22 Water allocation security objectives

The water allocation security objectives for this plan are stated in—

(a) for water allocations to take supplemented water—schedule 8, part 1; and

(b) for water allocations to take unsupplemented surface water—schedule 8, part 2; and

(c) for water allocations to take unsupplemented groundwater—schedule 8, part 3.

Chapter 5 Strategies for achieving outcomes

Part 1 Strategies for surface water and groundwater

Division 1 General provisions

23 Application of pt 1

The strategies stated in this part apply to surface water and groundwater.

24 Decisions to be consistent with objectives

Decisions made by the chief executive about the allocation or management of water in the plan area, other than a decision about a water permit, must be consistent with—

(a) the environmental flow objectives stated in schedule 7; and

(b) the water allocation security objectives stated in schedule 8.

25 Assessing impact of decisions about surface water, and groundwater in Three Moon Creek groundwater sub-area

(1) The IQQM computer program's simulation for the IQQM simulation period is to be used to assess consistency with the environmental flow objectives and the water allocation security objectives for—

(a) surface water; and

(b) groundwater in the Three Moon Creek groundwater sub-area.

(2) If it is not practicable to use the IQQM computer program, another assessment method approved by the chief executive may be used.

(3) The chief executive may approve the assessment method only if the chief executive is satisfied the method will assess consistency with the objectives at least as accurately as the IQQM computer program.

26 Assessing impact of decisions about groundwater in Coastal Burnett groundwater management area

(1) The Coastal Burnett groundwater computer program's simulation for the groundwater simulation period is to be used to assess consistency with the environmental flow objectives and the water allocation security objectives for groundwater in the Coastal Burnett groundwater management area.

(2) If it is not practicable to use the Coastal Burnett groundwater computer program, another assessment method approved by the chief executive may be used.

(3) The chief executive may approve the assessment method only if the chief executive is satisfied the method will assess consistency with the objectives at least as accurately as the Coastal Burnett groundwater computer program.

(4) In this section—

Coastal Burnett groundwater computer program means the department's computer program developed using the code 'MODFLOW' that simulates movement of water below the surface of the land in the Coastal Burnett groundwater management area.

Division 2 Interim arrangements and directions to chief executive about applications

27 Applications for water licence to take or interfere with surface water made before 29 May 2003

(1) This section applies to an application for a water licence to take or interfere with surface water in the plan area made under the Act or repealed Act before 29 May 2003 and not finally decided before the commencement.

(2) However, this section does not apply if—

(a) the application is to reinstate, under section 221 of the Act, an expired water licence; or

(b) the application is to replace, under section 229 of the Act, a jointly held water licence after the disposal of land under that section; or

(c) works existed on 14 December 2000 on land to which the application relates.

(3) The chief executive must refuse the application if granting the application would have 1 or more of the following effects in relation to water to which this plan applies—

(a) increase the amount of water that may be taken;

(b) change the location from which water may be taken;

(c) increase the rate at which water may be taken;

(d) change the flow conditions under which water may be taken;

(e) increase or change the interference with the water.

28 Additional criteria for deciding applications about surface water if works existed on 14 December 2000—Act, s 210(1)(c)

(1) This section applies to an application mentioned in section 27(1) if works existed on 14 December 2000 on the land to which the application relates.

(2) If the application is for a water licence to take water from a watercourse, lake or spring, the nominal entitlement for the water licence must be—

(a) for an application that states an area to be irrigated—the volume decided by the chief executive having regard to the volume of water required for the purpose stated on the application, but not more than the volume, expressed in megalitres, calculated by multiplying the area, expressed in hectares, by 6; or

(b) otherwise—the volume decided by the chief executive having regard to the following—

(i) the water-taking capacity of the works;

(ii) the volume of water required for the purpose stated on the application;

(iii) the annual volumes of water estimated by the chief executive to have been taken by the works during

the period of not more than 10 years, immediately before the commencement;

(iv) the efficiency of the use of the water mentioned in subparagraph (iii).

(3) Also, if the application is for a water licence to interfere with water in a watercourse, lake or spring by impounding the flow of water under the water licence—

(a) the maximum volume of water stored under the water licence must not be greater than the storage capacity of the works; and

(b) the maximum height of impounded water must not be greater than the height of the works; and

(c) the purpose to be stated on the water licence must be to conserve water.

29 Direction to chief executive about refusal of application to take water from Upper Burnett groundwater management area

(1) This section applies to an application for a water licence, made under section 206 of the Act, to take groundwater from the Upper Burnett groundwater management area.

(2) The application must be refused if granting the application would increase the amount of water that may be taken from the Upper Burnett groundwater management area.

30 Direction to chief executive about non-acceptance of application for water licence to take groundwater in relevant groundwater management area

(1) This section applies to an application for a water licence, made under section 206 of the Act, to take groundwater in a relevant groundwater management area, other than an application for a water licence to take groundwater for town water supply purposes.

(2) The application must not be accepted if granting the application would have 1 or more of the following effects on groundwater to which this plan applies—

(a) increase the amount of water that may be taken;

(b) change the location from which water may be taken;

(c) increase the rate at which water may be taken.

31 Interim arrangements for rules for taking or sharing water in particular water supply schemes—Act, s 46(2)(k)

(1) This section applies until the resource operations plan is first amended to state water sharing rules, environmental management rules and infrastructure operating rules for the following—

(a) the Barker Barambah Water Supply Scheme;

(b) the Bundaberg Water Supply Scheme;

(c) the Upper Burnett Water Supply Scheme.

(2) The water sharing rules, environmental management rules and infrastructure operating rules for the water supply schemes mentioned in subsection (1) are the rules stated in schedule 9.

32 Particular provisions of the resource operations plan cease to have effect—Act, s 106A(3)

On the commencement, the following provisions of the resource operations plan cease to have effect for the plan area—

(a) chapter 4, sections 4.1.5, 4.1.6, 4.2.5, 4.2.6, 4.4.5 and 4.4.6;

(b) chapter 6, section 6.1;

(c) chapter 7;

(d) attachments 4.1E, 4.1F, 4.2E, 4.2F, 4.3E and 4.3F.

Division 3 Unallocated water

Subdivision 1 Strategic reserve, strategic water infrastructure reserve and general reserve

33 Unallocated water held as strategic reserve, strategic water infrastructure reserve and general reserve

Unallocated water in the plan area is held as a strategic reserve, a strategic water infrastructure reserve and a general reserve.

34 Purpose for which unallocated water may be granted

(1) Unallocated water held as a strategic reserve may be granted only if the water is to be taken for a State purpose or an Indigenous purpose.

(2) Unallocated water held as a strategic water infrastructure reserve may only be granted for water infrastructure mentioned in section 35(2).

(3) Unallocated water held as a general reserve may be granted for any purpose.

35 Reserve volumes

(1) The total of the nominal entitlements for all water licences to take unallocated water from the strategic reserve in the plan area is—

(a) for all water licences to take unallocated water for a State purpose from the strategic reserve in the plan area—1000ML; and

(b) for all water licences to take unallocated water for an Indigenous purpose from the strategic reserve in the plan area—1000ML.

(2) The total of the nominal volumes for all supplemented water allocations to take unallocated water from the strategic water infrastructure reserve is the following—

(a) for water infrastructure on Barambah Creek within the boundaries of the Barker Barambah Water Supply Scheme—up to 4250ML;

(b) for water infrastructure on the Burnett River within the boundaries of the Bundaberg Water Supply Scheme—up to 15295ML;

(c) for water infrastructure on the Burnett River within the boundaries of the Upper Burnett Water Supply Scheme—up to 6300ML.

(3) The total of the nominal entitlements for all water licences to take unallocated water from the general reserve is the following—

(a) for water licences to take unallocated water from subcatchment area E—1000ML;

(b) for water licences to take unallocated water from subcatchment area F—1000ML.

36 Period for which water is granted for particular State purpose

(1) This section applies to the volume of water granted from the strategic reserve for either of the following State purposes—

(a) a project of State significance;

(b) a project of regional significance.

(2) The volume of water is granted only for the life of the project and on conclusion of the project the volume of water returns to the strategic reserve.

37 Projects that may be considered to be of regional significance

The chief executive may consider a particular project to be a project of regional significance for the plan area only if the chief executive considers the project is significant for a region in the plan area having regard to the following—

(a) the outcomes stated in chapter 3;

(b) the economic or social impact the project will have on the region;

(c) the public interest and the welfare of people in the region;

(d) any other relevant consideration.

38 Period for which water is granted from strategic reserve for particular Indigenous purpose

(1) This section applies to the volume of water granted from the strategic reserve for a project for an Indigenous purpose.

(2) The volume of water is granted only for the life of the project and on conclusion of the project the volume of water returns to the strategic reserve.

Subdivision 2 Process for granting unallocated water

39 Process for granting unallocated water

(1) An application for a water licence, made under section 206 of the Act, to take unallocated water must not be accepted if granting the application would increase the amount of water that may be taken.

(2) The process for granting unallocated water is a process stated in the *Water Regulation 2002*, part 2, division 1C.

Division 4 Three Moon Creek Water Supply Scheme

Subdivision 1 Water allocations to be managed under a resource operations licence

40 Water allocations to be managed under a resource operations licence

Water allocations converted from interim water allocations to take supplemented water from the Three Moon Creek Water Supply Scheme are to be managed under a resource operations licence.

Subdivision 2 Converting authorisations to water allocations to take supplemented water

41 Purpose of sdiv 2

This subdivision states strategies for interim water allocations for the Three Moon Creek Water Supply Scheme to be converted, under section 121 of the Act, to water allocations to take supplemented water under the resource operations plan.

42 Authorisations to be converted to water allocations

An interim water allocation to take water from the Three Moon Creek Water Supply Scheme is to be converted under the resource operations plan to a water allocation to take supplemented water.

43 Location for taking water under water allocation

The location for taking water to be stated on the water allocation is to include the place at which water could have been taken under the interim water allocation from which the water allocation is being converted.

44 Purpose to be stated on water allocation

The purpose to be stated on the water allocation is to be any purpose.

45 Nominal volume for water allocation

The nominal volume for the water allocation is the volume stated on the interim water allocation from which the water allocation is being converted.

46 Priority group for water allocation

(1) The priority group to which the water allocation belongs is—

(a) if the interim water allocation from which the water allocation is being converted states a nominal entitlement of high priority—the high priority group; or

(b) if the interim water allocation from which the water allocation is being converted states a nominal entitlement of medium priority and states an activity of taking water from Three Moon Creek—the surface water medium priority group; or

(c) if the interim water allocation from which the water allocation is being converted states a nominal entitlement of medium priority and states an activity of taking subartesian water from Three Moon Creek alluvium—the groundwater medium priority group.

(2) However—

(a) if the water allocation is converted from interim water allocation 21499M or 68268M, the water allocation belongs to the surface water medium priority group; and

(b) if the water allocation is converted from interim water allocation 178404, 603188, 21357M, 21527M, 21534M, 35711M, 45220M, 47671M, 62962M, 67272M, 68069M, 74095M or 74177M, the water allocation belongs to the groundwater medium priority group.

47 Conditions for water allocations

In deciding the conditions under which water may be taken under the water allocation, the chief executive must consider the contents and conditions of the interim water allocation from which the water allocation is being converted.

Part 2 Additional strategies for surface water

Division 1 Preliminary

48 Application of pt 2

The strategies stated in this part apply to surface water in addition to the strategies stated in part 1.

49 Restrictions on taking water from waterholes or lakes

(1) This section applies to the chief executive in making a decision about—

(a) a water licence, other than a decision about the following—

(i) amalgamating, under section 224 of the Act, 2 or more water licences;

(ii) subdividing, under section 225 of the Act, a water licence;

(iii) replacing, under section 229 of the Act, a jointly held water licence after the disposal of land under that section; or

(b) converting an authorisation to take unsupplemented water into a water allocation; or

(c) the management of water under a resource operations licence, a distribution operations licence or an interim resource operations licence.

(2) If the water licence, water allocation, resource operations licence, distribution operations licence or interim resource operations licence allows for the taking of water from a waterhole or lake, the chief executive must—

(a) consider the impact the taking may have on the cultural or ecological values of the waterhole or lake; and

(b) impose a condition on the water licence, water allocation, resource operations licence, distribution operations licence or interim resource operations licence about maintaining the cultural or ecological values of the waterhole or lake.

Example for paragraph (b)—

a condition that the water may be taken only if the water level in the waterhole or lake is above the level that is 0.5m below the level at which it naturally overflows

(3) However, the chief executive need not impose a condition mentioned in subsection (2)(b) if the chief executive is satisfied—

(a) the taking of water from the waterhole or lake will not adversely affect its cultural or ecological values; or

(b) for a water licence or water allocation that replaces an authorisation in force immediately before the

commencement—the holder of the authorisation would suffer economic hardship if the condition were imposed.

Division 2 Bundaberg Water Supply Scheme

Subdivision 1 Preliminary

50 Application of div 2

This division states strategies for interim water allocations under the Act, section 1089A(2) that relate to the Avondale Water Supply Board (the ***Avondale authorisations***).

Subdivision 2 Water allocations to be managed under a resource operations licence

51 Water allocations to be managed under a resource operations licence

Water allocations converted from the Avondale authorisations are to be managed under a resource operations licence for the Bundaberg Water Supply Scheme.

Subdivision 3 Converting authorisations to water allocations to take supplemented water

52 Purpose of sdiv 3

This subdivision states strategies for the Avondale authorisations to be converted, under section 121 of the Act, to water allocations to take supplemented water under the resource operations plan.

53 Water to be distributed under distribution operations licence

Water is to be distributed under a distribution operations licence to the holder of a water allocation converted from an Avondale authorisation.

54 Authorisations to be converted to water allocations

An Avondale authorisation is to be converted under the resource operations plan to a water allocation.

55 Location for taking water under water allocation

The location for taking water to be stated on the water allocation is to include the place at which water could have been taken under the Avondale authorisation from which the water allocation is being converted.

56 Purpose to be stated on water allocation

The purpose to be stated on the water allocation is to be 'any'.

57 Nominal volume for water allocation

In making a decision about the nominal volume to be stated on the water allocation, the chief executive must—

(a) have regard to the property allocation volumes, stated in megalitres, mentioned in the repealed *Water Resources (Avondale Water Supply Area and Water Board) Regulation 1996*; and

(b) ensure that the total of the nominal volumes for all the water allocations converted from the Avondale authorisations does not exceed 4500ML.

58 Priority group for water allocation

The priority group to which the water allocation belongs is to be the medium priority group.

Division 3 Upper Burnett Water Supply Scheme

59 Amending Burnett Water allocations in resource operations plan

(1) This section applies if the elevation of Claude Wharton Weir is less than 94.4m AHD at the time the resource operations plan is amended to include water sharing rules for the Upper Burnett Water Supply Scheme.

(2) Burnett Water allocations in the medium priority group from which water in zone NA, NB, GB or GY described in the resource operations plan may be taken must be amended to belong to the low priority group.

(3) Burnett Water allocations, in the medium priority group from which water in zone SA, SB, OC, OD, OB, NC, OA or MA described in the resource operations plan may be taken, must be subdivided and amended, proportionally across the zones, so that water allocations with a nominal volume totalling 5000ML are changed from the medium priority group to the low priority group.

(4) In this section—

Burnett Water allocations means water allocations held by Burnett Water Pty Ltd ACN 097206614 in the Upper Burnett Water Supply Scheme.

Division 4 Interference with water in a watercourse, lake or spring

60 Application of div 4

This division applies to an application, made under section 206 of the Act, for a water licence to interfere with water in a watercourse, lake or spring by impounding the flow of water.

61 Definition for div 4

In this division—

pumping pool means a pool of water near a pump in a watercourse, lake or spring that ensures the water level of the watercourse, lake or spring is appropriate to enable the pump to function properly.

62 Limitations on interference with water

(1) The water licence may be granted only if the purpose of the proposed impoundment is 1 or more of the following—

(a) to store water to be taken under an authorisation for stock or domestic purposes;

(b) to provide a pumping pool to enable water to be taken under an authorisation;

(c) to provide improved security for town water supplies taken under an authorisation;

(d) to satisfy the requirements of an environmental authority issued under the *Environmental Protection Act 1994*.

(2) However, the water licence may also be granted if—

(a) the proposed impoundment is related to a proposed water licence to take water that is allocated under the resource operations plan; or

(b) the impoundment was in existence immediately before 20 September 2000.

63 Interference with water to enable taking of water for stock or domestic purposes

(1) This section applies if the proposed interference with water is to store water to be taken under an authorisation for stock or domestic purposes.

(2) In deciding the application the chief executive must consider existing water supplies on the property to which the application relates, including existing weirs, groundwater and storages taking overland flow water, and the availability of water at the proposed site.

(3) The storage capacity for water to be taken under subsection (1) must not be greater than is necessary for the storage of water to be taken.

64 Interference with water for provision of pumping pool

(1) This section applies if the proposed interference with water is to provide a pumping pool to enable water to be taken under an authorisation.

(2) The proposed storage capacity of the pumping pool must not be greater than the capacity required to enable the pump to function properly.

65 Interference with water to improve security for town water supply

(1) This section applies if the proposed interference with water is to provide improved security for town water supplies taken under an authorisation.

(2) The chief executive must not grant the application unless the chief executive is satisfied—

(a) the town has appropriate water supply security strategies, such as demand and drought management strategies, in place; and

(b) there is a demonstrated need for an increased reliability of the water supply.

66 Interference with water related to the granting of unallocated water

(1) This section applies if the proposed interference with water is related to the granting of unallocated water.

(2) The interference must not be greater than is necessary for the purpose of taking the unallocated water.

(3) A water licence to interfere with water, granted in association with a water entitlement to take water granted from the release of unallocated water, must include requirements for flow conditions.

Division 5 Existing water allocations to take supplemented and unsupplemented water

67 Purpose of div 5

This division states strategies for water allocations established under the repealed *Water Resource (Burnett Basin) Plan 2000* to take water.

68 Existing water allocations to take supplemented water

(1) On the commencement, a water allocation established under the repealed *Water Resource (Burnett Basin) Plan 2000* to take supplemented water—

(a) is to be transitioned, without amendment, to a water allocation under this plan; and

(b) continues to be—

(i) managed under the allocation's resource operations licence; and

(ii) subject to the water sharing rules, water allocation change rules and seasonal water assignment arrangements in the resource operations plan.

(2) However, despite subsection (1), section 39 applies to a water allocation in the Barker Barambah Water Supply Scheme, the Bundaberg Water Supply Scheme or the Upper Burnett Water Supply Scheme.

69 Existing water allocations to take unsupplemented water

On the commencement, a water allocation established under the repealed *Water Resource (Burnett Basin) Plan 2000* to take unsupplemented water—

(a) is to be transitioned, without amendment, to a water allocation under this plan; and

(b) continues to be subject to the water sharing rules, water allocation change rules and seasonal water assignment rules in the resource operations plan.

70 Amendment of particular water allocations

(1) This section applies to the following water allocations established under the repealed *Water Resource (Burnett Basin) Plan 2000*—

(a) water allocation 1504 on administrative plan AP6975;

(b) water allocation 1540 on administrative plan AP6975;

(c) water allocation 2909 on administrative plan AP6975.

(2) The water allocations are to be amended under the resource operations plan to state the following location—

(a) for water allocation 1504 on administrative plan AP6975—zone AD described in the resource operations plan;

(b) for water allocation 1540 on administrative plan AP6975—zone AA described in the resource operations plan;

(c) for water allocation 2909 on administrative plan AP6975—zone AD described in the resource operations plan.

Division 6 Converting authorisations to water allocations to take unsupplemented water

71 Purpose of div 6

This division states strategies for particular authorisations to be converted, under section 121 of the Act, to water allocations to take unsupplemented water under the resource operations plan.

72 Authorisations to be converted to water allocations

The authorisations to be converted to water allocations to take unsupplemented water are water licences for taking unsupplemented water from, respectively—

(a) Three Moon Creek from Abercorn gauging station at AMTD 13.2km to Monto Weir at AMTD 64.8km; and

(b) Elliott River from AMTD 9.9km to AMTD 21.3km; and

(c) Mahogany Creek from its confluence with the Elliott River to AMTD 6.5km; and

(d) Gillens Creek from its confluence with the Elliott River to AMTD 5.0km; and

(e) Gregory River from Gregory River Weir at AMTD 13.9km to Isis Highway gauging station at AMTD 47.9km; and

(f) the Isis River from Isis Junction Weir at AMTD 11.8km to AMTD 23.8km.

73 Location for taking water under water allocation

The location for taking water to be stated on a water allocation is to include the place at which water could have been taken under the water licence from which the allocation is being converted.

74 Purpose to be stated on water allocation

The purpose to be stated on the water allocation is to be 'any'.

75 Nominal volume for water allocation

(1) In deciding the nominal volume for the water allocation, the chief executive must have regard to the following—

(a) the local availability of water;

(b) the conditions under which water may be taken under the water licence from which the allocation is being converted;

(c) if the water allocation states a volumetric limit—the stated volumetric limit;

(d) the simulated mean annual diversion for the water licence from which the allocation is being converted.

(2) In this section—

simulated mean annual diversion, for a water licence, means the total volume of water simulated to have been taken under the water licence, as if the water licence were in existence for the whole of the IQQM simulation period, divided by the number of years in the IQQM simulation period.

76 Maximum rate for taking water

(1) The maximum rate at which water may be taken under the water allocation is to be—

(a) if the water licence from which the allocation is being converted states a maximum rate—the stated rate; or

(b) if the water licence from which the allocation is being converted does not state a maximum rate but there is a related development permit that states a pump size mentioned in schedule 11, column 1—the rate stated in schedule 11, column 2 for the pump size; or

(c) if the water licence from which the allocation is being converted does not state a maximum rate but there is a related development permit that states a pump size other than a pump size mentioned in schedule 11, column 1—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 11, column 2; or

(d) otherwise—the rate decided by the chief executive having regard to—

(i) the type of water licence being converted; and

(ii) an estimate or measurement of the rate at which water can be taken under the water licence.

(2) However, for subsection (1)(b) or (c), if the water licence holder satisfies the chief executive that the maximum rate at which water has been taken is different from the rate decided under the subsection, the maximum rate is the rate decided by the chief executive having regard to the following—

(a) the conditions under which the water may be taken;

(b) the water-taking capacity of the pump to which the development permit relates (the ***existing pump***);

(c) the irrigation or water distribution system related to the existing pump during the period, of not more than 10 years, immediately before the commencement;

(d) the efficiency of the water use associated with the existing pump or the system mentioned in paragraph (c).

77 Annual volumetric limit for water allocation

The annual volumetric limit for the water allocation is—

(a) if the water licence from which the allocation is being converted states a volume of water, or an equivalent volume of water, that may be taken in a 12-month period—the stated volume; or

(b) if the water licence from which the allocation is being converted states an area that may be irrigated and does not state an equivalent volume of water that may be taken—

(i) the volume decided by the chief executive having regard to the volume of water required for the water licence's intended purpose, but not more than the volume, expressed in megalitres, calculated by multiplying the area, expressed in hectares, by 6; or

(ii) if the chief executive is satisfied that the amount under subparagraph (i) is not sufficient—the volume decided by the chief executive having regard to the following—

(A) the volume required for the allocation's intended purpose;

(B) the annual volumes of water estimated by the chief executive to have been taken under the water licence during the period, of not more than 10 years, immediately before the commencement;

(C) the efficiency of the use of the water mentioned in sub-subparagraph (B); or

(c) otherwise—the volume decided by the chief executive having regard to the following—

(i) the condition under which water may be taken under the water licence from which the allocation is being converted;

(ii) the water-taking capacity of any works for taking water under the water licence;

(iii) the volume required for the water licence's intended purpose;

(iv) the annual volumes of water estimated by the chief executive to have been taken under the water licence during the period, of not more than 10 years, immediately before the commencement;

(v) the efficiency of the use of the water mentioned in subparagraph (iv).

78 Water allocation group for water allocation

The water allocation group to which the water allocation belongs is stated in schedule 10, column 3 opposite the location used for taking water stated in schedule 10, column 1 and the flow condition stated in schedule 10, column 2.

79 Conditions for water allocation

(1) The chief executive may impose on the water allocation any condition the chief executive is satisfied is necessary to ensure the outcomes of this plan are achieved.

(2) In deciding the requirements for the flow conditions under which water may be taken under the allocation, the chief executive must have regard to the conditions and requirements stated on the water licence from which the allocation is being converted.

Division 7 Water licences to take water from watercourse, lake or spring

Subdivision 1 Form of water licences to take water from watercourse, lake or spring

80 Elements of water licences to take water from watercourse, lake or spring

A water licence to take water from a watercourse, lake or spring in the plan area must state—

(a) 1 of the following purposes for which the water may be taken under the licence—

(i) stock or domestic purposes;

(ii) any purpose; and

(b) the maximum rate at which the water may be taken under it; and

(c) its nominal entitlement; and

(d) its conditions, if any, including requirements for flow conditions and conditions for storing water taken under it.

Subdivision 2 Criteria for amending water licences to achieve plan outcomes

81 Definition for sdiv 2

In this subdivision—

amended water licence means a water licence to take unsupplemented water from a watercourse, lake or spring amended under section 217 of the Act.

82 Purpose to be stated on water licence

The purpose to be stated on an amended water licence must be—

(a) if the purpose stated on the water licence before the amendment is stock or domestic—stock and domestic purposes; or

(b) otherwise—any purpose.

83 Maximum rates for a water licence

(1) The maximum rate at which unsupplemented water may be taken under an amended water licence must be—

(a) for an amended water licence that, before the amendment, stated a maximum rate—the stated rate; or

(b) for an amended water licence that, before the amendment, did not state a maximum rate but there is a related development permit that states a pump size mentioned in schedule 11, column 1—the rate stated in schedule 11, column 2 for the pump size; or

(c) for an amended water licence that, before the amendment, did not state a maximum rate but there is a related development permit that states a pump size other than a pump size mentioned in schedule 11, column 1—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 11, column 2; or

(d) otherwise—the rate decided by the chief executive having regard to—

(i) the purpose of the licence; and

(ii) an estimate or measurement of the rate at which water has been taken under the licence before the amendment.

(2) However, for subsection (1)(b) or (c), if the licence holder satisfies the chief executive that the maximum rate at which

water has been taken is different from the rate decided under the subsection, the maximum rate is to be the rate decided by the chief executive having regard to the following—

(a) the conditions under which the water may be taken;

(b) the water-taking capacity of the pump to which the development permit relates (the ***existing pump***);

(c) the irrigation or water distribution system related to the existing pump during the period of not more than 10 years immediately before the commencement;

(d) the efficiency of the water use associated with the existing pump or system mentioned in paragraph (c).

84 Nominal entitlement for water licence

The nominal entitlement for an amended water licence is to be—

(a) for an amended water licence that, before the amendment, stated the volume, or an equivalent volume, of water that may be taken in a 12-month period—the stated volume; or

(b) for an amended water licence that, before the amendment, stated an area that may be irrigated but did not state an equivalent volume that may be irrigated—

(i) the volume decided by the chief executive having regard to the volume of water required for the licence's intended purpose, but not more than the volume, expressed in megalitres, calculated by multiplying the area, expressed in hectares, by 6; or

(ii) if the chief executive is satisfied that the amount under subparagraph (i) is not sufficient, the volume decided by the chief executive having regard to the following—

(A) the volume required for the licence's intended purpose;

(B) the annual volumes of water estimated by the chief executive to have been taken under the licence during the period, of not more than 10 years, immediately before the commencement;

(C) the efficiency of the use of the water mentioned in sub-subparagraph (B); or

(c) otherwise—the volume decided by the chief executive having regard to the following—

(i) the conditions under which water may be taken under the licence;

(ii) the water-taking capacity of any works for taking water under the licence;

(iii) the volume required for the licence's intended purpose;

(iv) the annual volumes of water estimated by the chief executive to have been taken under the licence during the period, of not more than 10 years, immediately before the commencement;

(v) the efficiency of the use of the water mentioned in subparagraph (iv).

85 Conditions for water licence

In deciding the conditions and requirements for the flow conditions under which water may be taken under an amended water licence, the chief executive must consider the conditions and requirements stated on the amended water licence before the amendment.

86 Storing water taken under water licence

(1) The chief executive may impose a condition on an amended water licence that states the works that may be used to store the water taken under the licence.

(2) In deciding to impose the condition, the chief executive must consider the capacity of any existing overland flow works being used to store the water.

Division 8 Regulating overland flow water

87 Limitation on taking overland flow water—Act, s 20

(1) This section limits the overland flow water that may be taken under section 20 of the Act in the Coastal Burnett overland flow area.

(2) A person may only take overland flow water in the Coastal Burnett overland flow area—

(a) for stock or domestic purposes; or

(b) for another purpose if the works that allow the taking of overland flow water are not existing overland flow works and have a capacity of not more than 20ML; or

(c) under a water licence; or

(d) of not more than the volume necessary to satisfy the requirements of the following—

(i) an environmental authority issued under the *Environmental Protection Act 1994*;

(ii) a development permit for carrying out an environmentally relevant activity, other than a mining or petroleum activity, under the *Environmental Protection Act 1994*; or

(e) that is contaminated agricultural run-off water; or

(f) that is incidental to the operation of a storage facility constructed to store water, other than overland flow water, in a catchment area of not more than 25ha; or

(g) for any purpose if the works that allow the taking of overland flow water are existing overland flow works.

(3) In this section—

contaminated agricultural run-off water means overland flow water that contains, or is likely to contain, excess nutrients or farm chemicals at levels potentially harmful to the quality of water in a watercourse.

88 Granting water licences for using particular existing overland flow works

(1) The chief executive may, under section 212 of the Act, grant a water licence to replace an authority under section 87(2)(g).

(2) In deciding the matters mentioned in section 89(b) to be stated on the licence, chief executive—

(a) must consider—

(i) the average annual volume of overland flow water that could have been taken, immediately before the commencement, using the existing overland flow works to which the authority relates; and

(ii) the annual volumes of overland flow water estimated by the chief executive to have been taken using the works during the period, of not more than 10 years, immediately before the commencement;

(b) may consider the extent to which the works, immediately before the commencement, allowed—

(i) the taking of other water under another authorisation; or

(ii) the storage of other water taken under another authorisation.

89 Water licence to take overland flow water

A water licence to take overland flow water must state—

(a) any purpose for which water may be taken under the licence; and

(b) at least 1 of the following—

(i) the maximum rate at which water may be taken under it;

(ii) its nominal entitlement;

(iii) the maximum volume of water that may be stored under it; and

(c) its conditions, if any.

90 Relationship with Sustainable Planning Act 2009

(1) Works that allow the taking of overland flow water in the Coastal Burnett overland flow area are assessable development for the *Sustainable Planning Regulation 2009*, schedule 3, part 1, table 4, item 3(f).

(2) Subsection (1) does not apply to—

(a) works mentioned in subsection (3); or

(b) the repair or maintenance of either of the following works if the repair or maintenance does not alter the design of the works—

(i) existing overland flow works;

(ii) works constructed under a development permit.

(3) The following works that allow the taking of overland flow water in the Coastal Burnett overland flow area are self-assessable development for the *Sustainable Planning Regulation 2009*, schedule 3, part 2, table 4, item 1(e)—

(a) works for taking overland flow water only for stock or domestic purposes;

(b) works mentioned in section 87(2)(b);

(c) works for taking only the overland flow water mentioned in section 87(2)(d).

Part 3 Additional strategies for groundwater

Division 1 Preliminary

91 Application and purpose of pt 3

This part—

(a) applies only to groundwater in a groundwater management area; and

(b) states the strategies for achieving the outcomes mentioned in chapter 3.

92 Limitation on taking groundwater—Act, s 20

(1) This section limits the groundwater that may be taken under section 20 of the Act.

(2) A person may only take groundwater in a groundwater management area—

(a) under a water permit; or

(b) under a water licence; or

(c) under an interim water allocation; or

(d) under a water allocation; or

(e) under section 100; or

(f) for stock or domestic purposes; or

(g) to operate public showers or toilets.

(3) However, despite subsection (2)(f), a person may only take groundwater in the Coastal Burnett groundwater management area for stock or domestic purposes under section 94 or 95.

93 Relationship with Sustainable Planning Act 2009

(1) Works for taking groundwater for stock or domestic purposes in the Coastal Burnett groundwater management area are assessable development for the *Sustainable Planning Regulation 2009*, schedule 3, part 1, table 4, item 3(c)(ii).

(2) Works for taking groundwater for stock or domestic purposes in a groundwater management area other than the Coastal Burnett groundwater management are self-assessable development for the *Sustainable Planning Regulation 2009*, schedule 3, part 2, table 4, item 1(b)(iii).

(3) In a groundwater management area—

(a) works for taking groundwater for a purpose other than stock or domestic purposes are assessable development for the *Sustainable Planning Regulation 2009*, schedule 3, part 1, table 4, item 3(c)(ii); and

(b) a water bore constructed to replace a bore for which a development permit is held, or under section 1048A of the Act is taken to be held, is self-assessable development for the *Sustainable Planning Regulation 2009*, schedule 3, part 2, table 4, item 1(b)(iii); and

(c) a water bore constructed to replace prescribed existing groundwater works is self-assessable development for the *Sustainable Planning Regulation 2009*, schedule 3, part 2, table 4, item 1(b)(iii).

Division 2 Taking groundwater for stock or domestic purposes in Coastal Burnett groundwater management area

94 Taking groundwater for stock or domestic purposes using works constructed before 30 November 2007

(1) An owner of land in the Coastal Burnett groundwater management area may use existing works for taking groundwater for stock or domestic purposes.

(2) In this section—

existing works means—

(a) works on land in the Coastal Burnett groundwater management area—

(i) constructed before 30 November 2007; or

(ii) for which an agreement with the chief executive to construct the works was entered into before 30 November 2007 regardless of when the construction is completed; or

(b) works replacing works mentioned in paragraph (a).

works replacing works mean works that, in relation to the works being replaced, are a replacement bore within the meaning of the Code for Self-assessable Development of Replacement Bores.

Editor's note—

A copy of the code is available on the department's website at <www.nrm.qld.gov.au>.

95 Taking groundwater for stock or domestic purposes using works constructed on or after 30 November 2007

(1) This section applies to an owner of land in the Coastal Burnett groundwater management area if—

(a) the owner is not using existing works under section 94 for taking groundwater for stock or domestic purposes; and

(b) the land is not in a service area under the *Water Supply (Safety and Reliability) Act 2008* for a retail water service.

(2) The owner may use works constructed on the land on or after 30 November 2007 for the taking of groundwater for stock or domestic purposes if the works are on a lot that has not been reconfigured after 22 January 2007.

(3) In this section—

reconfigured, for a lot, means—

(a) created by subdividing another lot; or

(b) divided into parts by agreement rendering different parts of the lot immediately available for separate disposition or separate occupation, other than by an agreement that is—

(i) a lease for a term, including renewal options, not exceeding 10 years; or

(ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the *Body Corporate and Community Management Act 1997*.

Division 3 Water licences to take groundwater

Subdivision 1 General

96 Elements of water licences

(1) A water licence to take groundwater must state—

(a) 1 of the following purposes for which the water may be taken under the licence—

(i) agriculture purposes;

(ii) agricultural dewatering purposes;

(iii) dewatering purposes;

(iv) urban purposes;

(v) any purpose; and

(b) its nominal entitlement; and

(c) its conditions, if any.

(2) However, subsection (1)(b) does not apply to a licence granted under section 206 of the Act for the purpose of dewatering or agricultural dewatering.

Subdivision 2 Criteria for amending water licences to achieve plan outcomes

97 Definition for sdiv 2

In this subdivision—

amended water licence means a water licence to take groundwater amended under section 217 of the Act.

98 Purpose to be stated on water licence

The purpose to be stated on an amended water licence is to be—

(a) if the purpose stated on the amended water licence before the amendment was agriculture, irrigation, stock intensive or a similar purpose—agriculture purposes; or

(b) if the purpose stated on the amended water licence before the amendment was dewatering for agricultural

purposes or a similar purpose—agricultural dewatering purposes; or

(c) if the purpose stated on the amended water licence before the amendment was dewatering, other than dewatering for agricultural purposes—dewatering purposes; or

(d) if the purpose stated on the amended water licence before the amendment was urban or town supply—urban purposes; or

(e) otherwise—any purpose.

99 Conditions for water licence

In deciding the conditions under which water may be taken under an amended water licence, the chief executive must consider—

(a) the conditions stated on the amended water licence before the amendment; and

(b) if the purpose stated on the amended water licence before the amendment was agricultural dewatering purposes or a similar purpose, the following—

(i) the groundwater levels to allow for normal agricultural activities;

Example of normal agricultural activities—

the practical operation of harvesting equipment

(ii) the location of works for dewatering for agricultural purposes and any works for monitoring the dewatering.

Subdivision 3 Dealing with prescribed existing groundwater works and groundwater-dependent activities

100 Taking groundwater using prescribed existing groundwater works

(1) An owner of land on which there are prescribed existing groundwater works mentioned in schedule 12, definition *prescribed existing groundwater works*, paragraph (a) may take groundwater using the works.

(2) An owner of land on which there are prescribed existing groundwater works mentioned in schedule 12, definition *prescribed existing groundwater works*, paragraph (b) may take groundwater using the works—

(a) until 1 year after the commencement; or

(b) if the owner gives notice to the chief executive about the works—any time after the commencement.

(3) An authority under this section ceases to apply to an owner if the owner is granted a water licence relating to the works.

101 Granting water licences

(1) The chief executive may, under section 212 of the Act, grant a water licence—

(a) to a person authorised under section 100 to take groundwater; or

(b) to an owner of land in a groundwater management area to take groundwater for a groundwater-dependent activity if the owner satisfies the chief executive that the owner had a commitment to a groundwater-dependent activity on 18 January 2010.

(2) The licence must be consistent with this part.

(3) In this section—

commitment, for a groundwater-dependent activity, means that any of the following applies—

(a) infrastructure for taking or distributing groundwater has been constructed;

(b) a financial commitment to the construction of the infrastructure has been made;

(c) local or State government requirements for carrying out the activity have been satisfied, for example, a development permit for the activity is held.

Example of financial commitment—

a loan has been granted for the activity on the basis that irrigation would be permitted

groundwater-dependent activity means an activity that uses groundwater, for example, growing a crop requiring irrigation, the commercial production of animals or a commercial or industrial enterprise.

102 Nominal entitlements for authorisation

(1) The nominal entitlement for a water licence mentioned in section 101 is to be the volume decided by the chief executive having regard to the following—

(a) for a water licence in relation to prescribed existing groundwater works to which section 100(1) applies—the information given in the notice mentioned in the repealed *Water Resource (Burnett Basin) Plan 2000*, section 30C(2) in relation to the works;

(b) for a water licence in relation to prescribed existing groundwater works to which section 100(2) applies—the information given in the notice mentioned in section 100(2);

(c) the availability of groundwater;

(d) the efficiency of the use of the water;

(e) the capacity of the works;

(f) crop water demands;

(g) on-farm water related infrastructure.

(2) Subsection (1) does not limit the matters the chief executive may consider.

Division 4 Converting authorisations to water allocations to take unsupplemented groundwater

103 Purpose of div 4

This division states strategies for particular authorisations to be converted, under section 121 of the Act, to water allocations to take unsupplemented groundwater under the resource operations plan.

104 Authorisations to be converted to water allocations

(1) A water licence to take groundwater from any of the following groundwater sub-areas is to be converted to a water allocation to take unsupplemented groundwater from the groundwater sub-area—

(a) the Kolan-Burnett A groundwater sub-area;

(b) the Burnett-Elliott A groundwater sub-area;

(c) the Elliott-Gregory A groundwater sub-area;

(d) the Fairymead A groundwater sub-area.

(2) This section does not apply to a water licence—

(a) for stock or domestic purposes; or

(b) for dewatering purposes; or

(c) that does not state a volumetric limit.

105 Location for taking water under water allocation

The location for taking water to be stated on a water allocation is to include the place at which water could have been taken under the water licence from which the water allocation is being converted.

106 Purpose to be stated on water allocation

The purpose to be stated on the water allocation is to be any purpose.

107 Nominal volume for water allocation

(1) In deciding the nominal volume for the water allocation, the chief executive must have regard to the following—

(a) the local availability of groundwater;

(b) the conditions under which groundwater may be taken under the water licence from which the allocation is being converted;

(c) the nominal entitlement for the water licence from which the allocation is being converted;

(d) the simulated mean annual diversion for the water licence from which the allocation is being converted.

(2) In this section—

simulated mean annual diversion, for a water licence, means the total volume of water simulated to have been taken under the water licence, as if the water licence were in existence for the whole of the groundwater simulation period, divided by the number of years in the groundwater simulation period.

108 Annual volumetric limit for water allocation

The annual volumetric limit for the water allocation is to be the nominal entitlement stated on the water licence from which the water allocation is being converted.

109 Water allocation group for water allocation

(1) For a water allocation being converted from a water licence under which water in the Kolan-Burnett A groundwater sub-area may be taken, the water allocation group to which the water allocation belongs is—

(a) if the water licence states a purpose of urban water supply or town water supply—the CB-KBA-A water allocation group; or

(b) if the water licence states any other purpose—the CB-KBA-B water allocation group.

(2) For a water allocation being converted from a water licence under which water in the Burnett-Elliott A groundwater sub-area may be taken, the water allocation group to which the water allocation belongs is—

(a) if the water licence states a purpose of urban water supply or town water supply—the CB-BEA-A water allocation group; or

(b) if the water licence states any other purpose—the CB-BEA-B water allocation group.

(3) For a water allocation being converted from a water licence under which water in the Elliott-Gregory A groundwater sub-area may be taken, the water allocation group to which the water allocation belongs is—

(a) if the water licence states a purpose of urban water supply or town water supply—the CB-EGA-A water allocation group; or

(b) if the water licence states any other purpose—the CB-EGA-B water allocation group.

(4) For a water allocation being converted from a water licence under which water in the Fairymead A groundwater sub-area may be taken, the water allocation group to which the water allocation belongs is—

(a) if the water licence states a purpose of urban water supply or town water supply—the CB-FMA-A water allocation group; or

(b) if the water licence states any other purpose—the CB-FMA-B water allocation group.

110 Conditions for water allocation

In deciding the conditions under which groundwater may be taken under the water allocation, the chief executive must have regard to—

(a) the conditions stated on the water licence from which the allocation is being converted; or

(b) a development permit relating to the water licence.

Division 5 Limitation on interfering with groundwater in Coastal Burnett groundwater management area

111 Limitation on interference with groundwater—Act, s 20

(1) This section limits the groundwater in the Coastal Burnett groundwater management area that may be interfered with under section 20 of the Act.

(2) If the interference is by an excavation exposing the watertable by an area greater than 1500m^2, the interference with groundwater must be authorised under a water licence to interfere with the flow of water on, under or adjoining the land.

(3) Subsection (2) only applies to an excavation constructed after the commencement.

Division 6 Water licences to interfere with groundwater in Coastal Burnett groundwater management area

112 Interference with groundwater by particular excavations

(1) This section applies to an application, made under section 206 of the Act, for a water licence to interfere with groundwater in the Coastal Burnett groundwater management area if the interference is by an excavation mentioned in section 111.

(2) In deciding the application, the chief executive must consider the following—

(a) the area by which the excavation will expose the watertable;

(b) any groundwater losses as a result of the excavation exposing the watertable;

(c) the effect of granting the application on—

(i) the availability of groundwater for existing holders of water entitlements in the groundwater management area; and

(ii) the integrity of the aquifer; and

(iii) groundwater-dependent ecosystems; and

(iv) seawater intrusion.

(3) If the chief executive decides to grant the water licence, the chief executive must—

(a) decide a volume of water as the estimated loss of groundwater by evaporation resulting from the interference; and

(b) impose a condition on the water licence—

(i) requiring the holder of the water licence to hold—

(A) a water allocation with a nominal volume of at least the volume of water decided under paragraph (a); or

(B) a water licence with a nominal entitlement of at least the volume of water decided under paragraph (a); and

(ii) stopping the holder from actually taking the volume of water decided under paragraph (a) under the water allocation or water licence mentioned in subparagraph (i).

(4) In deciding a volume of water under subsection (3)(a), the chief executive must have regard to—

(a) the area by which the excavation will expose the watertable; and

(b) information provided by the applicant about the estimated loss of groundwater by evaporation resulting from the interference; and

(c) historical data on the loss of water by evaporation for the groundwater management area.

(5) Subsections (2) and (4) do not limit the matters the chief executive may consider.

Chapter 6 Monitoring and reporting requirements

113 Monitoring

(1) To help the Minister assess the effectiveness of the management strategies for achieving the outcomes mentioned in chapter 3, the resource operations plan must state—

(a) the monitoring requirements for water and natural ecosystems for this plan; and

(b) the reporting requirements for this plan for operators of infrastructure interfering with water in the plan area.

(2) Subsection (1) does not limit the monitoring requirements the chief executive may impose for this plan.

114 Minister's report on plan—Act, s 53

(1) The Minister's report on this plan must be prepared for a period (the ***reporting period***)—

(a) starting on the commencement; and

(b) ending within 5 years—

(i) for the first report—after the financial year in which this plan commenced; and

(ii) for subsequent reports—after the end of the previous reporting period.

(2) The Minister's report must be prepared within 12 months after the end of the reporting period to which the report relates.

(3) If the Minister is satisfied about either of the matters mentioned in section 55(2) of the Act, the report, in its assessment of the effectiveness of the implementation of the plan in achieving the plan's outcomes, must include a consideration of the matters.

Chapter 7 Implementing and amending this plan

115 Implementation schedule

(1) This section states the proposed arrangements for implementing this plan.

(2) After the commencement, it is proposed to include in the resource operations plan—

(a) for groundwater in the Coastal Burnett groundwater management area—

(i) a process to grant water licences, and convert authorisations to water allocations, to take groundwater; and

(ii) water sharing rules, water allocation change rules and seasonal water assignments for the taking of groundwater; and

(b) for water in the plan area—

(i) a process to grant, or convert authorisations to, water allocations to take water; and

(ii) a process to amend water allocations in the Upper Burnett Water Supply Scheme; and

(iii) a process to amend water licences; and

(iv) a process to grant a distribution operations licence to the Avondale Water Supply Board in the Bundaberg Water Supply Scheme; and

(c) for water in the Three Moon Creek Water Supply Scheme, Upper Burnett Water Supply Scheme, Barker Barambah Water Supply Scheme and Bundaberg Water Supply Scheme—environmental management rules, infrastructure operating rules, water sharing rules, water allocation change rules and seasonal water assignment rules; and

(d) for groundwater in the Central Burnett River, Barker Creek, Barambah Creek, Coalstoun Lakes and Nangur Boonara Creeks groundwater management areas—a process to grant water licences to take groundwater.

116 Minor or stated amendment of plan—Act, s 57

The following types of amendment may be made to this plan under section 57(b) of the Act—

(a) an amendment or addition of an environmental flow objective if the amendment or addition achieves an

equivalent or improved ecological outcome without adversely affecting—

(i) the outcomes mentioned in chapter 3; or

(ii) the water allocation security objectives mentioned in chapter 4, part 2;

(b) an amendment or addition of a water allocation security objective if the amendment or addition does not adversely affect—

(i) the outcomes mentioned in chapter 3; or

(ii) the environmental flow objectives mentioned in chapter 4, part 1;

(c) an amendment or addition of a node location;

(d) an amendment to subdivide a subcatchment area;

(e) an amendment to adjust the boundaries of a groundwater management area and groundwater sub-area if more accurate information about the boundaries of the plan area or hydrological characteristics of the plan area becomes available;

(f) an amendment or addition of a priority group;

(g) an amendment or addition of a water allocation group;

(h) an amendment of the capacity of works to take overland flow water mentioned in section 87(2)(b);

(i) an amendment of the catchment area mentioned in section 87(2)(f);

(j) an amendment or addition of a monitoring or reporting requirement under chapter 6;

(k) an amendment of, or to remove, a redundant provision of this plan.

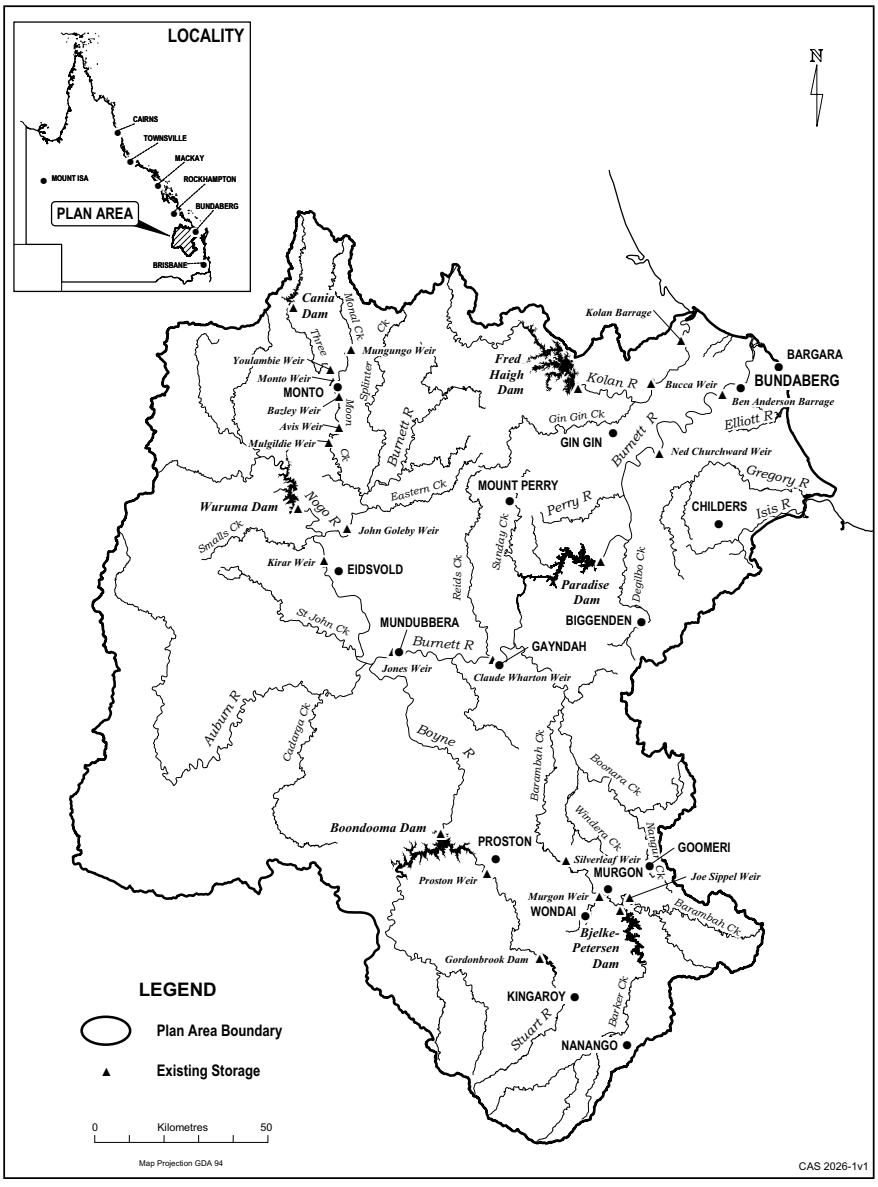
Chapter 8 Repeal

117 Repeal

The Water Resource (Burnett Basin) Plan 2000, SL No. 359 is repealed.

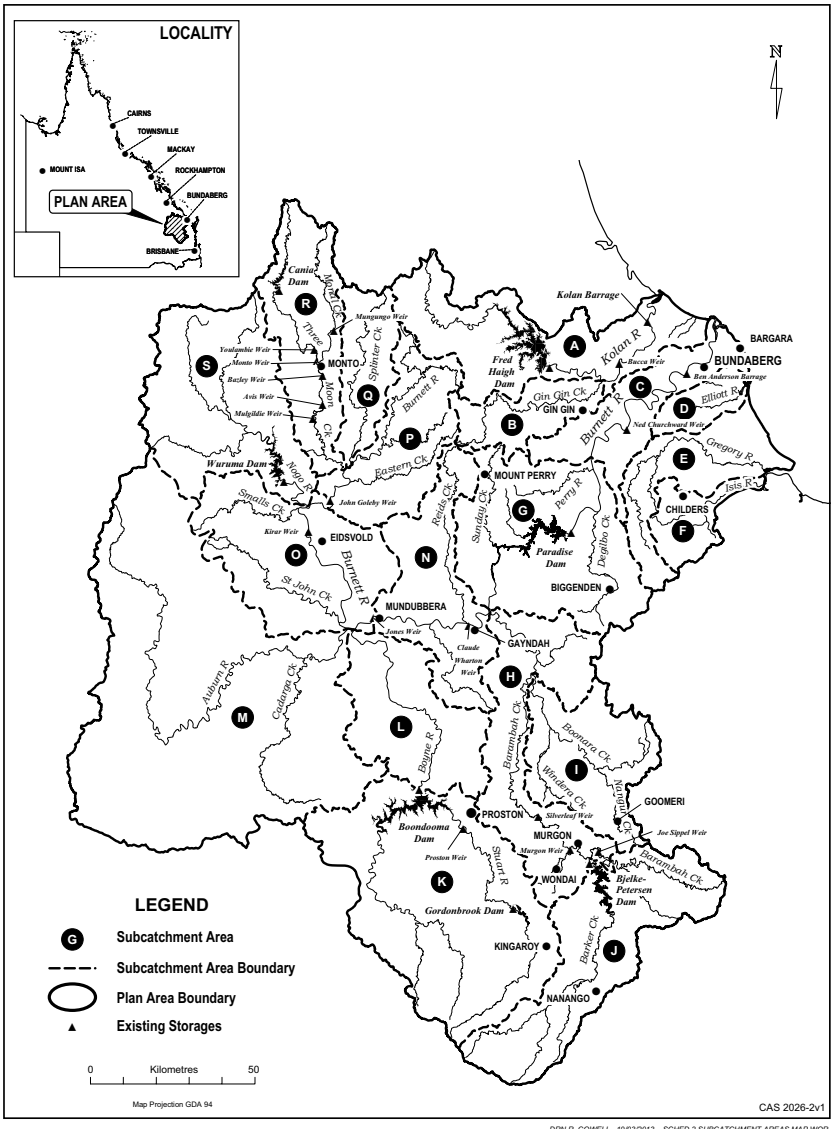
Schedule 1 Plan area

section 4



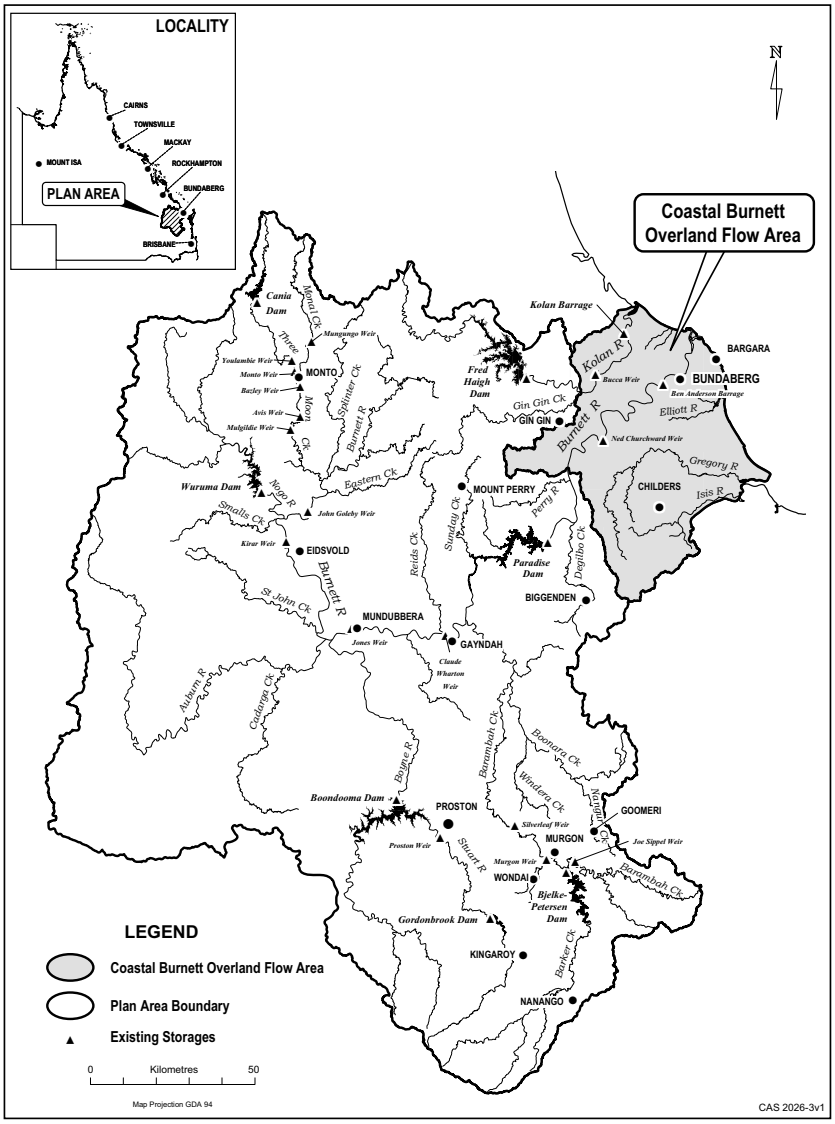
Schedule 2 Subcatchment areas

section 5



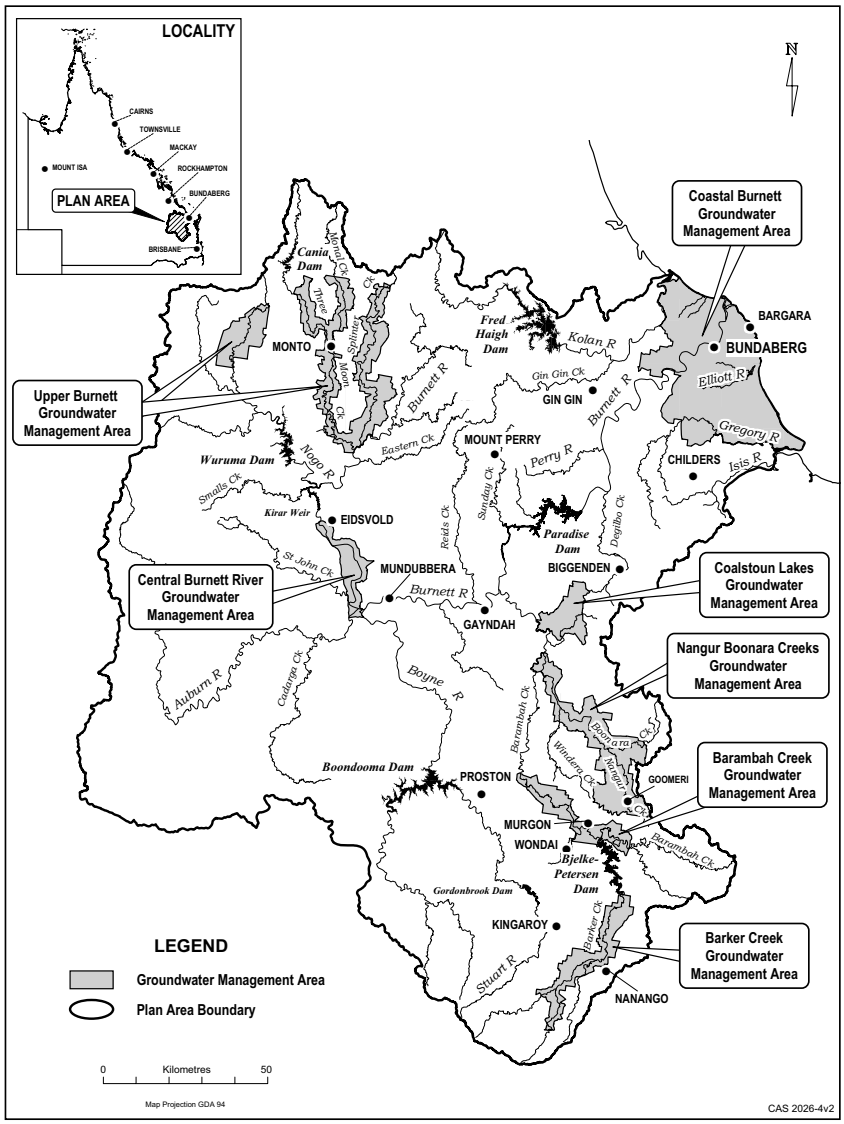
Schedule 3 Coastal Burnett overland flow area

section 6



Schedule 4 Groundwater management areas

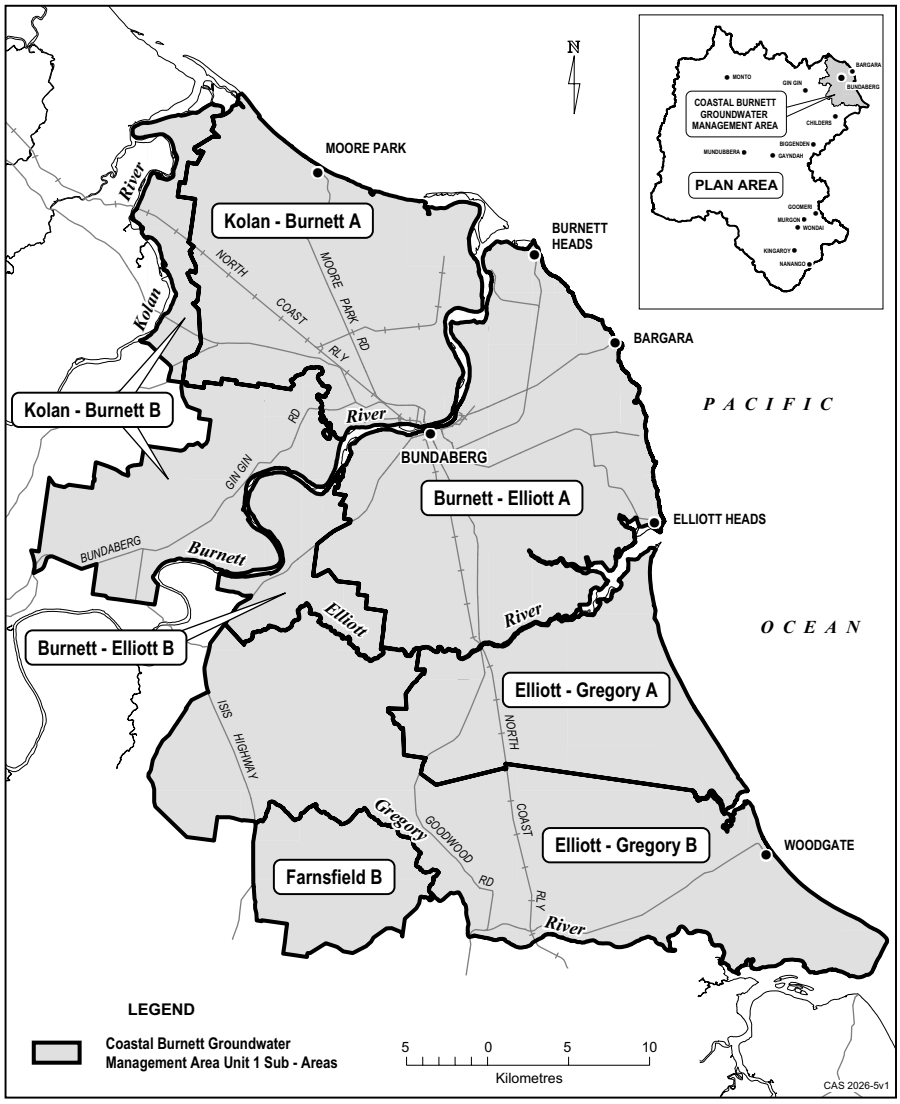
section 7



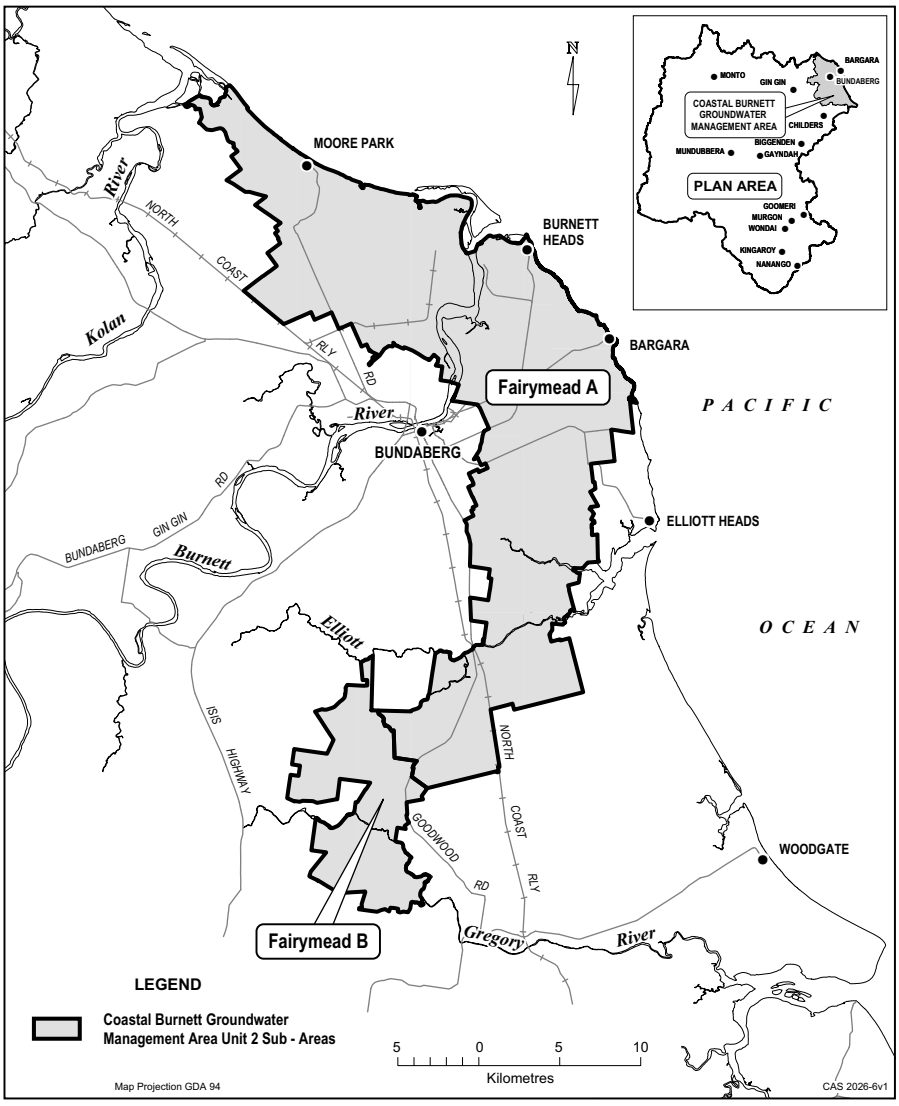
Schedule 5 Groundwater sub-areas

section 8

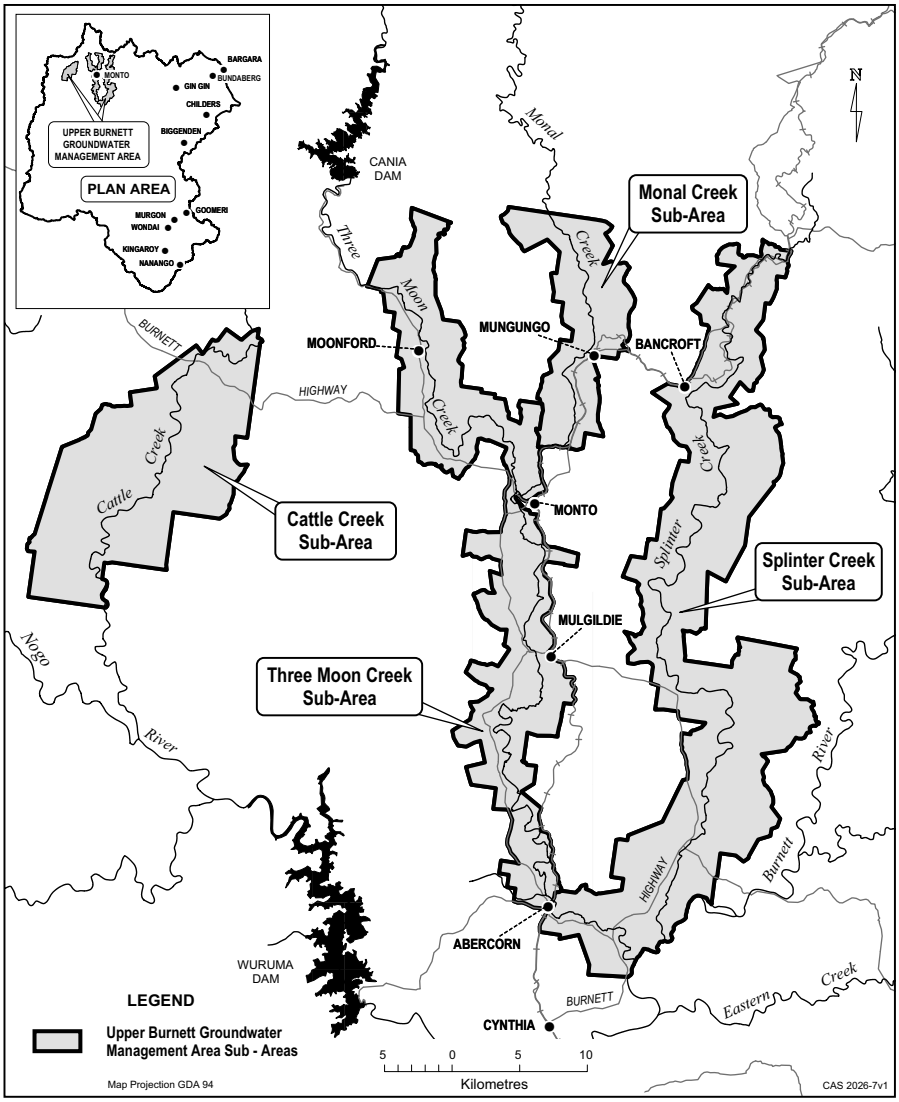
Map A



Map B



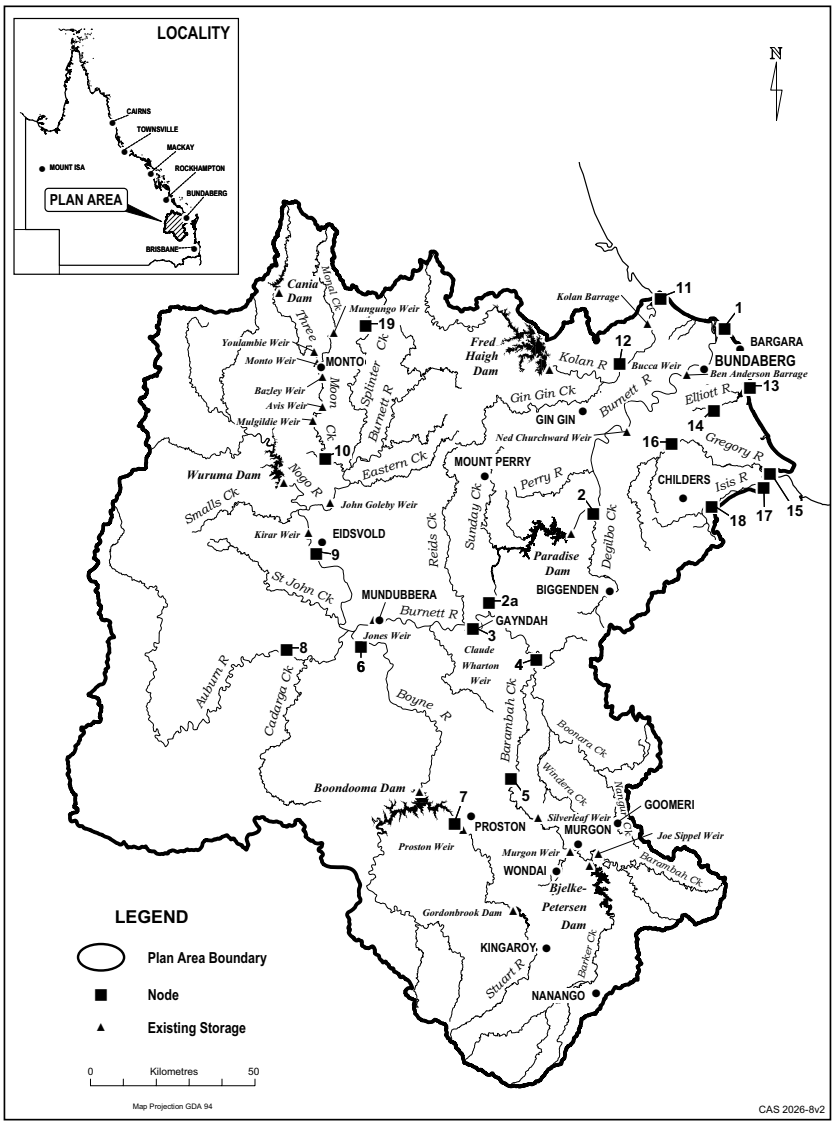
Map C



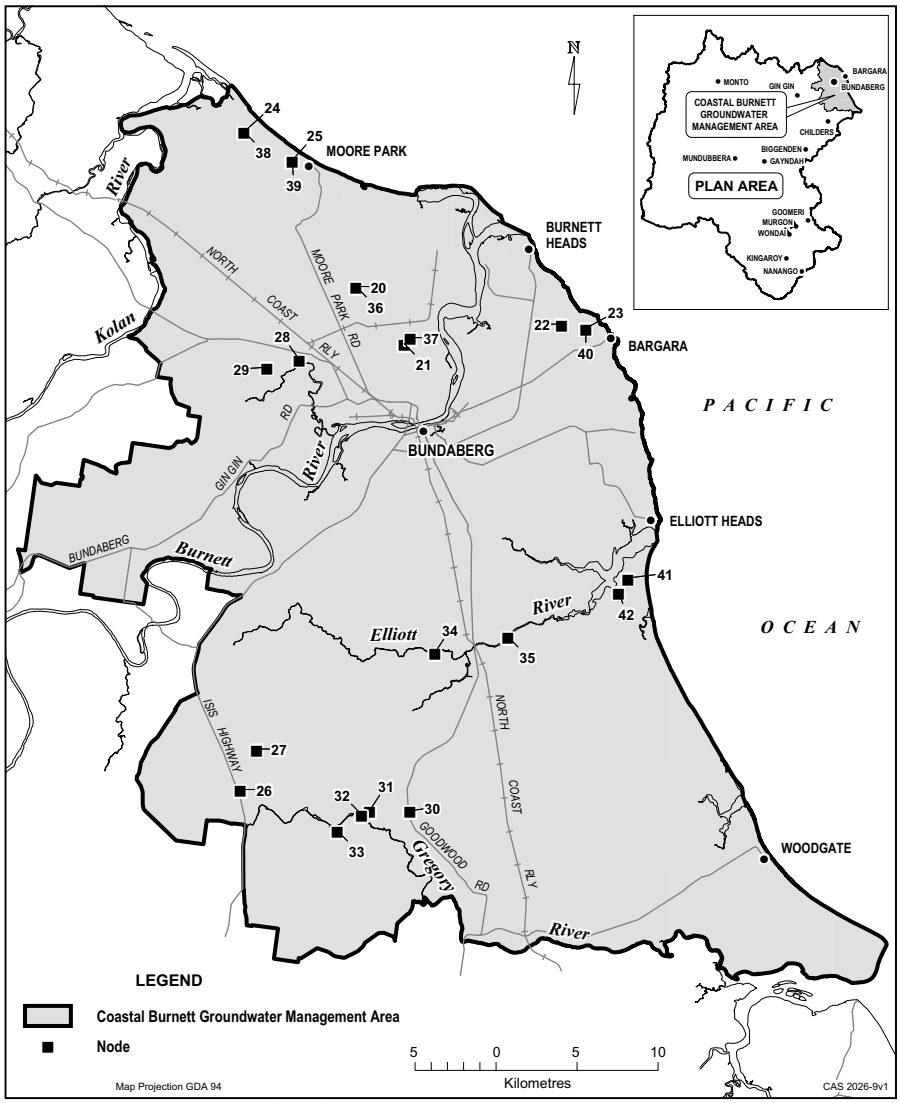
Schedule 6 Nodes

section 11

Part 1 Surface water node location



Part 2 Groundwater node location



Part 3 Surface water node description

Column 1	Column 2	Column 3
Node	**Location**	**AMTD**
1	Burnett River at river mouth	AMTD 0.0km
2a	Burnett River at Mount Lawless gauging station	AMTD 184.1km
2	Burnett River at Figtree gauging station	AMTD 119.2km
3	Burnett River at Gayndah flume	AMTD 201.3km
4	Barambah Creek at Ban Ban	AMTD 35.2km
5	Barambah Creek at Stonelands	AMTD 90.2km
6	Boyne River at Derra	AMTD 6.4km
7	Stuart River at Proston Rifle Range	AMTD 24.1km
8	Auburn River at Dykehead	AMTD 37.9km
9	Burnett River at Eidsvold	AMTD 291.1km
10	Three Moon Creek at Abercorn	AMTD 13.2km
11	Kolan River at river mouth	AMTD 0.0km
12	Kolan River at Bucca Weir Tailwater	AMTD 37.9km
13	Elliott River at river mouth	AMTD 0.0km
14	Elliott River at Elliott gauging station	AMTD 17.0km
15	Gregory River at river mouth	AMTD 0.0km
16	Gregory River at Isis Highway	AMTD 47.9km
17	Isis River at river mouth	AMTD 0.0km
18	Isis River at Bruce Highway	AMTD 22.7km
19	Splinter Creek at Dakiel	AMTD 74.8km

Part 4 Groundwater node description

Column 1	Column 2
Node	**Location**
20	Tantitha-Whymere (site 1)
21	Tantitha-Whymere (site 2)
22	Pasturage Reserve (site 1)
23	Pasturage Reserve (site 2)
24	Moore Park (site 1)
25	Moore Park (site 2)
26	North Gregory-Isis Highway (site 1)
27	North Gregory-Isis Highway (site 2)
28	Meadowvale (site 1)
29	Meadowvale (site 2)
30	Foley (site 1)
31	Foley (site 2)
32	Gregory River (site 1)
33	Gregory River (site 2)
34	Elliott River (site 1)
35	Elliott River (site 2)
36	Tantitha-Whymere (site 3)
37	Tantitha-Whymere (site 4)
38	Moore Park (site 3)
39	Moore Park (site 4)
40	Pasturage Reserve (site 3)
41	Elliott Heads (site 3)
42	Elliott Heads (site 4)

Schedule 7 Environmental flow objectives

sections 18 and 20

Part 1 Surface water objectives

1 At each node mentioned in table 1, column 1, the number of periods of no flow of at least 6 months in the IQQM simulation period is to be no more than the number stated for the node in column 2.

Table 1

Column 1	Column 2
Surface water node	**Number of periods of no flow**
2a	3
4	6
6	12

2 At each node mentioned in table 2, column 1—

(a) the mean annual flow in the IQQM simulation period, expressed as a percentage of the mean annual flow for the pre-development flow pattern, is to be at least the percentage stated for the node in table 2, column 2; and

(b) the median annual flow in the IQQM simulation period, expressed as a percentage of the median annual flow for the pre-development flow pattern, is to be at least the percentage stated for the node in table 2, column 3.

Table 2

Column 1	Column 2	Column 3
Surface water node	**Mean annual flow (%)**	**Median annual flow (%)**
1	70	40
11	70	55
13	75	55
15	85	70
17	95	90

3 At each node mentioned in table 3, column 1—

(a) the 1.5 year daily flow volume in the IQQM simulation period, expressed as a percentage of the 1.5 year daily flow volume for the pre-development flow pattern, is to be at least the percentage stated for the node in table 3, column 2; and

(b) the 5 year daily flow volume in the IQQM simulation period, expressed as a percentage of the 5 year daily flow volume for the pre-development flow pattern, is to be at least the percentage stated for the node in table 3, column 3; and

(c) the 20 year daily flow volume in the IQQM simulation period, expressed as a percentage of the 20 year daily flow volume for the pre-development flow pattern, is to be at least the percentage stated for the node in table 3, column 4.

Table 3

Column 1	Column 2	Column 3	Column 4
Surface water node	**1.5 year daily flow volume (%)**	**5 year daily flow volume (%)**	**20 year daily flow volume (%)**
1	50	80	90
11	70	50	60

Column 1	Column 2	Column 3	Column 4
Surface water node	**1.5 year daily flow volume (%)**	**5 year daily flow volume (%)**	**20 year daily flow volume (%)**
13	35	80	90
15	65	90	95
17	90	95	95

Part 2 Groundwater objectives

1 At each node mentioned in table 4, column 1—

(a) the average depth to the watertable must not be more than the maximum distance for the node stated in the table, column 2; and

(b) the drawdown period for the node must not be more than the percentage stated in the table, column 3 for the node.

Table 4

Column 1	Column 2	Column 3
Groundwater node	**Maximum distance (m)**	**Drawdown period (%)**
21	10.85	0
26	15.35	0
27	3.64	0.33
28	4.14	1.0
29	3.64	2.50
30	17.64	0
31	13.40	1.0
36	2.50	8.58

2 The average ocean groundwater discharge for a groundwater sub-area mentioned in table 5, column 1, is to be at least the volume stated in column 2 of the table for the groundwater sub-area.

Table 5

Column 1	**Column 2**
Groundwater sub-area	**Volume (ML)**
Kolan-Burnett A	8 100
Burnett-Elliott A	2 100
Elliott-Gregory A	4 200
Fairymead A	4 100

Schedule 8 Water allocation security objectives

section 22

Part 1 Supplemented water

1 Barker Barambah Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 99%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 75%.

2 Boyne River and Tarong Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 95%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 70%.

3 Bundaberg Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 99%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 90%.

4 Three Moon Creek Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 95%.

2 For water allocations in the surface water medium priority group, the monthly supplemented water sharing index is to be at least 65%.

3 For water allocations in the groundwater medium priority group, the monthly supplemented water sharing index is to be at least 80%.

5 Upper Burnett Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 99%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 85%.

3 For water allocations in the low priority group, the monthly supplemented water sharing index is to be at least 25%.

Part 2 Unsupplemented surface water

For water allocations in a water allocation group mentioned in the resource operations plan or this plan and stated in table 1, column 1, the annual volume probability is to be at least the percentage stated for the group in table 1, column 2.

Table 1

Column 1	Column 2
Water allocation group	**Annual volume probability (%)**
class 1H	62
class 2H	54

Column 1	Column 2
Water allocation group	**Annual volume probability (%)**
class 3H	52
class 1J	65
class 2J	23
class 1L	78
class 2L	77
class 3L	66
class 4L	30
class 1K	78
class 2K	35
class 3K	89
class 4K	58
class 5K	70
class 6K	62
class 7K	80
class 1A	85
class 2A	81
class 3C	71
class 4C	75
class 5C	74
class 7G	70
class 8G	73
class 9G	81
class 14G	75
class 6M	76
class 6N	70
class 7N	67

Column 1	Column 2
Water allocation group	**Annual volume probability (%)**
class 8N	87
class 12N	79
class 13N	71
class 6O	65
class 7O	64
class 10O	68
class 10P	75
class 11P	56
class 1R	57
class 2R	52
class 3R	40
class 1D	48
class 1E	48
class 1F	53

Part 3 Unsupplemented groundwater

6 Coastal Burnett Groundwater Management Area

1 For water allocations in the CB-KBA-A, CB-BEA-A or CB-FMA-A water allocation group, the 90% annual volume probability is to be 100%.

2 For water allocations in the CB-KBA-B, CB-BEA-B, CB-EGA-B or CB-FMA-B water allocation group, the groundwater annual volume probability is to be at least 50%.

Schedule 9 Interim rules for taking or sharing water

section 31

Part 1 Definitions

1 Definitions for sch 9

In this schedule—

adjusted storage level, for a storage, means the level in AHD calculated by subtracting the storage loss for the storage from the current storage level for the storage.

adjusted storage volume, for a storage, means the volume of water in the storage for the adjusted storage level calculated using the storage curve for the storage.

announced allocation percentage, for a priority group, means the percentage used to calculate the maximum volume of water that may be supplied in a water year to water allocation holders in the priority group.

bulk capacity share means a conceptual portion of a water storage that is used to supply a particular group of water allocations.

Burnett bulk capacity share means the Burnett bulk capacity share established as mentioned in section 20(1)(a).

Burnett River subscheme means the part of the Bundaberg Water Supply Scheme located on the Burnett River extending from the Ben Anderson Barrage at AMTD 25.9km upstream to within the ponded area of Paradise Dam at AMTD 162.8km.

Claude Wharton A subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from Claude Wharton Weir at AMTD 200km

upstream to the ponded limits of Claude Wharton Weir at AMTD 213.1km.

Claude Wharton B subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from within the ponded area of Paradise Dam at AMTD 162.8km upstream to the Claude Wharton Weir at AMTD 200km.

Claude Wharton subscheme means the Claude Wharton A subscheme and the Claude Wharton B subscheme.

current storage level, for a storage, means the current level of water in the storage in AHD.

current storage volume, for a storage, means the volume of water in the storage for the current storage level calculated using the storage curve.

dead storage volume, for a storage, means the dead storage volume of the storage stated in the infrastructure details for the storage in the resource operations plan.

diversion, for a water supply scheme or subscheme, means the total volume of water taken under all water allocations in the scheme or subscheme in the water year in which the announced allocation percentage being calculated takes effect.

full supply volume, for a storage, means the full supply volume of the storage stated in the infrastructure details for the storage in the resource operations plan.

inflow allowance, for a subscheme, means an allowance, for the estimated flow of water into the subscheme, stated in part 5, table 4 for the subscheme for the month in which the announced allocation percentage being calculated takes effect.

John Goleby subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from the confluence of the Burnett River and the Nogo River at AMTD 311.8km upstream to the ponded limits of John Goleby Weir at AMTD 333.9km.

Jones subscheme means the part of the Upper Burnett Water Supply Scheme located on—

(a) the Burnett River extending from the ponded limits of Claude Wharton Weir at AMTD 213.1km upstream to the Jones Weir at AMTD 253km; and

(b) the Auburn River extending from the confluence of the Auburn River and the Burnett River at AMTD 0km upstream to AMTD 6km.

Kirar subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from the ponded limits of Jones Weir at AMTD 253km to the confluence of the Burnett River and the Nogo River at AMTD 311.8km.

Kolan bulk capacity share means the Kolan bulk capacity share established as mentioned in section 20(1)(b).

Kolan River subscheme means the part of the Bundaberg Water Supply Scheme located on the Kolan River extending from the Kolan Barrage at AMTD 14.7km upstream to the ponded limits of Fred Haigh Dam at AMTD 116km.

major inflow, for a water supply scheme or subscheme, means a flow of water into the scheme or subscheme that would allow the announced allocation percentage for a priority group in the scheme or subscheme to increase by more than 5%.

natural daily inflow means the daily inflow of water to a storage other than from a release of water upstream from the storage.

reserve, for a water supply scheme or subscheme, means the volume, in megalitres, reserved for water allocations in the high priority group for future water years, stated in part 5, table 2 for the scheme or subscheme for the month in which the announced allocation percentage being calculated takes effect.

ROL holder—

(a) for part 2—see section 2; and

(b) for part 3—see section 14; and

(c) for part 4—see section 27.

storage curve, for a storage, means the drawing, showing the volume of water in the storage for a range of water levels, stated in the resource operations plan for the storage.

Editor's note—

A copy of the storage curve for a storage mentioned in this schedule is available from the resource operations licence holder who operates the storage.

storage loss, for a storage, means the loss of water from the storage, due to evaporation and seepage, stated in part 5, table 1 for the storage for the month in which the storage loss is to be used.

subscheme means the following—

(a) the Burnett River subscheme;

(b) the Claude Wharton A subscheme;

(c) the Claude Wharton B subscheme;

(d) the Claude Wharton subscheme;

(e) the John Goleby subscheme;

(f) the Jones subscheme;

(g) the Kirar subscheme;

(h) the Kolan River subscheme;

(i) the Wuruma subscheme.

transfer allowance means the figure associated with supplying water from Wuruma Dam to water allocations in the Claude Wharton subscheme—

(a) if the current storage level for Wuruma Dam is as stated in part 5, table 5, column 1—stated in the table, column 2 opposite the current storage level; or

(b) otherwise—linearly interpolated using the figures in the table.

transmission and operational losses, for a water supply scheme or subscheme, means the figure, used as an allowance for the loss of water associated with supplying water to water allocation holders—

(a) if the announced allocation percentage for the medium priority group in a scheme or subscheme is 0%—stated in part 5, table 3 for the scheme or subscheme for an announced allocation percentage of 0% for the month in which the announced allocation percentage being calculated takes effect; or

(b) if the announced allocation percentage for the medium priority group in a scheme or subscheme is 100%—stated in part 5, table 3 for the scheme or subscheme for an announced allocation percentage of 100% for the month in which the announced allocation percentage being calculated takes effect; or

(c) for another announced allocation percentage for the medium priority group in a scheme or subscheme—linearly interpolated using the figures in part 5, table 3 for the scheme or subscheme for the month in which the announced allocation percentage being calculated takes effect.

usable volume means—

(a) for a storage—the adjusted storage volume for the storage minus the dead storage volume for the storage; and

(b) for a bulk capacity share—the volume of water in the bulk capacity share divided by the current storage volume for Fred Haigh Dam and multiplied by the volume calculated under paragraph (a) for Fred Haigh Dam.

water year means a period of 12 months beginning on 1 July.

Wuruma subscheme means the part of the Upper Burnett Water Supply Scheme located on the Nogo River extending from the confluence of the Nogo River and the Burnett River at AMTD 0km upstream to the ponded limits of Wuruma Dam at AMTD 44.5km.

Part 2 Barker Barambah Water Supply Scheme

Division 1 Preliminary

2 Application of pt 2

This part applies to—

(a) the holder of the resource operations licence for the Barker Barambah Water Supply Scheme (the ***ROL holder***); and

(b) all water allocations managed under the resource operations licence.

Division 2 Environmental management rules and infrastructure operating rules

3 Use of watercourses for distribution

The ROL holder may only use the following watercourses for the distribution of water—

(a) the part of Barker Creek extending from the confluence of Barker Creek and Barambah Creek at AMTD 0km upstream to the ponded limits of Bjelke-Petersen Dam at AMTD 38.2km;

(b) the part of Barambah Creek at AMTD 85km to the ponded limits of Francis Weir at AMTD 189.5km.

4 Operating levels of storages

(1) The ROL holder may only release water from a storage stated in the table, column 1 for the following—

(a) to maintain a downstream storage at its nominal operating level under subsection (2);

(b) to comply with the environmental management rules in section 6;

(c) to supply water under a water allocation under section 13.

(2) The ROL holder must maintain each storage stated in the table, column 1, other than Bjelke-Petersen Dam, at or above the level (the ***nominal operating level***) stated in the table, column 3, for the period stated in the table, column 4, opposite the storage.

(3) However, the ROL holder may maintain the storage at a level below the nominal operating level for the storage for up to 7 days a month.

(4) Despite subsections (1) and (2), the ROL holder must not, unless authorised by the chief executive, release water from a storage mentioned in the table, column 1, if the current storage level for the storage is at or below the level (the ***minimum operating level***) stated in the table, column 2 for the storage.

Table

Column 1	**Column 2**	**Column 3**	**Column 4**
Storage	**Minimum operating level (m AHD)**	**Nominal operating level (m AHD)**	**Period**
Bjelke-Petersen Dam	289.9	n/a	n/a
Silverleaf Weir	259.86	263.25	April to September
		263.5	October to March
Joe Sippel Weir	291.06	294.5	all year

5 Change in rate of release

(1) The ROL holder must prepare and maintain operating procedures for Bjelke-Petersen Dam, Silverleaf Weir and Joe Sippel Weir.

(2) The operating procedures must ensure that any increase or decrease in the rate of release of water from the storages occurs incrementally so as to minimise the occurrence of adverse environmental impacts.

Example—

The occurrence of fish stranding and bank slumping can be reduced by ensuring smooth and gradual changes to the rate of release of water from a storage.

6 Environmental management rules

(1) For each day from 1 July to 31 August, the ROL holder must release water from Silverleaf Weir to maintain a daily flow at Stonelands gauging station of 5ML or greater if—

(a) the combined daily flow at West Barambah gauging station and Glenmore gauging station is 10ML or greater; and

(b) the daily flow at Ban Ban gauging station is 0ML; and

(c) the announced allocation percentage for the Barker Barambah MP water allocations is greater than 5%.

(2) For each day from 1 September to 31 December, the ROL holder must release water from Silverleaf Weir to maintain a daily flow at Stonelands gauging station of—

(a) if the combined daily flow at West Barambah gauging station and Glenmore gauging station is 10ML or more but less than 15ML—5ML; or

(b) if the combined daily flow at West Barambah gauging station and Glenmore gauging station is 15ML or more—the lesser of two-thirds of the combined daily flow at the gauging stations and 50ML.

(3) Subsection (2) does not apply if—

(a) the daily flow at Ban Ban gauging station is 50ML or greater; or

(b) the announced allocation percentage for the Barker Barambah MP water allocations is 5% or less.

(4) In this section—

Barker Barambah MP water allocations see section 10(3).

7 Quality of water released

If the ROL holder is releasing water from water infrastructure that incorporates multilevel inlets, the ROL holder must draw water from the inlet that optimises the quality of the water released.

Division 3 Water sharing rules

8 Announced allocation percentage

(1) The ROL holder must, before the start of the water year, calculate an announced allocation percentage for each priority group in the Barker Barambah Water Supply Scheme under sections 9 and 10.

(2) The announced allocation percentage for a priority group takes effect on the first day of the water year.

(3) Also, the ROL holder must calculate an announced allocation percentage for each priority group in the water supply scheme under sections 9 and 10—

(a) before the start of each quarter of a water year; and

(b) within 10 business days after a major inflow for the water supply scheme.

(4) If the announced allocation percentage for a priority group calculated under subsection (3) is 100%, or increases from the announced allocation percentage currently in effect by at least 5%, the announced allocation percentage calculated under subsection (3) takes effect as the announced allocation percentage for the priority group—

(a) if the announced allocation percentage was calculated before the start of a quarter of a water year—5 business days after the start of the quarter; or

(b) if the announced allocation percentage was calculated after a major inflow—10 business days after the major inflow.

(5) The ROL holder must, within 10 business days after an announced allocation percentage takes effect, publish details of the announced allocation percentage on the ROL holder's website for the water supply scheme.

Editor's note—

The ROL holder's website for the water supply scheme is <www.sunwater.com.au/schemes/barker-barambah-water-supply-scheme>.

9 Calculating announced allocation percentage for high priority water allocations

(1) The announced allocation percentage for the Barker Barambah HP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{(\mathbf{UV + DIVH - HPTOL - VIWY})}{\mathbf{HPA}} \times \mathbf{100}$$

where—

UV means the usable volume for Bjelke-Petersen Dam.

DIVH means the total volume of water taken under all Barker Barambah HP water allocations in the water year in which the announced allocation percentage takes effect.

HPTOL means the transmission and operational losses for the Barker Barambah Water Supply Scheme as if the announced allocation percentage for the medium priority group in the water supply scheme is 0%.

VIWY means the difference between the total volume of water carried over to the current water year under section 11, and the total volume of water brought forward to the current water year under section 12, by holders of water allocations from which water in the Barker Barambah Water Supply Scheme may be taken.

HPA means the total of the nominal volumes of the Barker Barambah HP water allocations.

(2) However, if the announced allocation percentage calculated is less than zero, the announced allocation percentage is zero.

(3) In this section—

Barker Barambah HP water allocations means water allocations in the high priority group from which water in the Barker Barambah Water Supply Scheme may be taken.

10 Calculating announced allocation percentage for medium priority water allocations

(1) The announced allocation percentage for the Barker Barambah MP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{(\mathbf{UV - HPA - RE + DIV - TOL - VIWY})}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Bjelke-Petersen Dam, Silverleaf Weir and Joe Sippel Weir.

HPA means the total of the nominal volumes of the Barker Barambah HP water allocations.

RE means the reserve for the Barker Barambah Water Supply Scheme.

DIV means the diversion for the Barker Barambah Water Supply Scheme.

TOL means the transmission and operational losses for the Barker Barambah Water Supply Scheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 11, and the total volume of water brought forward to the current water year under section 12, by holders of water allocations from which water in the Barker Barambah Water Supply Scheme may be taken.

MPA means the total of the nominal volumes of the Barker Barambah MP water allocations.

(2) However, if the announced allocation percentage calculated is less than zero, the announced allocation percentage is zero.

(3) In this section—

Barker Barambah HP water allocations see section 9(3).

Barker Barambah MP water allocations means water allocations in the medium priority group from which water in the Barker Barambah Water Supply Scheme may be taken.

11 Carry over

(1) The ROL holder may allow the holder of a water allocation in the medium priority group in the Burnett River to carry over, from 1 water year to the next water year, water able to be taken under the water allocation and not used in the water year (the ***unused water***).

(2) However, the total volume of water the ROL holder may allow the water allocation holders to carry over is the lesser of the following—

(a) 20% of the total of the nominal volumes for all water allocations in the medium priority group managed under the resource operations licence;

(b) the total of the unused water.

12 Forward draw

(1) The ROL holder may allow a water allocation holder to bring forward to the current water year any water that may be taken under the water allocation in the next water year.

(2) However, the total volume of water the ROL holder may allow holders of water allocations in a priority group to bring forward must not exceed 1% of the total of the nominal volumes for all water allocations in the priority group.

13 Supplying and taking water under a water allocation

The ROL holder may supply under a water allocation, and the water allocation holder may take, in a water year, the nominal volume for the water allocation multiplied by the announced allocation percentage for the priority group to which the water allocation belongs, plus the volume of water the water allocation holder carried over to the current water year under section 11, plus the volume of water the water allocation holder brought forward to the current water year under section 12, minus the volume of water the water allocation holder brought forward in the previous water year under section 12.

Part 3 Bundaberg Water Supply Scheme

Division 1 Preliminary

14 Application of pt 3

This part applies to—

(a) the holder of the resource operations licence for the Bundaberg Water Supply Scheme (the ***ROL holder***); and

(b) all water allocations managed under the resource operations licence.

Division 2 Environmental management rules and infrastructure operating rules

15 Use of watercourses for distribution

The ROL holder may only use the following watercourses for the distribution of water—

(a) the part of the Kolan River extending from the Kolan Barrage at AMTD 14.7km upstream to the ponded limits of Fred Haigh Dam at AMTD 116km;

(b) the part of the Burnett River extending from the Ben Anderson Barrage at AMTD 25.9km to within the ponded area of Paradise Dam at AMTD 162.8km;

(c) the part of Sheepstation Creek extending from the confluence of Sheepstation Creek and the Burnett River at AMTD 0.0km upstream to the Gin Gin Main Channel outlet at AMTD 8.6km;

(d) the part of St Agnes Creek extending from the confluence of St Agnes Creek and the Burnett River at AMTD 0.0km upstream to the St Agnes main channel outfall into the St Agnes Creek crossing on Walla Road at AMTD 1.5km;

(e) the part of Welcome Creek extending from the Welcome Creek crossing on Gooburrum Road upstream to the Welcome Creek crossing on Tolls Road.

16 Operating levels of storages

(1) The ROL holder may only release water from a storage stated in the table, column 1 for the following—

(a) to maintain a downstream storage at its nominal operating level under subsection (2);

(b) to comply with the environmental management rules in section 18;

(c) to supply water under a water allocation under section 26;

(d) to supply water under a distribution operations licence.

(2) The ROL holder must maintain each storage stated in the table, column 1, other than Fred Haigh Dam and Paradise Dam, at or above the level (the ***nominal operating level***) stated in the table, column 3, for the period stated in the table, column 4, opposite the storage.

(3) However, the ROL holder may maintain the storage at a level below the nominal operating level for the storage for up to 7 days a month.

(4) Despite subsections (1) and (2), the ROL holder must not, unless authorised by the chief executive, release water from a storage mentioned in the table, column 1, if the current storage level for the storage is at or below the level (the ***minimum operating level***) stated in the table, column 2 for the storage.

Table

Column 1	**Column 2**	**Column 3**	**Column 4**
Storage	**Minimum operating level (m AHD)**	**Nominal operating level (m AHD)**	**Period**
Fred Haigh Dam	42.63	n/a	n/a
Bucca Weir	8.95	14.0	September to March
		12.2	April to August
Kolan Barrage	0.94	2.0	all year
Paradise Dam	42.0	n/a	n/a
Ned Churchward Weir	10.8	13.5	all year
Ben Anderson Barrage	0.0	3.0	May to July
		2.2	August to April

17 Change in rate of release

(1) The ROL holder must prepare and maintain operating procedures for Fred Haigh Dam, Bucca Weir, Paradise Dam and Ned Churchward Weir.

(2) The operating procedures must ensure that any increase or decrease in the rate of release of water from the storages occurs incrementally so as to minimise the occurrence of adverse environmental impacts.

Example—

The occurrence of fish stranding and bank slumping can be reduced by ensuring smooth and gradual changes to the rate of release of water from a storage.

18 Environmental management rules

(1) The ROL holder must release a minimum of 5ML each day from Bucca Weir.

(2) For each day from 1 September to 31 December, the ROL holder must release—

(a) from Paradise Dam—the lesser of the daily inflow of water to Paradise Dam and 14000ML; and

(b) from Ned Churchward Weir—the lesser of the natural daily inflow to Ned Churchward Weir and 200ML.

(3) Subsection (2)(a) does not apply if the current storage level in Paradise Dam is 63.45m AHD or less.

(4) Subsection (2)(b) does not apply if—

(a) the natural daily inflow to Ned Churchward Weir is less than 85ML; or

(b) the current storage level for Ned Churchward Weir is less than the nominal operating level for the storage.

(5) In this section—

nominal operating level see section 16(2).

19 Quality of water released

If the ROL holder is releasing water from water infrastructure that incorporates multilevel inlets, the ROL holder must draw water from the inlet that optimises the quality of the water released.

Division 3 Water sharing rules

20 Bulk capacity shares for Fred Haigh Dam

(1) The ROL holder must establish 2 bulk capacity shares for Fred Haigh Dam as follows—

(a) the Burnett bulk capacity share with a total volume of 15% of the full supply volume of Fred Haigh Dam;

(b) the Kolan bulk capacity share with a total volume of 85% of the full supply volume of Fred Haigh Dam.

(2) The volume of water stored in a bulk capacity share must—

(a) be worked out under this section and recorded daily by the ROL holder; and

(b) not be less than zero.

(3) The volume of water stored in the bulk capacity shares must total the current storage volume for Fred Haigh Dam.

(4) In working out the volume of water stored in each bulk capacity share, the ROL holder must adjust the recorded volume for the bulk capacity share by—

(a) crediting the inflows to Fred Haigh Dam in proportion to the bulk capacity share's percentage of the full supply volume of Fred Haigh Dam; and

(b) debiting the volume of water released from Fred Haigh Dam for supplying water allocations—

(i) if the location from which water may be taken under the water allocation is in the Kolan River subscheme—from the Kolan bulk capacity share; and

(ii) if the location from which water may be taken under the water allocation is in the Burnett River subscheme—from the Burnett bulk capacity share; and

(c) accounting for other changes in the current storage volume of Fred Haigh Dam in proportion to the recorded volume for the bulk capacity share.

(5) If the adjustments made under subsection (4) would result in the volume of water in a bulk capacity share being greater than the bulk capacity share's total volume, then the difference between the volume of water in the bulk capacity share and the bulk capacity share's total volume must be credited to the other bulk capacity share.

(6) However, if Fred Haigh Dam is at or above its full supply volume, the volume stored in each bulk capacity share is equal to the bulk capacity share's total volume.

(7) In this section—

recorded volume, for a bulk capacity share, means—

(a) if the ROL holder is working out the volume of water stored in the bulk capacity share on the commencement—

(i) for the Burnett bulk capacity share—15% of the current storage volume of Fred Haigh Dam; or

(ii) for the Kolan bulk capacity share—85% of the current storage volume of Fred Haigh Dam; or

(b) otherwise—the volume recorded for the bulk capacity share under subsection (2) on the day immediately before the day the ROL holder is working out the volume of water in the bulk capacity share.

21 Announced allocation percentage

(1) The ROL holder must, before the start of the water year, calculate an announced allocation percentage for each priority group in the Burnett River subscheme and the Kolan River subscheme under sections 22 and 23.

(2) The announced allocation percentage for the priority group takes effect on the first day of the water year.

(3) Also, the ROL holder must calculate an announced allocation percentage for each priority group in the subschemes under sections 22 and 23—

(a) before the start of each quarter of a water year; and

(b) within 10 business days after a major inflow for the water supply scheme.

(4) If the announced allocation percentage for a priority group calculated under subsection (3) is 100%, or increases from the announced allocation percentage currently in effect by at least 5%, the announced allocation percentage calculated under subsection (3) takes effect as the announced allocation percentage for the priority group—

(a) if the announced allocation percentage was calculated before the start of a quarter of a water year—5 business days after the start of the quarter; or

(b) if the announced allocation percentage was calculated after a major inflow—10 business days after the major inflow.

(5) The ROL holder must, within 10 business days after an announced allocation percentage takes effect, publish details of the announced allocation percentage on the ROL holder's website for the water supply scheme.

Editor's note—

The ROL holder's website for the water supply scheme is <www.sunwater.com.au/schemes/bundaberg>.

22 Calculating announced allocation percentage for high priority water allocations

(1) The announced allocation percentage for the Burnett HP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{(\mathbf{UV + DIVH - HPTOL - VIWY})}{\mathbf{HPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Paradise Dam, Ned Churchward Weir, Ben Anderson Barrage and the Burnett bulk capacity share.

DIVH means the total volume of water taken under all Burnett HP water allocations in the water year in which the announced allocation percentage takes effect.

HPTOL means the transmission and operational losses for the Burnett River subscheme as if the announced allocation percentage for the medium priority group in the subscheme is 0%.

VIWY means the difference between the total volume of water carried over to the current water year under section 24, and the total volume of water brought forward to the current water year under section 25, by holders of water allocations from which water in the Burnett River subscheme may be taken.

HPA means the total of the nominal volumes of the Burnett HP water allocations.

(2) The announced allocation percentage for the Kolan HP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{(\mathbf{UV + DIVH - HPTOL - VIWY})}{\mathbf{HPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Bucca Weir, Kolan Barrage and the Kolan bulk capacity share.

DIVH means the total volume of water taken under all Kolan HP water allocations in the water year in which the announced allocation percentage takes effect.

HPTOL means the transmission and operational losses for the Kolan River subscheme as if the announced allocation percentage for the medium priority group in the subscheme is 0%.

VIWY means the difference between the total volume of water carried over to the current water year under section 24, and the total volume of water brought forward to the current water year under section 25, by holders of water allocations from which water in the Kolan River subscheme may be taken.

HPA means the total of the nominal volumes of the Kolan HP water allocations.

(3) However, if the announced allocation percentage for a priority group calculated under subsection (1) or (2) is less than zero, the announced allocation percentage for the priority group is zero.

(4) In this section—

Burnett HP water allocations means water allocations in the high priority group from which water in the Burnett River subscheme may be taken.

Kolan HP water allocations means water allocations in the high priority group from which water in the Kolan River subscheme may be taken.

23 Calculating announced allocation percentage for medium priority water allocations

(1) The announced allocation percentage for the Burnett MP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{(\mathbf{UV - HPA - RE + DIV - TOL - VIWY})}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Paradise Dam, Ned Churchward Weir, Ben Anderson Barrage and the Burnett bulk capacity share.

HPA means the total of the nominal volumes of the Burnett HP water allocations.

RE means the reserve for the Burnett River subscheme.

DIV means the diversion for the Burnett River subscheme.

TOL means the transmission and operational losses for the Burnett River subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 24, and the

total volume of water brought forward to the current water year under section 25, by holders of water allocations from which water in the Burnett River subscheme may be taken.

MPA means the total of the nominal volumes of the Burnett MP water allocations.

(2) The announced allocation percentage for the Kolan MP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{(\mathbf{UV - HPA - RE + DIV - TOL - VIWY})}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Bucca Weir, Kolan Barrage and the Kolan bulk capacity share.

HPA means the total of the nominal volumes of the Kolan HP water allocations.

RE means the reserve for the Kolan River subscheme.

DIV means the diversion for the Kolan River subscheme.

TOL means the transmission and operational losses for the Kolan River subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 24, and the total volume of water brought forward to the current water year under section 25, by holders of water allocations from which water in the Kolan River subscheme may be taken.

MPA means the total of the nominal volumes of the Kolan MP water allocations.

(3) However, if the announced allocation percentage for a priority group calculated under subsection (1) or (2) is less than zero, the announced allocation percentage for the priority group is zero.

(4) In this section—

Burnett HP water allocations see section 22(4).

Burnett MP water allocations means water allocations in the medium priority group from which water in the Burnett River subscheme may be taken.

Kolan HP water allocations see section 22(4).

Kolan MP water allocations means water allocations in the medium priority group from which water in the Kolan River subscheme may be taken.

24 Carry over

(1) The ROL holder may allow the holder of a water allocation in the medium priority group in the Burnett River subscheme or the Kolan River subscheme to carry over, from 1 water year to the next water year, water able to be taken under the water allocation and not used in the water year (the ***unused water***).

(2) However, the total volume of water the ROL holder may allow the water allocation holders to carry over is the lesser of the following—

(a) 2% of the total of the nominal volumes for all water allocations in the medium priority group in the subscheme;

(b) the total of the unused water for the subscheme.

25 Forward draw

(1) The ROL holder may allow a water allocation holder to bring forward to the current water year any water that may be taken under the water allocation in the next water year.

(2) However, the total volume of water the ROL holder may allow holders of water allocations in a priority group to bring forward must not exceed 1% of the total of the nominal volumes for all water allocations in the priority group.

26 Supplying and taking water under a water allocation

The ROL holder may supply under a water allocation, and the water allocation holder may take, in a water year, the nominal

volume for the water allocation multiplied by the announced allocation percentage for the priority group to which the water allocation belongs, plus the volume of water the water allocation holder carried over to the current water year under section 24, plus the volume of water the water allocation holder brought forward to the current water year under section 25, minus the volume of water the water allocation holder brought forward in the previous water year under section 25.

Part 4 Upper Burnett Water Supply Scheme

Division 1 Preliminary

27 Application of pt 4

This part applies to—

(a) the holder of the resource operations licence for the Upper Burnett Water Supply Scheme (the ***ROL holder***); and

(b) all water allocations managed under the resource operations licence.

28 Definitions for pt 4

In this part—

Claude Wharton A MP water allocations means water allocations in the medium priority group from which water in the Claude Wharton A subscheme may be taken.

Claude Wharton B MP water allocations means water allocations in the medium priority group from which water in the Claude Wharton B subscheme may be taken.

Claude Wharton HP water allocations means water allocations in the high priority group from which water in the Claude Wharton subscheme may be taken.

Claude Wharton MP water allocations means water allocations in the medium priority group from which water in the Claude Wharton subscheme may be taken.

Jones HP water allocations means water allocations in the high priority group from which water in the Jones subscheme may be taken.

Jones MP water allocations means water allocations in the medium priority group from which water in the Jones subscheme may be taken.

Kirar HP water allocations means water allocations in the high priority group from which water in the Kirar subscheme may be taken.

Kirar MP water allocations means water allocations in the medium priority group from which water in the Kirar subscheme may be taken.

Wuruma HP water allocations means water allocations in the high priority group from which water in the Wuruma subscheme may be taken.

Wuruma MP water allocations means water allocations in the medium priority group from which water in the Wuruma subscheme may be taken.

Division 2 Environmental management rules and infrastructure operating rules

Subdivision 1 General

29 Use of watercourses for distribution

The ROL holder may only use the following watercourses for the distribution of water—

(a) the part of the Burnett River extending from within the ponded area of Paradise Dam at AMTD 162.8km upstream to the ponded limits of John Goleby Weir at AMTD 333.9km;

(b) the part of the Nogo River extending from the confluence of the Nogo River and the Burnett River at AMTD 0km upstream to the ponded limits of Wuruma Dam at AMTD 44.5km;

(c) the part of the Auburn River extending from the confluence of the Auburn River and the Burnett River at AMTD 0km upstream to AMTD 6km.

30 Operating levels of storages

(1) The ROL holder may only release water from a storage stated in the table, column 1 for the following—

(a) for the John Goleby Weir—to supply water under a water allocation in the John Goleby subscheme under section 50;

(b) for another storage—

(i) to maintain a downstream storage at its nominal operating level under subsection (2); or

(ii) to comply with the environmental management rules in section 32; or

(iii) to supply water under a water allocation under section 44.

(2) The ROL holder must maintain each storage stated in the table, column 1, other than Wuruma Dam and John Goleby Weir, at or above the level (the ***nominal operating level***) stated in the table, column 3, for the period stated in the table, column 4, opposite the storage.

(3) However, the ROL holder may maintain the storage at a level below the nominal operating level for the storage for up to 7 days a month.

(4) Despite subsections (1) and (2), the ROL holder must not, unless authorised by the chief executive, release water from a

storage mentioned in the table, column 1, if the current storage level for the storage is at or below the level (the ***minimum operating level***) stated in the table, column 2 for the storage.

Table

Column 1	**Column 2**	**Column 3**	**Column 4**
Storage	**Minimum operating level (m AHD)**	**Nominal operating level (m AHD)**	**Period**
Wuruma Dam	200.75	n/a	n/a
Kirar Weir	142.5	149. 6	August to December
		144.6	January to July
Jones Weir	104.45	108.47	all year
Claude Wharton Weir	86.5	91.12	all year
John Goleby Weir	163	n/a	n/a

31 Change in rate of release

(1) The ROL holder must prepare and maintain operating procedures for Wuruma Dam, Kirar Weir, Jones Weir, Claude Wharton Weir and John Goleby Weir.

(2) The operating procedures must ensure that any increase or decrease in the rate of release of water from the storages occurs incrementally so as to minimise the occurrence of adverse environmental impacts.

Example—

The occurrence of fish stranding and bank slumping can be reduced by ensuring smooth and gradual changes to the rate of release of water from a storage.

32 Environmental management rules

(1) For each day from 1 September to 31 March, the ROL holder must release from Claude Wharton Weir the lesser of the natural daily inflow to Claude Wharton Weir and 150ML.

(2) Subsection (1) does not apply if—

(a) the natural daily inflow to Claude Wharton Weir is less than 50ML; or

(b) the current storage level for Claude Wharton Weir is less than the nominal operating level for the storage.

(3) In this section—

nominal operating level see section 30(2).

33 Quality of water released

If the ROL holder is releasing water from water infrastructure that incorporates multilevel inlets, the ROL holder must draw water from the inlet that optimises the quality of the water released.

Subdivision 2 Wuruma subscheme, Kirar subscheme, Jones subscheme and Claude Wharton subscheme

34 Application of sdiv 2

This subdivision applies to the Wuruma subscheme, the Kirar subscheme, the Jones subscheme and the Claude Wharton subscheme.

35 Announced allocation percentage

(1) The ROL holder must, before the start of the water year, calculate an announced allocation percentage for each medium priority group in the Wuruma subscheme, the Kirar subscheme, the Jones subscheme and the Claude Wharton subscheme under sections 36, 37, 38 and 39.

(2) The announced allocation percentage for the priority group takes effect on the first day of the water year.

(3) Also, the ROL holder must calculate an announced allocation percentage for each medium priority group in the subschemes under sections 36, 37, 38 and 39—

(a) before the start of each quarter of a water year; and

(b) within 10 business days after a major inflow for the water supply scheme.

(4) If the announced allocation percentage for a priority group calculated under subsection (3) is 100%, or increases from the announced allocation percentage currently in effect by at least 5%, the announced allocation percentage calculated under subsection (3) takes effect as the announced allocation percentage for the priority group—

(a) if the announced allocation percentage was calculated before the start of a quarter of a water year—5 business days after the start of the quarter; or

(b) if the announced allocation percentage was calculated after a major inflow—10 business days after the major inflow.

(5) The ROL holder must, within 10 business days after an announced allocation percentage takes effect, publish details of the announced allocation percentage on the ROL holder's website for the water supply scheme.

Editor's note—

The ROL holder's website for the water supply scheme is <www.sunwater.com.au/schemes/upper-burnett>.

36 Calculating announced allocation percentage for Jones MP water allocations

(1) The announced allocation percentage for the Jones MP water allocations is the greater of the following percentages—

(a) the percentage calculated using the following formula, rounded to the nearest whole per cent—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY - TR}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Wuruma Dam, Kirar Weir and Jones Weir.

IN means the total of the inflow allowances for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme.

HPA means the total of the nominal volumes of the Wuruma HP water allocations, the Kirar HP water allocations and the Jones HP water allocations.

RE means the total of the reserves for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme.

DIV means the total of the diversions for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme.

TOL means the total of the transmission and operational losses for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Wuruma subscheme, the Kirar subscheme and the Jones subscheme may be taken.

TR means the transfer allowance.

MPA means the total of the nominal volumes of the Wuruma MP water allocations, the Kirar MP water allocations and the Jones MP water allocations;

(b) the percentage calculated using the following formula, rounded to the nearest whole per cent—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Kirar Weir and Jones Weir.

IN means the total of the inflow allowances for the Kirar subscheme and the Jones subscheme.

HPA means the total of the nominal volumes of the Kirar HP water allocations and the Jones HP water allocations.

RE means the total of the reserves for the Kirar subscheme and the Jones subscheme.

DIV means the total of the diversions for the Kirar subscheme and the Jones subscheme.

TOL means the total of the transmission and operational losses for the Kirar subscheme and the Jones subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Kirar subscheme and the Jones subscheme may be taken.

MPA means the total of the nominal volumes of the Kirar MP water allocations and the Jones MP water allocations;

(c) the percentage calculated using the following formula, rounded to the nearest whole per cent—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the usable volume for Jones Weir.

IN means the inflow allowance for the Jones subscheme.

HPA means the total of the nominal volumes of the Jones HP water allocations.

RE means the reserve for the Jones subscheme.

DIV means the diversion for the Jones subscheme.

TOL means the transmission and operational losses for the Jones subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Jones subscheme may be taken.

MPA means the total of the nominal volumes of the Jones MP water allocations.

(2) However—

(a) if the announced allocation percentage calculated under subsection (1) is greater than 100%, the announced allocation percentage for the Jones MP water allocations is 100%; or

(b) if the announced allocation percentage calculated under subsection (1) is less than zero, the announced allocation percentage for the Jones MP water allocations is zero.

37 Calculating announced allocation percentage for Kirar MP water allocations

(1) The announced allocation percentage for the Kirar MP water allocations is—

(a) if the announced allocation percentage for the Jones MP water allocations is, or, despite section 36(2), would have been, the percentage calculated under section 36(1)(a)—the announced allocation percentage for the Jones MP water allocations; or

(b) if the announced allocation percentage for the Jones MP water allocations is, or, despite section 36(2), would

have been, the percentage calculated under section 36(1)(b)—the announced allocation percentage for the Jones MP water allocations; or

(c) if the announced allocation percentage for the Jones MP water allocations is, or, despite section 36(2), would have been, the percentage calculated under section 36(1)(c)—the greater of the following percentages—

(i) the percentage calculated using the following formula, rounded to the nearest whole per cent—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY - TR}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the total of the usable volumes for Wuruma Dam and Kirar Weir.

IN means the total of the inflow allowances for the Wuruma subscheme and the Kirar subscheme.

HPA means the total of the nominal volumes of the Wuruma HP water allocations and Kirar HP water allocations.

RE means the total of the reserves for the Wuruma subscheme and the Kirar subscheme.

DIV means the total of the diversions for the Wuruma subscheme and the Kirar subscheme.

TOL means the total of the transmission and operational losses for the Wuruma subscheme and the Kirar subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Wuruma subscheme and the Kirar subscheme may be taken.

TR means the transfer allowance.

MPA means the total of the nominal volumes of the Wuruma MP water allocations and the Kirar MP water allocations;

(ii) the percentage calculated using the following formula, rounded to the nearest whole per cent—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the usable volume for Kirar Weir.

IN means the inflow allowance for the Kirar subscheme.

HPA means the total of the nominal volumes of the Kirar HP water allocations.

RE means the reserve for the Kirar subscheme.

DIV means the diversion for the Kirar subscheme.

TOL means the transmission and operational losses for the Kirar subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Kirar subscheme may be taken.

MPA means the total of the nominal volumes of the Kirar MP water allocations.

(2) However—

(a) if the announced allocation percentage calculated under subsection (1)(c) is greater than 100%, the announced allocation percentage for the Kirar MP water allocations is 100%; or

(b) if the announced allocation percentage calculated under subsection (1)(c) is less than zero, the announced

allocation percentage for the Kirar MP water allocations is zero.

38 Calculating announced allocation percentage for Wuruma MP water allocations

(1) The announced allocation percentage for the Wuruma MP water allocations is—

(a) if the announced allocation percentage for the Jones MP water allocations is, or, despite section 36(2), would have been, the percentage calculated under section 36(1)(a)—the announced allocation percentage for the Jones MP water allocations; or

(b) if the announced allocation percentage for the Kirar MP water allocations is, or, despite section 37(2), would have been, the percentage calculated under section 37(1)(c)(i)—the announced allocation percentage for the Kirar MP water allocations; or

(c) otherwise—the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY - TR}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the usable volume for Wuruma Dam.

IN means the inflow allowance for the Wuruma subscheme.

HPA means the total of the nominal volumes of the Wuruma HP water allocations.

RE means the reserve for the Wuruma subscheme.

DIV means the diversion for the Wuruma subscheme.

TOL means the transmission and operational losses for the Wuruma subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under

section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Wuruma subscheme may be taken.

TR means the transfer allowance.

MPA means the total of the nominal volumes of the Wuruma MP water allocations.

(2) However, if the announced allocation percentage calculated under subsection (1)(c) is less than zero, the announced allocation percentage is zero.

39 Calculating announced allocation percentage for Claude Wharton MP water allocations

(1) The announced allocation percentage for the Claude Wharton MP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY + TR}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the usable volume for Claude Wharton Weir.

IN means the inflow allowance for the Claude Wharton subscheme.

HPA means the total of the nominal volumes of the Claude Wharton HP water allocations.

RE means the reserve for the Claude Wharton subscheme.

DIV means the diversion for the Claude Wharton subscheme.

TOL means the transmission and operational losses for the Claude Wharton subscheme.

VIWY means the difference between the total volume of water carried over to the current water year under section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Claude Wharton subscheme may be taken.

TR means the transfer allowance.

MPA means the total of the nominal volumes of the Claude Wharton MP water allocations.

(2) However, if the announced allocation percentage calculated under subsection (1) is less than 40%, the announced allocation percentage for the Claude Wharton MP water allocations is—

(a) for the Claude Wharton A MP water allocations—the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 40%—

$$\frac{\mathbf{UV + IN - HPA - RE + DIV - TOL - VIWY + TR}}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the usable volume for Claude Wharton Weir.

IN means the inflow allowance for the Claude Wharton subscheme.

HPA means the total of the nominal volumes of the Claude Wharton HP water allocations.

RE means the reserve for the Claude Wharton subscheme.

DIV means the diversion for the Claude Wharton A subscheme.

TOL means the transmission and operational losses for the Claude Wharton subscheme as if the announced allocation percentage for the Claude Wharton A MP water allocations is 0%.

VIWY means the difference between the total volume of water carried over to the current water year under section 40, and the total volume of water brought forward to the current water year under section 41, by holders of water allocations from which water in the Claude Wharton A subscheme may be taken.

TR means the transfer allowance.

MPA means the total of the nominal volumes of the Claude Wharton A MP water allocations; or

(b) for the Claude Wharton B MP water allocations—0%.

(3) Also, if the announced allocation percentage calculated under subsection (2)(a) is less than zero, the announced allocation percentage for the Claude Wharton A MP water allocations is zero.

40 Carry over

(1) The ROL holder may allow the holder of a water allocation in the medium priority group in the Wuruma subscheme, the Kirar subscheme, the Jones subscheme or the Claude Wharton subscheme to carry over, from 1 water year to the next water year, water able to be taken under the water allocation and not used in the water year (the ***unused water***).

(2) However, the total volume of water the ROL holder may allow the water allocation holders to carry over is the lesser of the following—

(a) 2% of the total of the nominal volumes for all water allocations in the medium priority group in the subscheme;

(b) the total of the unused water for the subscheme.

41 Forward draw

(1) The ROL holder may allow a water allocation holder in the Wuruma subscheme, the Kirar subscheme, the Jones subscheme or the Claude Wharton subscheme to bring forward to the current water year any water that may be taken under the water allocation in the next water year.

(2) However, the total volume of water the ROL holder may allow holders of water allocations in a priority group to bring forward must not exceed 1% of the total of the nominal volumes for all water allocations in the priority group.

42 Level at which water must not be taken under particular water allocations

(1) Subsection (2) applies if the current storage level for a storage stated in the table, column 1 is at or below the level (the ***cut-off level***) stated for the storage in the table, column 2.

(2) The holder of a water allocation in the medium priority group with a location for taking water in the reach of the Burnett River stated in the table, column 3, opposite the storage must not take water under the water allocation.

(3) Subsection (2) applies until the current storage level for the storage is at or above the level (the ***restart level***) stated for the storage in the table, column 4.

(4) The ROL holder must give notice to the water allocation holder when the storage is at the cut-off level and the restart level.

Table

Column 1	**Column 2**	**Column 3**	**Column 4**
Storage	**Cut-off level (m AHD)**	**Burnett River reach (km AMTD)**	**Restart level (m AHD)**
Kirar Weir	144.4	300.4 to 306.8	144.9
Jones Weir	106.25	240.1 to 247.8	106.75
Claude Wharton Weir	89.3	200 to 211.9	89.8

43 Taking water during critical water shortage

(1) This section applies if, under critical water supply arrangements approved by the chief executive, the ROL holder can not supply water under a water allocation in the Wuruma subscheme, the Kirar subscheme, the Jones subscheme or the Claude Wharton subscheme.

(2) The ROL holder may give notice to the water allocation holder that the water allocation holder may take water from—

(a) a waterhole in the water supply scheme; or

(b) an aquifer under a watercourse mentioned in section 9 of this plan.

(3) If the water allocation holder receives notice under subsection (2), the water allocation holder may, under the notice, take water from—

(a) a waterhole in the water supply scheme; or

(b) an aquifer under a watercourse mentioned in section 9 of this plan.

(4) The water allocation holder must not take more than the nominal volume for the water allocation.

44 Supplying and taking water under a water allocation

The ROL holder may supply under a water allocation in the Wuruma subscheme, the Kirar subscheme, the Jones subscheme or the Claude Wharton subscheme, and the water allocation holder may take, in a water year—

(a) if the water allocation belongs to the high priority group—the nominal volume for the water allocation; and

(b) if the water allocation belongs to the medium priority group—the nominal volume for the water allocation multiplied by the announced allocation percentage for the medium priority group, plus the volume of water the water allocation holder carried over to the current water year under section 40, plus the volume of water the water allocation holder brought forward to the current water year under section 41, minus the volume of water the water allocation holder brought forward in the previous water year under section 41.

Subdivision 3 John Goleby subscheme

45 Application of sdiv 3

This subdivision applies to the John Goleby subscheme.

46 Definitions for sdiv 3

In this subdivision—

John Goleby MP water allocations means water allocations in the medium priority group from which water in the John Goleby subscheme may be taken.

subsequent water period, for a water year, means each subsequent period in the water year starting at the end of a water period and ending on the earlier of the following—

(a) if the John Goleby Weir is overflowing at the start of the period—

(i) when the weir stops overflowing; or

(ii) 4 months after the start of the period; or

(iii) the end of the water year;

(b) if the John Goleby Weir is not overflowing at the start of the period—

(i) when the weir overflows; or

(ii) the end of the water year.

water period, for a water year, means—

(a) the period in the water year starting at the start of the water year and ending on the earlier of the following—

(i) if John Goleby Weir is overflowing at the start of the water year—

(A) when the weir stops overflowing; or

(B) 4 months after the start of the water year;

(ii) if the John Goleby Weir is not overflowing at the start of the water year—

(A) when the weir overflows; or

(B) the end of the water year; and

(b) each subsequent water period in the water year.

47 Announced allocation percentage

(1) The ROL holder must, before the start of a water year, calculate an announced allocation percentage for the John Goleby MP water allocations under section 48.

(2) The announced allocation percentage for the John Goleby MP water allocations takes effect on the first day of the water year.

(3) At the start of each subsequent water period in a water year, the announced allocation percentage for the John Goleby MP water allocations is 100%.

(4) The announced allocation percentage for the John Goleby MP water allocations under subsection (3) takes effect 10 business days after the start of the subsequent water period.

(5) Also, the ROL holder must calculate an announced allocation percentage for the John Goleby MP water allocations under section 48—

(a) before the start of each quarter of a water year; and

(b) within 10 business days after a major inflow for the subscheme, other than a major inflow that causes John Goleby Weir to overflow.

(6) If the announced allocation percentage under subsection (5) is 100%, or increases from the announced allocation percentage currently in effect by at least 5%, the announced allocation percentage calculated under subsection (5) takes effect as the announced allocation percentage—

(a) if the announced allocation percentage was calculated before the start of a quarter of a water year—5 business days after the start of the quarter; or

(b) if the announced allocation percentage was calculated after a major inflow—10 business days after the major inflow.

(7) The ROL holder must, within 10 business days after an announced allocation percentage takes effect, publish details of the announced allocation percentage on the ROL holder's website for the water supply scheme.

Editor's note—

The ROL holder's website for the water supply scheme is <www.sunwater.com.au/schemes/upper-burnett>.

48 Calculating announced allocation percentage for John Goleby MP water allocations

(1) The announced allocation percentage for the John Goleby MP water allocations is the lesser of the percentage calculated using the following formula, rounded to the nearest whole per cent, and 100%—

$$\frac{(\mathbf{UV + DIV - VIWY})}{\mathbf{MPA}} \times \mathbf{100}$$

where—

UV means the usable volume for John Goleby Weir.

DIV means the total volume of water taken under the John Goleby MP water allocations in the water period in which the announced allocation percentage being calculated takes effect.

VIWY means the total volume of water carried over to the current water period under section 49 by holders of John Goleby MP water allocations.

MPA means the total of the nominal volumes of the John Goleby MP water allocations.

(2) However, if the announced allocation percentage calculated is less than zero, the announced allocation percentage is zero.

49 Carry over

The ROL holder may allow the holder of a John Goleby MP water allocation to carry over, from 1 water period to the next water year, water able to be taken under the water allocation and not used in the water period.

50 Supplying and taking water under a John Goleby MP water allocation

(1) The ROL holder may supply under a John Goleby MP water allocation, and the water allocation holder may take, in a water period, the nominal volume for the water allocation multiplied by the announced allocation percentage, plus the volume of water the water allocation holder carried over to the current water year under section 49.

(2) However, the volume of water supplied or taken under a John Goleby MP water allocation in a water year must not exceed 2.5 times the nominal volume for the water allocation.

Part 5 Tables

Table 1 - Storage loss

Month in water year	Bjelke-Petersen Dam	Silverleaf Weir	Joe Sippel Weir
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1 446	0	0
August	1 378	0	0
September	1 280	0	0
October	1 156	0	0
November	1 002	0	0
December	839	0	0
January	679	0	0
February	517	0	0
March	393	0	0
April	251	0	0
May	137	0	0
June	59	0	0

Month in water year	Paradise Dam	Ned Churchward Weir	Ben Anderson Barrage
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1 479	1 585	1 585
August	1 407	1 497	1 497
September	1 305	1 378	1 378
October	1 176	1 232	1 232
November	1 012	1 065	1 065
December	845	889	889
January	676	714	714
February	518	566	566
March	397	441	441
April	256	302	302
May	141	174	174
June	61	76	76

Month in water year	Fred Haigh Dam	Bucca Weir	Kolan Barrage
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1 585	1 585	1 585
August	1 497	1 497	1 497
September	1 378	1 378	1 378
October	1 232	1 232	1 232
November	1 065	1 065	1 065
December	889	889	889
January	714	714	714
February	566	566	566
March	441	441	441
April	302	302	302

Month in water year	Fred Haigh Dam	Bucca Weir	Kolan Barrage
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
May	174	174	174
June	76	76	76

Month in water year	Wuruma Dam	Kirar Weir	Jones Weir	Claude Wharton weir	John Goleby Weir
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1 256	815	957	957	0
August	1 201	933	1 090	1 090	0
September	1 121	986	1 154	1 154	0
October	1 012	1 013	1 193	1 193	0
November	872	961	1 141	1 141	0
December	723	863	1 038	1 038	0
January	571	738	902	902	0
February	427	551	680	680	0
March	324	406	503	503	0
April	207	258	320	320	0
May	112	146	182	182	0
June	49	66	82	82	0

Table 2 - Reserve

Month in water year	Barker Barambah Water Supply Scheme	Burnett River subscheme	Kolan River subscheme
	Reserve (ML)	Reserve (ML)	Reserve (ML)
July	4 480	37 048	7 324
August	4 667	40 135	7 934

Month in water year	Barker Barambah Water Supply Scheme	Burnett River subscheme	Kolan River subscheme
	Reserve (ML)	Reserve (ML)	Reserve (ML)
September	4 853	43 222	8 544
October	5 040	46 309	9 154
November	5 227	49 396	9 764
December	5 413	52 483	10 374
January	5 600	55 570	10 984
February	5 787	58 657	11 594
March	5 973	61 744	12 204
April	6 160	64 831	12 814
May	6 347	67 918	13 424
June	6 533	71 005	14 034

Month in water year	Wuruma subscheme	Kirar subscheme	Jones subscheme	Claude Wharton subscheme
	Reserve (ML)	Reserve (ML)	Reserve (ML)	Reserve (ML)
July	5	100	160	500
August	6	117	186	584
September	7	133	213	667
October	8	150	239	750
November	8	167	266	832
December	9	183	292	916
January	10	200	319	1000
February	11	217	345	1083
March	12	233	372	1166
April	13	250	400	1249
May	13	267	428	1332
June	14	283	454	1417

Table 3 - Transmission and operational losses

Barker Barambah Water Supply Scheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
July	743	11 401
August	703	11 042
September	631	10 224
October	559	8 766
November	490	7 737
December	428	6 609
January	366	5 481
February	303	4 460
March	248	3 552
April	186	2 531
May	122	1 827
June	55	907

Burnett River subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
July	7 410	52 656
August	6 791	51 212

Burnett River subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
September	6 106	49 041
October	54 31	45 978
November	4 756	42 335
December	4 097	38 291
January	3 441	32 639
February	2 832	25 168
March	2 208	17 599
April	1 596	10 478
May	1 046	4 909
June	500	2 053

Kolan River subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
July	1465	23409
August	1 398	22 981
September	1 306	22 031
October	1 200	20 591
November	1 080	18 855
December	955	17 138

Kolan River subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
January	812	14 720
February	640	11 148
March	471	7 676
April	311	4 596
May	170	1 940
June	77	737

Wuruma subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
July	2	310
August	2	293
September	2	274
October	2	253
November	1	224
December	1	197
January	1	165
February	1	136
March	1	109

Wuruma subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
April	1	73
May	0	46
June	0	22

Kirar subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
July	40	1 692
August	37	1 601
September	33	1 497
October	30	1 377
November	27	1 228
December	23	1 077
January	20	903
February	17	744
March	13	591
April	10	397
May	7	253
June	3	121

Jones subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
July	80	5 256
August	73	4 972
September	67	4 654
October	60	4 280
November	53	3 814
December	47	3 351
January	40	2 805
February	33	2 312
March	27	1 839
April	20	1 233
May	13	784
June	7	377

Claude Wharton subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
July	250	3 861
August	229	2 963
September	208	2 768

Claude Wharton subscheme		
Month in water year	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 0% (ML)**	**Transmission and operational losses for an announced allocation percentage for the medium priority group of 100% (ML)**
October	188	2 543
November	167	2 266
December	146	1 990
January	125	1 668
February	104	1 376
March	83	1 094
April	63	740
May	42	472
June	21	228

Table 4 - Inflow allowance

Month in water year	Wuruma subscheme (ML)	Kirar subscheme (ML)	Jones subscheme (ML)	Claude Wharton subscheme (ML)
July	0	1 230	3 536	1 351
August	0	806	2 996	707
September	0	592	2 172	466
October	0	302	813	322
November	0	252	722	105
December	0	113	240	0
January	0	0	0	0
February	0	0	0	0

Month in water year	Wuruma subscheme (ML)	Kirar subscheme (ML)	Jones subscheme (ML)	Claude Wharton subscheme (ML)
March	0	0	0	0
April	0	0	0	0
May	0	0	0	0
June	0	0	0	0

Table 5 - Transfer allowance

Column 1	Column 2
Wuruma Dam current storage level (m AHD)	Transfer allowance (ML)
210	0
212	5 100
219.2	16 000

Schedule 10 Water allocation groups to take unsupplemented surface water

section 78

Column 1 Location	Column 2 Flow conditions	Column 3 Water allocation group
Three Moon Creek from Abercorn gauging station at AMTD 13.2km to Monto Weir at AMTD 64.8km	A flow of 43ML/d or greater at the Monto gauging station and a flow greater than 0ML/d at the Abercorn gauging station	class 1R
	A flow of 86ML/d or greater at the Monto gauging station and a flow greater than 0ML/d at the Abercorn gauging station	class 2R
	A flow of 432 ML/d or greater at the Monto gauging station and a flow greater than 0ML/d at the Abercorn gauging station	class 3R
Elliott River from AMTD 9.9km to Elliott Gauging Station Weir at AMTD 16.3km	n/a	class 1D
Elliott River from Elliott Gauging Station Weir at AMTD 16.3km to AMTD 21.3km	n/a	class 1D
Mahogany Creek from its confluence with the Elliott River to AMTD 6.5km	n/a	class 1D

Column 1	Column 2	Column 3
Location	**Flow conditions**	**Water allocation group**
Gillens Creek from its confluence with the Elliott River to AMTD 5.0km	n/a	class 1D
Gregory River from Gregory River Weir at AMTD 13.9km to Isis Highway gauging station at AMTD 47.9km	Start: a flow of 300ML/d or greater at the Leesons gauging station. Cease: a flow of 140ML/d or less at the Leesons gauging station	class 1E
Isis River from Isis Junction Weir at AMTD 11.8km to AMTD 23.8km	n/a	class 1F

Schedule 11 Rates and pump sizes

sections 76(1)(b) and (c) and 83(1)(b) and (c)

Column 1	Column 2	Column 3
Pump size (mm)	**Maximum rate (l/s)**	**Daily volumetric limit (ML)**
32	8	0.69
40	13	1.05
50	25.5	2.2
65	46.3	4
80	65	5.6
100	95	8.2
125	116	10
150	149	12.9
200	220	19
250	300	25.9
300	347	30
350	405	35
375–400	500	43.2
450	636	55
500	762	65.8
600–610	1000	86.4
660	1527	132
800	2130	184

Schedule 12 Dictionary

section 3

1.5 year daily flow volume, for a node, means the daily flow at the node that has a 67% probability of being reached at least once a year.

5 year daily flow volume, for a node, means the daily flow at the node that has a 20% probability of being reached at least once a year.

20 year daily flow volume, for a node, means the daily flow at the node that has a 5% probability of being reached at least once a year.

90% annual volume probability means the percentage of years in the groundwater simulation period in which the volume of water that may be taken by a water allocation group is at least 90% of the total of the nominal volumes for the water allocations in the group.

adopted middle thread distance means the distance in kilometres, measured along the middle of a watercourse, that a specific point in the watercourse is, at the commencement of this plan, from—

(a) if the watercourse is not a main watercourse—the watercourse's confluence with its main watercourse; or

(b) otherwise—the watercourse's mouth.

AMTD means the adopted middle thread distance.

annual flow volume, for a point on a watercourse or a node, means the total volume of flow, at the point or node, in a period of 12 months starting on 1 July.

annual volume probability means the percentage of years in the IQQM simulation period in which the volume of water that may be taken by a water allocation group is at least the total of the nominal volumes for the water allocations in the group.

annual volumetric limit, for a water allocation, means the maximum volume of water that may be taken under the allocation in a water year.

authorisation means a licence, water permit, interim water allocation, water allocation or other authority to take water given under the Act or the repealed Act, other than a water permit for stock or domestic purposes.

average depth to the watertable, for a node, means the sum of the vertical distances from the surface of the land to the watertable at the node for each day in the groundwater simulation period, divided by the number of months in the groundwater simulation period.

average ocean groundwater discharge, for a node, means the total volume of groundwater discharged to the ocean at the node in the groundwater simulation period, divided by the number of months in the groundwater simulation period.

Avondale authorisations, for chapter 5, part 2, division 2—see section 50.

Barker Barambah Water Supply Scheme means the water supply scheme described in the resource operations plan as the Barker Barambah Water Supply Scheme.

Boyne River and Tarong Water Supply Scheme means the water supply scheme described in the resource operations plan as the Boyne River and Tarong Water Supply Scheme.

Bundaberg Water Supply Scheme means the water supply scheme described in the resource operations plan as the Bundaberg Water Supply Scheme.

Coastal Burnett overland flow area see section 6.

commencement means the commencement of this plan.

daily flow, for a node, means the volume of water that flows past the node in a day.

daily volumetric limit, for a water licence, means the maximum volume of water that may be taken under the licence in a day.

dewatering means—

(a) draining, either permanently or temporarily, overland flow water from land; or

(b) removing groundwater from soils or sediments that are waterlogged.

discharge, for a flow at a point in a watercourse, means the rate at which water passes the point, measured in cubic metres a second or megalitres a day.

drawdown period, for a node, means the period, expressed as a percentage of the groundwater simulation period, for which the average depth to the watertable is more than the maximum distance for the node.

existing overland flow works—

(a) mean works that allow the taking of overland flow water in the Coastal Burnett overland flow area and either—

(i) were in existence on 18 January 2010; or

(ii) were started, but not completed, by 18 January 2010 and—

(A) if a variation to a moratorium notice was granted for the works under section 27 of the Act—have been, or are being, completed in accordance with the moratorium notice, as varied; or

(B) if sub-subparagraph (A) does not apply—were completed by 19 July 2010; and

(b) if works replacing the works mentioned in paragraph (a) do not increase the volume of water that may be taken under the works mentioned in paragraph (a)—include works replacing the works mentioned in paragraph (a).

flow regime means the entire range of flows at a point in a watercourse including variations in the watercourse height, discharge, seasonality and event duration.

general reserve means a volume of unallocated water available for allocation for any purpose.

groundwater means underground water that is subartesian water not connected to artesian water.

groundwater annual volume probability, for the water allocation in a water allocation group, means the percentage of years in the groundwater simulation period in which the volume of water that may be taken by the water allocation group is at least the total of the nominal volumes for the water allocations in the group.

groundwater management area see section 7.

groundwater simulation period means the period from 1 January 1905 to 31 December 2004.

groundwater sub-area see section 8.

Indigenous purpose means helping an Indigenous community achieve its economic and social aspirations.

infrastructure operating rules, for water infrastructure to which the resource operations plan applies, means details of how the infrastructure will be operated.

IQQM computer program means the department's Integrated Quantity and Quality Modelling computer program, and associated statistical analysis and reporting programs, that simulate daily stream flows, flow management, storages, releases, instream infrastructure, water diversions, water demands and other hydrologic events in the plan area.

IQQM simulation period means the period from 1 July 1890 to 30 June 2008.

maximum distance, for a node, means the distance stated for the node in schedule 7, part 2, table 4, column 2.

mean annual flow, for a node, means the total volume of flow, at the node, in the IQQM simulation period divided by the number of years in the IQQM simulation period.

median annual flow, for a node, means the annual flow volume, at the node, that is equalled or exceeded in 50% of years in the IQQM simulation period.

monthly supplemented water sharing index, for water allocations to take supplemented water, means the percentage

of months in the IQQM simulation period in which the allocations are fully supplied.

node means a node under section 11.

nominal entitlement see the *Water Regulation 2002*, section 65.

period of no flow, for a node, means the period in the IQQM simulation period in which the flow of water at the node is less than 1ML a day.

pre-development flow pattern means the pattern of water flows, during the IQQM simulation period, decided by the chief executive using the IQQM computer program as if—

(a) there were no dams or other water infrastructure in the plan area; and

(b) no water was taken under authorisations in the plan area.

prescribed existing groundwater works mean any of the following works—

(a) works for taking groundwater, other than for stock or domestic purposes, in the following groundwater sub-areas for which a notice was given under the repealed *Water Resource (Burnett Basin) Plan 2000*, section 30C—

(i) Kolan-Burnett B groundwater sub-area;

(ii) Burnett-Elliott B groundwater sub-area;

(iii) Elliott-Gregory B groundwater sub-area;

(iv) Farnsfield B groundwater sub-area;

(v) Fairymead B groundwater sub-area;

(b) works for taking groundwater, other than for stock or domestic purposes, in a relevant groundwater management area, that—

(i) were in existence on 18 January 2010; or

(ii) were started, but not completed, by 18 January 2010 and—

(A) if a variation to a moratorium notice was granted for the works under section 27 of the Act—have been, or are being, completed in accordance with the moratorium notice, as varied; or

(B) otherwise—were completed by 19 July 2010;

(c) works for taking groundwater, other than for stock or domestic purposes, replacing works mentioned in paragraph (a) or (b).

project of regional significance means a project the chief executive considers to be a project of regional significance under section 37.

project of State significance means a project declared under the *State Development and Public Works Organisation Act 1971*, section 26 to be a coordinated project.

pumping pool, for chapter 5, part 2, division 4—see section 61.

relevant groundwater management area means the following—

(a) the Barambah Creek groundwater management area;

(b) the Barker Creek groundwater management area;

(c) the Central Burnett River groundwater management area;

(d) the Coalstoun Lakes groundwater management area;

(e) the Nangur Boonara Creeks groundwater management area.

resource operations plan means the resource operations plan to implement this plan.

seasonality, for a flow in a watercourse, means the time of year when the flow happens.

seawater intrusion means the movement of sea water inland into aquifers that contain freshwater.

started, for existing overland flow works or prescribed existing groundwater works, means all of the following apply to the works—

(a) construction of the works has physically begun or, if construction has not physically begun, a contract has been entered into to begin construction;

(b) an independently verifiable construction program exists for progressive construction towards completion of the works;

(c) detailed design plans exist showing, among other things, the extent of the works;

(d) if a permit is required for the works under the repealed *Local Government Act 1993*, section 940—the permit has been issued;

(e) if a development permit is required for the works—the permit had been given.

State purpose means—

(a) a project of State significance; or

(b) a project of regional significance; or

(c) town water supply purposes.

strategic reserve means a volume of unallocated water available only for allocation for a State purpose or an Indigenous purpose.

strategic water infrastructure reserve means a volume of unallocated water available only for allocation for a project of State significance.

subcatchment area see section 5.

supplemented water means water supplied under an interim resource operations licence, resource operations licence or other authority to operate water infrastructure.

surface water see section 12(1).

Three Moon Creek Water Supply Scheme means—

(a) the water managed under the interim resource operations licence for the Three Moon Creek Water Supply Scheme; or

(b) if the resource operations plan provides for a water supply scheme as the Three Moon Creek Water Supply Scheme—the water supply scheme described under the resource operations plan under that name.

traditional owners, of an area, means the Aboriginal people who identify as descendants of the original inhabitants of the area.

unallocated water means surface water available for allocation in the plan area.

unsupplemented groundwater means groundwater that is unsupplemented water.

unsupplemented surface water means surface water that is unsupplemented water.

unsupplemented water means water that is not supplemented water.

Upper Burnett Water Supply Scheme means the water supply scheme described in the resource operations plan as the Upper Burnett Water Supply Scheme.

waterhole means a part of a watercourse that contains water after the watercourse ceases to flow, other than a part of a watercourse that is within the storage area of a dam on the watercourse.

works that allow the taking of overland flow water include—

(a) storages, sumps, drains, embankments, channels and pumps for taking, or that can be used for taking, overland flow water; and

(b) storages that are connected to the works mentioned in paragraph (a); and

(c) works that make, or that can be used to make, the connections between the storages mentioned in paragraph (b) and the works mentioned in paragraph (a).