Water Management Plan for the Upper Condamine Alluvium Sustainable Diversion Limit Area

Interim water resource plan for the Commonwealth Water Act 2007

August 2012

Prepared by: Water Resource Allocation and Planning, Department of Natural Resources and Mines

© State of Queensland, Department of Natural Resources and Mines, 2012.

This document has been prepared with all due diligence and care, based on the best available information at the time of publication. The department holds no responsibility for any errors or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties.

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

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

You must keep intact the copyright notice and attribute the State of Queensland, Department of Natural Resources and Mines as the source of the publication.

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

August 2012
Foreword

This Water Management Plan has been made by declaration in the Government Gazette on 10 August 2012 for the purpose of recognition as an interim water resource plan under the Commonwealth Water Act 2007.

This plan should not be confused with a Water Resource Plan prepared under the Queensland Water Act 2000. The plan, while made under Queensland law, is not subordinate legislation and does not change the existing management arrangements for water within the Condamine Balonne area; rather, it is a collation of existing management tools already in place under the Water Act 2000.

This plan applies to the groundwater resources of the Upper Condamine Alluvium Sustainable Diversion Limit area (UCA SDL area) as identified in chapter 6 of the proposed Murray–Darling Basin Plan. It has been prepared in consultation with the Murray–Darling Basin Authority and Commonwealth Government, and forms part of the Queensland Government’s response to the release of the proposed Murray–Darling Basin Plan in November 2011. This interim plan ensures that holders of existing groundwater entitlements in the UCA SDL area will be eligible for participation in Commonwealth water recovery programs. Eligibility for participation in Commonwealth water recovery programs is particularly important for entitlement holders in this area as the proposed Murray–Darling Basin Plan identifies a significant reduction in the use of groundwater from the UCA SDL area, in order to meet sustainable diversion limits set out in that plan.

Andrew Cripps
Minister for Natural Resources and Mines
Department of Natural Resources and Mines
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword</td>
<td>iii</td>
</tr>
<tr>
<td>1 Upper Condamine Alluvium Sustainable Diversion Limit area</td>
<td>1</td>
</tr>
<tr>
<td>2 Interim water resource plan</td>
<td>2</td>
</tr>
<tr>
<td>3 Moratorium notice</td>
<td>3</td>
</tr>
<tr>
<td>4 Declared subartesian areas</td>
<td>4</td>
</tr>
<tr>
<td>5 Water management areas and water sharing rules</td>
<td>5</td>
</tr>
<tr>
<td>6 Section 25 limitations on taking water notified under the Water Act</td>
<td>6</td>
</tr>
<tr>
<td>7 Conditions specified on entitlements</td>
<td>7</td>
</tr>
<tr>
<td>8 Metering</td>
<td>8</td>
</tr>
<tr>
<td>9 Attachments</td>
<td>9</td>
</tr>
</tbody>
</table>
1 Upper Condamine Alluvium Sustainable Diversion Limit area

The Upper Condamine Alluvium Sustainable Diversion Limit (SDL) area predominantly underlies the Condamine River and many of its tributaries (see Figure 1), extending north to Dalby and westward to Chinchilla prior to ending at the confluence of Dogwood Creek. The Upper Condamine Alluvium SDL area covers approximately 1 003 380 ha and underlies several townships including Warwick, Dalby and Chinchilla.
2 Interim water resource plan

This plan has been declared a water management plan under section 986J of the Queensland Water Act 2000 and made by public declaration by gazette notice in the Queensland Government Gazette.

This plan comprises a range of existing management tools under the Queensland Water Act as shown in the table below. These management tools, or instruments, are captured to the extent that they cover the Upper Condamine Alluvium SDL area.

Table 1: Management tools comprising this interim plan

<table>
<thead>
<tr>
<th>Management tool</th>
<th>Section this plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Condamine Catchment Underground Water Moratorium Notice (s26 Water Act 2000)</td>
<td>3</td>
</tr>
<tr>
<td>Declared Subartesian Areas (s1046 Water Act 2000, section 102 Water Regulation 2002)</td>
<td>4</td>
</tr>
<tr>
<td>Declared Groundwater Management Area (section 56 Water Regulation 2002)</td>
<td>5</td>
</tr>
<tr>
<td>Water Sharing Rules for Groundwater Management Areas (section 64 Water Regulation 2002)</td>
<td>5</td>
</tr>
<tr>
<td>Limitation on taking water (section 25 Water Act 2000)</td>
<td>6</td>
</tr>
<tr>
<td>Conditions and elements of water licences (Water Act 2000, Chapter 2, Part 6)</td>
<td>7</td>
</tr>
<tr>
<td>Metering (Water Regulation 2002, section 75)</td>
<td>8</td>
</tr>
</tbody>
</table>

This plan does not change or alter in any way, the existing instruments of which this plan is comprised. These instruments together effectively ensure that the total diversion of water from the Upper Condamine Alluvium SDL area is limited to the Baseline Diversion Limit as identified under the proposed Murray–Darling Basin Plan and any finalised version of that plan.

This plan is an interim water resource plan for the purposes of section 242 of the Commonwealth Water Act 2007. It deals with groundwater within the Upper Condamine Alluvium SDL area only. It does not impact on the operation of the Water Resource Condamine and Balonne Plan 2004 nor does it affect the Condamine and Balonne Resource Operations Plan, both of which deal with the sustainable management and allocation of surface water.
3 Moratorium notice

Description of instrument

The moratorium notice for the Condamine Catchment Underground Water Area issued and published under section 26 of the Water Act 2000, to the extent it covers the Upper Condamine Alluvium SDL area, forms part of this interim water resource plan. The area covered by the moratorium notice includes the entire Upper Condamine Alluvium SDL area.

A copy of the Water Act 2000 can be found at:

A copy of the current moratorium notice can be found at:
<www.derm.qld.gov.au/wrp/condamine.html#moratorium_notices>

Outline of management arrangements

The moratorium notice, which was recently amended, prevents dealing with any applications to take water that would increase the volume able to be taken, and additionally places restrictions on the development of new works.

For the Upper Condamine Alluvium SDL area, the notice prevents additional take of groundwater for town water supply, irrigation, projects of state or regional significance, and in-principle licences. It also prevents the increase of take in peri-urban areas by placing limitations on new works as a result of subdivision or access to town water supply.

The moratorium also prevents any future works occurring other than works that would interfere but would not result in an increase in take (such as monitoring bores, or relocation of bores where older ones are decommissioned).

The Water Act specifies a number of mandatory exemptions to the application of the moratorium notice which allow for take under such things as:

- water permits—these are temporary in nature in any event and are not expected to impact on the long-term sustainable diversion limit
- renewal, amalgamation or subdivision of existing entitlements to take water
- ‘as of right’ access; for example, for constructing authorities
- other essential supply such as access to groundwater to take for stock or domestic purposes where there are no other alternative sources available.

---

1 The term ‘in principle licence’ is commonly used to refer to licences granted subject to the installation of works. These licences do not state any nominal entitlement. Once works are installed, and the supply demonstrated, the licence holder must apply to the Department to seek an amendment of their licence to specify an appropriate volume of water that they can then commence taking under the licence.
4 Declared subartesian areas

Description of instrument

Declared subartesian areas are areas where the taking of water and the construction of bores is regulated. This incorporates restrictions on works and requirements for a water licence, permits or seasonal assignment notices, specified in Schedule 11 of the Water Regulation 2002. The subartesian areas are declared under section 102 of the Regulation and under section 1046 of the Water Act 2000.

For this plan, the declared Eastern Downs Subartesian Area and the declared Great Artesian Basin Subartesian Area, to the extent they cover the Upper Condamine Alluvium SDL area, form part of this interim water resource plan.

A copy of the Water Act 2000 can be found at:

A copy of the Water Regulation 2002 can be found at:

Outline of management arrangements

Declared subartesian areas are areas where the Queensland Government regulates the construction of bores and taking of water. Declaring a Subartesian area enables the department to determine whether:

- new take from the Subartesian area requires a water licence, water permit or seasonal assignment notice
- new works require assessment and a development permit.

Currently, the Upper Condamine Alluvium SDL area, proposed under the Murray–Darling Basin Plan, is covered by either the Eastern Downs Subartesian Area or the Great Artesian Basin Subartesian Area. For that part of the Upper Condamine Alluvium SDL area, all:

- take of groundwater requires an entitlement, permit or seasonal assignment to be held unless the take is for stock or domestic purposes
- new works are assessable and must have a development permit unless it is for stock or domestic purposes.
5 Water management areas and water sharing rules

Description of instrument

Water Management Areas can be declared under section 56 of the Water Regulation 2002 for establishing water charges, seasonal assignment rules, water sharing rules and for the implementation of metering. The following areas within the Upper Condamine Alluvium SDL area have been declared as Groundwater Management Areas:

- Central Condamine Alluvium Groundwater Management Area
- Dalrymple Creek Alluvium Groundwater Management Area
- Oakey Creek Groundwater Management Area.

Water sharing rules are prescribed for the abovementioned areas, under section 64 of the Water Regulation. Seasonal water assignment rules are prescribed for the abovementioned areas, under section 15 of the Water Regulation. Examples of the water sharing rules that apply within these declared water management areas are provided in Attachments 1–3 for convenience. The water sharing rules for these management areas form part of this interim water resource plan.


Outline of management arrangements

Under the Water Regulation, water sharing rules are prescribed for a water licence(s) that is not managed under a resource operations plan, and they describe the arrangements under which access to water in a water management area is managed. They establish a framework for water use accounting, with rules that ensure there is an accountable and auditable trail for the movement of water use within and between water licences (seasonal water assignment rules are prescribed in section 15 of the Water Regulation). They also ensure that arrangements for access to water and water use accounting within a water management area are clearly articulated to licence holders to provide them with a stable water use accounting regime.

Currently, the Upper Condamine Alluvium SDL area, proposed under the Murray–Darling Basin Plan, has established water sharing rules and seasonal water assignment rules in the following areas:

- Central Condamine Alluvium Groundwater Management Area
- Dalrymple Creek Alluvium Groundwater Management Area
- Oakey Creek Groundwater Management Area.

These water sharing rules include announced entitlement arrangements, carry over (forward draw arrangements are available in Oakey Creek GMA), and seasonal water assignment arrangements—all of which maximise and promote water use efficiencies and provide for sustainable use reflective of expected antecedent conditions for take.

An example of the current announced entitlement notice published for these areas is provided as Attachment 4 for convenience. The announced entitlement arrangements were recently amended to:

- ensure that the level of take within the Upper Condamine Alluvium SDL unit does not exceed the Baseline Diversion Limit identified for the area, in the Proposed Basin Plan (and any finalised version of that plan)
- account for any purchase of water by the Commonwealth Environmental Water Holder under the Water For the Future Initiative.
6 Section 25 limitations on taking water notified under the Water Act

Description of instrument

Section 25 limitations on taking water are prescribed under the Water Act 2000. This includes any public notices issued under section 25 of the Water Act for limiting the water that may be taken under a water licence, water permit or allocation, or by a constructing authority, for areas within the Upper Condamine Alluvium SDL area.

A section 25 restriction is currently in place for parts of the Upper Condamine Alluvium SDL area, but it does not cover the groundwater management areas, the Lower Condamine Alluvium or part of the Condamine Tributary Alluvium. An example of the current section 25 notice that applies to part of the Upper Condamine Alluvium SDL area is provided in Attachment 5 for convenience.

The section 25 notice currently in place, and any future notice published under section 25 which covers all or part of the Upper Condamine Alluvium SDL area, forms part of this interim water resource plan.


Outline of management arrangements

Under section 25 of the Water Act, the chief executive may publish a notice that limits the take and interference of water by limiting:

- take or interference under a water licence
- take under a water permit
- take under a water allocation not managed under a resource operations plan
- take under a constructing authority.

The notice can restrict the times when water may be taken, the take of water for a particular purpose, or the volume that can be taken for a stated purpose.

Section 25 notices can be used in the Upper Condamine Alluvium SDL area to limit one, some or all of the above, where appropriate, due to water availability or in response to resource risks. The restrictions apply until such time as the notice is withdrawn (this also occurs via public notification). This is very similar in analogy to water restrictions that can be imposed by a council due to declining dam levels.

There are penalties imposed for those persons who take water in contravention of a section 25 notice.
7 Conditions specified on entitlements

Description of instrument

Conditions specified on entitlements include any conditions of access, interference or take specified on entitlements to take or interfere which are located within the Upper Condamine Alluvium SDL area.
An example of the type of conditions on licences to take is provided in Attachment 6.
All water entitlements within the Upper Condamine Alluvium SDL area, including conditions that apply to the water entitlements, form part of this interim water resource plan.

Outline of management arrangements

There are two primary types of licence conditions in the Upper Condamine Alluvium SDL area:
- conditions for those water licences to take
- conditions for those water licences that are authorised, but where the works are yet to be installed (the latter are commonly referred to as 'in-principle\(^\text{2}\) licences).

Conditions can be imposed on water licences to restrict or place boundaries around what type of water, how much, and under what circumstances water may be taken or interfered with. They can also include “make-good” provisions to prevent or minimise third-party impacts. For example, a condition can specify a maximum rate at which water may be pumped from a bore, or a maximum daily volume of water that can be taken.
Examples of conditions that typically occur in the Upper Condamine Alluvium SDL area are provided in Attachment 6 for convenience.

---
\(^2\) The term 'in principle licence' is commonly used to refer to licences granted subject to the installation of works. These licences do not state any nominal entitlement. Once works are installed, and the supply demonstrated, the licence holder must apply to the Department to seek an amendment of their licence to specify an appropriate volume of water that they can then commence taking under the licence.
8 Metering

Description of instrument

Metering arrangements that apply in the Upper Condamine Alluvium SDL area are specified in Schedule 15A of the Water Regulation 2002. The current status of metering arrangements in the Upper Condamine Alluvium SDL area is shown in the table below.

All metering arrangements within the Upper Condamine Alluvium SDL area, including meters installed and those scheduled for installation (once installation is complete), form part of this interim water resource plan.


Outline of management arrangements

Metering is critical in assessing actual usage against authorised entitlement to take.

While metering is not standardised across the Upper Condamine Alluvium SDL area, the metering program is systematically installing meters across this SDL area. This is a time and resource intensive exercise and, in the interim, it is assumed the maximum volume able to be accessed under water licences is being accessed (as per the approach adopted for defining use under the draft Basin Plan). A new methodology is being established for refinement of existing estimations of stock and domestic use.

The current status of the metering roll out program in the Upper Condamine Alluvium SDL area is as shown in the table below.

<table>
<thead>
<tr>
<th>SDL area</th>
<th>Sub area</th>
<th>Status of metering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Condamine Alluvium (CCA)</td>
<td>n/a</td>
<td>Complete</td>
</tr>
<tr>
<td>Upper Condamine Alluvium (Tributaries)</td>
<td>Dalrymple Creek GMA</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Oakey Creek GMA</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>All other</td>
<td>Metering of all entitlements scheduled to be completed by 2017</td>
</tr>
</tbody>
</table>
9 Attachments

Attachment 1: Central Condamine Alluvium groundwater management area water sharing rules

Attachment 2: Dalrymple Creek Alluvium groundwater management area water sharing rules and seasonal water assignment rules

Attachment 3: Oakey Creek groundwater management area sharing rules and seasonal water assignment rules

Attachment 4: Public notice of announced entitlement 2012/2013 for Oakey Creek, Central Condamine, Upper Hodgson Creek, and Dalrymple Creek Alluvium groundwater management areas

Attachment 5: Public notice of limitations on taking water for the Eastern Downs Subartesian Area—Condamine River and Tributaries Alluvium

Attachment 6: Example of conditions on licences to take water