

Callide Valley groundwater management area water sharing rules

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Endorsed 11/05/2009
by General Manager Water Accounting and Management

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Version history

Version	Date	Comments
1	2005-10-17	Endorsed
1.1	2006-12-18	Minor amendment update Departmental name
1.2	2008-06-10	Convert to new sharepoint template
2	2009-05-05	Amendments to contents and structure

Executive summary

Water sharing rules are the rules prescribed under the Regulation for a water licence not managed under a resource operations plan. Water sharing rules describe the arrangements for access to water within a water management area.

Purpose

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

Water sharing rules 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

Rationale

This policy defines the water sharing rules for the Callide Valley groundwater management area as prescribed in section 64 of the Water Regulation 2002 and the seasonal water assignment rules prescribed in section 15 of the Water Regulation 2002 (the Regulation).

Policy

Overview

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Water sharing rules

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Purpose of water sharing rules

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

Water sharing rules 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.

Description of the water management area

Geographical boundaries

The boundary of the Callide Valley groundwater management area is based on the stream catchment boundaries for Callide Creek and its associated tributaries. Tributaries associated with Callide Creek include Kroombit Creek, Kariboe Creek, Grevillea Creek, Prospect Creek and Bell Creek.

The Callide Valley groundwater management area is separated into three distinct areas by the presence of the Callide Valley Interim Resource Operations Licence (IROL) the benefited area that is currently managed by SunWater.

Sub-areas

The Callide Valley groundwater management area consists of eight sub-areas for management purposes.

These sub-areas are 1, 2A, 2B, 4A, 4B, 10A, 11A and 11B.

Sub-areas 4A, 4B, 10A, 11A and 11B are located upstream of the IROL benefited area whilst sub-areas 1, 2A and 2B are located downstream of the IROL benefited area.

The sub-areas are managed separately and are modelled independently for the purpose of determining announced allocations and for determining rules for seasonal water assignments due to their differing hydro-geological conditions.

Water to which the water sharing rules apply

The Callide Valley groundwater management area water sharing rules apply to the following groundwater

aquifers to the extent that they are located within the geographical boundaries of the sub-areas identified above:

- Callide Creek Alluvium
- Kariboe Creek Alluvium
- Grevillea Creek Alluvium
- Prospect Creek Alluvium
- Kroombit Creek Alluvium
- Bell Creek Alluvium.

It is noted that the Callide Valley groundwater management area does not include all groundwater aquifers within the area. Groundwater aquifers that are not part of the Callide Valley groundwater management area include:

- the Biloela Formation
- the Fractured Volcanics
- the Precipice Sandstone.

These water sharing rules do not apply to the water within the aquifers, which are not included in the Callide Valley groundwater management area. Furthermore, it is noted that the Callide Valley groundwater management area only applies to water managed by the State. The Callide Valley groundwater management area does not include the water that is managed by SunWater under the Callide Valley Water Supply Scheme Interim Resource Operations Licence.

Plan of the water management area

An Administrative Plan has been prepared for the Callide Valley groundwater management area. This plan reference is AP14714 and is attached in Appendix 1.

Note: The attached plan is indicative only and is not the legally recognised map of the area under the provisions of the Regulation. The area and the exact location of the boundaries of the water management area are held in digital electronic form by the Department of Environment and Resource Management and may be inspected at the department's Rockhampton and Biloela offices.

Water year

The water year for the Callide Valley groundwater management area is the twelve (12) month period of 1 July to 30 June

The 'water year' for a water licence, means the accounting period prescribed under a regulation for the licence or until a period is prescribed under a regulation, it is the accounting period stated in the licence for taking water under the licence..

Nominal entitlement

"Nominal entitlement" is the volume of water authorised to be taken during a water year, as specified on the water licence. The volume of water that a licence holder may use during a water year may be varied by an announced entitlement.

Stock or domestic

A stock or domestic allowance may be stipulated on a water licence that has a volumetric entitlement. (If there is no stock or domestic allowance specified on the front of the water licence, then an allowance may be

established under policy number WAM/2008/3486 entitled WM - 120 Establishing and administering stock or domestic allowances.) This allowance is the volume of water authorised to be taken for stock or domestic purposes.

The stock or domestic allowance is separate from the nominal entitlement associated with the water licence. Water authorised to be taken under stock or domestic allowance is not managed under these water sharing rules, that is, stock or domestic allowance is not affected by the announced entitlement, nor can it be the subject of seasonal water assignment.

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

Announced entitlement: overview

The chief executive must decide an announced entitlement for the Callide Valley groundwater management area.

'Announced entitlement' is a percentage of the licence holder's nominal entitlement. It is the percentage of the nominal entitlement that a licence holder may take in a water year.

The announced entitlement will be decided before the start of the water year to which the announced entitlement relates.

The announced entitlement may be increased during the water year.

Announced entitlement: considerations

The chief executive must undertake the considerations specified in section 66(3) of the Water Regulation 2002 when deciding the announced entitlement. That is, the chief executive must consider the following to the extent appropriate for the area:

- trends in underground water levels
- long term average sustainable yield
- historical water use
- anticipated water use
- water available to supplement water licences in the area
- weather conditions, including weather forecasts.

In considering the above criteria, the chief executive will take into account the following:

- conclusions drawn from an assessment of the water level trend that has been derived from monitoring bores in each sub area
- information from an assessment of the current storage volumes in each sub area
- if available, anticipated water levels that have been derived from the Callide Valley Groundwater Model.

In addition to the considerations specified in section 66(3) of the Water Regulation 2002, the chief executive will also consider any recommendations made by the water advisory committee in the area.

Announced entitlement: notification

The chief executive must either

- give notice of the announced entitlement to the holders of the water licences to which the entitlement relates or

- publish the announced entitlement in the *Central Telegraph* or
- publish the announced entitlement on the department's web site on the internet.

Notification of the initial announced entitlement for a water year will be made within 10 business days prior to the start of that water year.

For subsequent variations to the announced entitlement, the chief executive will endeavour to provide notification of the revised announced entitlement within 10 business days of its commencement.

Annual entitlement

'Annual entitlement' is the volume of water able to be taken by a licence holder for that water year. The annual entitlement is calculated by multiplying the nominal entitlement for the water licence by the announced entitlement. If, throughout the water year, seasonal water assignment or other water sharing options are approved in relation to a particular water licence, the annual entitlement will be progressively adjusted.

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

$$AE = NE \times ANE \pm SWA^*$$

Definition:

AE - annual entitlement

NE - nominal entitlement

ANE - announced entitlement (expressed as a decimal)

SWA - seasonal water assignment

* - if applicable

Annual Entitlement: Example

The following provides an example of annual entitlement calculations in instances where a seasonal water assignment has been granted.

Assignor/Seller

Nominal entitlement = 100ML

Date	Description	Annual entitlement calculation	Annual entitlement	Available entitlement*
1 Jul 2004	Announced entitlement for 2004/2005 water year is 80%	NE x ANE i.e. 100ML x 0.8	80ML	80ML
2 Nov 2004	Metered use to date is 30ML			50ML
	Seasonal water assignment of 20ML by the licence holder (i.e. assignor/seller)	AE - SWA i.e. 80ML - 20ML	60ML	30ML
30 Jun 2005	Total metered use for 2004/2005 water year is 50ML			10ML
1 Jul 2005	Announced entitlement for 2005/2006 water	NE x ANE i.e. 100ML x 0.7	70ML	70ML

	year is 70%			
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* Available entitlement is the volume of water that a licensee is authorised to take during the remainder of the current water year (the unused volume of annual entitlement).

Assignee/Buyer

Nominal entitlement = 100ML

Date	Description	Annual entitlement calculation	Annual entitlement	Available entitlement*
1 Jul 2004	Announced entitlement for 2004/2005 water year is 80%	NE x ANE i.e. 100ML x 0.8	80ML	80ML
2 Nov 2004	Metered use to date is 40ML			40ML
	Seasonal water assignment of 20ML to the licence holder (i.e. assignor/seller)	AE - SWA i.e. 80ML + 20ML	100ML	60ML
30 Jun 2005	Total metered use for 2004/2005 water year is 95ML			5ML
1 Jul 2005	Announced entitlement for 2005/2006 water year is 70%	NE x ANE i.e. 100ML x 0.7	70ML	70ML

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

Carry over

Licence holders in the Callide Valley groundwater management area are not authorised to carry over unused announced entitlement from the previous water year.

'Carry over' is the unused component of an announced entitlement that a entitlement holder may access in the water year, following the water year for which the announced entitlement was available.

Forward draw

Licence holders in the Callide Valley groundwater management area are not authorised to forward draw from the following year's nominal entitlement, in advance.

'Forward draw' is the volume, expressed as a percentage of the licensee's nominal entitlement for the following water year that the licence holder may take during the current water year.

Seasonal water assignment: overview

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

'Seasonal water assignment' for a water licence means the assignment by the holder of a seasonal water

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

Seasonal water assignment: application

An application for a seasonal water assignment may be made by the licensee of a water licence or by the holder of a seasonal water assignment notice (assignor/seller) for the water year in which the application is made. The application must:

- be made in the approved form
- be accompanied by the prescribed fee
- be supported by sufficient information to enable the chief executive to make a decision
- include the name and address of the proposed assignee/buyer - and if the proposed assignee holds a water licence for the Callide Valley groundwater management area - details of their water licence
- include the written consent of the proposed assignee/buyer.

As a seasonal water assignment applies to the current water year only, an application for a seasonal water assignment can not be made prior to the commencement of the water year.

In assessing the application the chief executive must decide:

- if the application is in accordance with the seasonal assignment rules - approve the application, with or without conditions
- if the application is not in accordance with the seasonal assignment rules - refuse the application
- to give the applicant an information notice as soon as practicable after deciding the application
- if the application is approved - as soon as practicable after approving an application give the assignee (assignee/buyer) a seasonal water assignment notice, with or without conditions.

Seasonal water assignment: rules

Particular rules for seasonal water assignments that apply in the Callide Valley groundwater management area are that a seasonal water assignment:

- is not allowed where the assignor/seller or the assignee/buyer has a water invoice that has not been paid
- is not allowed if the assignor/seller does not have sufficient available entitlement*
- * Available entitlement is the volume of water that a licensee is authorised to take during the remainder of the current water year (such as it is the unused volume of annual entitlement)
- is allowed only where the assignee/buyer has works authorised to take the seasonally assigned water (the works must be authorised to take water for the purpose for which the seasonally assigned water will be used). These works must be metered
- is not allowed between sub-areas
- is allowed only if the chief executive is satisfied that an adequate volume of water is present in the relevant aquifer section to meet water users' needs and environmental requirements
- is not allowed if the chief executive considers that approving the seasonal water assignment will adversely affect other water users or the environment
- The maximum seasonal water assignment that is allowed is the average of the past three (3) years water use of the assignor/seller, up to a maximum volume of 50ML
- The chief executive will consider any past non-compliance of both the assignor/seller and the assignee/buyer
- In instances where there is a history of non-compliance, the chief executive may decide not to allow the application for seasonal water assignment.

Stock or domestic allowance water can not be seasonally assigned to another water user. However, water

acquired through a seasonal water assignment may be used for stock or domestic purposes.

Seasonal water assignment: approval

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

If the application for seasonal water assignment is approved, the assignor/seller cannot take the assigned water under the water licence from which it has been assigned. That is the assignor's/seller's annual entitlement is reduced to account for the volume of water that has been the subject of seasonal water assignment and the assignee's/buyer's annual entitlement is increased (as shown in the example in the 'Water accounting' section below).

If the assignee/buyer holds a water licence for the Callide Valley groundwater management area, the seasonal water assignment notice has the effect of increasing the volume of water authorised to be taken under the assignee/buyer's licence by the volume stated in the notice.

Approval of a seasonal water assignment in one water year does not imply that a similar seasonal water assignment will be approved in subsequent years, due to possible changing hydrological conditions.

Note: Seasonal water assignments will not be approved retrospectively to cover excess water use. Any excess use is an offence under the Water Act 2000 and may result in prosecution.

Seasonal water assignment: conditions

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

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

Sections 25, 243 and 244 of the Water Act 2000 apply to a seasonal water assignment notice. These provisions allow for limiting the take of water under a seasonal water assignment notice and the surrender or cancellation of a seasonal water assignment notice.

A seasonal water assignment notice does not attach to land. If the holder of a seasonal water assignment notice sells the land, the new owner of the same land does not automatically acquire the seasonal water assignment notice. However, the holder of a seasonal water assignment notice may apply to re-assign the unused part of the seasonally assigned water to the new owner (or to any other person in the Callide Valley groundwater management area).

Water accounting

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

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

Stock or domestic allowance (if applicable)	Announced entitlement	Seasonal water assignment (subject to approval)
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Water charges

Refer to the Water Regulation 2002 for details about how water charges are calculated.

Part A (nominal allocation) charges are unaffected by seasonal water assignments that is, the assignor/seller remains responsible for the payment for the water allocation charge of the seasonally assigned water.

Meter readings

Departmental meter readings

Water meters will be read two times per water year, usually at or about the end of December and June.

As it is not feasible to read all the meters in a management area on the last day of the water year, the meter readings will normally be taken within a 10-day window, for example 5 days before and 5 days after that day. This meter reading will be deemed to be the final meter reading for the end of the water year for that meter for water accounting purposes.

Entitlement holder supplied meter readings

The licence holder may provide an alternative acceptable meter reading to the department's final meter reading. This meter reading should be provided to the department within 10 business days of the end of the water year. In exceptional circumstances, a meter reading provided by a licence holder may be accepted up to twelve (12) months after the end of the water year.

If a licence holder wishes to provide the department with an exact final meter reading for the end of the water year, they may submit this information:

- within 10 business days of the end of the water year - in writing, to the 'contact' listed at the end of this section
- after 10 business days (but within 12 months) of the end of the water year - in a statutory declaration to the 'contact' listed at the end of this section. Supporting evidence (such as a diary or meter book) must accompany the statutory declaration. The licence holder must also provide a reason for not submitting the reading within the 10 business days following the end of the year.

Information that is required to accompany the meter reading includes:

- date of reading
- licence reference
- works reference
- meter serial number.

It can be arranged for the department to read the water meter if the licence holder does not want to supply meter readings in the event of sale of a property. A charge will be levied for these readings and details of the charges are described in schedule 16 of the Water Regulation 2002.

For seasonal water assignment

The assignor/seller is required to supply meter readings with any application for a seasonal water assignment.

The process for the licence holder to supply meter readings is detailed on the application form for seasonal water assignment of a water licence.

Quality check of readings

Meter readings supplied by the entitlement holder are subject to a quality check to ensure that the supplied meter reading is accurate.

For example:

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

Meter malfunction

Meter malfunctioning or breakdown must be reported to the department as soon as possible so that arrangements can be made to repair or replace the water meter. During the period between reporting the incident and the repair/replacement of the meter, the licensee must complete a 'Water Use Assessment Report' to account for water use during this time. A 'Water Use Assessment Report' is provided in Appendix 2 and is also available from your local departmental office.

Contact

For enquiries relating to any aspect of water management within the Callide Valley groundwater management area, please contact:

Position: Project Officer

Street Address: 209 Bolsolver Street Rockhampton QLD 4700

Postal Address: PO Box 1762, Rockhampton QLD 4700

Telephone: (07) 4938 4600

Facsimile: (07) 4927 3079

Responsibilities

Licence holders within the Callide Valley groundwater management area:

- must ensure that water is taken in accordance with the conditions of the licence and is consistent with the water sharing rules
- may apply for a seasonal water assignment in accordance with the seasonal water assignment rules.

The department:

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

Legislation

Water Act 2000

Water Regulation 2002

Attachments

Appendix 1 Callide Valley Groundwater Management Area <attachments/callide_valley_ap14714.pdf>

Appendix 2 -Water Use Assessment Report <attachments/water_use_assess_report.pdf>