

DISTRIBUTION OPERATIONS LICENCE

Water Act 2000



NAME OF LICENCE

Kelsey Creek Distribution Operations Licence

HOLDER

Name of Holder: Kelsey Creek Water Board

Address: PO Box 374 Proserpine QLD 4800

Contact Name: Mr Douglas Lee, Chairperson

RESOURCE OPERATIONS PLAN

The licence relates to the Whitsunday Resource Operations Plan (the Plan).

AUTHORITY TO INTERFERE

The licence authorises the holder to take and interfere with the flow of water for the purposes of distributing water to the water allocation holders mentioned in the Plan Attachment 6 (a) parts 2 and 5 and in accordance with the Plan Chapter 4.

WATER INFRASTRUCTURE

The water infrastructure to which the licence applies is detailed in the Plan Attachment 4, Part 3 – Infrastructure details.

CONDITIONS

1. OPERATING ARRANGEMENTS AND SUPPLY REQUIREMENTS

1.1. The licence holder must comply with the operating arrangements and supply requirements detailed in the Plan Chapter 4 and Attachment 5.

2. METERING

2.1 The licence holder must meter in accordance with the Plan Chapter 1 section 11.

3. MONITORING AND REPORTING REQUIREMENTS

3.1 The licence holder must monitor and report as set out in the Plan Chapter 10 – Scheme licence holder monitoring and reporting.

3.2 The licence holder must monitor and report in accordance with the Department of Environment and Resource Management water monitoring data collection standard and water monitoring data reporting standard as specified in the Plan Chapter 1 sections 12 and 13.

4. TRANSITIONAL ARRANGEMENTS

4.1 The transitional arrangements detailed in Schedule 1 apply if, on the day the Plan commences, the licence holder is unable to meet the requirements of the Plan as required under Conditions 1, 2 and 3.

5. STATED AMENDMENT – WATER ACT 2000, SECTION 113

5.1 The chief executive may amend this licence to change the transitional arrangements stated in Schedule 1 if necessary as a consequence of the licence holder's completion of the elements of the interim program approved by the chief executive under the Plan Chapter 1 section 15.

5.2 The chief executive may amend this licence to delete Schedule 1 upon the licence holder's completion of all elements of the interim program approved by the chief executive under the Plan Chapter 1 section 15.

COMMENCEMENT OF LICENCE

The licence takes effect on 12 December 2011.

GRANTED ON 12 December 2011

A handwritten signature in black ink, appearing to read 'L. E. Hinrichsen'.

Lyall Hinrichsen

General Manager, Water Allocation and Planning

SCHEDULE 1

TRANSITIONAL ARRANGMENTS

1. This Schedule applies:
 - (a) if, on the day that the Whitsunday Resource Operations Plan (the Plan) commences, the licence holder is unable to meet the requirements of the Plan so as to comply with Conditions 1, 2 and 3 of this licence;
 - (b) only to the extent that the license holder is unable to comply with the Plan and Conditions 1, 2 and 3 of this licence.

2. Notwithstanding Conditions 1, 2 and 3, the license holder must:
 - (a) comply with the Plan Chapter 1 section 15 in submitting for approval by the chief executive the licence holder's statement of current programs and interim program for the implementation of the Plan.
 - (b) to the extent that the licence holder's inability to comply with the Plan and Conditions 1, 2 and 3 of this licence relates to an operation or matter for which a provision was made in a previous authorisation as in force immediately before the commencement of the Plan – continue to comply with the previous authorisation in respect of the matter or operation as if the previous authorisation had not ceased to have effect, but only until the Chief Executive approves the licence holder's implementation program under the Plan Chapter 1 section 15.
 - (c) following the chief executive's approval of the interim program under the Plan Chapter 1 Section 15 – continue to operate and undertake monitoring and reporting in accordance with the interim program approved by the chief executive, but only to the extent of the elements of the interim program that have not been replaced by the arrangements implemented under the approved program.