

RESOURCE OPERATIONS LICENCE

Water Act 2000



NAME OF LICENCE

Cressbrook Creek Water Supply Scheme Resource Operations Licence.

HOLDER

Name of Holder: Toowoomba Regional Council

Address: PO Box 3021, Village Fair, Toowoomba, QLD, 4350

Contact Name: Ken Gouldthorp, Chief Executive Officer

RESOURCE OPERATIONS PLAN

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

AUTHORITY TO INTERFERE

The licence authorises the licence holder to interfere with the flow of water in the Cressbrook Creek Water Supply Scheme, as detailed in the Moreton Resource Operations Plan Chapter 7 – Cressbrook Creek Water Supply Scheme, to the extent necessary to operate the water infrastructure to which the licence applies.

WATER INFRASTRUCTURE

The water infrastructure to which the licence applies is detailed in the Plan Attachment 7 – Cressbrook Creek Water Supply Scheme.

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 7.

2. MONITORING AND REPORTING REQUIREMENTS

2.1 The licence holder must monitor and report as set out in the Plan Chapter 9 – Resource operations licence holder monitoring and reporting.

2.2 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 11 and 12.

3. TRANSITIONAL ARRANGEMENTS

3.1 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 and 2.

4. STATED AMENDMENT – WATER ACT 2000, SECTION 113

4.1 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 elements of the interim program approved by the Chief Executive under the Plan Chapter 1 section 13.

4.2 The Chief Executive may amend this licence to delete Schedule 1 upon the licence holder's completion of all elements of the of the interim program approved by the Chief Executive under the Plan Chapter 1 section 13.

COMMENCEMENT OF LICENCE

The licence takes effect on 7 December 2009.

GRANTED ON 7 December 2009.

A handwritten signature in black ink, appearing to read "Tom Crothers".

RB (Tom) Crothers

General Manager, Water Allocation and Planning

SCHEDULE 1

TRANSITIONAL ARRANGEMENTS

- 1.** This Schedule applies:
 - (a) if, on the day that the Moreton 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 and 2 of this licence;
 - (b) only to the extent that the license holder is unable to comply with the Plan and Conditions 1 and 2 of this licence.

- 2.** Notwithstanding Conditions 1 and 2, the license holder must:
 - (a) comply with the Plan Chapter 1 section 13 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 and 2 of this licence relates to an operation or matter for which provision was made in the previous authorisation for the Cressbrook Creek Water Supply Scheme 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 interim program under the Plan Chapter 1 section 14.
 - (c) following the Chief Executive's approval of the interim program under the Plan Chapter 1 Section 13 – 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.