

Attachment 4.4H

Fitzroy Barrage Water Supply Scheme

Water allocation change rules

1 Permitted changes

Application for the following changes to a water allocation will be approved. On approval, a change certificate will be issued by the chief executive, which may be lodged with the registrar of water allocations.

1.1 Purpose

A change to the purpose of a water allocation from 'any' to 'agriculture' or from 'agriculture' to 'any'.

1.2 Priority

A change to the priority of a water allocation from medium to high or from high to medium, provided:

- The conversion rate is 1.5 ML of medium priority water converts to 1 ML of high priority water allocation;
- The maximum volume of high priority water allocation supplied through the scheme is 51,200 ML; and
- The minimum volume of high priority water allocation supplied through the scheme is 48,800 ML.

1.3 Amalgamation or subdivision

A change to subdivide a water allocation into two or more water allocations, or to amalgamate two or more water allocations into a single water allocation, provided:

- The sum of the volumes of the new water allocations will be the same as the volume of the original water allocation.

A change to amalgamate two or more water allocations into a single water allocation, provided:

- The volume of the new water allocation will be the same as the sum of the volumes of the original water allocations.

2 Prohibited changes

The following changes are prohibited changes:

2.1 Location

A change to a location that is not within the extent of the Dawson Valley, Nogo Mackenzie, Lower Fitzroy or Fitzroy Barrage water supply schemes.

2.2 Priority group

A change to a priority group that is not medium or high.

2.3 Purpose

A change to a purpose that is not 'agriculture' or 'any'.

2.4 Volume

A change to the volume that is not a consequence of a change to another attribute of a water allocation.

2.5 Other

A change that requires an amendment to this ROP.

3 Application for change under Section 130 of the Water Act

If a water allocation holder wishes to apply for a change to a water allocation that is not permitted under Section 1, and not prohibited under Section 2, an application may be made under Section 130 of the Water Act for the change.

The chief executive will deal with applications made under Section 130 of the Water Act, in accordance with the Water Act. That process is as follows:

- Notice of the application is published in local newspapers. The notice includes information about where the application can be inspected and invites submissions from the public on the application;
- The chief executive determines if the application should be approved having regard to the potential impact on a range of interests including other entitlement holders and aquatic ecosystems;
- If the chief executive approves the application, the chief executive will issue a change certificate that may be lodged with the registrar of water allocations; and
- If the chief executive refuses the application, the Water Act provides for an appeal process.

4 Registration of change

If an application to change a water allocation is approved, the chief executive will issue a change certificate. The water allocation holder may lodge the change certificate with the registrar of water allocations who will change the water allocation on the water allocation register.

However, the registrar will not register the change until a supply contract has been entered into between the water allocation holder and the Resource Operations Licence (ROL) holder for supply of the changed water allocation.