

Attachment 4.2H

Nogoa Mackenzie Water Supply Scheme

Water allocation change rules

1 Permitted changes

The permitted changes apply only to water allocations with purpose ‘agriculture’ or ‘any’.

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 Location

Subject to Section 1.1.1, a change to the location of a water allocation from one of the following zones to any other of those zones:

- Mackenzie B;
- Mackenzie C;
- Mackenzie D;
- Mackenzie E;
- Mackenzie F;
- Mackenzie G;
- Mackenzie H;
- Mackenzie I;
- Mackenzie J;
- Mackenzie K;
- Mackenzie L;
- Mackenzie M; or
- Mackenzie N.

For the permitted changes to the location of a water allocation given in this section, conversion factors do not apply to the volume for the water allocation – that is, the volume for the water allocation will be the same before and after the change of location. However, this does not preclude consideration of conversion factors to enable changes under Section 3.

1.1.1 Limitations on change of location

A proposed change is not a permitted change if the proposed change would result in a distribution of medium and high priority water allocations not provided for in Tables 1 and 2. (see Section 3 for proposed changes that can be processed under Section 130 of the Water Act).

1.2 Purpose

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

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.

Table 1: Permitted distributions of high priority water allocations and interim water allocations in zones Mackenzie N, M, L, K, J, I, H, G, F, E, D, C and B

Volume of high priority water allocation (ML)	Mackenzie N, Mackenzie M, Mackenzie L, Mackenzie K & Mackenzie J	Mackenzie I & Mackenzie H	Mackenzie G, Mackenzie F & Mackenzie E	Mackenzie D, Mackenzie C & Mackenzie B
Minimum volume	19,410	12,856	10,487	0
Maximum volume	20,510	14,076	11,887	700

Table 2: Permitted distributions of medium priority water allocations and interim water allocations in zones Mackenzie N, M, L, K, J, I, H, G, F, E, D, C and B

Volume of medium priority water allocation (ML)	Mackenzie N, Mackenzie M, Mackenzie L, Mackenzie K & Mackenzie J	Mackenzie I & Mackenzie H	Mackenzie G, Mackenzie F & Mackenzie E	Mackenzie D, Mackenzie C & Mackenzie B
Minimum volume	157,309	301	978	5,182
Maximum volume	184,309	6,501	7,978	18,182

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, other than an amendment provided for in Chapter 8.

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.

3.1 Purpose

Any application to change the purpose of a water allocation from 'distribution loss' to 'any' must be supported by information to substantiate to the satisfaction of the chief executive an efficiency gain within the associated channel system. An application may be made for efficiency gains made since the issue of the interim resource operations licence for the Nogo Mackenzie Water Supply Scheme in November 2000.

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.