

Barron

resource operations plan

Implementing the Water Resource (Barron) Plan 2002

June 2005

our water, our future, our state



Queensland Government
Natural Resources and Mines

FOREWORD

This Barron Resource Operations Plan has been finalised following a period of consultation and review that began with the release of a draft plan in August 2004.

The finalised plan will implement objectives and outcomes specified in the *Water Resource (Barron) Plan 2002*. Together the plans will provide enhanced certainty and security for human consumptive water use and for the natural environment.

While the water resource plan strives to achieve a sustainable balance between meeting human needs and those of the environment, the resource operations plan is concerned with the practical business of sharing and managing the water resources from day to day in a way that meets water resource plan objectives.

The relationship between the two plans is set out in the *Water Act 2000*, which specifies that the resource operations plan must ensure that strategies established in the water resource plan for advancing sustainable water allocation and management for the Barron plan area are met. To this end, monitoring arrangements will be implemented and refined under the resource operations plan. They will be crucial in confirming that the water resource plan's environmental flow and water allocation security outcomes are being met.

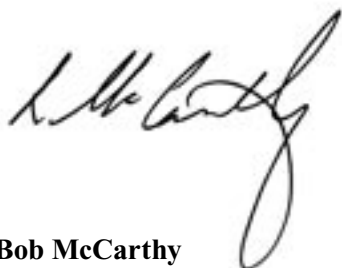
The resource operations plan contains arrangements for:

- converting existing water authorisations in the Mareeba Dimbulah Water Supply Scheme to tradable water allocations;
- reserving up to 4 000 ML/annum of unallocated water from Lake Placid for future urban use for Cairns City Council;
- operation of infrastructure and management of water use;
- trading of water allocations; and
- water and ecosystem monitoring.

Work is now under way to extend the resource operations plan to include detailed management arrangements and conversion of water entitlements in other areas in the Barron plan area, including surface and groundwater entitlements in the subcatchment above Tinaroo Falls Dam.

In conjunction with the water resource plan, the resource operations plan will provide for both the needs of the community and the natural environment.

I'd like to take this opportunity to thank all those who contributed to this process for all their hard work and input.



Bob McCarthy
Director-General
Department of Natural Resources and Mines

THIS DOCUMENT CONTAINS THE FOLLOWING:

**(1) BARRON
RESOURCE OPERATIONS PLAN 2005**

**(2) EXPLANATORY NOTES
FOR THE BARRON RESOURCE
OPERATIONS PLAN 2005**

**BARRON
RESOURCE OPERATIONS PLAN 2005**

CONTENTS

CHAPTER 1 – PRELIMINARY

1. Water resource plan implemented through the resource operations plan	1
2. Name of the resource operations plan	1
3. Commencement of the resource operations plan	1
4. Plan area	1
5. Water to which this plan applies	1
6. Resource operations plan zones	1
7. Information about areas	1
8. Purpose of a water allocation	1
9. Departmental water monitoring data collection standard	2
10. Departmental water monitoring data reporting standard	2
11. Operating and environmental management rules and monitoring requirements	2
12. Metering	2
13. Implementation	3
14. Sustainable management of water	3
15. Addressing water resource plan outcomes	4

CHAPTER 2 – PROCESS FOR DEALING WITH UNALLOCATED WATER

PART 1—SUBCATCHMENT AREA C (BARRON CATCHMENT ABOVE TINAROO FALLS DAM)

27. Scope of Part 1	6
28. Unallocated water available under defined process	6
29. Timing of process for making the reserved water available	6

PART 2—SUBCATCHMENT AREA A (BARRON CATCHMENT BELOW TINAROO FALLS DAM)

30. Scope of Part 2	6
31. Reservation of water for future use	6
32. Submission for the reserved water to be made available	6
33. Assessment of submission for the reserved water	7
34. Additional information may be required	7
35. Deciding the submission	7
36. Water licence must be granted	7

PART 3 — SUBCATCHMENT AREAS B, D, E, F AND G

37. Unallocated water unavailable under defined process	7
---	---

PART 4 — SUBARTESIAN WATER

38. Scope of Part 3	8
39. Unallocated subartesian water available under defined process	8
40. Subartesian Management Area A	8

CHAPTER 3 – GRANTING AND CONVERTING AUTHORISATIONS

PART 1—GRANTING OF A RESOURCE OPERATIONS LICENCE

52. Resource operations licence	9
---	---

PART 2—GRANTING OF WATER LICENCES

53. Water licences granted to Atherton Shire Council	9
54. Water licence granted to Stanwell Corporation	9
55. Water licences granted to Cairns City Council	9

PART 3— RULES FOR CONVERSION TO AND GRANTING OF WATER ALLOCATIONS

56. Schedule of water allocations	10
---	----

Division 1—Conversion of supplemented authorisations

57. Application of Division 1	10
58. Rules for the conversion of existing water authorisations	10

CHAPTER 4 – MAREEBA DIMBULAH WATER SUPPLY SCHEME

70. Application of Chapter 4	11
--	----

PART 1—OPERATING AND ENVIRONMENTAL MANAGEMENT RULES

71. Use of watercourses for distribution	11
72. Operating level of storages	12
73. Waterhole management	12
74. Maximum discharge rates in watercourses	12
75. Change in rate of release	13
76. Classification of Tinaroo Falls Dam storage level	13
77. Minimum Barron River flows	13
78. Releases from Tinaroo Falls Dam for hydropower and other purposes	14
79. Relationship between Sections 77 and 78	15
80. Additional requirements for releases under Sections 77 and 78	15

PART 2—WATER SHARING RULES*Division 1—Announced allocations*

81. Announced allocations	15
-------------------------------------	----

Division 2—Water Sharing Rules

82. High priority water allocations	16
83. Medium priority water allocations	16
84. Critical water supply arrangements	19
85. Amendment of critical water supply arrangements	19

PART 3—WATER ALLOCATION CHANGE RULES

86. Scope of Part 3	20
-------------------------------	----

Division 1—Permitted changes

87. Barron River zone group	20
88. Location	20
89. Priority group	20
90. Purpose	21
91. Subdivision and amalgamation	21

Division 2—Prohibited changes

92. Prohibited changes	21
----------------------------------	----

Division 3—Other changes

93. Application for changes not specified as permitted or prohibited	22
--	----

PART 4—SEASONAL WATER ASSIGNMENT RULES

94. Maximum water use	22
95. Seasonal water assignment rules	22

PART 5—RULES FOR TAKING OF WATER RELEASED FROM TINAROO FALLS DAM FOR HYDROPOWER

96. Requirement for supply agreement	22
97. Supply agreement	23

CHAPTER 5 - KURANDA WEIR

109. Application of Chapter 5	24
110. Compatibility with water supply scheme operations	24
111. Storage releases to Barron River Falls	24
112. Water licence to interfere with flow	24

CHAPTER 6 – COPPERLODE DAM

124. Application of Chapter 6	25
125. Rates of release	25
126. Minimum flows in Freshwater Creek	25
127. Quality of water released from Copperlode Dam	25
128. Use of watercourses for distribution of water	25

CHAPTER 7– UNSUPPLEMENTED WATER**PART 1— GRANTING AND AMENDING WATER LICENCES**

140. Water licences granted to owners of specified land	26
141. Amendment of water licences 07898WK and 12325K	26

PART 2 – DEALING WITH WATER LICENCE APPLICATIONS

142. Water licence applications to which Part 1 applies	26
143. Applications to be refused	27
144. Applications for subcatchment area C of the <i>Water Resource (Barron) Plan 2002</i>	27
145. Previous water licences	27
146. Applications to interfere with the flow of water	27
147. Applications to increase the maximum rate of take	28
148. Application to change flow conditions	28

CHAPTER 8 – PERFORMANCE ASSESSMENT

160. Water monitoring	29
161. Natural ecosystems monitoring and assessment	29
162. Assessment	29

CHAPTER 9 – RESOURCE OPERATIONS LICENCE HOLDER MONITORING

174. Scope of Chapter 9	30
-----------------------------------	----

Division 1—Water quantity

175. Stream flow and storage water level data	30
176. Maximum supplementation rates in watercourses	30
177. Releases from Tinaroo Falls Dam	30
178. Announced allocations	30
179. Water taken by water users	31

180. Water taken for distribution losses	31
181. Seasonal water assignment of water allocations	31
182. Critical water supply arrangements	31

Division 2—Impact of storage operation on aquatic ecosystems

183. Water quality	31
184. Cyanobacteria (blue-green algae)	32
185. Bank condition	32
186. Fish stranding	32

Division 3—Data transfer

187. Quarterly data transfer	32
188. Monitoring data must be made available	32

Division 4—Reporting

Sub-division 1—Annual report

189. Annual report	33
------------------------------	----

Sub-division 2—Operational reporting

190. Operational reporting	34
--------------------------------------	----

Sub-division 3—Emergency reporting

191. Emergency reporting	34
------------------------------------	----

CHAPTER 10 – WATER LICENCE HOLDER FOR KURANDA WEIR MONITORING

203. Scope of Chapter 10	35
------------------------------------	----

Division 1—Water quantity

204. Stream flow	35
205. Water taken from Kuranda Weir	35

Division 2— Impact of storage operation on aquatic ecosystems

206. Water quality	35
207. Cyanobacteria (blue-green algae)	36
208. Barron River Falls	36

Division 3—Data transfer

209. Quarterly data transfer	36
210. Data retention	36

Division 4—Reporting

Sub-division 1—Annual report

211. Annual report	36
------------------------------	----

Sub-division 2—Operational reporting

212. Operational reporting	37
--------------------------------------	----

Sub-division 3—Emergency reporting

213. Emergency reporting	37
------------------------------------	----

CHAPTER 11 – WATER LICENCE HOLDER FOR COPPERLODE DAM MONITORING

225. Application of Chapter 11	38
--	----

Division 1—Water quantity

226. Stream flow and water take	38
227. Releases from Copperlode Dam	38

Division 2—Impact of storage operation on aquatic ecosystems

228. Water quality	38
229. Cyanobacteria (blue-green algae)	39

Division 3—Data transfer

230. Quarterly data transfer	39
231. Data retention	39

Division 4—Reporting***Sub-division 1—Annual report***

232. Annual report	39
------------------------------	----

Sub-division 2—Operational reporting

233. Operational reporting	40
--------------------------------------	----

Sub-division 3—Emergency reporting

234. Emergency reporting	40
------------------------------------	----

CHAPTER 12 – AMENDMENTS TO THE RESOURCE OPERATIONS PLAN**PART 1 –AMENDMENTS NOT REQUIRING PUBLIC NOTIFICATION**

246. Application of Chapter 12	41
247. Amendment necessary to implement an amendment to the <i>Water Resource (Barron) Plan 2002</i>	41
248. Amendment to monitoring requirements	41
249. Amendment to infrastructure details	41
250. Amendment to Chapter 6	41
251. Amendment to Chapter 4	42
252. Amendment to trading and seasonal assignment of ‘distribution loss’ water allocations	42
253. Amendment to specification of water year	42

PART 2 – AMENDMENTS REQUIRING PUBLIC NOTIFICATION

254. Amendments under the Water Act 2000	43
--	----

DICTIONARY	44
-----------------------------	----

ATTACHMENT 1 – RESOURCE OPERATIONS PLAN ZONES	46
--	----

ATTACHMENT 2 – LINKS BETWEEN THIS PLAN AND THE OUTCOMES OF THE WATER RESOURCE (BARRON) PLAN 2002	47
---	----

ATTACHMENT 3 - INFRASTRUCTURE DETAILS MAREEBA DIMBULAH WATER SUPPLY SCHEME	49
---	----

ATTACHMENT 4 - INFRASTRUCTURE DETAILS KURANDA WEIR	53
---	----

ATTACHMENT 5 - INFRASTRUCTURE DETAILS COPPERLODE DAM	54
---	----

ATTACHMENT 6(a) - WATER LICENCES GRANTED TO ATHERTON SHIRE COUNCIL	55
---	----

ATTACHMENT 6(b) - WATER LICENCE GRANTED TO STANWELL CORPORATION	56
--	----

ATTACHMENT 6(c) - WATER LICENCES GRANTED TO CAIRNS CITY COUNCIL	57
--	----

ATTACHMENT 7 - WATER LICENCES GRANTED TO UNSUPPLEMENTED WATER USERS	59
--	----

ATTACHMENT 8 - SUPPLEMENTED WATER ALLOCATIONS MANAGED BY THE RESOURCE OPERATIONS LICENCE HOLDER	60
--	----

EXPLANATORY NOTES	137
------------------------------------	-----

CHAPTER 1 – PRELIMINARY

1. Water resource plan implemented through the resource operations plan

This resource operations plan implements the *Water Resource (Barron) Plan 2002*.¹

2. Name of the resource operations plan

This resource operations plan may be cited as the '*Barron Resource Operations Plan 2005*'.

3. Commencement of the resource operations plan

This plan commences on the first business day after this plan is notified in the Queensland Government *Gazette*.

4. Plan area

This plan applies to the area shown as the plan area on the map in Attachment 1.

5. Water to which this plan applies

This plan applies to the water in—

- (a) a watercourse, lake or spring within the plan area; and
- (b) subartesian water in the Atherton Subartesian Area and Cairns Northern Beaches Subartesian Area.

6. Resource operations plan zones

- (1) Each of the zones shown on the map in Attachment 1 is a *resource operations plan zone* ('zone') for this plan.
- (2) Each zone includes—
 - (a) each part of a watercourse, lake or spring that lies within the zone; and
 - (b) those sections of tributaries where there is access to flow or pondage from a watercourse or lake within the zone.

7. Information about areas

- (1) The exact boundary of the plan area and zones is held in digital electronic form by the Department.
- (2) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.²

8. Purpose of a water allocation

- (1) The water taken under a water allocation must only be used for the purpose stated on that water allocation.
- (2) Subsection 1 does not apply to water taken under seasonal assignment unless the purpose is distribution loss.

¹ Because of the size and complexity of this plan some section numbers have been deliberately left blank. This will facilitate any plan amendments that may occur without the need for the whole plan to be renumbered.

² The boundary locations in digital electronic form may be inspected at the Department's offices at 167 Walsh Street, Mareeba, 5B Sheridan Street, Cairns and 83 Mabel Street, Atherton.

9. Departmental water monitoring data collection standard

- (1) Where this plan requires monitoring by a person or entity, including measurement, collection, analysis and storage of data, the person or entity must ensure the monitoring is consistent with the *Water Monitoring Data Collection Standard*.³
- (2) The *Water Monitoring Data Collection Standard* may be reviewed and updated by the chief executive at any time.
- (3) The chief executive must notify the resource operations licence holder, the water licence holder for Copperlode Dam and the water licence holder for Kuranda Weir at least 20 business days before any substantive changes are made to the *Water Monitoring Data Collection Standard*.

10. Departmental water monitoring data reporting standard

- (1) Any data that is transferred or published by the resource operations licence holder, the water licence holder for Copperlode Dam or the water licence holder for Kuranda Weir must be consistent with the chief executive's *Water Monitoring Data Reporting Standard*.⁴
- (2) The *Water Monitoring Data Reporting Standard* may be reviewed and updated by the chief executive at any time.
- (3) The chief executive must notify the resource operations licence holder, water licence holder for Kuranda Weir and water licence holder for Copperlode Dam at least 20 business days before any substantive changes are made to the *Water Monitoring Data Reporting Standard*.

11. Operating and environmental management rules and monitoring requirements

- (1) The operating and environmental management rules and monitoring requirements of this plan do not apply in situations where carrying out those rules or requirements would be unsafe to a person or persons.
- (2) Where Subsection 1 applies, the resource operations licence holder, water licence holder for Kuranda Weir or water licence holder for Copperlode Dam—
 - (a) must comply with the reporting requirements for operational or emergency incidents; and
 - (b) may submit an interim program for implementing the rules and requirements of this plan under Section 13.

12. Metering

- (1) Taking water under a water licence must be metered where—
 - (a) a volumetric limit is stated on the water licence; or
 - (b) the water licence is located in subcatchment area C shown in the *Water Resource (Barron) Plan 2002*.
- (2) Metering the take of unsupplemented water to which this plan applies must be in accordance with the arrangements prescribed by regulation made under the *Water Act 2000*.
- (3) The resource operations licence holder must meter, in accordance with National Standards, all water allocations managed under the resource operations licence.
- (4) This Section does not apply to water entitlements where the purpose is stated as stock and domestic.

³ The *Water Monitoring Data Collection Standard* can be accessed at: http://www.nrm.qld.gov.au/water/monitoring/pdf/wm_data_col_stds.pdf or alternatively, inspected at the department's office at 167 Walsh Street, Mareeba.

⁴ The *Water Monitoring Data Reporting Standard* can be accessed at: http://nrm.dnr.qld.gov.au/water/monitoring/pdf/wm_data_report_stds.pdf or alternatively, inspected at the department's office at 167 Walsh Street, Mareeba.

13. Implementation

- (1) The chief executive must implement requirements of this plan as soon as is practical.
- (2) Subsections 3 to 11 apply where the resource operations licence holder, water licence holder for Kuranda Weir or water licence holder for Copperlode Dam, is unable to meet the requirements of this plan.
- (3) The resource operations licence holder, water licence holder for Kuranda Weir or water licence holder for Copperlode Dam must—
 - (a) within eight weeks of commencement of this plan, submit a statement of current programs to the chief executive for approval; and
 - (b) within six months of commencement of this plan, submit a program for meeting the requirements of this plan to the chief executive for approval. The program must include a timetable and interim methods to be used.
- (4) The resource operations licence holder, water licence holder for Kuranda Weir or water licence holder for Copperlode Dam may, where an emergency or operational incident results in an inability to comply with any rules or requirements of this plan, submit an interim program for meeting the requirements of this plan to the chief executive for approval. The program must include a timetable and interim methods to be used.
- (5) Where the program submitted relates to the *Water Monitoring Data Collection Standard*, the program must include the accuracy of methods currently used.
- (6) The chief executive, in considering any program submitted under Subsection 3(b) or Subsection 4, may request further information.
- (7) The chief executive, in considering any program submitted under Subsection 3(b) or Subsection 4, may either—
 - (a) approve the program with or without conditions;
 - (b) approve the amended program; or
 - (c) require the resource operations licence holder, water licence holder for Kuranda weir or water licence holder for Copperlode Dam, to submit a proposal for a revised program.
- (8) Within 10 business days of making a decision on any program submitted under Subsection 3(b) or Subsection 4, the chief executive must notify the resource operations licence holder, water licence holder for Kuranda Weir or water licence holder for Copperlode Dam of the decision.
- (9) Following approval of the program by the chief executive, the resource operations licence holder, water licence holder for Kuranda Weir or water licence holder for Copperlode Dam must implement and operate in accordance with the approved program.
- (10) Where there is conflict between the provisions of this plan and the provisions of an approved program, the approved program prevails for the time that the program is in place.
- (11) Where this Section applies, the resource operations licence holder, water licence holder for Kuranda Weir or water licence holder for Copperlode Dam may continue to operate under current operation programs prior to approval of a program.

14. Sustainable management of water

This plan, in implementing the *Water Resource (Barron) Plan 2002*, provides for the sustainable management of water by—

- (a) allowing for the allocation of water and contributing to the fair, orderly and efficient allocation of water to meet community needs by—
 - (i) detailing processes for dealing with unallocated water;
 - (ii) granting authorisations for the management of, taking of and interfering with water; and
 - (iii) establishing water allocations that are tradable and separate from land.

- (b) protecting the biological diversity and health of natural ecosystems and contributing to the protection and, where possible, the reversal of degradation of water, watercourses, lakes, springs, aquifers, natural ecosystems and other resources by—
 - (i) detailing processes for dealing with unallocated water;
 - (ii) detailing the operating, environmental management and water sharing rules for the Mareeba Dimbulah Water Supply Scheme;
 - (iii) detailing the operating rules for Copperlode Dam;
 - (iv) detailing the operating rules for Kuranda Weir;
 - (v) detailing arrangements for the collection and assessment of data by the chief executive relating to *Water Resource (Barron) Plan 2002* general ecological outcomes;
 - (vi) detailing water and natural ecosystem monitoring responsibilities for the holder of the resource operations licence for the Mareeba Dimbulah Water Supply Scheme; and
 - (vii) detailing water and natural ecosystem monitoring responsibilities for the holders of water licences for Copperlode Dam and Kuranda Weir;
- (c) contributing to improving the confidence of water users regarding the availability and security of water entitlements by—
 - (i) detailing processes for dealing with unallocated water;
 - (ii) detailing the operating, environmental management and water sharing rules for the Mareeba Dimbulah Water Supply Scheme;
 - (iii) detailing change rules for water allocations in the Mareeba Dimbulah Water Supply Scheme;
 - (iv) detailing the operating rules for Copperlode Dam;
 - (v) detailing the operating rules for Kuranda Weir;
 - (vi) detailing water and natural ecosystem monitoring responsibilities for the holder of the resource operations licence for the Mareeba Dimbulah Water Supply Scheme;
 - (vii) detailing processes for dealing with applications for water licences relating to unsupplemented water in watercourses, lakes and springs;
 - (viii) detailing arrangements for the collection and assessment of data by the chief executive relating to *Water Resource (Barron) Plan 2002* outcomes; and
 - (ix) detailing those parts of the plan that may be amended under Section 106(b) of the *Water Act 2000* (stated amendments of resource operations plan);
- (d) contributing to increasing community understanding and participation in the sustainable management of water by—
 - (i) providing opportunities for community participation and submissions as part of plan development; and
 - (ii) clearly specifying rules and arrangements for the allocation and management of water in the plan area, including explanatory notes that provide details of the intent and application of each Section of this plan.

15. Addressing water resource plan outcomes

- (1) This plan addresses *Water Resource (Barron) Plan 2002* outcomes by—
 - (a) specifying processes, rules and limits, that are consistent with the environmental flow objectives and water allocation security objectives specified in the *Water Resource (Barron) Plan 2002*; and

- (b) providing reporting arrangements to assist in the ongoing assessment of whether water allocation and management arrangements in the plan area have contributed to the achievement of *Water Resource (Barron) Plan 2002* outcomes.
- (2) Table 1 of Attachment 2 lists the outcomes of the *Water Resource (Barron) Plan 2002* and how the rules and requirements of this plan are linked to those outcomes.

16 to 26 Section numbers not used⁵

⁵ Refer to Footnote for Section 1

CHAPTER 2 – PROCESS FOR DEALING WITH UNALLOCATED WATER

PART 1—SUBCATCHMENT AREA C (BARRON CATCHMENT ABOVE TINAROO FALLS DAM)

27. Scope of Part 1

This Part sets out the process for dealing with unallocated surface water in subcatchment area C.⁶

28. Unallocated water available under defined process

Unallocated surface water from subcatchment area C shown in the *Water Resource (Barron) Plan 2002* is reserved for future use in that subcatchment area and a process for dealing with unallocated water in the subcatchment area is to be implemented by an amendment to this plan.

29. Timing of process for making the reserved water available

Water reserved for future use under Section 28 may be made available when water entitlement conversion and water sharing rules for unsupplemented water in subcatchment area C are implemented by an amendment of this plan.

PART 2—SUBCATCHMENT AREA A (BARRON CATCHMENT BELOW TINAROO FALLS DAM)

30. Scope of Part 2

This Part sets out the processes for dealing with unallocated surface water in subcatchment area A.⁷

31. Reservation of water for future use

- (1) Unallocated surface water from Subcatchment Area A is reserved for future urban use in the Cairns City Local Government Area.
- (2) The maximum annual volume of the reserved water is 4 000 ML/annum.
- (3) Any reserved water made available must be taken from the Barron River at Lake Placid.

32. Submission for the reserved water to be made available

- (1) The chief executive may only make all or part of the reserved water available following receipt of a submission in writing from Cairns City Council⁸ for the reserved water to be made available.

⁶ Schedule 3, *Water Resource (Barron) Plan 2002*

⁷ Schedule 3, *Water Resource (Barron) Plan 2002*

⁸ This includes business units such as Cairns Water.

- (2) The submission for reserved water from Cairns City Council must provide the following—
 - (a) the volume of water required;
 - (b) an offer price, per megalitre, for the water required;
 - (c) when the water is required;
 - (d) a statement addressing each of the matters that the chief executive must consider under Section 25(1) of the *Water Resource (Barron) Plan 2002*;
 - (e) information demonstrating that the water is needed to meet water demands in the Cairns City Local Government Area;
 - (f) details of the proposed arrangements for the taking of the reserved water; and
 - (g) information demonstrating that the proposed arrangements for the taking of the reserved water are consistent with the *Water Resource (Barron) Plan 2002*.

33. Assessment of submission for the reserved water

- (1) In assessing a submission for the reserved water to be made available, the chief executive must consider—
 - (a) the matters specified in Section 32(2) of this plan; and
 - (b) if the submission is consistent with approved plans developed for the management of water demand and for the augmentation of water supplies for Cairns City Local Government Area.
- (2) Subsection 1 does not limit the matters the chief executive may consider.

34. Additional information may be required

The chief executive may require additional information about the submission.

35. Deciding the submission

- (1) If the submission is consistent with the *Water Resource (Barron) Plan 2002*, the chief executive may decide to make all or part of the reserved water available.
- (2) Where the chief executive decides to make the reserved water available, the chief executive must decide—
 - (a) the maximum rate of take and volume of water to be released;
 - (b) the price for the water that is to be made available; and
 - (c) conditions under which the water is available.
- (3) Where the chief executive decides that the reserved water should not be made available, the chief executive must give the Cairns City Council an information notice within 30 business days of making the decision.

36. Water licence must be granted

Where the chief executive decides to make the water available, the chief executive must grant a water licence to the Cairns City Council in accordance with Section 212 of the *Water Act 2000*.

PART 3 — SUBCATCHMENT AREAS B, D, E, F AND G

37. Unallocated water unavailable under defined process

No unallocated water is reserved for future use in subcatchment areas B, D, E, F and G shown in the *Water Resource (Barron) Plan 2002*.

PART 4 — SUBARTESIAN WATER

38. Scope of Part 3

This Part sets out the processes for dealing with unallocated subartesian water in the Cairns Northern Beaches Subartesian Area and management area B of the Atherton Subartesian Area.

39. Unallocated subartesian water available under defined process

Unallocated subartesian water in the Cairns Northern Beaches Subartesian Area and management area B of the Atherton Subartesian Area is dealt with under Section 50, Section 54 and Section 57 of the *Water Resource (Barron) Plan 2002*.

40. Subartesian management area A

- (1) There is no unallocated subartesian water reserved for future use in management area A of the Atherton Subartesian Area.
- (2) The chief executive must refuse any applications to which Section 56(1)(a), (b) or (c) of the *Water Resource (Barron) Plan 2002* applies.

41 to 51 Section numbers not used⁹

⁹ Refer to footnote for Section 1.

CHAPTER 3 – GRANTING AND CONVERTING AUTHORISATIONS

PART 1—GRANTING OF A RESOURCE OPERATIONS LICENCE

52. Resource operations licence

- (1) The chief executive must grant a resource operations licence to SunWater for the Mareeba Dimbulah Water Supply Scheme.
- (2) The infrastructure associated with the resource operations licence for the Mareeba Dimbulah Water Supply Scheme is described in Attachment 3.
- (3) Water allocations managed under the resource operations licence for the Mareeba Dimbulah Water Supply Scheme are detailed in Attachment 8.

PART 2—GRANTING OF WATER LICENCES

53. Water licences granted to Atherton Shire Council

- (1) The chief executive must grant water licences to Atherton Shire Council as follows—
 - (a) a water licence to take water from Scrubby Creek in accordance with Attachment 6(a) Table 1; and
 - (b) water licences to take water from the Barron River in accordance with Attachment 6(a) Table 2 and Table 3.
- (2) The water licences granted under Subsection 1 replace the existing authorisations to take water held by the Council and originally authorised by—
 - (a) Order in Council dated 31 August 1961; and
 - (b) Order in Council dated 28 August 1975.¹⁰

54. Water licence granted to Stanwell Corporation

The chief executive must grant a water licence to take water to Stanwell Corporation in accordance with Attachment 6(b).

55. Water licences granted to Cairns City Council

- (1) The chief executive must grant water licences to the Cairns City Council as follows—
 - (a) for Copperlode Dam a water licence to interfere with flow of water as detailed in Attachment 6(c) Table 1; and
 - (b) for diversion works on Freshwater Creek—
 - (i) a water licence to interfere with flow as detailed in Attachment 6(c) Table 2; and
 - (ii) a water licence to take water as detailed in Attachment 6(c) Table 3.
- (2) The water licences granted under Subsection 1 replace the existing authorisations to take held by Cairns City Council and originally authorised by Order in Council dated 22 March 1973.¹¹

¹⁰ The replaced authorisations automatically expire under Section 1037(1)(b) of the *Water Act 2000*.

¹¹ The replaced authorisations automatically expire under Section 1037(1)(b) of the *Water Act 2000*.

PART 3— RULES FOR CONVERSION TO AND GRANTING OF WATER ALLOCATIONS

56. Schedule of water allocations

Details of water allocations converted and granted from *existing water authorisations* are listed in Attachment 8.¹²

Division 1—Conversion of supplemented authorisations

57. Application of Division 1

This Division applies to interim water allocations being converted to water allocations within the Mareeba Dimbulah Water Supply Scheme.

58. Rules for the conversion of existing water authorisations

The rules applied in determining details of the water allocations detailed in Attachment 8 are—

- (a) the person granted the water allocation must be the person who holds the *existing water authorisation* from which the water allocation is converted;
- (b) the *location* for the water allocation is the zone that includes the place on a watercourse, lake or spring at which the water could be taken under, or for, the *existing water authorisation*;
- (c) the purpose for the water allocation must be ‘any’ unless stated otherwise in Section 33 of the *Water Resource (Barron) Plan 2002*;
- (d) the nominal volume for the water allocation must be in accordance with Section 35 of the *Water Resource (Barron) Plan 2002*; and
- (e) the priority group for the water allocation must be in accordance with Section 36 of the *Water Resource (Barron) Plan 2002*.

59 to 69 Section numbers not used¹³

¹² Converted water authorisations automatically expire under Section 121 of the *Water Act 2000*.

¹³ Refer to footnote for Section 1.

CHAPTER 4 – MAREEBA DIMBULAH WATER SUPPLY SCHEME

70. Application of Chapter 4

This Chapter applies to—

- (a) the resource operations licence holder for the Mareeba Dimbulah Water Supply Scheme; and
- (b) all water allocations associated with the Mareeba Dimbulah Water Supply Scheme.

PART 1—OPERATING AND ENVIRONMENTAL MANAGEMENT RULES

71. Use of watercourses for distribution

- (1) The resource operations licence holder must use only those watercourses listed in Table 1 for distribution of water.
- (2) The term ‘supplementation point’ in Table 1 refers to the supplementation point in existence on commencement of this plan.

TABLE 1: WATERCOURSES USED FOR WATER DISTRIBUTION

Name	Description
Barron River	The part of the Barron River downstream of Tinaroo Falls Dam
Tinaroo Creek	The part of Tinaroo Creek between the supplementation point and the creek’s confluence with the Barron River
Ada Creek	The part of Ada Creek between the supplementation point and the creek’s confluence with Tinaroo Creek
Granite Creek	The part of Granite Creek between the supplementation point and the creek’s confluence with the Barron River
Nicotine Creek	The part of Nicotine Creek between the supplementation point and the creek’s confluence with Granite Creek
Atherton Creek	The part of Atherton Creek between the supplementation point and the creek’s confluence with Granite Creek
Cobra Creek	The part of Cobra Creek between the supplementation point and the creek’s confluence with the Barron River
Emerald Creek	The part of Emerald Creek between the supplementation point and the creek’s confluence with the Barron River
Levison Creek	The part of Levison Creek between the supplementation point and the creek’s confluence with Emerald Creek
Shanty Creek	The part of Shanty Creek between the supplementation point and the creek’s confluence with the Barron River
Brindle Creek	The part of Brindle Creek between the supplementation point and the creek’s confluence with Davies Creek
Davies Creek	The part of Davies Creek between its confluence with Brindle Creek and its confluence with the Clohesy River
Clohesy River	The part of the Clohesy River between its confluence with Davies Creek and its confluence with the Barron River
Unnamed tributary	The part of an unnamed tributary of the Barron River between the supplementation point at the M18 pipeline outfall and the tributary’s confluence with the Barron River
Walsh River	The part of the Walsh River between Collins Weir and Flatrock (AMTD 197.9km)

Name	Description
Eureka Creek	The part of Eureka Creek between Solanum Weir and the creek's confluence with the Walsh River
Murphys Creek	The part of Murphys Creek between the supplementation point and the creek's confluence with the Walsh River
Two Mile Creek	The part of Two Mile Creek between the supplementation point and the creek's confluence with Douglas Creek
Leadingham Creek	The part of Leadingham Creek where water is ponded near the creek's confluence with the Walsh River

72. Operating level of storages

- (1) The resource operations licence holder must not release or supply water from any storage in the Mareeba Dimbulah Water Supply Scheme, when the water level in that storage is at or below its minimum operating level as specified in Attachment 3.
- (2) This Section does not apply to the release or supply of water in accordance with the *critical water supply arrangements* outlined in Section 84.

73. Waterhole management

The resource operations licence holder must ensure that flow is maintained through all waterholes on the Barron River below Tinaroo Falls Dam, including Lake Placid.

74. Maximum discharge rates in watercourses

The resource operations licence holder may release water from supplementation works into watercourses at a total rate up to the maximum discharge rate specified for the watercourse in Table 2.

TABLE 2: MAXIMUM DISCHARGE RATES

Watercourse	Maximum Discharge Rate
Tinaroo Creek	25 ML/day
Granite Creek	250 ML/day
Nicotine Creek	40 ML/day
Atherton Creek	25 ML/day
Cobra Creek	65 ML/day
Emerald Creek	70 ML/day
Levison Creek	15 ML/day
Shanty Creek	75 ML/day
Brindle Creek	60 ML/day
Walsh River	340 ML/day
Eureka Creek	40 ML/day
Murphys Creek	8 ML/day
Two Mile Creek	180 ML/day
Unnamed Tributary of the Barron River (M18 outfall)	25 ML/day

75. Change in rate of release

The resource operations licence holder must minimise the occurrence of adverse environmental impacts (such as *fish stranding* and bank slumping, etc.) by—

- (a) ensuring that any reduction in the rate of release of water from Tinaroo Falls Dam to the Barron River occurs incrementally; and
- (b) ensuring that the daily rate of release of water from Tinaroo Falls Dam does not increase or decrease by more than 250 ML/day when releases in excess of 500 ML/day are being made.

76. Classification of Tinaroo Falls Dam storage level

- (1) For the purposes of this Chapter, Table 3 applies in determining whether the Tinaroo Falls Dam storage level is classified as low, medium or high.
- (2) The storage level classification must be determined on the first day of each month and applies for the whole of that month regardless of any change in the storage level during the month.

TABLE 3: TINAROO FALLS DAM STORAGE LEVEL CLASSIFICATIONS

Month	Storage volume on the first day of the month (ML)		
	Low	Medium	High
January	40 000 to 171 000	171 000 to 328 000	Greater than 328 000
February	40 000 to 162 000	162 000 to 319 000	Greater than 319 000
March	40 000 to 154 000	154 000 to 311 000	Greater than 311 000
April	40 000 to 246 000	246 000 to 403 000	Greater than 403 000
May	40 000 to 238 000	238 000 to 395 000	Greater than 395 000
June	40 000 to 229 000	229 000 to 386 000	Greater than 386 000
July	40 000 to 221 000	221 000 to 378 000	Greater than 378 000
August	40 000 to 213 000	213 000 to 370 000	Greater than 370 000
September	40 000 to 204 000	204 000 to 361 000	Greater than 361 000
October	40 000 to 196 000	196 000 to 353 000	Greater than 353 000
November	40 000 to 187 000	187 000 to 344 000	Greater than 344 000
December	40 000 to 179 000	179 000 to 336 000	Greater than 336 000

77. Minimum Barron River flows

- (1) The resource operations licence holder must—
 - (a) make releases from Tinaroo Falls Dam whenever necessary to maintain the minimum daily river flow volumes detailed in Table 4;
 - (b) make releases from Tinaroo Falls Dam to ensure that the following flows occur at Node 5¹⁴ if Tinaroo Falls Dam overflows in the period from 1 January to 30 April—
 - (i) a daily flow volume of at least 1850 ML per day, on at least one day within seven days of the dam first overflowing; and
 - (ii) at least 758 ML per day for the remaining days in the period from 1 January to 30 April while Tinaroo Falls Dam's storage level exceeds 436 000 ML; and
 - (c) make releases from Tinaroo Falls Dam whenever necessary to maintain the daily river flow volumes for the Barron River at Lake Placid as detailed in Table 5.

¹⁴ Barron River at Tinaroo Falls AMTD 101.1km.

- (2) Subsection 1(c) applies only if the total of all water allocations supplied in zone C by the resource operations licence holder exceeds 1 000 ML.
- (3) For the purpose of this Section, Tinaroo Falls Dam is considered to *overflow* when the water level of the dam is 0.1 m or more above the dam's full supply level as specified in Table 1 of Attachment 3.

TABLE 4: MINIMUM DAILY RIVER FLOW VOLUMES FOR THE BARRON RIVER

Season	Tinaroo Falls Dam water level classification		
	Low	Medium	High
Node 2 (Barron River at Myola AMTD 27.1km)			
January to April	50 ML per day	180 ML per day	350 ML per day
May to August	50 ML per day	300 ML per day	813 ML per day
September to December	50 ML per day	175 ML per day	380 ML per day
Node 4 (Barron River at Mareeba AMTD 70.2km)			
January to April	30 ML per day	30 ML per day	30 ML per day
May to August	30 ML per day	30 ML per day	30 ML per day
September to December	30 ML per day	30 ML per day	30 ML per day
Node 5 (Barron River at Tinaroo Falls AMTD 101.1km)			
January to April	10 ML per day	10 ML per day	10 ML per day
May to August	10 ML per day	10 ML per day	10 ML per day
September to December	10 ML per day	10 ML per day	10 ML per day

TABLE 5: MINIMUM DAILY RIVER FLOW VOLUMES FOR THE BARRON RIVER AT LAKE PLACID OVERFLOW

Season	Tinaroo Falls Dam water level classification		
	Low	Medium	High
January to April	50 ML per day	200 ML per day	400 ML per day
May to August	50 ML per day	450 ML per day	900 ML per day
September to December	50 ML per day	260 ML per day	480 ML per day

78. Releases from Tinaroo Falls Dam for hydropower and other purposes

- (1) The resource operations licence holder may make releases from Tinaroo Falls Dam to maintain the daily river flow volumes at Node 2,¹⁵ up to the daily river flow volumes detailed in Table 6.
- (2) The resource operations licence holder may, in addition to releases made in accordance with Subsection 1, release up to 24 700 ML of water from Tinaroo Falls Dam in a month, provided that—
 - (a) the storage level classification for that month is high; and
 - (b) the actual storage level of Tinaroo Falls Dam is high on any day on which water is released from the dam under this Subsection.
- (3) The resource operations licence holder must prepare and maintain operating procedures that demonstrate that arrangements are in place to ensure that the amount of water released from Tinaroo Falls Dam under this Section is no more than is reasonably required to meet releases made under Subsection 1 and Subsection 2.

¹⁵ Barron River at Myola AMTD 27.1km.

TABLE 6: MAXIMUM DAILY RIVER FLOW VOLUMES FOR THE BARRON RIVER AT NODE 2 (BARRON RIVER AT MYOLA AMTD 27.1) UNDER HYDROPOWER RELEASE ARRANGEMENTS

Season	Tinaroo Falls Dam water level classification		
	Low	Medium	High
January to April	122 ML per day	196 ML per day	196 ML per day* or As per table 4
May to August	122 ML per day	As per table 4	196 ML per day* or As per table 4
September to December	122 ML per day	196 ML per day	196 ML per day* or As per table 4

*plus daily volume released in accordance with Section 78(2)

79. Relationship between Sections 77 and 78

To remove any doubt, all minimum daily river flow volumes and releases made from Tinaroo Falls Dam associated with the requirements of Section 77 must be considered to be part of, and not additional to, releases made under Section 78.

80. Additional requirements for releases under Sections 77 and 78

The release of water from Tinaroo Falls Dam for the purposes of Sections 77 and 78 must be made via means that achieve environmental flow objectives as specified in the *Water Resource (Barron) Plan 2002* for Node 4 and Node 5.

PART 2—WATER SHARING RULES

Division 1—Announced allocations

81. Announced allocations

- (1) The resource operations licence holder must—
 - (a) determine an *announced allocation* for each priority group for use in defining the share of water available to be taken under water allocations in that priority group;
 - (b) use the water sharing rules specified in Division 2 of this Part, to calculate *announced allocations* throughout the year;
 - (c) calculate and set the *announced allocation* for each priority group on the first day of each *water year*;
 - (d) recalculate the *announced allocation* on the first day of every month following the commencement of a *water year* and reset the *announced allocation* if a recalculation indicates that the calculated *announced allocation* would—
 - (i) increase by five or more percentage points; or
 - (ii) increase to 100 percent;
 - (e) within five business days of setting or resetting an *announced allocation*—
 - (i) *publish* details of the *announced allocation*; and
 - (ii) *publish* details of the *announced allocation*, including parameters for determining the *announced allocation*, on the resource operations licence holders internet site for the Mareeba Dimbulah Water Supply Scheme; and
 - (f) not reduce the *announced allocation* during a *water year* unless water restrictions are imposed in accordance with the *critical water supply arrangements* in Section 84.
- (2) The volume of water taken in a *water year* under the authority of a water allocation must not exceed the nominal volume of the water allocation multiplied by the *announced allocation* and divided by 100.
- (3) The announced allocation must not be greater than 100 percent.

Division 2—Water Sharing Rules

82. High priority water allocations

- (1) The *announced allocation* for high priority water allocations must be in accordance with the *critical water supply arrangements* approved by the chief executive.
- (2) Where no *critical water supply arrangements* have been approved by the chief executive, the stored *announced allocation* for high priority water allocations must be as follows—
 - (a) 100 percent where the *announced allocation* for medium priority water (AA_{MP}) is greater than zero percent; or
 - (b) if the *announced allocation* for medium priority water (AA_{MP}) is zero percent, the resource operations licence holder must determine the *announced allocation* using the following formula—

$$AA_{HP} = 100 \times \frac{(UV + IN - TOA - MFV + DIV^{HP})}{HPA}$$

- (3) The parameters used in the *announced allocation* formula are defined in Table 7.

83. Medium priority water allocations

- (1) The *announced allocation* for medium priority water allocations must be in accordance with the *critical water supply arrangements* approved by the chief executive.
- (2) Where no *critical water supply arrangements* have been approved by the chief executive, the resource operations licence holder must determine the *announced allocation* percentage for medium priority water allocations using the following formula—

$$AA_{MP} = 100 \times \frac{(UV + IN - (HPA \times AA_{HP}) - RE - TOA - MFV + DIV^{HP} + DIV^{MP})}{MPA}$$

- (3) The parameters used in the *announced allocation* formula are defined in Table 7.

TABLE 7: ANNOUNCED ALLOCATION PARAMETERS

Term	Definition
AA_{MP} Medium priority announced allocation percentage	The percentage of the nominal volume for a medium priority water allocation that may be taken for the water year.
AA_{HP} High priority announced allocation percentage	The percentage of the nominal volume for a high priority water allocation that may be taken for the water year.
HPA High priority water allocations (ML)	The total nominal volume of high priority water allocations in the scheme, including the channel losses associated with delivering the high priority allocation.
MPA Medium priority water allocations (ML)	The total nominal volume of medium priority water allocations in the scheme, including the channel losses associated with delivering the medium priority allocation.

Term	Definition
<p>UV Useable volume (ML)</p>	<p>UV is the sum of the useable volume of Tinaroo Falls Dam plus the weirs minus the storage losses—</p> <p>UV = sum (UV storage)</p> <p>UVstorage = (CV-DSV-SL)</p> <p>UVstorage = 0 if (CV-DSV-SL) is less than 0</p> <p>Where—</p> <ul style="list-style-type: none"> • UV is the useable volume of Tinaroo Falls Dam plus the volume stored in weirs. • CV is the current volume of Tinaroo Falls Dam plus the weirs. • DSV is the <i>dead storage</i> volume of Tinaroo Falls Dam plus the weirs. • SL is the projected storage loss from Tinaroo Falls Dam (calculated using data in the second column of Table 8) from each storage for the remainder of the water year. The storage loss volume is calculated by using the value for the month in question multiplied by the current surface area of the storage.
<p>IN Inflow (ML)</p>	<p>IN is the allowance for inflows used in the <i>announced allocation</i> calculations. IN is equal to the value in Table 9 for the month in which the <i>announced allocation</i> is set or reset.</p>
<p>RE Reserve (High Priority) (ML)</p>	<p>The reserve volume is the storage volume set aside to provide future water supply of high priority water allocation. When Tinaroo Falls Dam is greater than 75 percent full the reserve volume is zero. When Tinaroo Falls Dam is less than or at 75 percent full, then the RE is 1.2 times the total nominal volume of high priority water allocations.</p>
<p>TOA Transmission operational allowance (mm)</p>	<p>TOA is an allowance for the river transmission operations expected to occur in running the system to the end of the water year. TOA varies with the <i>announced allocation</i> for medium priority water allocations. TOA is to be linearly interpolated from Table 10.</p>
<p>MFV Minimum river flow volumes allowance (ML)</p>	<p>MFV is an allowance for releases from Tinaroo Falls Dam to meet the requirements of Section 77 and Section 78 of this plan. MFV is obtained from Table 11.</p>
<p>DIV^{HP} Diverted volume High Priority (ML)</p>	<p>DIV^{HP} is the volume of high priority water diverted from the system to the time of assessment of the <i>announced allocation</i>.</p>
<p>DIV^{MP} Diverted volume Medium Priority (ML)</p>	<p>DIV^{MP} is the volume of medium priority diverted from the system to the time of assessment of the <i>announced allocation</i>.</p>

TABLE 8: STORAGE LOSS FOR TINAROO FALLS DAM (USEABLE VOLUME CALCULATION)

Month in which announced allocations are calculated	Storage Loss until the end of the water year (mm)
July	1559
August	1491
September	1395
October	1260
November	1077
December	891
January	708
February	538
March	403
April	261
May	150
June	66

TABLE 9: INFLOW ALLOWANCES

Month	Inflow to Tinaroo Falls Dam (ML)
July	2170
August	2365
September	1830
October	1380
November	880
December	1740
January	3370
February	3720
March	6975
April	5030
May	5550
June	2345

TABLE 10: TRANSMISSION AND OPERATION ALLOWANCE (TOA)

Month in which the AA is calculated	Transmission and operation allowance (ML)					
	At AA _{MP} = 0%	At AA _{MP} = 30%	At AA _{MP} = 45%	At AA _{MP} = 60%	At AA _{MP} = 80%	At AA _{MP} = 100%
July	3204	9544	12 713	15 883	20 109	24 336
August	2945	8650	11 503	14 356	18 160	21 963
September	2687	7632	10 105	12 577	15 874	19 170
October	2351	6345	8342	10 339	13 002	15 664
November	2010	5053	6575	8096	10 125	12 153
December	1671	4207	5475	6743	8433	10 124
January	1384	3540	4618	5695	7132	8569
February	1132	3097	4080	5063	6373	7683
March	924	2762	3681	4600	5826	7052
April	705	2480	3368	4255	5438	6622
May	457	1852	2549	3246	4176	5106
June	240	874	1 191	1508	1931	2353

TABLE 11: MINIMUM DAILY RIVER FLOW VOLUMES ALLOWANCE (MFV)

Tinaroo Falls Dam storage volume (ML)		
Month in which announced allocation is calculated	Greater than 329 190 ML	Less than or equal to 329 190 ML
July	96 685	36 244
August	91 190	36 244
September	85 696	36 244
October	80 201	36 244
November	74 706	36 244
December	69 212	36 244
January	63 717	36 244
February	58 223	36 244
March	52 728	36 244
April	47 233	36 244
May	41 739	36 244
June	36 244	36 244

84. Critical water supply arrangements

- (1) The resource operations licence holder must prepare and submit *critical water supply arrangements* to the chief executive for approval within 12 months of commencement of this plan.
- (2) The *critical water supply arrangements* must—
 - (a) be developed with participation from local government, stakeholders and the community;
 - (b) include triggers for commencement and cessation of the arrangements;
 - (c) include a monitoring and reporting schedule; and
 - (d) consider the following—
 - (i) incremental implementation of restrictions on high priority water allocations prior to the *announced allocation* for medium priority water reaching zero; and
 - (ii) the minimum requirements for essential services, industry and basic per capita consumption (excluding water for use outside of the home).
- (3) The chief executive, in assessing or determining the submission, may either—
 - (a) request further information;
 - (b) approve the *critical water supply arrangements* with or without conditions;
 - (c) approve the amended *critical water supply arrangements*; or
 - (d) require the resource operations licence holder to submit a proposal for revised *critical water supply arrangements*.

85. Amendment of critical water supply arrangements

- (1) The resource operations licence holder may submit a proposal for changes to the *critical water supply arrangements* to the chief executive at any time.
- (2) The chief executive, in assessing or determining a proposal for changes to the *critical water supply arrangements* submitted under Section 84, may either—
 - (a) request further information;
 - (b) approve the proposed changes to the *critical water supply arrangements* with or without conditions;
 - (c) approve the proposed changes to the *critical water supply arrangements*; or
 - (d) refuse the proposed changes to the *critical water supply arrangements*.

- (3) The chief executive may amend the *critical water supply arrangements*, or require the resource operations licence holder to submit a proposal for revised *critical water supply arrangements* at any time.

PART 3—WATER ALLOCATION CHANGE RULES

86. Scope of Part 3

This Part provides for changes to a water allocation managed under a resource operations licence that are permitted changes, prohibited changes or other changes.

Division 1—Permitted changes

87. Barron River zone group

For this Division, zone B and zone C are in the Barron River zone group.

88. Location

- (1) A change to the *location* for the taking of water under a water allocation that belongs to a medium or high priority group is permitted provided the change would not result in a total nominal volume in a zone or zone group that—
- exceeds the maximum total nominal volume for a zone or zone group; or
 - is less than the minimum total nominal volume for a zone or zone group.
- (2) For this Section, the maximum and minimum total nominal volume for each zone and each zone group for the Mareeba Dimbulah Water Supply Scheme is identified in Table 12.
- (3) For this Section, the total nominal volume in a zone or zone group is the total nominal volume of all water allocations—
- for the zone or zone group; and
 - for which relevant *valid change certificates* have been issued under Section 129 of the *Water Act 2000*.

TABLE 12: PERMITTED DISTRIBUTIONS IN THE MAREEBA DIMBULAH WATER SUPPLY SCHEME

Zone / zone group	Minimum total nominal volume (ML)	Maximum total nominal volume (ML)
Zone A	0	15 000
Zone B	0	13 500
Zone C	0	20 000
Zone D	86 200	No limit
Zone E	9500	29 500
Barron River zone group	8500	33 500

89. Priority group

- (1) A change to the priority group of a water allocation that belongs to a medium priority group to a high priority group is permitted, where—

- (a) the nominal volume, in megalitres, is calculated by multiplying the nominal volume of the water allocation that belongs to the medium priority group, by the conversion factor of 0.7 and rounding down to the nearest whole number; and
 - (b) the maximum total nominal volume for high priority water supplied under the resource operations licence is 33 900 ML.
- (2) A change to the priority group of a water allocation that belongs to a high priority group to a medium priority group is permitted where the nominal volume, in megalitres, is calculated by dividing the nominal volume of the water allocation that belongs to the high priority group, by the conversion factor of 0.7 and rounding down to the nearest whole number.

90. Purpose

A change to the purpose of a water allocation is permitted where the change in purpose is from—

- (a) ‘any’ to ‘rural’; or
- (b) ‘rural’ to ‘any’.

91. Subdivision and amalgamation

- (1) Subdivision of a water allocation is permitted where—
- (a) the sum of the nominal volumes of the new water allocations is equal to the nominal volume of the water allocation that is being subdivided; and
 - (b) the *location* and priority group of the new water allocations is the same as that of the water allocation that is being subdivided.
- (2) Amalgamation of water allocations is permitted where—
- (a) the nominal volume of the new water allocation is equal to the sum of the nominal volumes of the water allocations that are being amalgamated; and
 - (b) the *location* and priority group of water allocations that are being amalgamated are the same.

Division 2—Prohibited changes

92. Prohibited changes

- (1) The following changes are prohibited—
- (a) a change that would result in—
 - (i) the nominal volume in a zone or zone group in Table 12 exceeding the maximum total nominal volume for the zone or zone group;
 - (ii) the nominal volume in a zone or zone group in Table 12 being less than the minimum total nominal volume for the zone or zone group; or
 - (iii) the nominal volume of the new water allocation not being expressed as a whole number, unless an existing water allocation to be changed, specifies a nominal volume that is not a whole number;
 - (b) a subdivision where the combined nominal volume of each new water allocation is not equal to the nominal volume of the original water allocation being subdivided;
 - (c) an amalgamation where the nominal volume of the new water allocation is not equal to the combined nominal volume of the original water allocations being amalgamated;
 - (d) a change to a priority group that is not specified in the *Water Resource (Barron) Plan 2002*; and
 - (e) a change to a location that is not a location listed in Table 12 of this plan.
- (2) For this Section, the total nominal volume in a zone or zone group is the total nominal volume of all water allocations of the same priority group for the zone or zone group.

Division 3—Other changes

93. Application for changes not specified as permitted or prohibited

An application for a change to a water allocation that is not specified as permitted or prohibited may be made in accordance with Section 130 of the *Water Act 2000*.

PART 4—SEASONAL WATER ASSIGNMENT RULES

94. Maximum water use

For this Part—

- (a) the maximum volume of water that may be used in a zone in a *water year* for the Mareeba Dimbulah Water Supply Scheme is the maximum *water use* volume indicated in Table 13 for each zone.
- (b) total *water use* in a zone is the total volume of water used under water allocations for all priority groups managed by the resource operations licence holder for the zone.

TABLE 13: MAXIMUM WATER USE VOLUMES FOR THE MAREEBA DIMBULAH WATER SUPPLY SCHEME

Resource operations plan zone	Zone A	Zone B	Zone C	Zone D	Zone E
Maximum water use	15 000 ML	13 500 ML	20 000 ML	No limit	29 500 ML

95. Seasonal water assignment rules

- (1) The resource operations licence holder may approve a seasonal assignment of a volume of water provided that the total *water use* in a *water year* for each zone does not exceed the maximum *water use* volume in Table 13 for each zone.
- (2) The resource operations licence holder must not approve a seasonal assignment of a water allocation if the purpose of that water allocation is ‘distribution loss’.

PART 5—RULES FOR TAKING OF WATER RELEASED FROM TINAROO FALLS DAM FOR HYDROPOWER

96. Requirement for supply agreement

- (1) This Part applies to the taking of water under the water licence to be granted for Kuranda Weir under Section 54.
- (2) The taking of water associated with releases from Tinaroo Falls Dam may only occur if the water licence holder has a supply agreement with the resource operations licence holder.
- (3) For the purpose of Subsection 2, water associated with releases from Tinaroo Falls Dam means any daily river flow volume in the Barron River at Node 2¹⁶ that consists all or in part of water released from Tinaroo Falls Dam under—
 - (a) Section 77; or
 - (b) Section 78.

¹⁶ Barron River at Myola AMTD 27.1km

97. Supply agreement

- (1) The existing practices for the supply of water by the resource operations licence holder to the holder of the water licence for Kuranda Weir are taken as being a supply agreement in accordance with the requirements of Section 96.
- (2) The supply agreement to which Subsection 1 refers to, applies until the holder of the water licence for Kuranda Weir and the resource operations licence holder, provide written evidence to the chief executive—
 - (a) that the supply agreement has been terminated; or
 - (b) that the supply agreement has been replaced by a new or different supply agreement.

98 to 108 Section numbers not used¹⁷

¹⁷ Refer to footnote for Section 1.