

Condamine and Balonne Resource Operations Plan

December 2008

Amended December 2011

(Revision 3)

Prepared by: Water Allocation and Planning, Department of Environment and Resource Management

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Foreword

The Condamine and Balonne Resource Operations Plan, which was finalised in December 2008 for the upper and middle parts of the catchment and in April 2010 for the Lower Balonne, has been amended to incorporate a range of refinements, corrections and management improvements.

All submissions received on the draft plan amendment following its release in February 2011 were considered and many of the points and suggestions raised have been incorporated in the finalised provisions.

The amended plan provides for the:

- granting of a water licence to the resource operations licence holder for the Chinchilla Weir Water Supply Scheme to take treated coal seam gas water discharged into Chinchilla Weir. It also includes rules for the clear and transparent accounting, monitoring and reporting of the take of this treated coal seam gas water
- inclusion of new seasonal water assignment rules for supplemented water to enhance water trading flexibility in the Upper Condamine Water Supply Scheme
- conversion of an additional eight existing water licences to tradeable water allocations
- amendment of 57 water allocations within the Upper Condamine zone group to clarify that water may only be taken during periods announced by the chief executive
- amendment of five water allocations to correct a number of attributes including location, flow conditions, nominal volume, volumetric limit and maximum rate of take
- modification of the existing resource operations plan area boundary to reflect new information on overland flow drainage paths
- modification of parameters used to determine the announced allocations for the Upper Condamine Water Supply Scheme and Chinchilla Weir Water Supply Scheme for more effective scheme operation
- inclusion of new rules to enable additional access to low flows in zone UCS-02 of the Upper Condamine Water Supply Scheme during extended dry periods
- addition of two new zones to the Charley's Creek zone group in the Condamine and Balonne Water Management Area
- inclusion of minor amendments to correct typographical errors, enhance clarity and remove redundant provisions.

I would like to acknowledge the contribution made by everyone who made a formal submission to finalising these important provisions.

Debbie Best

Deputy Director-General

Department of Environment and Resource Management

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Chapter 1 Preliminary

1 Short title

- (1) This resource operations plan may be cited as the Condamine and Balonne Resource Operations Plan 2008.
- (2) Reference in this document to ‘this plan’ means the Condamine and Balonne Resource Operations Plan 2008.

2 Commencement of this plan

- (1) This plan commenced on 15 December 2008.
- (2) An amendment to this plan commences on the first business day after the amendment is notified in the Queensland Government Gazette, unless the amendment provides otherwise.

3 Purpose of this plan

This plan implements the Water Resource (Condamine and Balonne) Plan 2004.

3A Amendments to this plan

Attachment 13 lists the amendments made to this plan.

4 Definitions

The dictionary in Attachment 1 defines particular words used in this plan.

5 Plan area

This plan applies to the area shown as the plan area on the map in Attachment 2.

6 Water to which this plan applies

This plan applies to the following water in the plan area—

- (a) water in a watercourse or lake;
- (b) water in springs not connected to—
 - (i) artesian water; or
 - (ii) subartesian water connected to artesian water.
- (c) overland flow water, other than water in springs connected to—
 - (i) artesian water; or
 - (ii) subartesian water connected to artesian water.

7 Water supply schemes

- (1) Each of the water supply schemes shown in the map in Attachment 3 is a water supply scheme for this plan—
 - (a) the Upper Condamine Water Supply Scheme;
 - (b) the Chinchilla Weir Water Supply Scheme;
 - (c) the Maranoa River Water Supply Scheme; and
 - (d) the St George Water Supply Scheme.
- (2) The Upper Condamine Water Supply Scheme includes—
 - (a) the watercourses used for the purposes of distribution and storage of supplemented water in the scheme described in Attachment 4, Part 1, Table 1; and
 - (b) the infrastructure associated with the resource operations licence for the scheme described in Attachment 4, Part 1, Tables 2–10.

- (3) The Chinchilla Weir Water Supply Scheme includes—
 - (a) the watercourses used for the purposes of distribution and storage of supplemented water in the scheme described in Attachment 4, Part 2, Table 1; and
 - (b) the infrastructure associated with the resource operations licence for the scheme described in Attachment 4, Part 2, Table 2.
- (4) The Maranoa River Water Supply Scheme includes—
 - (a) the watercourses used for the purposes of distribution and storage of supplemented water in the scheme described in Attachment 4, Part 3, Table 1; and
 - (b) the infrastructure associated with the resource operations licence for the scheme described in Attachment 4, Part 3, Table 2.
- (5) The St George Water Supply Scheme includes—
 - (a) the watercourses used for the purposes of distribution and storage of supplemented water in the scheme described in Attachment 4, Part 4, Table 1; and
 - (b) the infrastructure associated with the resource operations licence for the scheme described in Attachment 4, Part 4, Tables 2–6.

7A Distribution operations licence for Thuraggi Watercourse

- (1) The watercourses used for the purposes of distribution of unsupplemented water are described in Attachment 12, Table 1.
- (2) The infrastructure associated with the distributions operations licence is described in Attachment 12, Tables 2–4.

8 Water management areas—Water Regulation 2002, section 56(4A)

- (1) Each of the water management areas shown on the following maps in Attachment 5 is a water management area for this plan—
 - (a) for the Upper Condamine Water Management Area—Part 1, Map 1;
 - (b) for the Condamine and Balonne Water Management Area—Part 2, Map 1;
 - (c) for the Lower Balonne Water Management Area—Part 3, Map 1; and
 - (d) for the Condamine and Balonne Tributaries Water Management Area—Part 4, Map 1.
- (2) A water management area includes—
 - (a) each part of a watercourse, lake or spring that lies within the water management area;
 - (b) those parts of land where there is access to floodwater from a watercourse or lake within the water management area; and
 - (c) for the Lower Balonne Water Management Area, in addition to subsections (2)(a) and (b), those parts of land where there is access to overland flow water within the water management area.

9 Resource operations plan zones

- (1) For this plan, each of the zones shown on the following maps in Attachment 6 is a resource operations plan zone (zone) for supplemented water—
 - (a) for the Upper Condamine Water Supply Scheme—Part 1, Map 1;
 - (b) for the Chinchilla Weir Water Supply Scheme—Part 2, Map 1;
 - (c) for the Maranoa River Water Supply Scheme—Part 3, Map 1; and
 - (d) for the St George Water Supply Scheme—Part 4, Map 1.

- (2) For this plan, each of the zones shown on the following maps in Attachment 5 is a resource operations plan zone (zone) for unsupplemented water—
 - (a) for the Upper Condamine Water Management Area—Part 1, Sheets UC1 to UC4;
 - (b) for the Condamine and Balonne Water Management Area—Part 2, Sheets CB1 to CB4;
 - (c) for the Lower Balonne Water Management Area—Part 3, Sheets LB1 and LB2;
 - (d) for the Condamine and Balonne Tributaries Water Management Area—Part 4, Map 1.
- (3) Each zone—
 - (a) for supplemented water—is described in Attachment 6—
 - (i) for the Upper Condamine Water Supply Scheme Zones—in Part 1, Table 1;
 - (ii) for the Chinchilla Weir Water Supply Scheme Zones—in Part 2, Table 1;
 - (iii) for the Maranoa River Water Supply Scheme Zones—in Part 3, Table 1; and
 - (iv) for the St George Water Supply Scheme Zones—in Part 4, Table 1.
 - (b) for unsupplemented water—is described in Attachment 5—
 - (i) for the Upper Condamine Management Area Zones—Part 1, Table 1;
 - (ii) for the Condamine and Balonne Water Management Area Zones—Part 2, Table 1;
 - (iii) for the Lower Balonne Water Management Area Zones—Part 3, Table 1; and
 - (iv) for the Condamine and Balonne Tributaries Water Management Area Zones—Part 4.
- (4) A zone for unsupplemented water includes—
 - (a) each part of a watercourse, lake or spring that lies within the water management area; and
 - (b) those parts of land where there is access to floodwater from a watercourse or lake within the water management area; and
 - (c) for the Lower Balonne Water Management Area, in addition to subsections (a) and (b), those parts of land where there is access to overland flow water within the water management area.
- (5) A zone for supplemented water includes—
 - (a) each part of a watercourse, lake or spring that lies within the zone; and
 - (b) those parts of tributaries that lie within the zone where there is access to flow or pondage from a watercourse or lake.

10 Information about areas, schemes and zones

- (1) The exact location of the boundaries of the plan area, water supply schemes, water management areas and zones are 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.

11 Purpose of a water allocation

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

12 Departmental Water Monitoring Data Collection Standard

- (1) Where this plan requires monitoring by a resource operations licence holder, including measurement, collection, analysis and storage of the data, the resource operations licence holder must ensure the monitoring is consistent with the Water Monitoring Data Collection Standard¹.
- (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 at least 20 business days before any substantive changes are made to the Water Monitoring Data Collection Standard.

13 Departmental Water Monitoring Data Reporting Standard

- (1) Where this plan requires transfer of data or reporting by a resource operations licence holder, the resource operations licence holder must ensure the transfer or reporting is consistent with the Water Monitoring Data Reporting Standard².
- (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 at least 20 business days before any substantive changes are made to the Water Monitoring Data Reporting Standard.

14 Metering

- (1) A measuring device, which complies with the standards approved by the chief executive, must be used to measure the volume of water taken under a water entitlement or seasonal water assignment in the plan area.
- (2) Subsection (1) applies—
 - (a) from the day the water entitlement is declared to be a metered entitlement under the Water Regulation 2002, Part 7; and
 - (b) in the circumstances mentioned in the Water Regulation 2002.
- (3) Subsection (1) does not apply to water entitlements for stock purposes or for domestic purposes.
- (4) The resource operations licence holder for the Upper Condamine Water Supply Scheme must meter, in accordance with the standards approved by the chief executive, the taking of water under those water allocations managed under the resource operations licence.
- (5) The resource operations licence holder for the Chinchilla Weir Water Supply Scheme must meter, in accordance with the standards approved by the chief executive, the taking of water under those water allocations managed under the resource operations licence.
- (6) The resource operations licence holder for the Maranoa River Water Supply Scheme must meter, in accordance with the standards approved by the chief executive, the taking of water under those water allocations managed under the resource operations licence.
- (7) The resource operations licence holder for the St George Water Supply Scheme must meter, in accordance with the standards approved by the chief executive, the taking of water under those water allocations managed under the resource operations licence.
- (8) The distribution operations licence holder for the Thuraggi Watercourse must meter, in accordance with the standards approved by the chief executive, the taking of water under those water allocations distributed under the distribution operations licence.

¹ The Water Monitoring Data Collection Standard can be accessed at: <www.derm.qld.gov.au> or inspected at any of the department's offices.

² The Water Monitoring Data Reporting Standard can be accessed at: <www.derm.qld.gov.au> or inspected at any of the department's offices.

- (9) A measuring device which complies with the standards approved by the chief executive must be used to measure the volume of treated CSG water for beneficial use taken under the authority of a water licence granted under Chapter 3 Part 2.

15 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 and requirements would be unsafe to a person or entity.
- (2) Under circumstances where subsection (1) applies, the resource operations licence holder—
 - (a) must comply with the reporting requirements for operational or emergency incidents in accordance with Chapter 14; and
 - (b) may submit an interim program for implementing the rules and requirements in accordance with section 16.

16 Interim program

- (1) The chief executive must implement the requirements of this plan as soon as is practicable.
- (2) Subsections (3) to (12) apply where the resource operations licence holder or distribution operations licence holder is unable to meet the requirements of this plan.
- (3) The resource operations licence holder or distribution operations licence holder must—
 - (a) within 2 months of commencement of this plan, submit a statement of current programs to the chief executive for approval; and
 - (b) within 6 months of commencement of this plan, submit a program for meeting the requirements of this plan to the chief executive for approval, including a timetable and interim methods to be used.
- (4) The resource operations licence holder or distribution operations licence holder may, where an emergency or operational incident results in an inability to comply with 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 a program submitted under this section relates to the Water Monitoring Data Collection Standard, the program must include the accuracy of methods currently used.
- (6) The chief executive, in considering a program submitted under this section, may request additional information.
- (7) The chief executive, in considering a program submitted under this section, may either—
 - (a) approve the program with or without conditions;
 - (b) amend and approve the amended program; or
 - (c) require the resource operations licence holder or distribution operations licence holder to submit a proposal for a revised program.
- (8) Within 10 business days of making a decision on a program submitted under this section, the chief executive must notify the resource operations licence holder or distribution operations licence holder of the decision.
- (9) Following approval of the program by the chief executive, the resource operations licence holder or distribution operations licence holder must—
 - (a) implement and operate in accordance with the approved program; and
 - (b) publish details of the approved program on their internet site.

- (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 approved program is in place.
- (11) Where this section applies, the resource operations licence holder or distribution operations licence holder may continue to operate under the current program until the program submitted under this section is approved.
- (12) Despite subsections (2), (3) and (4), a resource operations licence holder or distribution operations licence holder with an approved interim program, may submit a revised program to the chief executive for consideration.

17 Sustainable management of water

This plan, in implementing the Water Resource (Condamine and Balonne) Plan 2004, 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, including economic development in accordance with ecologically sustainable development principles, by—
 - (i) regulating overland flow water;
 - (ii) granting authorisations for the management of, taking of and interfering with water;
 - (iii) establishing water allocations that are tradable and separate from land;
 - (iv) requiring entitlements to be metered;
 - (v) detailing the operating, environmental management and water sharing rules for supplemented and unsupplemented entitlement holders; and
 - (vi) providing change rules and seasonal water assignment rules for water allocations in the plan area.
- (b) protecting the biological diversity and health of natural ecosystems and contributing to the protection and, if practicable, reversing the degradation of water, watercourses, lakes, springs, natural ecosystems and other resources by—
 - (i) detailing the operating, environmental management and water sharing rules for the resource operations licence holders;
 - (ii) detailing change rules and seasonal water assignment rules for water allocations in the plan area;
 - (iii) detailing arrangements for the collection and assessment of data by the chief executive relating to Water Resource (Condamine and Balonne) Plan 2004 general ecological outcomes;
 - (iv) detailing water and natural ecosystem monitoring responsibilities for resource operations licence holders for the plan area; and
 - (v) detailing processes for dealing with applications for water licences relating to unsupplemented water in watercourses, lakes and springs.
- (c) contributing to improving the confidence of water users regarding the availability and security of water entitlements by—
 - (i) granting authorisations for the management of, taking of and interfering with water;
 - (ii) establishing water allocations that are separate from land and registered on the Water Allocations Register;
 - (iii) regulating overland flow water;

- (iv) detailing the operating, environmental management and water sharing rules for the resource operations licence holders;
 - (v) detailing change rules and seasonal water assignment rules for water allocations in the plan area;
 - (vi) detailing water and natural ecosystem monitoring responsibilities of the resource operations licence holders;
 - (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 (Condamine and Balonne) Plan 2004 outcomes; and
 - (ix) detailing those sections of this plan that may be amended under section 105(6) or 106(b) of the *Water Act 2000*.
- (d) contributing to increasing community understanding and participation in the sustainable management of water by 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.
 - (e) identifying priorities and mechanisms for dealing with future water requirements by—
 - (i) converting existing water entitlements into tradable water allocations that are separate from land;
 - (ii) providing trading rules for water allocations in the plan area; and
 - (iii) granting water entitlements to entities defined in the Water Resource (Condamine and Balonne) Plan 2004.
 - (f) regulating the taking of overland flow water by—
 - (i) detailing a process for the licensing of the take of overland flow water; and
 - (ii) metering and measuring the take of overland flow water.

18 Addressing Water Resource (Condamine and Balonne) Plan 2004 outcomes

- (1) This plan addresses the Water Resource (Condamine and Balonne) Plan 2004 outcomes by—
 - (a) specifying processes, rules and limits that are consistent with the environmental flow objectives and water allocation security objectives in the Water Resource (Condamine and Balonne) Plan 2004; and
 - (b) providing monitoring and reporting arrangements to assist in the ongoing assessment of whether water allocation and management arrangements in the plan area will contribute to the achievement of the Water Resource (Condamine and Balonne) Plan 2004 outcomes.
- (2) Attachment 7 lists the outcomes of the Water Resource (Condamine and Balonne) Plan 2004 and how the rules and requirements of this plan are linked to those outcomes.

19 to 24 section numbers not used.

Chapter 2 Dealing with water licences

Part 1 Dealing with water licence applications

25 Application of Part 1

- (1) This part applies to each—
 - (a) application for a water licence made under section 206 of the *Water Act 2000*; and
 - (b) application to amend a water licence made under section 216 of the *Water Act 2000*.
- (2) This part applies even if the application was made before the commencement of this plan.
- (3) This part does not apply to an application made under sections 221, 224, 225 or 229 of the *Water Act 2000*.

26 Applications to be refused

Unless this part explicitly provides for the chief executive to deal with an application, the chief executive must refuse the application.

27 Applications to interfere with the flow of water in a watercourse to impound water

- (1) This section applies to each application to interfere with the flow of water or to increase the interference with the flow of water in a watercourse, lake or spring to impound water.
- (2) The chief executive may approve the application if—
 - (a) the purpose of the proposed interference is to store water to enable the taking of water under a water allocation to supply town water; and
 - (b) the application is made by a local government.
- (3) In deciding the application, the chief executive may approve the application only if the applicant has a water allocation that has been changed in accordance with sections 80, 107, 130 or 148 or has been given a valid certificate under section 134 of the *Water Act 2000* for the change.
- (4) If the chief executive decides to approve the application, the water licence to be granted must contain conditions to the following effect—
 - (a) a passing flow having regard to the flow threshold condition specified on a water allocation prior to the allocation's amendment under either section 80, 107, 130 or 148; and
 - (b) a limit on the interference or increase in interference to an impoundment volume no greater than that necessary for the purpose, having regard to—
 - (i) the conditions of the water allocation under which water will be taken to supply town water from the water stored as a result of the proposed interference or increase in interference; and
 - (ii) the local availability of water.

28 Applications to amend a water licence

- (1) This section applies to each application to amend a water licence made under section 216 of the *Water Act 2000*.
- (2) The chief executive must refuse the application if amending the licence would have one or more of the following effects within the plan area—
 - (a) increase the amount of water that may be taken under the amended licence;

- (b) increase the amount of water that may be taken under other water entitlements that store water in the associated storage works;
- (c) change the location from which water may be taken unless to contiguous land;
- (d) adversely affect water entitlement holders, resource operations licence holders or natural ecosystems within the plan area;
- (e) the Water Resource (Condamine and Balonne) Plan 2004 objectives would not be met.

Part 2 **Amending water licences to implement the Water Resource (Condamine and Balonne) Plan 2004**

29 **Application of Part 2**

This part applies to amending water licences under section 217 of the *Water Act 2000*.

30 **Amending water licences for the purpose of stock and domestic use**

- (1) Subsection (2) applies to a water licence that states a purpose of or similar to one or more of the following—
 - (a) stock;
 - (b) stock water;
 - (c) stock watering;
 - (d) stock and domestic.
- (2) The chief executive may amend the water licence to—
 - (a) include a condition that states—
 - (i) a maximum rate for taking water under the licence, calculated in accordance with subsection (3); and
 - (ii) a volumetric limit, calculated by using Tables 1 and 2 in the worksheet in Schedule 1 of the ‘Code for Self Assessable Development for Taking Overland Flow Water for Stock and Domestic Purposes’ and based on the standard stocking rates for the property.
 - (b) change the purpose of the water licence to ‘any’.
- (3) The chief executive must determine the maximum rate mentioned in subsection (2)(a)(i) in accordance with the following—
 - (a) for an authorisation that states, in the schedule of terms on the authorisation, a rate for taking water—the stated rate;
 - (b) for an authorisation that states a pump size, other than for an axial flow pump—the information about pump sizes and maximum rates in Attachment 11, columns 1 and 2;
 - (c) for an authorisation that states a pump size, for an axial flow pump—the information about pump sizes and maximum rates in Attachment 11, columns 1 and 3;
 - (d) for an authorisation that states both a rate and a pump size, the lesser of the following—
 - (i) the rate decided under subsection (3)(a);
 - (ii) the rate decided under subsection (3)(b) or (c).
 - (e) for another authorisation—the terms or conditions under which water may be taken under the authorisation.

30A Amending water licences to interfere with the flow of water in a watercourse in the Lower Balonne distributary system

- (1) This section applies to water licences to interfere with the flow of water in the Lower Balonne distributary system.
- (2) To achieve the purposes of flow event management, the chief executive must amend each water licence to interfere referred to in subsection (1) under section 217 of the *Water Act 2000* to include the following conditions—
 - (a) for weirs greater than 430 megalitres storage capacity—inflows up to 430 megalitres per day must be able to pass through the infrastructure; or
 - (b) for weirs less than or equal to 430 megalitres storage capacity—inflows up to the capacity of the existing outlet pipe must be able to pass through the infrastructure.

31 Amendment to a water licence with a nil passing flow condition

- (1) Subsection (2) applies to a water licence that states a flow condition of ‘nil’ in the following water management areas—
 - (a) Upper Condamine Water Management Area;
 - (b) Condamine and Balonne Water Management Area; and
 - (c) Condamine and Balonne Tributaries Water Management Area.
- (2) The chief executive may amend the water licence to one or both of the following—
 - (a) a water licence for the purpose of ‘re-lift’;
 - (b) a water licence that states a volumetric limit in megalitres per annum that does not increase the average annual volume of water that may be taken under the amended licence above the average annual volume authorised to be taken under the existing water licence.
- (3) For subsection (2)(a), a ‘re-lift’ licence must—
 - (a) state that the purpose is ‘re-lift’;
 - (b) state the associated entitlement under which the water has been taken; and
 - (c) state when water may be taken under the licence.
- (4) The amended licence must not include a condition that states a limit on the area that can be irrigated.

Part 3 Granting and amending water licences for taking overland flow water

32 Parts of the plan area where an authority may be replaced by a water licence

- (1) An authority for taking overland flow water under section 46 of the Water Resource (Condamine and Balonne) Plan 2004 may be replaced with a water licence for any location in the plan area in accordance with the process described in section 39.
- (2) The chief executive may issue a licence in accordance with the process in section 34 to replace an authority for taking overland flow water using existing works or reconfiguration of existing works authorised under section 46 of the Water Resource (Condamine and Balonne) Plan 2004.

33 Certified reports for overland flow works

- (1) The chief executive may issue a notice requiring the owner of land on which existing works are located to provide the chief executive with a certified report prepared in accordance with the standards and requirements set out in the notice.

- (2) The certified report must include an accurate representation of—
 - (a) the infrastructure to which the report relates;
 - (b) how the infrastructure operates; and
 - (c) the ability of the infrastructure to take overland flow water.
- (3) The certified report must be verified and signed by a Registered Professional Engineer of Queensland.

34 Water licences for taking overland flow water

- (1) A water licence for taking overland flow water—
 - (a) must state at least one of the following—
 - (i) a maximum rate at which water may be taken under the water licence in megalitres per day;
 - (ii) a storage volume in megalitres;
 - (iii) a volumetric limit for the licence; or
 - (iv) an average annual diversion for the licence.
 - (b) may state—
 - (i) a limit on the amount of water that can be taken in a period; and
 - (ii) a limit on the volume that can be stored at any time.
- (2) The chief executive must determine the conditions in accordance with sections 35 to 38.
- (3) This section does not limit the conditions the chief executive may impose on a water licence for taking overland flow water.

35 Determining the maximum rate for taking overland flow water

If the chief executive decides to state a maximum rate on a water licence for taking overland flow water, the chief executive must consider the following matters when determining the rate—

- (a) for works that allow taking overland flow water using a pump—the information about pump sizes and maximum rates stated in Attachment 11; or
- (b) for works other than a pump that allow taking overland flow water using works—the information provided in a certified report provided in accordance with section 33.

36 Determining the storage volume

If the chief executive decides to state a storage volume on a water licence for taking overland flow water, the chief executive must determine the volume based on information provided in a certified report provided in accordance with section 33.

37 Determining the volumetric limit for taking overland flow water

- (1) If the chief executive decides to state a volumetric limit on a water licence for taking overland flow water, the chief executive must consider the following matters in determining the limit—
 - (a) the catchment characteristics;
 - (b) the maximum rate determined under section 35;
 - (c) the storage volume determined under section 36;
 - (d) the pattern of usage demand from the storage based on water requirements having regard for the use being made of the water; and

- (e) the extent to which the storage works would be filled through the taking of water under other water authorisations.

(2) Subsection (1) does not limit the matters the chief executive may consider.

38 Determining the average annual diversion of overland flow water

If the chief executive decides to state an average annual diversion on a water licence for taking overland flow water, the chief executive must consider the following matters in determining the average annual diversion—

- (a) the volumetric limit determined under section 37; and
- (b) any other matters that limit taking overland flow water under the water authorisation such as—
 - (i) conditions; and
 - (ii) any existing water sharing arrangements that relate to the authorisation.

39 Granting or amending a water licence in accordance with section 48 of the Water Resource (Condamine and Balonne) Plan 2004

(1) The chief executive may—

- (a) under section 212 of the *Water Act 2000*, grant a water licence for taking overland flow water to replace an authority under section 46 of the Water Resource (Condamine and Balonne) Plan 2004; or
- (b) under section 218 of the *Water Act 2000*, amend a water licence for taking overland flow water.

(2) Before granting or amending a water licence under subsection (1), the chief executive must issue a notice to the owner of the land—

- (a) clearly identifying the existing works which relate to either—
 - (i) an authority under section 46 of the Water Resource (Condamine and Balonne) Plan 2004; or
 - (ii) a water licence for taking overland flow water.
- (b) stating that a water licence will be granted or amended for taking overland flow water by the existing works.

(3) A notice under subsection (2) may also request the owner of the land to provide a certified report about the existing works in accordance with section 33.

(4) In making a decision about granting or amending a licence under subsection (1), the chief executive must consider—

- (a) the extent to which the existing works allow taking—
 - (i) overland flow water under—
 - (A) an authority under section 46 of the Water Resource (Condamine and Balonne) Plan 2004; and
 - (B) a water licence.
 - (ii) water, other than overland flow water, under another authorisation.
- (b) any certified report about the existing works made in accordance with section 33.

(5) In granting or amending a water licence for taking overland flow water, the chief executive must ensure the licence granted or amended is in accordance with section 34.

40 Granting or amending a water licence for overland flow to allow a change to a water allocation

- (1) This section applies if an application to change a water allocation is made under sections 79, 106, 128 or 147 to remove a condition on a water allocation that states that water taken is stored conjunctively with overland flow water taken under either—
 - (a) an authority under section 46 of the Water Resource (Condamine and Balonne) Plan 2004; or
 - (b) a water licence.
- (2) If the chief executive is satisfied that there may be an increase in the average annual volume of water that can be taken after the change to a water allocation is made under sections 79, 106, 128 or 147, the chief executive must—
 - (a) under section 212 of the *Water Act 2000*, grant a water licence for taking overland flow water to replace an authority under section 46 of the Water Resource (Condamine and Balonne) Plan 2004; or
 - (b) under section 216 of the *Water Act 2000*, amend a water licence for taking overland flow water.
- (3) In granting or amending a water licence for taking overland flow water, the chief executive must ensure the licence granted or amended is in accordance with section 34.

41 to 44 section numbers not used.

Chapter 3 Granting, amending and converting authorisations

Part 1 Converting existing authorisations and amending water allocations

Division 1 Converting existing water authorisations to unsupplemented water allocations

45 Converting existing water authorisations to unsupplemented water allocations

The chief executive must convert existing water authorisations to unsupplemented water allocations—

- (a) the Upper Condamine Water Management Area—in accordance with Attachment 8, Table 1;
- (b) the Condamine and Balonne Water Management Area—in accordance with Attachment 8, Table 2; and
- (c) the Condamine and Balonne Tributaries Water Management Area—in accordance with Attachment 8, Table 3.

46 Rules for converting existing water authorisations to unsupplemented water allocations

The water authorisations in Attachment 8 must be converted to unsupplemented water allocations as follows—

- (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—
 - (i) must be the zone identified in the following attachments that includes the place on a watercourse, lake or spring at which the water could be taken under the existing water authorisation—
 - (A) for the Upper Condamine Water Management Area—Attachment 5, Part 1, Table 1;
 - (B) for the Condamine and Balonne Water Management Area—Attachment 5, Part 2, Table 1; and
 - (C) for the Condamine and Balonne Tributaries Water Management Area—Attachment 5, Part 4.
 - (ii) may include a place that states an AMTD.
- (c) the purpose for the water allocation must be ‘any’;
- (d) the nominal volume for the water allocation must be in accordance with—
 - (i) if the converting authorisation is an area-based irrigation licence—section 30 of the Water Resource (Condamine and Balonne) Plan 2004; or
 - (ii) if the converting authorisation is not an area-based irrigation licence—section 24(2) of the Water Resource (Condamine and Balonne) Plan 2004.
- (e) the maximum rate for the water allocation must be in accordance with section 26 of the Water Resource (Condamine and Balonne) Plan 2004;

- (f) the volumetric limit for the water allocation must be in accordance with section 28 of the Water Resource (Condamine and Balonne) Plan 2004;
- (g) the conditions for the water allocation must be in accordance with section 27 of the Water Resource (Condamine and Balonne) Plan 2004.

Division 2 Amending existing water allocations

47 Amending existing water allocations

The chief executive must amend the water allocations listed in Attachment 9 column 1, in accordance with Attachment 9 column 4.

Part 2 Granting a water licence to take treated CSG water for beneficial use

48 Application of Part 2

This part states a process in accordance with section 212 of the *Water Act 2000* for the allocation of water under a water licence, to take treated CSG water for beneficial use discharged³ into Chinchilla Weir.

49 Application for a water licence to take treated CSG water for beneficial use

- (1) SunWater Limited as the resource operations licence holder for the Chinchilla Weir Water Supply Scheme may apply for a water licence to take treated CSG water for beneficial use that has been discharged into Chinchilla Weir consistent with the following authorities—
 - (a) a level 1-Environmental Authority granted under the *Environmental Protection Act 1994*—to QGC Pty Limited for the project;
 - (b) an approval of a resource granted under the Environmental Protection (Waste Management) Regulation 2000 for treated CSG water for beneficial use—to SunWater Limited in relation to the project; and
 - (c) a ‘Recycled Water Management Plan’ approved under the *Water Supply (Safety and Reliability) Act 2008*—to SunWater Limited in relation to the project.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) include all of the following—
 - (i) written evidence that the authorities listed in subsection (1) have been applied for in relation to the project;
 - (ii) an assessment of the potential impacts upon water entitlement holders and natural ecosystems within the plan area;
 - (iii) details of authorised works for the take of treated CSG water for beneficial use;
 - (iv) any other information the applicant considers will enable the chief executive to decide the application.

50 Additional information may be required

- (1) The chief executive may require the applicant to give additional information about the application made under section 49.
- (2) If the applicant fails, without reasonable excuse, to comply with the requirement within the reasonable time stated in the requirement, the application lapses.

³ Refer to the dictionary for a definition of discharge.

51 Matters the chief executive must consider when deciding an application

- (1) In deciding an application made under section 49, the chief executive must consider—
 - (a) the application and any additional information given about the application; and
 - (b) the public interest.
- (2) Subsection (1) does not limit the matters the chief executive may consider.
- (3) The chief executive must not grant a water licence if satisfied that doing so would—
 - (a) increase the amount of water taken from natural flows within the plan area;
 - (b) adversely impact the outcomes of the Water Resource (Condamine and Balonne) Plan 2004; or
 - (c) adversely affect other water authorisations.

52 Contents of a water licence to take treated CSG water for beneficial use

A water licence granted under this part to take treated CSG water for beneficial use must state contents to the following effect—

- (a) authorised activity—The taking of watercourse water from the Condamine River between AMTD 643.7 km AMTD to 743.6 km;
- (b) purpose—Beneficial use of treated CSG water;
- (c) expiry date—no later than 10 years from the date of issue.

53 Conditions of a water licence to take treated CSG water for beneficial use

- (1) A water licence granted under this part to take treated CSG water for beneficial use must state conditions to the following effect—
 - (a) the licensee must ensure that the volume of water taken under the water licence does not exceed—
 - (i) the volume of treated CSG water for beneficial use discharged into Chinchilla Weir; less
 - (ii) associated storage and transmission losses.
 - (b) the licensee must notify the chief executive of any new or additional works through which water under this water licence is to be taken, prior to taking the water through these works;
 - (c) requiring that water taken under the authority of the licence must be managed in accordance with the operating and water accounting rules specified in Chapter 9; and
 - (d) the licensee must monitor and report on water taken in accordance with the relevant requirements detailed in Chapter 14.
- (2) Subsection (1) does not limit the conditions the chief executive may impose for the water licence.

54 Deciding an application for a water licence to take treated CSG water for beneficial use

If the chief executive is satisfied that an application made under section 49 should be approved, the chief executive must approve the application wholly, or in part.

55 to 64 section numbers not used.