

## **Chapter 7      Condamine and Balonne Tributaries Water Management Area**

### **140    Application of Chapter 7**

This chapter applies to water allocations to take unsupplemented water in the Condamine and Balonne Tributaries Water Management Area.

### **Part 1            Water sharing rules**

#### **141    Taking water under a water allocation**

Where management guidelines have been prepared under section 371, water may be taken only under a water allocation in accordance with the guidelines.

#### **142    Taking water under an allocation limited by associated storage or that stores water conjunctively with overland flow**

- (1) This section applies to water allocations that state a condition that—
  - (a) the take of water under the allocation is limited by associated storage works; or
  - (b) water taken under the allocation is stored conjunctively with overland flow water taken under another authority.
- (2) Water taken under the allocation must not—
  - (a) exceed the annual volumetric limit stated on the allocation for any water year; and
  - (b) be stored in any other works other than in the storages described by works reference number and the works footprint illustrated on an administrative plan in the condition.

#### **143    Taking water under an allocation with a multiyear accounting water sharing rule**

- (1) This section applies to water allocations that state a condition that the take of water under the allocation is managed under a multiyear accounting water sharing rule.
- (2) The chief executive must establish a volumetric account for each water allocation.
- (3) The maximum volume of water that may be held in the account for an allocation is equal to the volumetric limit of that allocation multiplied by two.
- (4) The minimum volume of water that may be held in an account is zero megalitres.
- (5) Water taken under the allocation must be deducted from the account.
- (6) At the start of each water year the volumetric account for a water allocation must be credited with the lesser of—
  - (a) the volumetric limit multiplied by two; or
  - (b) the volumetric limit plus the volume of water remaining in the account at the end of the previous water year.

## **Part 2 Dealings with water allocations**

### **Division 1 Subdivision or amalgamation of water allocations**

#### **144 Permitted subdivisions and amalgamations**

- (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;
  - (b) the location, flow conditions and water allocation group of the new water allocations are the same as that of the water allocation that is being subdivided; and
  - (c) the water allocation being subdivided does not state a condition limiting take by associated storage.
- (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;
  - (b) the location, flow conditions and water allocation group of the water allocations that are being amalgamated are the same; and
  - (c) the water allocations being amalgamated do not state a condition limiting take by associated storage.

#### **145 Prohibited subdivisions and amalgamations**

- (1) Subdivision of a water allocation is prohibited where—
  - (a) the sum of the nominal volumes of the new water allocations is not equal to the nominal volume of the water allocation that is being subdivided;
  - (b) the location, flow conditions and water allocation group of the new water allocations are not the same as that of the water allocation that is being subdivided; and
  - (c) the water allocation being subdivided states a condition limiting take by associated storage.
- (2) Amalgamation of water allocations is prohibited where—
  - (a) the nominal volume of the new water allocation is not equal to the sum of the nominal volumes of the water allocations that are being amalgamated;
  - (b) the location, flow conditions and water allocation group of the water allocations that are being amalgamated are not the same; and
  - (c) a water allocation being amalgamated states a condition limiting take by associated storage.

### **Division 2 Assessed changes**

#### **146 Change to an allocation to remove a condition limited by associated storage**

- (1) A change to remove a condition from a water allocation that states that the take of water is limited by associated storage capacity is an assessed change.
- (2) The chief executive must refuse the application unless—

- (a) a condition is placed on the amended allocation stating that water taken under the authority of this allocation is managed under a multiyear accounting water sharing rule; and
  - (b) the volumetric limit stated on the allocation is amended to ensure that the average annual volume of water that may be taken does not exceed the nominal volume stated on the allocation.
- (3) The chief executive may require the water allocation holder to provide a report with the application that demonstrates that the proposed management under a multiyear accounting water sharing rule will not increase the average annual volume of water that may be taken under the water allocation above the nominal volume stated on the water allocation.

**147 Change to an allocation that stores water conjunctively with overland flow water**

- (1) This section applies to a water allocation that states a condition 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) A change to remove the condition from a water allocation is an assessed change.
- (3) The application must be accompanied by a certified report made in accordance with section 33.
- (4) The chief executive may require the applicant to provide additional information relevant to the application.
- (5) The application must not be approved unless the chief executive has made a decision about granting or amending a water licence for taking overland flow water under section 40.

**148 Change to an allocation for town water supply to allow the granting of a licence to interfere**

- (1) A change to a water allocation for town water supply is an assessed change if associated with a water licence application under section 27.
- (2) The chief executive may only approve the application if—
- (a) an application has been lodged under section 27 that is relevant to this application; and
  - (b) the water allocation is amended to—
    - (i) reduce the volumetric limit stated on the allocation to a volume that would not allow an increase in the average volume of water available to be taken from the plan area due to the proposed interference or increased interference applied for under section 27;
    - (ii) remove any flow threshold condition for taking water stated on the allocation;
    - (iii) require that water taken under the allocation be taken only from the area impounded by the proposed interference or increased interference applied for under section 27; and

- (iv) place a condition on the allocation to state that water is only to be taken under that allocation in conjunction with the licence granted under section 27.
- (3) The chief executive may amend the maximum rate of take stated on the water allocation.

### **Division 3 Prohibited changes**

#### **149 Change of location**

A change to the location of a water allocation is prohibited unless a zone and a place are specified on the allocation.

#### **150 Multiyear accounting with condition limiting take by associated storage**

A change to a water allocation is prohibited if the change would result in the water allocation being managed under both—

- (a) a multiyear accounting water sharing rule; and
- (b) a condition limiting take by associated storage.

#### **151 Adding or amending a condition limiting take by associated storage**

A change to a water allocation is prohibited if the change is to—

- (a) add a condition limiting take by associated storage;
- (b) amend a condition limiting take by associated storage where the change would result in a change to—
  - (i) the volumetric limit stated on the allocation; or
  - (ii) the associated storages stated on the allocation unless the chief executive is satisfied the change would not result in—
    - (A) more storage capacity than the existing associated storages; and
    - (B) the associated storages remain located on the administrative plan associated with the allocation.
- (c) amend the administrative plan that describes the works footprint for the allocation other than necessary to comply with a change that is not prohibited under subsection (b)(ii).

#### **152 Change of location for allocations with a nil passing flow condition**

- (1) Subsection 2 applies to a water allocation that states a flow condition of 'nil'.
- (2) A change to the location of a water allocation is prohibited unless—
  - (a) after the change is made, the allocation—
    - (i) states a location that includes a zone and an AMTD;
    - (ii) states a condition that 'taking water under this water allocation is prohibited whenever the water level in the waterhole is less than 0.5 metres below the level at which it naturally overflows';
  - (b) for a change that would allow water to be taken from a different waterhole, the holder of the allocation has the written consent of—

- (i) the owners of land adjacent to that waterhole; and
  - (ii) the holders of any water allocations that state a flow condition of 'nil' that can take water from that waterhole.
- (c) for a change that would allow water to be taken from within the full supply level of an authorised weir, the holder of the allocation has the written consent of the owner of the weir.

**153 Change to remove a condition preventing water being stored**

A change to a water allocation to remove a condition that states water taken under the authority of this allocation cannot be stored is prohibited unless—

- (a) the change includes stating a flow condition on the allocation; and
- (b) the change would not result in an increase in the average volume of water available to be taken under the allocation.

**Division 4 Other changes**

**154 Changes not provided for in divisions 2 and 3**

An application for a change to a water allocation that is not explicitly provided for under divisions 2 and 3 may be made in accordance with section 130 of the *Water Act 2000*.

**Part 3 Seasonal water assignments**

**155 Seasonal water assignment rules for allocations**

The chief executive must refuse a seasonal water assignment of a water allocation.

156 to 159 section numbers not used.

## Chapter 8 Upper Condamine Water Supply Scheme

### 160 Application of Chapter 8

This chapter applies to—

- (a) the resource operations licence holder for the Upper Condamine Water Supply Scheme; and
- (b) all water allocations managed under the resource operations licence for the Upper Condamine Water Supply Scheme.

### Part 1 Operating rules

#### 161 Use of waterholes

The water level in any waterhole may be drawn down to 0.5 m below its natural cease-to-flow level to allow water to be taken under a water allocation if the water released by the resource operations licence holder will replace the water drawn down in the waterhole.

#### 162 Operating level of storages

- (1) The minimum operating levels and full supply levels for Leslie Dam, Talgai Weir, Yarramalong Weir, Lemon Tree Weir, Cecil Plains Weir, Melrose Weir, Wando Weir and Nangwee Weir are specified in Table 1.
- (2) The resource operations licence holder must not release or supply water from a storage when the water level in that storage is at or below its minimum operating level specified in Table 1.

**Table 1 Storage operating levels**

Storage	Minimum operating level (m AHD)	Full supply level (m AHD)
Leslie Dam	448.44	472.41
Talgai Weir	408.03	412.07
Yarramalong Weir	378.72	381.00
Lemon Tree Weir	365.94	370.01
Cecil Plains Weir	347.67	350.87
Melrose Weir	369.20	370.73
Wando Weir	364.00	365.72
Nangwee Weir	355.70	357.39

#### 163 Supply of water

When the storage level in Leslie Dam is less than or equal to 460.35 m AHD releases or diversions must not be made to supply—

- (a) medium priority water allocations; or
- (b) high class B priority water allocations.

#### **164 Supply of water to zone UCS-03**

The resource operations licence holder may only divert water from Yarramalong Pump Station (AMTD 966.3 km) to zone UCS-03 up to the volume required to—

- (a) overcome normal watercourse transmission losses incurred in providing supplemented supplies;
- (b) supply water to medium priority water allocation holders along the Condamine River North Branch; and
- (c) supply water to risk class A priority water allocation holders along the Condamine River North Branch.

#### **165 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 ensuring that any change in the rate of release of water from Leslie Dam occurs incrementally.

### **Part 2 Water sharing rules**

#### **166 Announced allocation**

- (1) The resource operations licence holder must—
  - (a) determine an announced allocation for the following priority groups—
    - (i) high class A;
    - (ii) high class B;
    - (iii) medium; and
    - (iv) risk class B.
  - (b) use the water sharing rules specified in this part to calculate announced allocations throughout the year;
  - (c) calculate and set the announced allocation for each priority group specified in (a) to take effect on the first day of each water year;
  - (d) following the commencement of a water year—
    - (i) recalculate the announced allocation to take effect no later than five business days following the first day of every month;
    - (ii) reset the announced allocation if a recalculation indicates that the calculated announced allocation would—
      - (A) increase by five or more percentage points; or
      - (B) increase to 100 percent.
  - (e) publish details of the announced allocation, including parameters for determining the announced allocation on the resource operations licence holder's internet site for the Upper Condamine Water Supply Scheme within five business days of setting or resetting an announced allocation; and
  - (f) not reduce the announced allocation during a water year.
- (2) The announced allocation must be rounded to the nearest percent.

- (3) The announced allocation must not be greater than 100 percent.

**167 Announced allocation for high class A priority water allocations**

- (1) The announced allocation for high class A priority water allocations must be—
  - (a) 100 percent where the announced allocation for medium priority water allocations (AA<sub>MP</sub>) is greater than zero percent; or
  - (b) determined using the following formula where the announced allocation for medium priority water allocations (AA<sub>MP</sub>) is zero percent—

$$AA_{HPA} = 100 \times \frac{(UV_{LD} - TOA + DIV_{HPA})}{HPA}$$

- (2) The parameters used in the formula under subsection 1(b) are defined in Table 2.

**168 Announced allocation for high class B priority water allocations**

- (1) The announced allocation for high class priority B water allocations must be—
  - (a) 100 percent when the announced allocation for medium priority water allocations (AA<sub>MP</sub>) is greater than zero percent; or
  - (b) determined using the following formula when the announced allocation for medium priority water allocations (AA<sub>MP</sub>) is zero percent—

$$AA_{HPB} = 100 \times \frac{(UV_{CPW} - TOA + DIV_{HPB})}{HPB}$$

- (2) The parameters used in the formula under subsection 1(b) are defined in Table 2.

**Table 2 Announced allocation parameters**

Parameter	Description
AA <sub>MP</sub>	Medium priority announced allocation percentage: the percentage of the nominal volume for a medium priority water allocation, which is used to calculate the volume that may be taken under the allocation for the current water year.
AA <sub>HPA</sub>	High class A priority announced allocation percentage: the percentage of the nominal volume for a high class A priority water allocation, which is used to calculate the volume that may be taken under the allocation for the current water year.
AA <sub>HPB</sub>	High class B priority announced allocation percentage: the percentage of the nominal volume for a high class B priority water allocation, which is used to calculate the volume that may be taken under the allocation for the current water year.
MPA	Medium priority water allocations: the total of the nominal volumes for medium priority water allocations.
HPA	High class A priority water allocations: the total of the nominal volume for high class A priority water allocations.
HPB	High class B priority water allocations: the total of the nominal volume for high class B priority water allocations.

Parameter	Description
UV	<p>Volume of water available for determining announced allocation percentages for water allocations: the sum of the useable volume of storage calculated using the following equation—</p> $UV = (CV - MOV - SL)$ <p>If <math>UV &lt; 0</math> then <math>UV = 0</math></p> <p>Where—</p> <p>UV = the useable volume of the storage.            CV = the current volume of the storage.            MOV = the minimum operating volume of the storage.            SL = the storage losses. The projected storage losses from the storage for the remainder of the water year. The storage loss depths to be used for Leslie Dam and Cecil Plains Weir are given in Table 3. The storage loss volume is calculated by using the value for the current month multiplied by the current surface of the storage.</p> <p><math>UV_{LD}</math> = Useable volume of Leslie Dam  <math>UV_{CPW}</math> = Useable volume of Cecil Plains Weir</p>
RE	<p>Reserve (High priority): the reserve is the storage reserve volume set aside for the high class A priority allocations for future months beyond the current resource assessment. This reserve is equal to that volume (not counting the water stored below the river outlet) necessary to ensure a 12 month period of supply is available beyond the end of the current water year. This reserve must include provision for storage losses and watercourse transmission losses that would be reasonably incurred. At the commencement of this plan, the high class A volume for calculating RE is 6000 megalitres. Storage losses for 12 month period are as per Table 3.</p>
TOA	<p>Transmission and operational allowance: an allowance for the transmission and operational losses expected to occur in running the system. The TOA value used in the formula is the transmission and operational loss volume required for delivery of medium priority water allocations downstream of Leslie Dam. The transmission and operational loss allowance value is to be linearly interpolated from Table 4.</p>
$DIV_{HPA}$	<p>High class A priority diverted volume: the volume (in megalitres) of high class A priority water taken under water allocations in a water year in the water supply scheme up to the time of assessment of the announced allocation.</p>
$DIV_{HPB}$	<p>High class B priority diverted volume: the volume (in megalitres) of high class B priority water taken under water allocations in a water year in the water supply scheme up to the time of assessment of the announced allocation.</p>
DIV	<p>Diverted volume: the total volume (in megalitres) of water taken under all water allocations in a water year in the water supply scheme up to the time of assessment of the announced allocation.</p>

**169 Announced allocation for medium priority water allocations**

- (1) The announced allocation for medium priority water allocations must be determined using the following formula—

$$AA_{MP} = 100 \times \frac{(UV_{LD} - HPA - HPB + DIV - RE - TOA)}{MPA}$$

- (2) The parameters used in the formula under subsection 1 are defined in Table 2, Table 3 and Table 4.

**Table 3 Storage loss**

Month in which announced allocation is calculated	Storage loss until end of water year (mm)
Jul	1657
Aug	1581
Sep	1482
Oct	1352
Nov	1188
Dec	1004
Jan	806
Feb	602
Mar	436
Apr	279
May	155
Jun	70

**Table 4 Transmission and operation allowances**

Announced allocation medium priority	Transmission and operation allowances (ML)											
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>0%</b>	2667	2449	2232	1910	1692	1483	1265	1048	854	637	427	210
<b>20%</b>	4263	4061	3846	3102	2492	2018	1417	954	651	430	249	119
<b>40%</b>	4695	4530	4346	3435	2659	2082	1319	764	432	239	102	46
<b>60%</b>	6893	6657	6394	5045	3893	3039	1908	1086	600	323	128	56
<b>80%</b>	9090	8784	8441	6656	5128	3997	2496	1409	767	407	155	68
<b>100%</b>	11 288	10 912	10 490	8265	6362	4954	3085	1732	935	491	182	79

**170 Water sharing rules for risk class A priority water allocations**

- (1) The resource operations licence holder may supply water for risk class A priority water allocations in accordance with section 172 and from natural stream flows in the Condamine River North Branch.
- (2) There is no announced allocation for risk class A priority water allocations.
- (3) The resource operations licence holder must consider the following matters when determining the water sharing rules applied for each stream flow period—
  - (a) the volume of water available for distribution;
  - (b) the location of water available for distribution; and
  - (c) the previous distribution of available volumes.

**171 Announced allocation for risk class B priority water allocations**

- (1) The announced allocation for risk class B priority water allocations must be determined where—
  - (a) the announced allocation for medium priority water allocations ( $AA_{MP}$ ) is 100 percent; and
  - (b) the storage level in Leslie Dam is greater than 470.63 m AHD.
- (2) The announced allocation must be determined using the following formula—

$$AA_{RB} = 100 \times \left[ \frac{(5 \times VOL)}{FSV} - 4 \right]$$

- (3) The parameters used in the formula under subsection 2 are defined in Table 5.

**Table 5 Risk class B announced allocation parameters**

Parameter	Description
$AA_{RB}$	Announced allocation for risk class B priority
VOL	Volume (megalitres) stored in Leslie Dam at the start of the water year
FSV	Full supply volume (megalitres) of Leslie Dam (Table 1)

**172 Stream flow period for risk class A priority water allocations**

- (1) A stream flow period is a period of time, for zone UCS-03 that starts and ends at such time that the resource operations licence holder notifies under subsection 2.
- (2) The resource operations licence holder must notify risk class A priority water allocation holders of—
  - (a) the start and end of a stream flow period for an event;
  - (b) the entitlements that the period relates to; and
  - (c) the conditions under which the water may be taken.
- (3) The resource operations licence holder may start a stream flow period for zone UCS-03 whenever the following requirements for zone UCS-03 are being met—
  - (a) flow in the Condamine River at the Yarralong gauging station (GS 422353A) AMTD 967.0 km is greater than 864 megalitres per day; and
  - (b) the daily diversion from the Condamine River into the Condamine River North Branch is in accordance with Table 6.
- (4) The resource operations licence holder must end a stream flow period for risk class A priority water within a zone whenever the requirements in subsection 3 within the zone are no longer being met.
- (5) The resource operations licence holder must not deliver water that is to be taken as risk class A priority water allocation from the Condamine River to the Condamine River North Branch if within the same water year, the total volume diverted by water allocations under the risk class A has reached the volume of 7320 megalitres.

**Table 6 Allowable pumping rate to Condamine River North Branch for Risk Class A priority water**

Passing flow in Condamine River at Yarramalong Weir exceeds (ML/day)	Maximum Rate of take to North Branch (ML/day)
864	86.4
1296	172.8
1728	259.2
2160	345.6

**173 Stream flow period for medium priority water allocations**

- (1) A stream flow period is a period of time, for a zone or part of a zone that starts and ends at such time that the resource operations licence holder notifies under subsection 2.
- (2) The resource operations licence holder must notify medium priority water allocation holders of—
  - (a) the start and end of a stream flow period for an event;
  - (b) the zones and the entitlements that the period relates to; and
  - (c) the conditions under which the water may be taken.
- (3) The resource operations licence holder must start a stream flow period for a zone whenever the following requirements for the zone are being met—
  - (a) for zone UCS-02—when the flow rate at the Tummaville gauging station on the Condamine River (GS 422323A) AMTD 974.1 km—
    - (i) is likely to be greater than 86 megalitres per day; and
    - (ii) is less than 432 megalitres per day.
  - (b) for zone UCS-03—when the flow rate at Yarramalong gauging station on the Condamine River (GS 422353A) AMTD 967.0 km—
    - (i) is greater than 86 megalitres per day; and
    - (ii) is less than 432 megalitres per day.
- (4) The resource operations licence holder must start a stream flow period for a part of zone UCS-04 whenever the following requirements for the part of the zone are being met—
  - (a) for the part of zone UCS-04 from Talgai Weir to Yarramalong Weir when the flow rate at Yarramalong gauging station on the Condamine River (GS 422353A) AMTD 967.0 km—
    - (i) is greater than 86 megalitres per day; and
    - (ii) is less than 432 megalitres per day.
  - (b) for the part of zone UCS-04 from Yarramalong Weir to Lemon Tree Weir when the flow rate at Lemon Tree Weir—
    - (i) is greater than 86 megalitres per day; and
    - (ii) is less than 432 megalitres per day.

- (c) for the part of zone UCS-04 from Lemon Tree Weir to Cecil Plains Weir when the flow rate at Cecil Plains Weir—
  - (i) is greater than 86 megalitres per day; and
  - (ii) is less than 432 megalitres per day.
- (5) The resource operations licence holder must start a stream flow period for zone UCS-04 whenever all the requirements of subsection 4(a), (b) and (c) are being met.
- (6) The resource operations licence holder must end a stream flow period for a zone or part of a zone whenever any of the requirements in subsections 3, 4 and 5 for that zone or part of a zone are no longer being met.
- (7) Subsections 3(a)(i), 3(b)(i), 4(a)(i), 4(b)(i) and 4(c)(i) do not apply for a period of three months following the cessation of a flow over Cecil Plains Weir if the flow over Cecil Plains Weir has reached Loudoun gauging station on the Condamine River (GS 422333A) AMTD 834.0 km.

#### **174 Taking water under a water allocation**

- (1) The total volume of water taken under a water allocation in a water year must not exceed the nominal volume for the water allocation.
- (2) Where an announced allocation applies to water taken for a priority group, then the volume of water taken under a water allocation in a water year, other than during stream flow periods, must not exceed the nominal volume of the water allocation multiplied by the announced allocation for medium priority water allocations and divided by 100.
- (3) During a stream flow period for the zone or part of a zone to which a water allocation applies, water may be taken under the water allocation in addition to that which may be taken under subsection 2.
- (4) Subsection 3 applies to the medium priority and risk class A priority water allocations.

#### **175 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;
  - (d) be developed taking into consideration the options for facilitating the transfer of water to water accounts held or managed by essential services, industry and basic per capita consumption (excluding water for use outside of the home); and
  - (e) be developed taking into consideration, when storage levels are above the minimum operating level, allowing holders of high class A and high class B priority water allocations to relocate water between waterholes between the storage to maintain supplies at the off-takes.

- (3) The chief executive, in assessing the submission, may—
  - (a) request further information;
  - (b) approve the critical water supply arrangements with or without conditions; or
  - (c) require the resource operations licence holder to submit a proposal for revised critical water supply arrangements.
- (4) Where the chief executive approves the critical water supply arrangements under this section, the chief executive must amend this plan in accordance with section 364.

#### **176 Critical water supply arrangements commencement and cessation**

- (1) When the commencement triggers in the critical water supply arrangements are activated, the critical water supply arrangements apply and the relevant sections in the resource operations plan cease to apply for the critical water supply arrangement period.
- (2) When the cessation triggers in the critical water supply arrangements are activated the resource operations plan fully applies.

#### **177 Changing the critical water supply arrangements**

- (1) The resource operations licence holder may submit proposed changes to the approved critical water supply arrangements to the chief executive at any time.
- (2) The chief executive in assessing or deciding on proposed changes to the critical water supply arrangements submitted under subsection 1 may either—
  - (a) request further information;
  - (b) approve the proposed changes with or without conditions;
  - (c) amend and approve the amended changes; or
  - (d) refuse the proposed changes.
- (3) Where the chief executive approves changes to the critical water supply arrangements under this section, the chief executive must amend this plan in accordance with section 364.

### **Part 3 Dealings with water allocations**

#### **Division 1 Subdivision or amalgamation of water allocations**

##### **178 Permitted subdivisions and amalgamations**

- (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, priority group and purpose of the new water allocations are 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, priority group and purpose of the water allocations that are being amalgamated are the same.

### **179 Prohibited subdivisions and amalgamations**

- (1) Subdivision of a water allocation is prohibited where—
  - (a) the sum of the nominal volumes of the new water allocations is not equal to the nominal volume of the water allocation that is being subdivided; and
  - (b) the location, priority group and purpose of the new water allocations are not the same as that of the water allocation that is being subdivided.
- (2) Amalgamation of water allocations is prohibited where—
  - (a) the nominal volume of the new water allocation is not equal to the sum of the nominal volumes of the water allocations that are being amalgamated; and
  - (b) the location, priority group and purpose of the water allocations that are being amalgamated are the not same.

## **Division 2 Permitted changes**

### **180 Location**

- (1) A change to the location of a water allocation is permitted if the change would not result in a total nominal volume in a zone that—
  - (a) exceeds the maximum total nominal volume for a zone for a priority group identified in Table 7; or
  - (b) is less than the minimum total nominal volume for a zone for a priority group identified in Table 7.
- (2) For this section, the total nominal volume in a zone is the total nominal volume of all water allocations of the same priority group—
  - (a) for the zone; and
  - (b) for which relevant valid change certificates have been issued under section 129 of the *Water Act 2000*.

## **Division 3 Prohibited changes**

### **181 Priority group**

A change to the priority group for a water allocation is prohibited if the change would result in a priority group that is not specified in section 55(e)(i).

## **Division 4 Other changes**

### **182 Changes not provided for in divisions 2 and 3**

An application for a change to a water allocation that is not explicitly provided for under divisions 2 and 3 may be made in accordance with section 130 of the *Water Act 2000*.

## **Part 4                      Seasonal water assignment rules**

### **183    Seasonal water assignment rules**

- (1)    The resource operations licence holder may approve a seasonal water assignment if the total water use in a water year for each zone does not exceed the maximum allowable water use volume detailed in Table 8 for each zone.
- (2)    Total water use in a zone is the total volume of water used under water allocations for all priority groups managed and distributed by the resource operations licence holder for the zone.

184 to 189 section numbers not used.

**Table 7 Permitted distributions in the Upper Condamine Water Supply Scheme**

Zone (location)	High class A priority water allocations		High class B priority water allocations		Risk class A priority water allocations		Risk class B priority water allocations		Medium priority water allocations	
	Maximum nominal volume (ML)	Minimum nominal volume (ML)	Maximum nominal volume (ML)	Minimum nominal volume (ML)	Maximum nominal volume (ML)	Minimum nominal volume (ML)	Maximum nominal volume (ML)	Minimum nominal volume (ML)	Maximum nominal volume (ML)	Minimum nominal volume (ML)
UCS-01	3237	3237	0	0	0	0	110	110	810	0
UCS-02	450	450	0	0	0	0	815	815	3316	790
UCS-03	25	25	0	0	7320	7320	0	0	7155	0
UCS-04	0	0	125	125	0	0	0	0	11 857	2924

**Table 8 Maximum allowable water use volumes for the Upper Condamine Water Supply Scheme**

Zone (location)	Maximum water use (ML)
UCS-1	4157
UCS-2	4581
UCS-3	14 475
UCS-4	11 982

## Chapter 9 Chinchilla Weir Water Supply Scheme

### 190 Application of Chapter 9

This chapter applies to—

- (a) the resource operations licence holder for the Chinchilla Weir Water Supply Scheme; and
- (b) all water allocations managed under the resource operations licence for the Chinchilla Weir Water Supply Scheme.

### Part 1 Operating rules

#### 191 Use of waterholes

The water level in any waterhole may be drawn down to 0.5 metres below its natural cease to flow level to allow water to be taken under a water allocation if the water released by the resource operations licence holder will replace the water drawn down in the waterhole.

#### 192 Operating level of storages

- (1) The minimum operating level and full supply level for Chinchilla Weir are specified in Table 9.
- (2) The resource operations licence holder must not release or supply water from Chinchilla Weir when the water level in that storage is at or below its minimum operating level specified in Table 9.

**Table 9 Storage operating levels**

Storage	Minimum operating level (m AHD)	Full supply level (m AHD)
Chinchilla Weir	287.51	295.74

#### 193 Supply of water

- (1) Where the storage level in Chinchilla Weir is—
  - (a) greater than or equal to 294.39 m AHD, the resource operations licence holder may make releases from Chinchilla Weir to supply water allocations in zones CBS-02, CBS-03 and CBS-04; and
  - (b) less than 294.39 m AHD and greater than or equal to 292.71 m AHD, the resource operations licence holder may make releases from Chinchilla Weir to supply water allocations located in zone CBS-02.
- (2) Medium priority water allocation holders in zone CBS-01 must not take water when the storage level in Chinchilla Weir is less than 292.71 m AHD.

#### 194 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 ensuring that any change in the rate of release of water from Chinchilla Weir occurs incrementally.

## **195 Pass flows**

- (1) This section applies if—
  - (a) the water level in Chinchilla Weir is less than full supply level;
  - (b) the water level in Chinchilla Weir is greater than 292.71 m AHD; and
  - (c) there is an inflow into Chinchilla Weir.
- (2) The resource operations licence holder must ensure there is a minimum stream flow passing the weir equal to the inflow into the weir up to 122 megalitres per day.
- (3) The resource operations licence holder must estimate inflow into Chinchilla Weir using the storage inflow derivation technique approved by the chief executive under section 308(2).

## **Part 2 Water sharing rules**

### **196 Announced allocation**

- (1) The resource operations licence holder must—
  - (a) determine an announced allocation for each priority group;
  - (b) use the water sharing rules specified in this part to calculate announced allocations throughout the year;
  - (c) calculate and set the announced allocation for each priority group to take effect on the first day of each water year;
  - (d) following the commencement of a water year—
    - (i) recalculate the announced allocation to take effect no later than five business days following the first day of every month;
    - (ii) reset the announced allocation if a recalculation indicates that the calculated announced allocation would—
      - (A) increase by five or more percentage points; or
      - (B) increase to 100 percent.
  - (e) publish details of the announced allocation, including parameters for determining the announced allocation on the resource operations licence holder's internet site for the Chinchilla Weir Water Supply Scheme within five business days of setting or resetting an announced allocation;
  - (f) not reduce the announced allocation during a water year.
- (2) The announced allocation must be rounded to the nearest percent.
- (3) The announced allocation must not be greater than 100 percent.
- (4) The period of the announced allocation may be less than 12 months.

### **197 Announced allocation for high priority water allocations**

- (1) The announced allocation for high priority water allocations must be—
  - (a) 100 percent where the announced allocation for medium priority water allocations ( $AA_{MP}$ ) is greater than zero percent; or

- (b) determined using the following formula where the announced allocation for medium priority water allocations ( $AA_{MP}$ ) is zero percent—

$$AA_{HP} = \frac{(UV + DIV)}{HPA}$$

- (2) The parameters used in the formula under subsection 1(b) are defined in Table 10.

### 198 Announced allocation for medium priority water allocations

- (1) The announced allocation for medium priority water allocations must be determined using the following formula—

$$AA_{MP} = \frac{(RV + DIV)}{MPA}$$

- (2) The parameters used in the formula under subsection 1 are defined in Table 10.

**Table 10 Announced allocation parameters**

Parameter	Description
$AA_{HPA}$	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.
$AA_{MPA}$	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.
HPA	The total of the nominal volumes for high priority water allocations.
MPA	The total of the nominal volumes for medium priority water allocations.
RV	Resource volume: the volume available for medium priority allocations calculated using an assumed combined seepage and evaporation loss of 15 megalitres per day, average transmission losses of 50 percent to downstream users and high priority demands until the storage reaches the high priority reserve. Refer to Table 11 for resource volumes used.
UV	Useable volume: the volume of water available for determining the announced allocation percentages for water allocations. This volume equates to the volume of water available in Chinchilla Weir minus the operating and storage losses and is determined as follows— (a) $UV = (CV - MOV - SL)$ ; or (b) If $UV < 0$ then $UV = 0$ Where— CV = the current volume of Chinchilla Weir MOV = the minimum operating volume of Chinchilla Weir SL = the projected storage loss from Chinchilla Weir
DIV	Diverted volume: the total volume (in megalitres) of water taken under all water allocations in a water year in the water supply scheme up to the time of assessment of the announced allocation.

**Table 11 Resource volumes for Chinchilla Weir Water Supply Scheme**

July		August		September		October		November		December		January		February		March		April		May		June	
CV	RV	CV	RV	CV	RV	CV	RV	CV	RV	CV	RV	CV	RV	CV	RV	CV	RV	CV	RV	CV	RV	CV	RV
3250	0																						
3830	25	3250	0																				
4440	74	3860	49	3250	0																		
5038	116	4458	91	3848	42	3250	0																
5669	182	5090	158	4480	109	3882	67	3250	0														
6586	480	6006	455	5396	406	4798	364	4166	298	3250	0												
7907	1099	7328	1075	6718	1026	6120	984	5488	917	4571	620	3250	0										
9468	1912	8889	1887	8279	1838	7681	1796	7049	1730	6133	1432	4811	812	3250	0								
9780	2062	9780	2319	9641	2496	9043	2454	8411	2388	7495	2090	6174	1471	4612	658	3250	0						
				9780	2550	9780	2742	9484	2808	8568	2510	7246	1891	5685	1078	4323	420	3250	0				
								9780	2906	9497	2818	8176	2199	6614	1386	5252	728	4179	308	3250	0		
										9780	2883	8943	2374	7382	1562	6019	903	4947	483	4017	175	3250	0
												9523	2402	7962	1590	6600	931	5527	511	4598	203	3830	28
												9780	2658	9780	3408	9780	4112	9780	4764	9780	5385	9780	5978

### **199 Stream flow period for medium priority water allocations**

- (1) A stream flow period is a period of time for a zone that starts and ends at such time that the resource operations licence holder notifies under subsection 2.
- (2) The resource operations licence holder must notify the water allocation holders for the zone of the start and end of a stream flow period.
- (3) The resource operations licence holder may start a stream flow period for a zone whenever the following requirements for that zone are being met—
  - (a) for zone CBS-01 whenever—
    - (i) the storage level in Chinchilla Weir is at full supply level or the weir is overflowing; and
    - (ii) the flow at Chinchilla gauging station on the Condamine River (GS 422308C) AMTD 696.7 kilometres is—
      - (A) greater than 122 megalitres per day; and
      - (B) less than 600 megalitres per day.
  - (b) for zone CBS-02 whenever—
    - (i) the Condamine township weir (Condamine River at AMTD 613.1 km) is full or is likely to fill; and
    - (ii) the flow at Chinchilla gauging station on the Condamine River (GS 422308C) AMTD 696.7 kilometres is—
      - (A) greater than 122 megalitres per day; and
      - (B) less than 600 megalitres per day.
  - (c) for zones CBS-03 and CBS-04 whenever—
    - (i) the Condamine township weir (Condamine River at AMTD 613.1 km) is full or is likely to fill; and
    - (ii) the flow at Bedarra gauging station on the Condamine River (GS 422344A) AMTD 659.0 kilometres is—
      - (A) greater than 102 megalitres per day; and
      - (B) less than 600 megalitres per day.
- (4) The resource operations licence holder must end a stream flow period for a zone whenever any of the requirements in subsection 3 for that zone are no longer being met.

### **200 Taking water under a water allocation**

- (1) The total volume of water taken under a water allocation in a water year must not exceed the nominal volume for the water allocation.
- (2) Where an announced allocation applies to water taken for a priority group, then the volume of water taken under a water allocation in a water year, other than during stream flow periods, must not exceed the nominal volume of the water allocation multiplied by the announced allocation and divided by 100.
- (3) During a stream flow period for the zone to which a water allocation applies, water may be taken under the water allocation in addition to that which may be taken under subsection 2.

## **201 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;
  - (d) be developed taking into consideration the options for facilitating the transfer of water to water accounts held or managed by essential services, industry and basic per capita consumption (excluding water for use outside of the home); and
  - (e) be developed taking into consideration, when storage levels are above the minimum operating level, allowing holders of high priority water allocations to relocate water between waterholes between the storage to maintain supplies at the off-takes.
- (3) The chief executive, in assessing the submission, may—
  - (a) request further information;
  - (b) approve the critical water supply arrangements with or without conditions; or
  - (c) require the resource operations licence holder to submit a proposal for revised critical water supply arrangements.
- (4) Where the chief executive approves the critical water supply arrangements under this section, the chief executive must amend this plan in accordance with section 364.

## **202 Critical water supply arrangements commencement and cessation**

- (1) When the commencement triggers in the critical water supply arrangements are activated, the critical water supply arrangements apply and the relevant sections in the resource operations plan cease to apply for the critical water supply arrangement period.
- (2) When the cessation triggers in the critical water supply arrangements are activated the resource operations plan fully applies.

## **203 Changing the critical water supply arrangements**

- (1) The resource operations licence holder may submit proposed changes to the approved critical water supply arrangements to the chief executive at any time.
- (2) The chief executive in assessing or deciding on proposed changes to the critical water supply arrangements submitted under subsection 1 may either—
  - (a) request further information;
  - (b) approve the proposed changes with or without conditions;
  - (c) amend and approve the amended changes; or
  - (d) refuse the proposed changes.
- (3) Where the chief executive approves changes to the critical water supply arrangements under this section, the chief executive must amend this plan in accordance with section 364.

## **Part 3 Dealings with water allocations**

### **Division 1 Subdivision or amalgamation of water allocations**

#### **204 Permitted subdivisions and amalgamations**

- (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, priority group and purpose of the new water allocations are 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, priority group and purpose of the water allocations that are being amalgamated are the same.

#### **205 Prohibited subdivisions and amalgamations**

- (1) Subdivision of a water allocation is prohibited where—
  - (a) the sum of the nominal volumes of the new water allocations is not equal to the nominal volume of the water allocation that is being subdivided; and
  - (b) the location, priority group and purpose of the new water allocations are not the same as that of the water allocation that is being subdivided.
- (2) Amalgamation of water allocations is prohibited where—
  - (a) the nominal volume of the new water allocation is not equal to the sum of the nominal volumes of the water allocations that are being amalgamated; and
  - (b) the location, priority group and purpose of the water allocations that are being amalgamated are not the same.

### **Division 2 Permitted changes**

#### **206 Location**

- (1) A change to the location of a water allocation is permitted if the change would not result in a total nominal volume in a zone that—
  - (a) exceeds the maximum total nominal volume for a zone for a priority group identified in Table 12; or
  - (b) is less than the minimum total nominal volume for a zone for a priority group identified in Table 12.
- (2) For this section, the total nominal volume in a zone is the total nominal volume of all water allocations of the same priority group—
  - (a) for the zone; and
  - (b) for which relevant valid change certificates have been issued under section 129 of the *Water Act 2000*.

**Table 12 Permitted distributions in the Chinchilla Weir Water Supply Scheme**

Zone	High priority water allocations		Medium priority water allocations	
	Minimum nominal volume (ML)	Maximum nominal volume (ML)	Minimum nominal volume (ML)	Maximum nominal volume (ML)
CBS-01	1165	1165	2022	2884
CBS-02	0	0	0	61
CBS-03	0	0	0	801
CBS-04	0	0	0	726

**Division 3 Prohibited changes**

**207 Location**

- (1) A change to the location of a water allocation is prohibited if the change would result in a total nominal volume in a zone that—
  - (a) exceeds the maximum total nominal volume for a zone for a priority group identified in Table 12; or
  - (b) is less than the minimum total nominal volume for a zone for a priority group identified in Table 12.
- (2) For this section, the total nominal volume in a zone is the total nominal volume of all water allocations of the same priority group—
  - (a) for the zone; and
  - (b) for which relevant valid change certificates have been issued under section 129 of the *Water Act 2000*.

**208 Priority group**

A change to the priority group for a water allocation is prohibited if the change would result in a priority group that is not specified in section 55(e)(ii).

**Division 4 Other changes**

**209 Changes not provided for in divisions 2 and 3**

An application for a change to a water allocation that is not explicitly provided for under divisions 2 and 3 may be made in accordance with section 130 of the *Water Act 2000*.

**Part 4 Seasonal water assignment rules**

**210 Seasonal water assignment rules**

- (1) The resource operations licence holder may approve a seasonal water assignment if the total water use in a water year for each zone does not exceed the maximum allowable water use volume detailed in Table 13 for each zone.
- (2) Total water use in a zone is the total volume of water used under water allocations for all priority groups managed and distributed by the resource operations licence holder for the zone.

**Table 13 Maximum allowable water use volumes for the Chinchilla Weir Water Supply Scheme**

<b>Zone</b>	<b>Maximum water use (ML)</b>
CBS-01	4049
CBS-02	61
CBS-03	801
CBS-04	726

211 to 214 section numbers not used.