

Mitchell

resource operations plan

November 2009

Prepared by:

Water Allocation and Planning

Department of Environment and Resource Management

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Foreword

This Mitchell Resource Operations Plan 2009 implements provisions of the *Water Resource (Mitchell) Plan 2007*.

Released as a draft in October 2008, the resource operations plan has been finalised following a period of public review and comment. The provisions contained in this plan implement the water resource plan by improving the specification of all existing water entitlements and providing appropriate resource management. Existing water licences are amended to include volumetric specification.

The provisions in this plan incorporate a number of powerful drivers that will foster new standards of innovation and efficiency to help the community maximise the benefits it derives from these vital resources. A total of 70 000 megalitres of unallocated water is reserved to meet future demands. Water entitlements are catered for through improved mechanisms for dealing with applications, water monitoring and natural ecosystem monitoring.

The plan implements strategies to support a range of ecological outcomes and the water and ecosystem monitoring requirements that will be used to assess the effectiveness of the implemented water resource plan.

The Mitchell Resource Operations Plan details the Indigenous reserve established by the water resource plan which sets aside water as a mechanism for helping Indigenous communities in the Cape York Peninsula Region achieve their social and economic aspirations. Outside the Cape York Peninsula Region, communities can access unallocated water held as general or strategic reserves.

The plan continues to make water for domestic purposes available to all persons and communities.

I would like to thank the many groups and individuals who participated in the development of this plan.

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 Mitchell Resource Operations Plan 2009¹.
- (2) Reference in this document to ‘this plan’ means the Mitchell Resource Operations Plan 2009.

2 Commencement of the resource operations plan

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

3 Purpose of plan

This plan implements the *Water Resource (Mitchell) Plan 2007*.

4 Plan area

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

5 Interpretation of words used in this plan

The dictionary in Attachment 2 defines particular words used in this plan.

6 Seasonal water assignment zones

- (1) Each of the seasonal water assignment zones shown on the maps in Attachment 3 is a seasonal assignment zone for this plan.
- (2) Each seasonal assignment zone includes—
 - (a) each part of a watercourse, lake or spring that lies within the seasonal assignment zone; and
 - (b) those sections of tributaries where there is access to flow or pondage from a watercourse or lake within the seasonal assignment zone; and
 - (c) each part of an aquifer under land within the limits of the seasonal water assignment in which groundwater is declared under section 7 of the *Water Resource (Mitchell) Plan 2007* to be water in a watercourse and is within the limits of the seasonal water assignment zone.

7 Information about areas

- (1) The exact location of plan area boundaries and seasonal water assignment 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 boundaries².

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

² The information held in digital electronic form can be inspected at any of the department’s offices

8 Water to which this plan applies

- (1) This plan applies to the following water (*surface water*) in the plan area—
 - (a) water in a watercourse or lake;
 - (b) water in springs not connected to—
 - (i) GAB artesian water; or
 - (ii) GAB subartesian water;
 - (c) overland flow water, other than water in springs connected to—
 - (i) GAB artesian water; or
 - (ii) GAB subartesian water.
- (2) This plan also applies to the following water (*groundwater*) in the plan area—
 - (a) artesian water that is not GAB artesian water;
 - (b) subartesian water that is not GAB subartesian water.
- (3) In this section—
 - (a) GAB artesian water means artesian water in the plan area under the *Water Resource (Great Artesian Basin) Plan 2006*.
 - (b) GAB subartesian water means subartesian water connected to artesian water that is in the plan area under the *Water Resource (Great Artesian Basin) Plan 2006*.

9 Metering

- (1) A meter which complies with the standards approved by the chief executive, must be used to measure the volume of water taken under a water entitlement in the plan area mentioned in section 17(1) of the *Water Resource (Mitchell) Plan 2007*.
- (2) Subsection 1 applies—
 - (a) from the day the water entitlements are declared to be metered entitlements under the Water Regulation 2002, part 7; and
 - (b) in the circumstances mentioned in the Water Regulation 2002.

10 Departmental water monitoring data collection standard

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

³ The Water Monitoring Data Collection Standard can be accessed at: www.derm.qld.gov.au/water/monitoring/pdf/wm_data_col_stds.pdf or alternatively, inspected at any of the department's offices.

11 Departmental water monitoring data reporting standard

- (1) Where this plan requires transfer of data or reporting by a person or entity, the person or entity must ensure the transfer or reporting is consistent with the Water Monitoring Data Reporting Standard⁴.
- (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 person or entity, at least 20 business days before any substantive changes are made to the Water Monitoring Data Reporting Standard.

12 Implementation

The chief executive must implement requirements of this plan as soon as is practicable, but no later than five years from the commencement of this plan.

13 Sustainable management of water

This plan, in implementing the *Water Resource (Mitchell) Plan 2007*, provides for the sustainable management of water by—

- (1) allowing for the allocation of water and contributing to the fair, orderly and efficient allocation of water to meet community needs by—
 - (a) stating a process for dealing with unallocated water;
 - (b) granting authorisations for the management of, taking of and interfering with water.
- (2) protecting the biological diversity and health of natural ecosystems and contributing to the protection and, where possible, reversal of degradation of water, watercourses, lakes, springs, aquifers, natural ecosystems and other resources by—
 - (a) detailing arrangements for the collection and assessment of data by the chief executive relating to *Water Resource (Mitchell) Plan 2007* general ecological and specific ecological outcomes;
- (3) contributing to improving the confidence of water users regarding the availability and security of water entitlements by—
 - (a) stating a process for dealing with unallocated water;
 - (b) regulating overland flow water;
 - (c) regulating groundwater;
 - (d) detailing processes for dealing with applications for water licences relating to water to which this plan applies;
 - (e) detailing arrangements for the collection and assessment of data by the chief executive relating to *Water Resource (Mitchell) Plan 2007* outcomes; and
 - (f) detailing stated amendments under Section 106(b) of the *Water Act 2000* that can be made to this plan.
- (4) contributing to increasing community understanding and participation in the sustainable management of water by—
 - (a) providing opportunities for submissions as part of plan's development; and

⁴ The Water Monitoring Reporting Standard can be accessed at: www.derm.qld.gov.au/water/monitoring/pdf/wm_data_report_stds.pdf or alternatively, inspected at any of the department's offices.

- (b) 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.

14 Addressing water resource plan outcomes

This plan addresses Water Resource (Mitchell) Plan 2007, outcomes by—

- (a) providing monitoring and reporting arrangements to assist in the ongoing assessment of whether water management arrangements in the plan area will contribute to the achievement of *Water Resource (Mitchell) Plan 2007*, outcomes;
- (b) Attachment 4 table 1 lists the outcomes of the *Water Resource (Mitchell) Plan 2007* and how the rules of this plan are linked to those outcomes.

15 to 20 Section numbers not used

Chapter 2 Unallocated Water

21 Scope of chapter 2

This chapter states a process for making available and dealing with, unallocated water mentioned in section 23 of the *Water Resource (Mitchell) Plan 2007*.

22 Record of volume of unallocated water

- (1) The chief executive may develop a register of the volume of unallocated water available.
- (2) This register must be updated after the granting on an entitlement.

23 Requirement for information about land suitability

- (1) An application for unallocated water where the water is proposed to be used under a water licence for irrigation must be accompanied by information that demonstrates the potential suitability of the land for irrigation.
- (2) For this section, potential suitability of the land for irrigation means the potential of the land for sustainable irrigation with consideration of the following matters that may constrain the extent and location of any irrigation development—
 - (i) availability of existing cleared land and, where clearing for irrigation is required, the availability of land without remnant vegetation.
 - (ii) the occurrence of ecological assets and other high value environmental features such as wetlands;
 - (iii) suitability of the topography, including the slope of the land intended to be irrigated;
 - (iv) known cultural heritage sites; and
 - (v) attributes of the soil, including potential salinity, sodicity and drainage concerns.
- (3) In this section—
 - (i) **remnant vegetation** has the meaning given by the *Vegetation Management Act 1999*, schedule.

24 Land and water management plan

Use of water under a water licence granted in accordance with this chapter requires a land and water management plan⁵ approved under section 77 of the *Water Act 2000* if the water is to be used for irrigation.

Part 1 Unallocated water reserves

25 Unallocated water reserves

- (1) Unallocated water is reserved in the following reserves—
-

⁵ Refer to section 73(1)(c) of *Water Act 2000*

- (a) strategic reserve;
 - (b) general reserve; and
 - (c) Indigenous reserve.
- (2) The total volume of each reserve and the subcatchment that the water will be made available from at the time of plan commencement is shown in table 1.

Table 1 Volume available at the time of plan commencement

Location	Volume (ML)		
	Strategic reserve	General reserve	Indigenous reserve
Mitchell River upstream of Node 1	0	20 000	0
Areas other than the Mitchell River upstream of node 1	0	35 000	0
Indigenous unallocated water from the Cape York Peninsula Region	0	0	5000
Strategic unallocated water	10 000	0	0

Part 2 Granting unallocated water from reserves

26 Unallocated water product specification

Where the chief executive decides to grant unallocated water it must be as water licences.

27 Granting unallocated water

- (1) The process for granting unallocated water must be in accordance with the requirements prescribed in Part 2, Division 1C of the Water Regulation 2002.
- (2) When deciding an application for unallocated water from an unallocated water reserve, the chief executive must consider the effect of granting from the unallocated water reserves on Indigenous cultural values and the social and economic wellbeing of local Indigenous communities.

Division 2 Division 1 Terms and conditions for water licences

28 Scope of division 1

This division details terms and conditions that the chief executive may include on licences to take water, which may be granted under this chapter.

29 Water licences for taking water from a watercourse, lake or spring

A water licence to take water from a watercourse, lake or spring must be granted in accordance with Chapter 4, Part 2, Division 4 of the *Water Resource (Mitchell) Plan 2007*.

30 Water licences for taking overland flow water

A water licence for the taking of overland flow water:

- (a) Must state the purpose for which water may be taken under the licence as either—
 - (i) rural; or
 - (ii) any.

- (b) Must state at least one of the following terms and conditions—
 - (i) the maximum stored volume;
 - (ii) the maximum rate at which the water may be taken under the licence;
 - (iii) the daily volumetric limit for the licence;
 - (iv) the annual volumetric limit for the licence;
 - (v) the mean annual volume for the licence.
- (c) may state the conditions for the licence, including flow conditions and conditions for storing water taken under the licence.

31 Water licences for taking groundwater

- (1) A water licence for taking unallocated water from the Chillagoe Groundwater Management Area must be in accordance with Chapter 4, Part 3, Division 2 sections 60 to 66 of the *Water Resource (Mitchell) Plan*.
- (2) The chief executive may require a person interested in obtaining a water licence to take unallocated groundwater from the Chillagoe Groundwater Management Area to—
 - (a) investigate the likely impact the proposed taking of water may have on groundwater or surface water flows; and
 - (b) give the result of the investigation to the chief executive.

32 Special conditions for licences granted from the strategic reserve

Water licences granted from the strategic reserve for the following State purposes must include a condition on the licence that the right to take water returns to the State on the conclusion of—

- (a) a project of State significance; or
- (b) a project of regional significance.

33 to 42 Section numbers not used

Chapter 3 Amending existing authorisations

43 Application of chapter 3

This chapter gives effect to Chapter 4, Part 2, Division 4 of the *Water Resource (Mitchell) Plan 2007*.

44 Amending water licences

- (1) This section—
 - (a) applies to each existing water licence, for which the water licence number is listed in Attachment 5 of this plan; and
 - (b) amends existing water licences that are inconsistent with the *Water Resource (Mitchell) Plan 2007* to state—
 - (i) the purpose for which water may be taken;
 - (ii) the maximum rate at which water may be taken;
 - (iii) the daily volumetric limit;
 - (iv) the annual volumetric limit; and
 - (v) conditions, as are appropriate.
- (2) Within 120 business days of the commencement of this plan, the chief executive, in accordance with section 217 of the *Water Act 2000*, must amend each water licence to which this section applies.
- (3) Each water licence amended under this section must include the terms and conditions as detailed for the water licence in Attachment 5 of this plan.

45 to 51 Section numbers not used

Chapter 4 Dealing with water licence applications

52 Water licence applications to which this chapter applies

- (1) This chapter applies to each application for a water licence made under section 206 of the *Water Act 2000* if granting the application would have one or more of the following effects on water to which this plan applies—
 - (a) increase the annual volumetric limit for taking water;
 - (b) increase the interference with water;
 - (c) change the location from which water may be taken;
 - (d) increase the maximum rate for taking water; or
 - (e) change the flow conditions under which the water may be taken.
- (2) This chapter applies even if the application was made before the commencement of this plan.
- (3) Each application to which this chapter applies must be dealt with in accordance with part 6 of the *Water Act 2000*.
- (4) This chapter does not apply to—
 - (a) an application made under the following provisions of the *Water Act 2000*—
 - (i) section 221—reinstating an expired water licence;
 - (ii) section 224—amalgamating water licences;
 - (iii) section 225—subdividing a water licence; and
 - (iv) section 229—effect of disposal of part of land to which water licence to take water attaches.
 - (b) an application made in accordance with chapter 2 of this plan;
 - (c) an application to interfere with, or increase the interference with, water in a watercourse, lake or spring by impounding the flow of the water made in accordance with the process in section 36 of the *Water Resource (Mitchell) Plan 2007*; or
 - (d) an application to interfere with water by artificially improving or changing the course of a water course lake or spring.

53 Applications to be refused

The chief executive must refuse an application to which this chapter applies unless this chapter explicitly provides for granting the application.

54 Application to increase the maximum rate of take

- (1) This section applies to an application to amend a water licence to increase the maximum rate of take of water.
- (2) Applications to increase the rate of take must be refused for the upper Mitchell subcatchment area, except on the Mitchell River above the confluence of the Rifle Creek (AMTD554.5).
- (3) The chief executive may grant an application for areas, other than that listed in subsection 2 above, if there is an existing development permit associated with the water licence and—

- (a) the maximum rate specified on the water licence is less than—
 - (i) for an existing development permit that states a pump size mentioned in schedule 6, column 1 of the *Water Resource (Mitchell) Plan 2007*—the rate stated in schedule 6, column 2 of the *Water Resource (Mitchell) Plan 2007*;
 - (ii) for an existing development permit that states a pump size other than a pump size mentioned in schedule 6, column 1 of the *Water Resource (Mitchell) Plan 2007*—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 6, column 2 of the *Water Resource (Mitchell) Plan 2007*.
- (b) where schedule 6 of the *Water Resource (Mitchell) Plan 2007* does not apply, the works authorised by an existing development permit have the capacity to take water at a rate greater than the maximum rate specified on the water licence.
- (4) The chief executive must refuse the application if the maximum rate applied for exceeds—
 - (a) for an existing development permit that states a pump size mentioned in schedule 6 column 1 of the *Water Resource (Mitchell) Plan 2007*—the rate stated in schedule 6 column 2 of the *Water Resource (Mitchell) Plan 2007*;
 - (b) for an existing development permit that states a pump size other than a pump size mentioned in schedule 6, column 1 of the *Water Resource (Mitchell) Plan 2007*—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 6, column 2 of the *Water Resource (Mitchell) Plan 2007*; or
 - (c) the rate at which the works authorised by an existing development permit are capable of taking water.

55 Application to increase the daily volumetric limit

- (1) This section applies to an application to amend a water licence to increase the daily volumetric limit.
- (2) The chief executive may grant the application if there is an existing development permit associated with the water licence and—
 - (a) the daily volumetric limit specified on the water licence is less than—
 - (i) for an existing development permit that states a pump size mentioned in schedule 6, column 1 of the *Water Resource (Mitchell) Plan 2007*—the daily volumetric limit stated in schedule 6, column 3 of the *Water Resource (Mitchell) Plan 2007*;
 - (ii) for an existing development permit that states a pump size other than a pump size mentioned in schedule 6, column 1 of the *Water Resource (Mitchell) Plan 2007*—the daily volumetric limit decided by the chief executive having regard to the limits stated for similar pump sizes in schedule 6, column 3 of the *Water Resource (Mitchell) Plan 2007*;
 - (iii) where schedule 6 of the *Water Resource (Mitchell) Plan 2007* does not apply, the works associated with an existing development permit have the capacity to take water at a rate greater than the daily volumetric limit specified on the water licence.
- (3) The chief executive must refuse the application if the daily volumetric limit applied for exceeds—
 - (a) for an existing development permit that states a pump size mentioned in schedule 6, column 1 of the *Water Resource (Mitchell) Plan 2007*—the daily volumetric limit stated in schedule 6, column 3 of the *Water Resource (Mitchell) Plan 2007*;

- (b) for an existing development permit that states a pump size other than a pump size mentioned in schedule 6, column 1 of the *Water Resource (Mitchell) Plan 2007*—the daily volumetric limit decided by the chief executive having regard to the limits stated for similar pump sizes in schedule 6, column 3 of the *Water Resource (Mitchell) Plan 2007*;
- (c) the maximum volume the works authorised by an existing development permit are capable of taking in a day.

56 Applications to take water for stock and domestic purposes

- (1) This section applies to an application to take water from a watercourse, lake or spring, where the application is for the taking of water for stock purposes or domestic purposes.
- (2) The chief executive may grant the application, only if the chief executive is satisfied that—
 - (a) the applicant does not have another water entitlement to take water for the land to which the application applies;
 - (b) the land to which the application applies does not have access to a suitable alternative water supply, including, but not limited to, a reticulated water supply;
 - (c) unallocated water under chapter 2, is not otherwise available to the applicant; and
 - (d) the plan of survey for the land to which the application applies was registered before the commencement of this plan.
- (3) A licence to which this section applies can only be granted for stock purposes and domestic purposes.
- (4) In this section—
 - (a) *plan of survey* has the meaning given by the *Land Title Act 1994*, schedule 2.
 - (b) *stock purposes* and *domestic purposes* have the meanings given by the *Water Act 2000*.

Part 1 Seasonal water assignment under water licences

57 Scope of part 1

This part provides for seasonal water assignment of water licences that authorise the taking of water within the Upper Mitchell Subcatchment in seasonal assignment zones 1, 2 or 3.

58 Seasonal water assignment rules

- (1) The licensee of a water licence mentioned in section 57 of this plan or the holder of a seasonal water assignment notice may apply for a seasonal water assignment only if the water licence—
 - (a) states the elements of a water licence to take surface water as required under section 45 of the *Water Resource (Mitchell) Plan 2007*; and
 - (b) is a metered entitlement in accordance with the *Water Regulation 2002*.
- (2) For water licences located in seasonal water assignment zones 1, 2 or 3 the chief executive may approve a seasonal water assignment of all or part of the water that may be taken under the water licence only where—
 - (a) the seasonal water assignment will be subject to the same conditions about when water may be taken as the water licence to be assigned;
 - (b) the water licence does not have a condition that requires the water taken to be stored in particular works;

- (c) the volume of the seasonal water assignment is no greater than the unused annual volumetric limit that may be taken under the authority of the water licence;
- (d) the daily volumetric limit for the seasonal assignment is in proportion to the share of the unused volume being seasonally assigned;
- (e) daily volumetric limit for the water licence being seasonally assigned is reduced in proportion to the share of the unused volume not being seasonally assigned.

Part 2 Granting water licences for taking overland flow water

59 Scope of part 2

For granting a licence under section 212 of the *Water Act 2000*, this part states—

- (a) for section 56 of the *Water Resource (Mitchell) Plan 2007*, the process for granting or amending a water licence to replace the authority under section 55(3) of the *Water Resource (Mitchell) Plan 2007*;
- (b) matters the chief executive must consider;
- (c) conditions the chief executive must include on the licence; and
- (d) requirements for certified reports for an overland flow storage.

60 Granting or amending a water licence under section 56 of the *Water Resource (Mitchell) Plan 2007*

- (1) The chief executive may at any time—
 - (a) grant a licence for the take of overland flow water to replace the authority under section 55(3) of the *Water Resource (Mitchell) Plan 2007*;
 - (b) amend a licence granted under subsection (a).
- (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) requesting that the owner of the land clearly identify the existing works that take overland flow water;
 - (b) stating that a water licence will be granted or amended for the take of overland flow water for the existing works;
 - (c) requesting additional information including, but not limited to the pattern of use from the works based on the water requirements and purpose for which the water is used; and
 - (d) providing details of any other information required by the chief executive.
- (3) A notice under subsection 2 may also request the owner of the land to provide, in accordance with section 61 of this plan, a certified report about the take of overland flow using the works.
- (4) In making a decision about granting or amending a licence under subsection 1, the chief executive must consider—
 - (a) any relevant information available to the chief executive about the works;
 - (b) the certified report about the works; and
 - (c) any other matters the chief executive considers relevant.

61 Certified reports for overland flow works

- (1) For the purpose of this part, a certified report is a report prepared in accordance with the standards and requirements set out in a notice provided by the chief executive.
- (2) The purpose of the certified report is to provide the chief executive with an accurate representation of—
 - (a) the infrastructure to which the report relates;
 - (b) how the infrastructure is operated; and
 - (c) the ability of the infrastructure to take overland flow water;
- (3) The chief executive may require that the certified report is to be verified and signed by a Registered Professional Engineer.

62 Contents and conditions for a water licence to take overland flow water

A water licence for the taking of overland flow water—

- (a) must state the purpose for which water may be taken under the licence as either—
 - (i) rural; or
 - (ii) any.
- (b) must state at least one of the following terms and conditions—
 - (i) the maximum stored volume;
 - (ii) the maximum rate at which the water may be taken under the licence;
 - (iii) the daily volumetric limit for the licence;
 - (iv) the annual volumetric limit for the licence;
 - (v) the mean annual volume for the licence.
- (c) may state the conditions for the licence, including flow conditions and conditions for storing water taken under the licence.

Part 3 Water licences used in conjunction with overland flow works

63 Application to amend a water licence to change a condition

- (1) This section applies if an application is received to amend a water licence to change a condition that requires water taken under the licence to be stored in particular works that also allow taking of overland flow water.
- (2) Where the chief executive decides to grant the application, the chief executive must issue a water licence for taking overland flow water to the applicant in accordance with part 2 of this chapter.
- (3) If the applicant fails, without reasonable excuse, to provide the information required under part 2 within 90 business days, the application lapses.

64 to 69 Section numbers not used

Chapter 5 Monitoring and reporting

70 Water monitoring

- (1) The chief executive must measure or collect, and keep publicly available, records of—
 - (a) water quantity; and
 - (b) water taken.
- (2) The chief executive must collect and record publicly available information on—
 - (a) future consumptive demands for water; and
 - (b) water use efficiency.

71 Natural ecosystems monitoring

The chief executive must collect and keep publicly available information, including information on—

- (a) ecological assets that are linked to the ecological outcomes of the *Water Resource (Mitchell) Plan 2007*; and
- (b) the critical water requirements of ecological assets, including the provision of these requirements under the *Water Resource (Mitchell) Plan 2007*.

72 Assessment

The chief executive must assess the data measured, collected and recorded under sections 70 and 71 of this plan against the outcomes specified in the *Water Resource (Mitchell) Plan 2007* are being achieved.

73 to 78 Section numbers not used

Chapter 6 Amendments to the resource operations plan

79 Scope of chapter 6

This chapter sets out the types of amendments that can be made to this plan under the *Water Act 2000* that—

- (a) do not require public notification—part 1; and
- (b) do require public notification—part 2.

80 Commencement of amendments

An amendment to this plan commences—

- (a) where a date is specified in the Queensland Government Gazette – on the date specified; or
- (b) where no date is specified in the Queensland Government Gazette – on the date the Gazette is first published.

Part 1 Amendments not requiring public notification

81 Application of part 1

This part describes those amendments that may be made to this plan under section 106(b) of the *Water Act 2000*.

82 Amendment necessary to implement an amendment to the *Water Resource (Mitchell) Plan 2007*

An amendment that is necessary to implement an amendment to the *Water Resource (Mitchell) Plan 2007* made under section 57(b) of the *Water Act 2000* may be made to this plan.

83 Amendment to monitoring requirements

- (1) An amendment that provides for improved or more efficient monitoring for assessing the *Water Resource (Mitchell) Plan 2007* outcomes may be made to this plan.
- (2) Such amendments may include, but are not limited to, the following—
 - (a) changing indicators for water quality monitoring; and
 - (b) an increase or addition to monitoring requirements, if further information is required.

84 Amendment of limits for relocation of licences in the Upper Mitchell River

An amendment may be made to the limits for relocation of licences in the upper Mitchell River in sections 57 and 58, if—

- (a) Unallocated water is granted in the area; or
- (b) Monitoring indicates a change to sustainable limits for water availability.

Part 2 Amendments requiring public notification

85 Amendments under the *Water Act 2000*

The chief executive may amend this plan under section 105(5) of the *Water Act 2000* to include additional requirements for water management. Examples include, but are not limited to—

- (a) environmental management rules; and
- (b) seasonal water assignment rules.

Attachment 1. Mitchell Plan Area

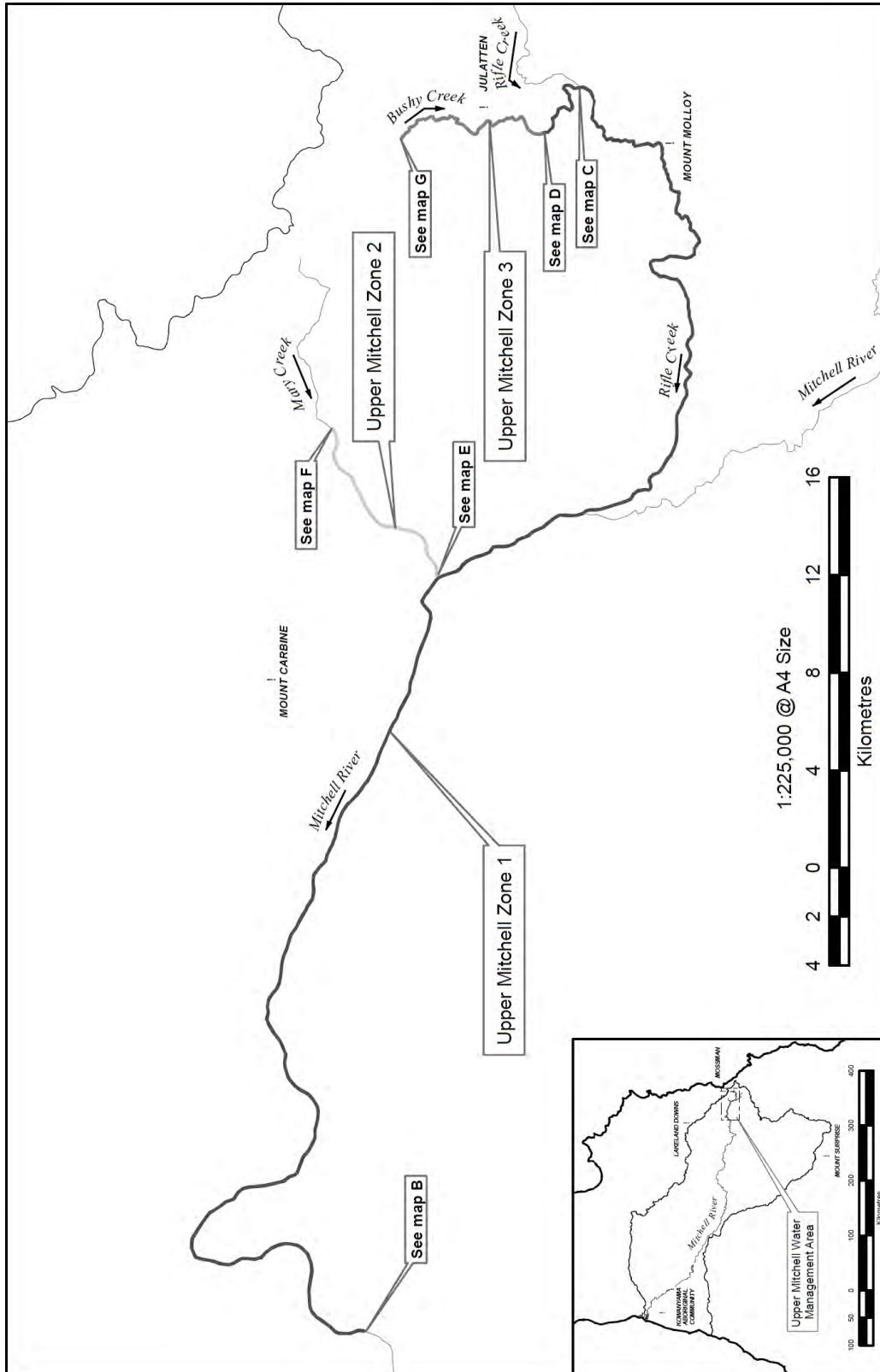


Attachment 2. Dictionary

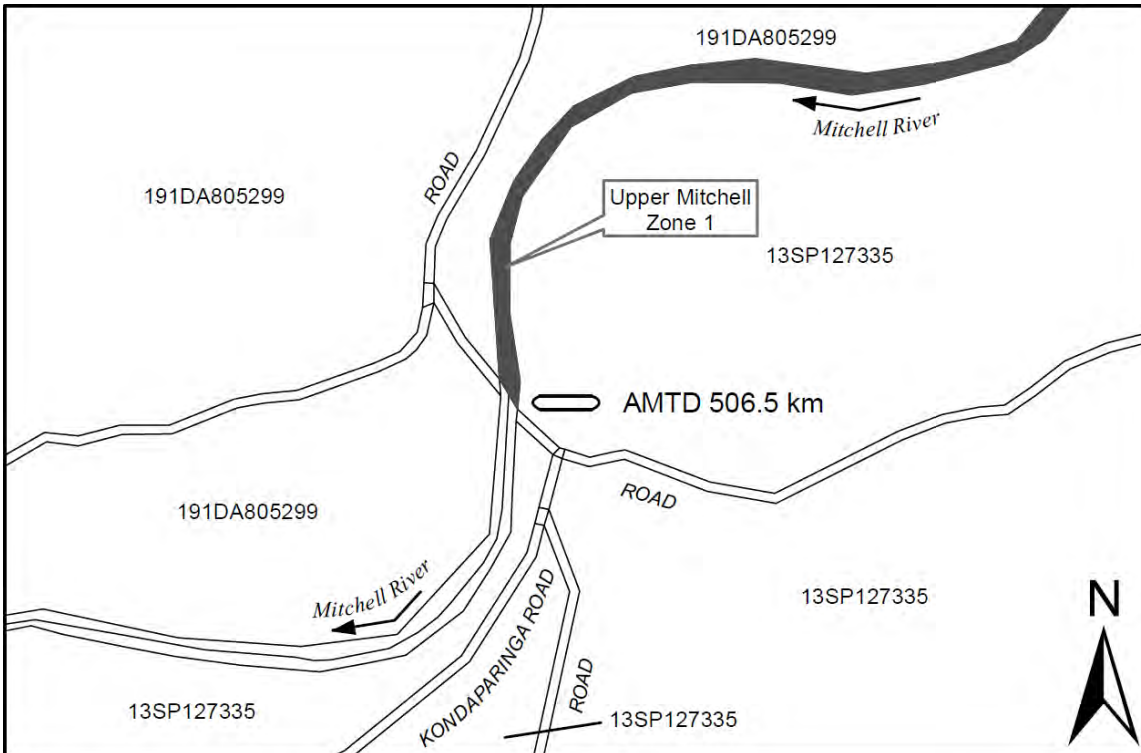
Term	Definition
Annual volumetric limit	For the purpose of this Plan, the annual volumetric limit, for a water licence, has the same meaning as the term <i>nominal entitlement</i> .
Emergency	An emergency includes an occurrence that, by nature of it's severity, extent or timing might be regarded as an emergency (for example contamination of water supply, structural damage to infrastructure or a danger to human health).
Existing water authorisations	For chapter 4 of this plan, existing water authorisation means a water licence, interim water allocation or other authority to take water that is in effect at the commencement of this plan.
Existing development permits	For chapter 4 of this plan, existing development permit means a development permit that is in effect at the commencement of this plan.
Location	(1) For a water allocation, location means the zone from which water under the water allocation can be taken. (2) For a water licence, location means the section of the watercourse, lake or spring abutting or contained by the land described on the water licence at which water may be taken.
Nominal Entitlement	Nominal entitlement, for a water licence, has the meaning given by section 65 of the Water Regulation 2002.
Project of regional significance	A project of regional significance means a project that the Coordinator-General, having regard to the matters mentioned in the <i>State Development and Public Works Organisation Act 1971</i> , Section 27, decides is a project of regional significance for the purposes of this plan.
Project of state significance	A project of state significance means a project declared under the <i>State Development and Public Works Organisation Act 1971</i> to be a significant project.
Resource operations plan zone	A geographic location defined by a reach of a watercourse. Resource operations plan zones define the location of a water allocation and operational arrangements under this plan.
Water use	The actual consumption of water.

Attachment 3. Seasonal Assignment Zones in the Upper Mitchell

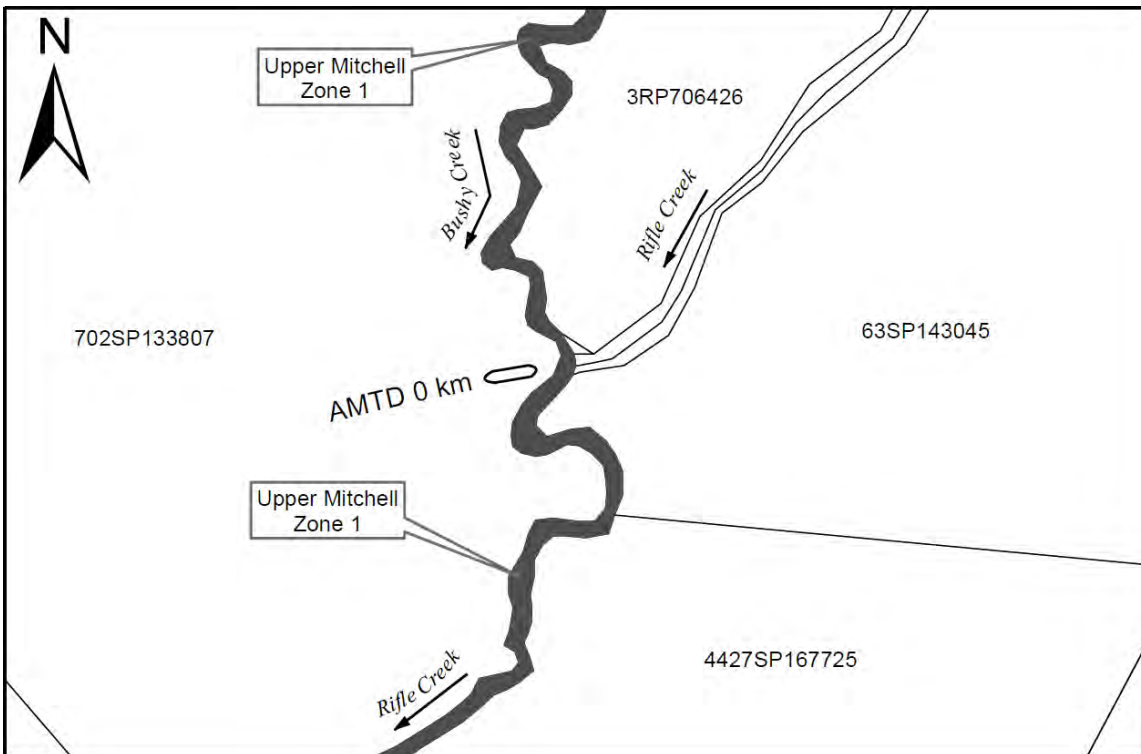
Map A. Main map for seasonal assignment zones 1, 2 & 3



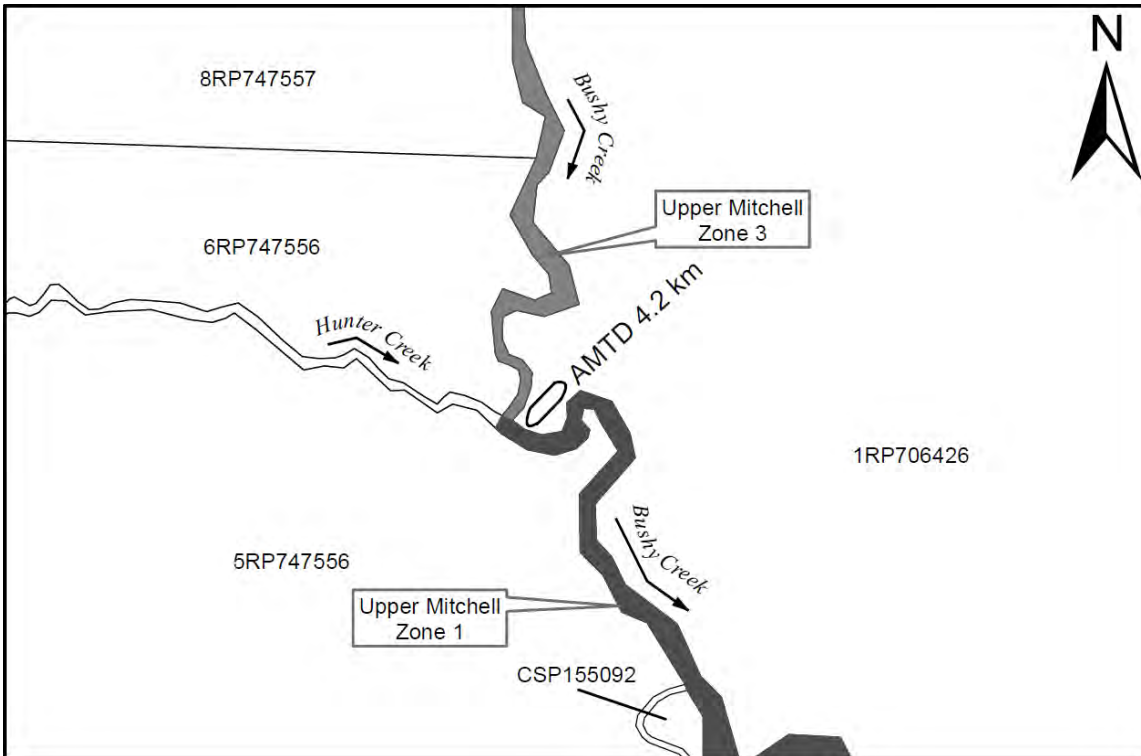
Map B. Downstream limit of seasonal assignment zone 1



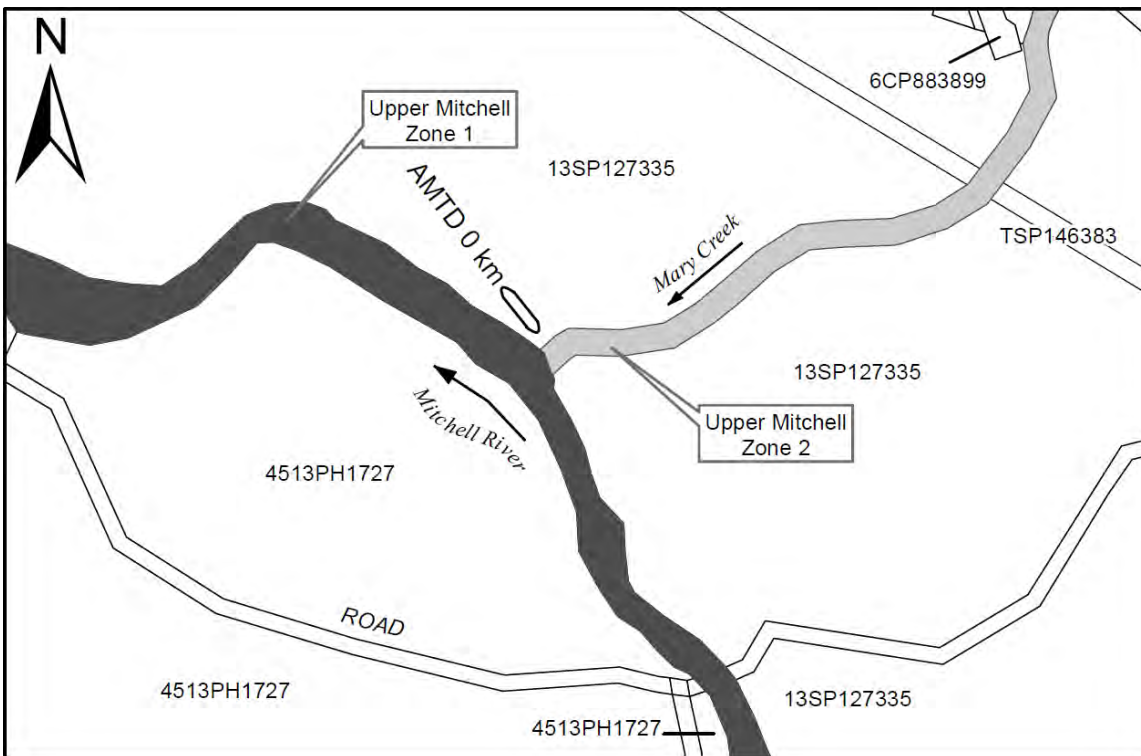
Map C. Seasonal assignment zone 1



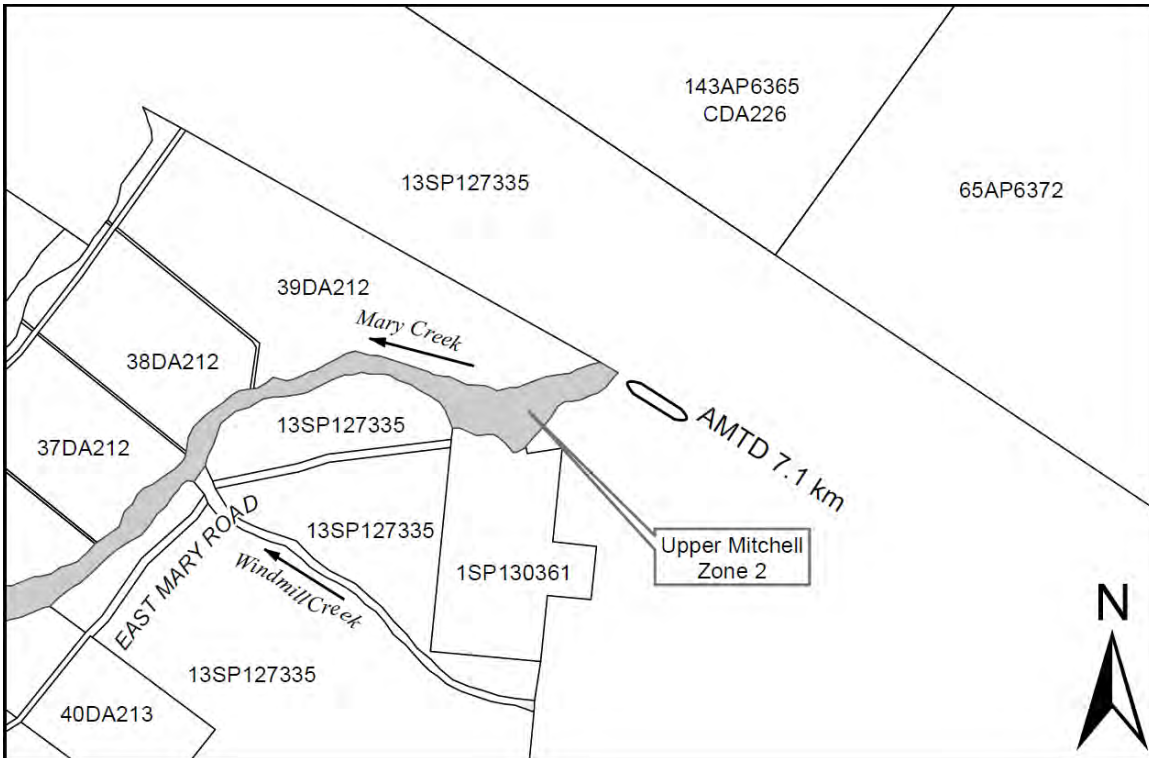
Map D. Boundary between seasonal assignment zone 1 and 3



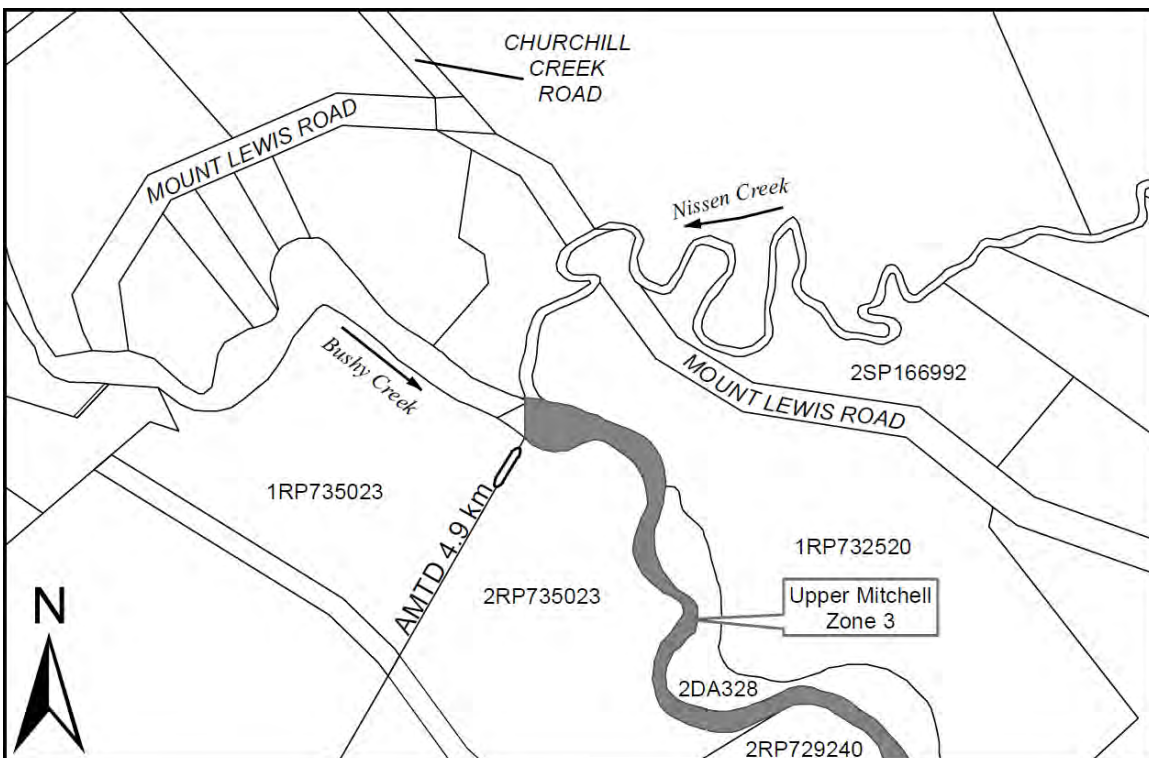
Map E. Boundary between seasonal assignment zones 1 and 2



Map F. Upstream limit of seasonal assignment zone 2



Map G. Upstream limit of seasonal assignment zone 3



Attachment 4. Links between this plan and the *Water Resource (Mitchell) Plan 2007*

General outcomes of the <i>Water Resource (Mitchell) Plan 2007</i> (section 12)	Resource operations plan rules
Each of the following is a general outcome for water in the plan area—	
12(a) to provide for the use of water entitlements and other authorisations in the plan area	<ul style="list-style-type: none"> • metering • providing seasonal assignment zones in the upper Mitchell
12(b) to provide for the continued use of all existing overland flow works	<ul style="list-style-type: none"> • providing for granting and amending water licences to take overland flow water
12(c) to provide for the continued use of all existing water bores	<ul style="list-style-type: none"> • metering • granting and converting authorisations
12(d) to make water available to support growth in industries dependant on water in the plan area	<ul style="list-style-type: none"> • dealing with unallocated water • seasonal water licence trading in the upper Mitchell
12(e) to make water in Lake Mitchell available to be taken	<ul style="list-style-type: none"> • dealing with unallocated water
12(f) to make water available to support population growth in towns and communities dependant on water in the plan area	<ul style="list-style-type: none"> • dealing with unallocated water • seasonal water licence trading in the upper Mitchell
12(g) to make water available to growth in irrigated agriculture	<ul style="list-style-type: none"> • dealing with unallocated water
12(h) to make water available for helping Indigenous communities in the Cape York Peninsula Region area to achieve their economic and social aspirations	<ul style="list-style-type: none"> • dealing with unallocated water
12(i) to encourage continual improvement in the efficient use of water	<ul style="list-style-type: none"> • metering
12(j) to support water-related cultural values of Aboriginal and Torres Strait Islander communities in the plan area	<ul style="list-style-type: none"> • dealing with unallocated water
12(k) to support tourism in the plan area, including, for example, by protecting flows that support the natural aesthetics of watercourses and their surroundings	<ul style="list-style-type: none"> • dealing with unallocated water • aquatic ecosystem monitoring
12(l) to support commercial fishing in the Gulf of Carpentaria, including, for example, by protecting flood flows that may deliver nutrients and water to estuarine and marine environments to stimulate growth and movement of native aquatic animals, including fish, prawns, and crabs	<ul style="list-style-type: none"> • regulating the take of overland flow
12(m) to ensure water is available to support natural ecosystem processes	<ul style="list-style-type: none"> • data collection and assessment
12(n) to allocate and manage water in the upper Walsh River and upper Mitchell River in a way that is compatible with the outcomes of the <i>Water Resource (Barron) Plan 2002</i> to the greatest practicable extent	<ul style="list-style-type: none"> • data collection and assessment
General ecological outcomes of the <i>Water Resource (Mitchell) Plan 2007</i> for both surface water and groundwater (section 13)	Resource operations plan rules
Each of the following is a general ecological outcome for water in the plan area—	
13(1)(a) to maintain the natural variability of flows that support the habitats of native plants and animals and migratory birds in watercourses, floodplains, wetlands, lakes and springs	<ul style="list-style-type: none"> • data collection and assessment • use of performance indicators for monitoring by the chief executive
13(1)(b) to provide for the continued capability of one part of a river system to be connected to another, including by maintaining flood flows that—	<ul style="list-style-type: none"> • data collection and assessment • use of performance indicators for monitoring by the chief executive
13(1)(b)(i) allow for the movement of native aquatic animals between riverine, floodplain, wetland, estuarine, and marine environments; and	
13(1)(b)(ii) deliver nutrients and organic matter throughout the plan area to support natural processes such as breeding, growth and migration in riverine, floodplain, wetland, estuarine and marine environments; and	
13(1)(b)(iii) deliver water and sediment throughout the plan area to support river-forming processes	

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13(1)(c) to minimise changes to natural variability an water levels and to support natural ecological processes, including maintaining refugia associated with waterholes and lakes	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive
13(1)(d) to maintain the permanence of water in naturally perennially flowing watercourses and river bed sands that provide water to support native plants and animals, particularly during dry seasons	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive
13(1)(e) to promote improved understanding of the matters affecting flow-related health of ecosystems in the plan area	<ul style="list-style-type: none"> • data collection and assessment • Metering • use of performance indicators for monitoring by the chief executive • links to monitoring and assessment programs undertaken by other stakeholders and agencies
General ecological outcomes of the <i>Water Resource (Mitchell) Plan 2007</i> for groundwater only (section 14)	Resource operations plan rules
Each of the following is a general ecological outcome for groundwater in the plan area—	
14(a) to maintain groundwater contributions to the flow of water in watercourses, lakes and springs	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive
14(b) to support the ecosystems dependant on groundwater, including, for example, riparian vegetation, wetlands and waterholes	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive
14(c) to allocate and manage groundwater in a way that is compatible with the outcomes of the <i>Water Resource (Great Artesian Basin) Plan 2006</i> to the greatest practicable extent	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive
Specific ecological outcomes of the <i>Water Resource (Mitchell) Plan 2007</i> (section 15)	Resource operations plan rules
Each of the following is a specific ecological outcome—	
15(a) to maintain the cultural, ecological and tourism values of the cave ecosystems of the Chillagoe-Mungana Caves National Park	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive
15(b) to maintain flood flows to the estuarine and marine environments of the Gulf of Carpentaria to stimulate breeding, growth and migration of native aquatic animals	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive
15(c) to maintain the natural variability of flood flows that inundate, and deliver nutrients, organic matter and sediment to, the wetlands of the areas known as the Southern Mitchell Aggregation and the Southeast Karumba Plain Aggregation	<ul style="list-style-type: none"> • data collection and assessment • metering • use of performance indicators for monitoring by the chief executive

Attachment 5. Water licences amended under the plan

Licensee	Water Licence number	Watercourse	Purpose	Max rate of take (L/s)	Annual volumetric limit (ML)	Water Licence Conditions	Water Licence Conditions Omitted
NEIL LESLIE COATES; MERIDITY JOYCE COATES	35995K	MITCHELL RIVER	Rural	30	100	The daily volumetric limit that may be taken under this licence is 2.6 megalitres.	
JOHN JAMES DALGETY; SANDRA CARMEL DALGETY	100874	PALMER RIVER	Rural	80	264	The daily volumetric limit that may be taken under this licence is 6.9 megalitres.	Schedule B, SPEC 03
CHERYL MAY FITZGERALD; RAYMOND MICHAEL FITZGERALD	36096K	PALMER RIVER	Any	10	10	The daily volumetric limit that may be taken under this licence is 0.9 megalitres.	
STALDOR MINING PTY LIMITED	100952	LYND RIVER	Any	25	50	The daily volumetric limit that may be taken under this licence is 2.2 megalitres. The taking of water under the authority of this licence is permitted only when the flow passing the point from which water is taken exceeds 0.2 cubic meters per second.	Schedule B, SPEC 02
DAVID KENT STEELE	12040K	FOSSIL BROOK	Rural	65	144	The daily volumetric limit that may be taken under this licence is 3.9 megalitres.	Schedule B, SPEC 02
IVAN DOUGLAS; MARY PATRICIA BUCHANAN	13585K	FOSSIL BROOK	Rural	65	240	The daily volumetric limit that may be taken under this licence is 3.9 megalitres.	
DENIS EDWARD ROSS	101510	MARY CREEK	Rural	25	200	The daily volumetric limit that may be taken under this licence is 2.2 megalitres.	Schedule B, SPEC 01
ROBERT RYKERS; WILLEM RYKERS; JARO RYKERS; ROJA RYKERS	11173K	MARY CREEK	Rural	7	3	The daily volumetric limit that may be taken under this licence is 0.6 megalitres.	
GLORIA JEAN ARMBRUST	14116K	MARY CREEK	Rural	15	80	The daily volumetric limit that may be taken under this licence is 1.3 megalitres.	
EVA MARIE STRIDH	14496K	MARY CREEK	Rural	30	310	The daily volumetric limit that may be taken under this licence is 2.6 megalitres.	Schedule B, SPEC 01
LLOYD FRANCIS MCFARLANE	14516K	MARY CREEK	Rural	30	80	The daily volumetric limit that may be taken under this	Schedule B, SPEC 01

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Licensee	Water Licence number	Watercourse	Purpose	Max rate of take (L/s)	Annual volumetric limit (ML)	Water Licence Conditions	Water Licence Conditions Omitted
						licence is 2.6 megalitres.	
ROBERT RYKERS; WILLEM RYKERS; JARO RYKERS; ROJA RYKERS	14519K	MARY CREEK	Rural	25	80	The daily volumetric limit that may be taken under this licence is 2.2 megalitres.	
PAUL MICHAEL MAYNARD BENNETT	14600K	MARY CREEK	Rural	10	80	The daily volumetric limit that may be taken under this licence is 0.9 megalitres.	
JOANNE THERESE CLARK; WILLIAM THOMAS DIXSON	14612K	MARY CREEK	Rural	10	30	The daily volumetric limit that may be taken under this licence is 0.9 megalitres.	
VAL BRENTON BARRY; MAXINE BERNADETTE MEALEY	14617K	MARY CREEK	Rural	30	180	The daily volumetric limit that may be taken under this licence is 2.6 megalitres.	
ROGER DANIEL KELLY	14892K	MARY CREEK	Rural	65	300	The daily volumetric limit that may be taken under this licence is 3.9 megalitres.	
THOMAS GEORGE ROSS; JANICE ETHEL SMITS	14893K	MARY CREEK	Rural	15	80	The daily volumetric limit that may be taken under this licence is 1.3 megalitres.	Schedule B, SPEC 01
WILLIAM THOMAS DIXSON	49987K	MARY CREEK	Rural	25	100	The daily volumetric limit that may be taken under this licence is 1.5 megalitres.	Schedule B, SPEC 01
DAVID PATRICK FITZGERALD	56859K	MARY CREEK	Rural	12	440	The daily volumetric limit that may be taken under this licence is 1.0 megalitre. The monthly volumetric limit that may be taken under this licence is 23.4 megalitres.	Schedule B, SPEC 01
NEIL ALEXANDER LUNDSTROM; DEBRA JANE LUNDSTROM	49945K	LEICHHARDT CREEK	Rural	12	320	The daily volumetric limit that may be taken under this licence is 1.0 megalitre.	Schedule B, SPEC 01
CECIL WILLIAM FARRAWAY; COLLEEN GENEVIEVE FARRAWAY; WARREN MARK FARRAWAY; CRAIG LAWRENCE FARRAWAY	49968K	LEICHHARDT CREEK	Rural	65	350	The daily volumetric limit that may be taken under this licence is 3.9 megalitres.	Schedule B, SPEC 01
JOHN STANTON	56830K	BUTCHER CREEK	Rural	8	15	The daily volumetric limit that may be taken under this licence is 0.7 megalitres.	Schedule B, SPEC 01 Part 2)
AWOBE PTY LTD	103573	RIFLE CREEK	Rural	50	165	The daily volumetric limit that may be taken under this	Schedule B, SPEC 01

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Licensee	Water Licence number	Watercourse	Purpose	Max rate of take (L/s)	Annual volumetric limit (ML)	Water Licence Conditions	Water Licence Conditions Omitted
						licence is 4.3 megalitres.	
3 WAYS FARMING PTY LTD AS TRUSTEE	49984K	RIFLE CREEK	Rural	25	570	The daily volumetric limit that may be taken under this licence is 2.2 megalitres.	
DAVID PATRICK BULLEN	58963K	RIFLE CREEK	Rural	10	40	The daily volumetric limit that may be taken under this licence is 0.9 megalitres.	
BARRY BUTLER	60089K	RIFLE CREEK	Rural	28	170	The daily volumetric limit that may be taken under this licence is 2.4 megalitres.	
PETER JOHN VERRI; DOUGLAS LOUIS VERRI	26778K	BUSHY CREEK	Rural	30	240	The daily volumetric limit that may be taken under this licence is 2.6 megalitres.	
IAN ROBERT BOZIER; ELAINE MARGARET BOZIER	36087K	BUSHY CREEK	Rural	23	40	The daily volumetric limit that may be taken under this licence is 1.5 megalitres.	
WILLIAM ERNEST MOULL; JULIE MAY MOULL	36217K	BUSHY CREEK	Rural	9	20	The daily volumetric limit that may be taken under this licence is 0.8 megalitres.	
JOHN MALCOLM WHEATLEY	402384	BUSHY CREEK	Rural	10	20	The daily volumetric limit that may be taken under this licence is 0.1 megalitres.	
TIMOTHY NEVILLE THIELE; GAIL ELIZABETH THIELE	49943K	BUSHY CREEK	Rural	18	32	The daily volumetric limit that may be taken under this licence is 1.5 megalitres. The monthly volumetric limit that may be taken under this licence between and including the months September and December of each calendar year is 9.6 megalitres.	Schedule B, SPEC 01
KINGFISHER PARK BIRDWATCHERS LODGE	60179K	BUSHY CREEK	Any	5	3.5	The daily volumetric limit that may be taken under this licence is 0.4 megalitres.	Schedule B, SPEC 01
TABLELANDS REGIONAL COUNCIL	105145	HUNTER CREEK	Any	6	190	The daily volumetric limit that may be taken under this licence is 0.5 megalitres.	Schedule B, SPEC 01, SPEC 02, SPEC 03, SPEC 04, SPEC 10
GLENN CLIFTON CAMBAGE; WENDY MICHELLE CAMBAGE	35062K	HUNTER CREEK	Rural	6	50	The daily volumetric limit that may be taken under this licence is 0.5	

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Licensee	Water Licence number	Watercourse	Purpose	Max rate of take (L/s)	Annual volumetric limit (ML)	Water Licence Conditions	Water Licence Conditions Omitted
						megalitres.	
GREER ANN MCGRATH; LESLIE JAMES MILLS	53607K	Unnamed tributary of BUTCHER CREEK	Rural	3	2	The daily volumetric limit that may be taken under this licence is 0.3 megalitres.	
V P SCHIRMER; G M SCHIRMER; L J STEINBERGER-HALL; R J NIXON; L VALALEE; R D SHARKEY & Ors.	46814K	ROCKY CREEK	Rural	1	4	The daily volumetric limit that may be taken under this licence is 0.1 megalitres.	
WILLIAM NEIL MCDUGALL; DEL MURIEL MCDUGALL	59964K	ROCKY CREEK	Rural	20	200	The daily volumetric limit that may be taken under this licence is 1.7 megalitres.	Schedule B, SPEC 01
BEATRIZ SOTERO HOWE; EDWARD PETER CONVERY; FREDERICK KENNETH ELLIS; CAROL ANN WHEATON; ANDREW WHEATON	36043K	LERRA CREEK	Rural	3	8	The daily volumetric limit that may be taken under this licence is 0.3 megalitres.	
KATHLEEN ILA SCHMID	36514K	NISSEN CREEK	Rural	3	3	The daily volumetric limit that may be taken under this licence is 0.3 megalitres.	
ANABELLE WOODS	45798WK	NISSEN CREEK	Rural	16	10	The daily volumetric limit that may be taken under this licence is 1.0 megalitre.	
JAMES FRANK BITOMSKY	49847K	Unnamed tributary of NISSEN CREEK	Rural	4	20	The daily volumetric limit that may be taken under this licence is 0.3 megalitres.	
DOUGLAS STEWART TAYLOR	36410K	DEVIL DEVIL CREEK	Rural	3	20	The daily volumetric limit that may be taken under this licence is 0.3 megalitres.	
TRAVIS MOISEL ; CASEY RAE MOISEL	36088K	DEVIL DEVIL CREEK - WESTERN BRANCH	Rural	4	50	The daily volumetric limit that may be taken under this licence is 0.3 megalitres.	Schedule B, SPEC 01
GREGORY ROSS DALE; STEPHANIE ANN DALE	27533K	Unnamed tributary of DEVIL DEVIL CREEK	Rural	1	40	The daily volumetric limit that may be taken under this licence is 0.1 megalitres.	Schedule B, SPEC 01
ERIC RAYMOND STEINBERGER	36095K	Unnamed tributary of DEVIL DEVIL CREEK	Rural	5	20	The daily volumetric limit that may be taken under this licence is 0.4 megalitres.	