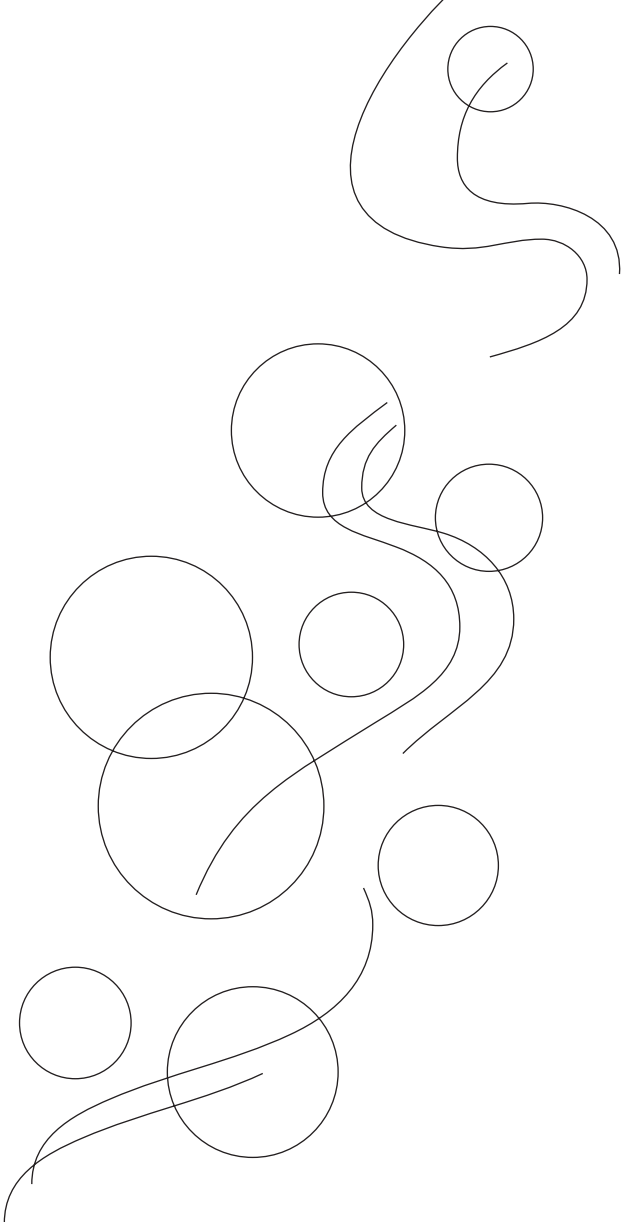


Moonie

resource operations plan February 2006



Moonie Resource Operations Plan 2006

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FOREWORD

The Moonie Resource Operations Plan has been finalised following a period of consultation and review that began with the release of a draft plan in February 2005.

The finalised plan will implement the objectives and outcomes specified in the *Water Resource (Moonie) Plan 2003*. Together, these plans will provide enhanced certainty and security for water users and the natural environment.

The resource operations plan contains proposals for the many issues that must be addressed in implementing the *Water Resource (Moonie) Plan 2003*.

Both plans are complementary parts of a water planning process that will ensure that the Moonie River and other watercourses in the plan area are sustainably managed for the benefit of future generations.

The resource operations plan contains arrangements for—

- converting existing water authorisations into tradable water allocations;
- management of unsupplemented water within the Moonie catchment;
- trading of water allocations;
- rules to allow changes to water allocations;
- dealing with unallocated water;
- water and ecosystem monitoring; and
- amendments to the plan through public notification and consultation.

In addition, 1,100 megalitres of unallocated water has been set aside in the Moonie basin and will be reserved for future release.

I'd like to take this opportunity to thank all those who have contributed to the development of this plan for all their hard work and input.

Bob McCarthy
Director-General
Department of Natural Resources and Mines

THIS DOCUMENT CONTAINS THE FOLLOWING:

(1) MOONIE RESOURCE OPERATIONS PLAN 2006

**(2) EXPLANATORY NOTES FOR THE MOONIE
RESOURCE OPERATIONS PLAN 2006**

(3) WATER RESOURCE (MOONIE) PLAN 2003

MOONIE

RESOURCE OPERATIONS PLAN 2006

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CHAPTER 1 – PRELIMINARY

1. Water resource plan implemented through the resource operations plan

This resource operations plan implements the *Water Resource (Moonie) Plan 2003* ('the water resource plan').

2. Name of the resource operations plan

This resource operations plan may be cited as the *Moonie Resource Operations Plan 2006* ('the plan').

3. Commencement of the resource operations plan

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

4. Plan area

This plan applies to the area shown as the plan area on the map in Attachment 1¹.

5. Water to which this plan applies

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

- (a) water in a watercourse, lake or spring; and
- (b) overland flow water.

6. Water Management Areas and Resource Operations Plan Zones

- (1) The Moonie catchment has one water management area as shown in Attachment 1.
- (2) Each zone shown in Attachments 1 and 2 is a resource operations plan zone ('zone') for this plan.
- (3) A water management area or zone includes—
 - (a) each part of a watercourse, lake or spring that lies within the water management area or zone; and
 - (b) those sections of tributaries where there is access to flow or pondage from a watercourse or lake within the water management area or zone.

7. Information about areas and zones

- (1) The exact boundary of the plan areas and zones is held in digital electronic form by the department.
- (2) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.
- (3) The boundaries in digital electronic form may be inspected at the department's head office in Brisbane.

8. Departmental water monitoring data collection standard

- (1) Where this plan requires monitoring by a person or entity, including measurement, collection, analysis or storage of data, the person or entity must ensure the monitoring is consistent with the *Water Monitoring Data Collection Standard*².
- (2) The *Water Monitoring Data Collection Standard* may be reviewed and updated by the chief executive at any time.

¹ This plan area is identical to the plan area for the water resource plan.

² The *Water Monitoring Data Collection Standard* can be accessed on the department's website at <http://www.nrm.qld.gov.au> or alternatively, inspected at the department's head office in Brisbane.

9. Departmental water monitoring data reporting standard

- (1) Any data that is transferred or published must be in a format consistent with the chief executive's *Water Monitoring Data Reporting Standard*³.
- (2) The *Water Monitoring Data Reporting Standard* may be reviewed and updated by the chief executive at any time.

10. Operating and environmental management rules and monitoring requirements

The water management rules and monitoring requirements of this plan do not apply in situations where carrying out those rules or requirements would be unsafe for a person or persons.

11. Metering

- (1) Metering of the taking of water must be in accordance with the arrangements prescribed by the regulation made under the *Water Act 2000* ('the Act').
- (2) Taking water under a water entitlement must be metered where a volumetric limit is stated on the water entitlement.
- (3) This section does not apply to water entitlements where the purpose is stated as stock or domestic.

12. Sustainable management of water

This plan, in implementing the water resource plan, provides for the sustainable management of water by—

- (a) facilitating the allocation of water and contributing to the fair, orderly and efficient allocation of water to meet community needs by—
 - (i) detailing processes for dealing with unallocated water;
 - (ii) granting entitlements for the taking of and interfering with water; and
 - (iii) establishing water allocations that are tradable and separate from land;
- (b) contributing to the protection of biological diversity and health of natural ecosystems and contributing to the protection and where possible reversal of the degradation of water, watercourses, lakes, springs, aquifers, natural ecosystems and other resources by detailing—
 - (i) processes for dealing with unallocated water;
 - (ii) the flow access conditions for entitlements; and
 - (iii) arrangements for the collection and assessment by the chief executive of data relating to the outcomes for the water resource plan (including ecological outcomes);
- (c) contributing to improving the confidence of water users regarding the availability and security of water authorisations by detailing—
 - (i) processes for dealing with unallocated water;
 - (ii) flow access conditions for entitlements;
 - (iii) licensing for overland flow works;
 - (iv) change rules for water allocations in the plan area;
 - (v) processes for dealing with applications for water licences relating to unsupplemented water in watercourses, lakes and springs;
 - (vi) arrangements for the collection and assessment of data by the chief executive relating to the water resource plan outcomes; and
 - (vii) those parts of the plan that may be amended under Section 106(b) of the Act.

³ The *Water Monitoring Data Reporting Standard* can be accessed on the department's website at <http://www.nrm.qld.gov.au> or alternatively, inspected at the department's head office in Brisbane.

- (d) contributing to increasing community understanding and participation in the sustainable management of water by—
 - (i) providing opportunities for community participation and submissions as part of plan development; and
 - (ii) clearly specifying rules and arrangements for the allocation and management of water in the plan area, including explanatory notes that provide details of the intent and application of each section of the plan.

13. Addressing water resource plan outcomes

- (1) This plan addresses water resource plan outcomes by—
 - (a) specifying processes, rules and limits, consistent with the environmental flow objectives and water allocation security objectives specified in the water resource plan; and
 - (b) providing monitoring and reporting arrangements that will assist in the ongoing assessment of whether water allocation and management arrangements in the plan area will contribute to the achievement of the water resource plan outcomes.
- (2) Attachment 3 lists the outcomes of the water resource plan and how the provisions in this plan are linked to those outcomes.

CHAPTER 2 – DEALING WITH UNALLOCATED WATER

Part 1 – Unallocated Water for ‘Any’ Purpose

14. Unallocated water reserved for future projects

The 1,100 megalitres of unallocated water in the Moonie Water Management Area designated for ‘any’ use is reserved for future use.

15. Future amendment to allow release of unallocated water

- (1) When determining the need for unallocated water, the chief executive will have regard to Section 41 of the water resource plan.
- (2) If the chief executive decides to release some or all of the reserved unallocated water, this plan will be amended.

16 to 18. Section numbers not used⁴

Part 2 – Unallocated Water for Town Water Supply

19. Scope of part 2

This part sets out the process for dealing with 100 megalitres of unallocated water reserved by the water resource plan for town water supply, as well as any additional volume reserved by the chief executive for town water supply from the water reserved for ‘any’ purpose under part 1 of chapter 2 of this plan.

20. Unallocated water reserved

The volume of water set aside in section 19 is reserved for future use.

⁴ 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.

21. Process for making the reserved water available

- (1) The reserved water may be made available for town water supply if the chief executive—
 - (a) receives a submission in writing from a local government within the plan area requesting that the reserved water be made available;
 - (b) is satisfied that additional water is needed for town water supply; and
 - (c) the request does not exceed the amount of unallocated water made available for town water supply.
- (2) In making a submission for reserved water to be made available, the applicant must provide the following—
 - (a) when the water will be required;
 - (b) the volume of water required;
 - (c) a statement detailing how the requirements under Section 41(1) of the water resource plan have been met;
 - (d) information demonstrating that the water is needed to meet town water demands in the designated area;
 - (e) details of the proposed arrangements for the taking of the water;
 - (f) information demonstrating that the proposed arrangements for the taking of the water are consistent with the water resource plan;
 - (g) evidence that—
 - (i) best practice water use efficiency measures will be or are being employed;
 - (ii) future demand is projected to exceed current available resources within the life of the water resource plan; and
 - (iii) the proponent has consulted with other local authorities in the plan area and information as to their agreement or objection to the taking of unallocated water is provided.

22. Assessment of submission for the reserved water

- (1) In assessing a submission for the reserved water to be made available, the chief executive must consider—
 - (a) the matters specified in section 21(2) of this plan; and
 - (b) whether the submission is consistent with the Strategic Asset Management Plan (or the equivalent plan) in the local government area of the proponent.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

23. Additional information may be required

The chief executive may require additional information about the submission.

24. Deciding the submission

- (1) Where the chief executive decides to make the reserved water available, the chief executive must determine—
 - (a) the maximum rate of take and volume of water to be released;
 - (b) the price for the water that will be made available;
 - (c) conditions under which the water may be taken; and
 - (d) whether the water entitlement will be granted as a water licence or as a water allocation.
- (2) The chief executive may review the decision made under subsection (1) as a result of receiving additional information.

25. Public notification

Once the decision detailed in section 24 has been made, the results of the decision will be advertised and submissions sought.

26. Granting a water entitlement to a local authority

- (1) When granting a water entitlement to the local authority, the chief executive may consider issues raised in submissions made under section 25 in determining the final detail of the water entitlement.
- (2) The water entitlement will be granted through an amendment to the resource operations plan.

27 and 28. Section numbers not used**CHAPTER 3 – DEALING WITH UNSUPPLEMENTED WATER****Part 1 – Conversion of Unsupplemented Authorisations****29. Granting of water allocations**

Details of unsupplemented water allocations converted and granted from existing water authorisations are listed in Attachment 4.

Part 2 – Water Sharing Rules**30. Access rules for all water allocations**

The holder of a water allocation must not take water under the allocation unless—

- (a) the passing flow exceeds the flow condition for that allocation at the specified reference point on the allocation;
- (b) water is taken at a rate not exceeding the maximum daily rate on the allocation;
- (c) the allocation holder complies with any special conditions on the allocation; and
- (d) water is taken from the location specified on the allocation.

31. Flow conditions

- (1) Details of flow conditions for water allocations are listed in Attachment 4.
- (2) Flow conditions on a water allocation may be amended under section 130 to allow for a change in the flow reference point associated with the allocation.

32. Volumetric limit

A water allocation holder must not take more water under the allocation in any water year than the volumetric limit for the allocation.

33 to 41. Section numbers not used**Part 3 – Water Allocation Change Rules****42. Scope of part 3**

This part provides the water allocation change rules for unsupplemented water allocations.

Division 1 – Permitted Changes

43. Change of location for allocations with nil passing flow condition

- (1) This section applies to a water allocation that has a flow condition that allows water to be taken when there is no passing flow ('a nil passing flow condition').
- (2) A change to the location on the allocation is permitted provided—
 - (a) there is no change to the zone from which water may be taken;
 - (b) after the change is made, the allocation includes the following special condition:

‘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’;
 - (c) after the change is made, the ‘place’ component of the location of the water allocation must be limited to an area no larger than the ponded area of the waterhole from which the water will be taken;
 - (d) if the change will 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 the waterhole; and
 - (ii) the holders of any water allocations with a nil passing flow condition that can take water from the waterhole; and
 - (e) if the change will 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.

44. Subdivision and amalgamation

- (1) The subdivision of a water allocation ('the original allocation') into two or more water allocations is permitted provided—
 - (a) the new water allocations have the same flow conditions and location as the original allocation; and
 - (b) the sum of the nominal volumes, rates of take and volumetric limits of the new water allocations each equal the nominal volume, rate of take and volumetric limit of the original allocation.
- (2) Two or more water allocations may be amalgamated into a new water allocation provided—
 - (a) the water allocations have the same flow conditions and location; and
 - (b) the nominal volume, rate of take and annual volumetric limit of the new water allocation are equal to the sum of each of the nominal volumes, rates of take and volumetric limits of the allocations that are being amalgamated.

45 to 51. Section numbers not used

Division 2 – Prohibited Changes

52. Prohibited changes

Subdivision or amalgamation is prohibited and must not be approved where—

- (a) the change is inconsistent with the permitted change rule in section 44; or
- (b) for subdivision, the change would result in a nominal volume that is not a whole number and is less than five megalitres; or
- (c) for subdivision, the proportional change in the maximum diversion rate is not equal to the proportional change in the volumetric limit.

53 to 59. Section numbers not used*Division 3 – Other Changes***60. Application for changes not specified as either permitted or prohibited**

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

*Division 4 – Water Allocations used in Conjunction with Overland Flow Works***61. Application to remove the special condition**

- (1) This section applies to an application to change a special condition on a water allocation that requires water taken under the allocation to be stored in particular works, where the works allow taking of overland flow water ('the overland flow dam').
- (2) The chief executive must not approve the change unless the chief executive grants, in accordance with chapter 4, part 2 of this plan, a water licence for taking overland flow water to the owner of the overland flow dam.

Part 4 – Seasonal Water Assignments**62. Seasonal water assignment rules**

The chief executive may approve a seasonal assignment of a water allocation provided that—

- (a) there is no change to the zone for the take of water under a seasonal assignment;
- (b) the water allocation does not have a special condition that requires it to be stored in particular works;
- (c) the flow condition under which water may be taken under seasonal assignment is the same as the flow condition for the water allocation that is being seasonally assigned; and
- (d) if the water allocation being seasonally assigned has a nil passing flow condition, then the allocation can only take water from a waterhole or weir provided the following conditions are met—
 - (i) taking water is prohibited whenever the water level in the waterhole is 0.5 metres below the level at which it naturally overflows;
 - (ii) if the assignment results in water being taken from a different waterhole then the assignee has the written consent of—
 1. the owners of land adjacent to the waterhole; and
 2. the holders of any water allocations with a nil passing flow condition that can take water from the waterhole; and
 - (iii) if the assignment results in water being taken from within the full supply level of an authorised weir then the assignee has the written consent of the owner of the weir.

63 to 70. Section numbers not used

CHAPTER 4 – DEALING WITH WATER LICENCES

Part 1 – Dealing with Water Licence Applications

71. Scope of part 1

This part applies to each application for a water licence to take or interfere with water made under Section 206 of the *Water Act 2000* including an application originally made under the *Water Resources Act 1989*.

72. Applications to be refused

The chief executive must refuse the application unless this part explicitly provides for accepting or dealing with the application.

73. Applications to take water from a watercourse, lake or spring

- (1) This section applies to an application to increase the take of water from a watercourse, lake or spring.
- (2) The chief executive may accept and deal with the application if it is for a water licence mentioned in Sections 17(b), (d) or (e) of the water resource plan.

74. Applications to interfere with water by impounding flow

- (1) This section applies to an application to interfere with water in a watercourse.
- (2) The chief executive may accept an application if the purpose of the proposed interference is—
 - (a) to provide a pumping pool to enable the taking of water under a water entitlement or other authorisation under the Act;
 - (b) to store water for stock use or domestic uses; or
 - (c) to store water for town water supply—
 - (i) to enable the taking of water under a water allocation to supply town water; and
 - (ii) where the application is made by a local government.
- (3) The chief executive must refuse an application for a water licence to interfere with water—
 - (a) for the purpose described in subsection (2)(a) if the total volume of the proposed storage is greater than two megalitres;
 - (b) for the purpose described in subsection (2)(b) if the total volume of the proposed storage is greater than the reasonable annual volume assessed for water requirements for stock purposes or domestic purposes for the property considering—
 - (i) existing water supplies on the property, including existing water storages, groundwater and dams taking overland flow water; and
 - (ii) the local availability of water at the proposed site.
 - (c) for the purpose described in subsection (2)(c) where the chief executive decides to not grant the application to change a water allocation of the type mentioned in subsection (4).
- (4) Before granting an application for a water licence for the purpose defined in subsection (2)(c)—
 - (a) the applicant must have applied to change the water allocation that is intended to authorise the take of water associated with the proposed interference by—
 - (i) reducing the nominal volume of the allocation by an amount that would not allow an increase in the average volume of water available to be taken from the plan area;
 - (ii) removing any condition stating a flow threshold for taking water; and

- (iii) requiring that the allocation be taken only from the impounded area;
 - (b) the chief executive may also change—
 - (i) the volume limit; and
 - (ii) the maximum rate of take on the water allocation;
 - (c) the chief executive must have approved the change.
- (5) The chief executive may include conditions on a water licence—
- (a) that maintain the passing flows provided under the flow threshold condition on the water allocation; and
 - (b) that limit the maximum volume of the storage to a size no greater than that necessary for the purpose, having regard to—
 - (i) the conditions of the associated water allocation; and
 - (ii) the local availability of water.

75. Applications for a water licence to replace an overland flow authority

An application for a water licence to replace an overland flow authority may be accepted and dealt with under the provisions of part 2 of this chapter.

76 to 80. Section numbers not used

Part 2 – Granting Water Licences for Taking Overland Flow Water

81. Scope of part 2

For granting a licence under Section 212 of the Water Act, this part states—

- (a) for Section 36 of the water resource plan, the process for granting a water licence to replace the authority under Section 34 of the water resource plan;
- (b) for this plan, the grounds and process for granting a water licence to replace an authority under Section 34 of the water resource plan;
- (c) requirements for certified reports for an overland flow storage;
- (d) matters the chief executive must consider; and
- (e) conditions the chief executive must include on the licence.

82. Parts of the plan area and works for taking overland flow water where an authority may be replaced by a water licence

- (1) An authority to take overland flow water may be replaced by a licence for any location in the plan area.
- (2) The take of water through any works authorised to continue taking water under Section 34 of the water resource plan may be licensed through the process in section 83.

83. Granting a water licence under Section 36 of the water resource plan

- (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 34 of the water resource plan;
 - (b) amend a licence for the take of overland flow water granted under Section 212 of the Water Act because of Section 35 of the water resource plan.
- (2) Before granting or amending a water licence under subsection (1), the chief executive must issue a notice to the owner of the land—
 - (a) clearly identifying the existing works; and
 - (b) stating that a water licence will be granted or amended for the take of overland flow water for the existing works.

- (3) A notice under subsection (2) may also request the owner of the land to provide a certified report about the existing works.
- (4) In making a decision about granting or amending a licence under subsection (1), the chief executive must—
 - (a) consider any certified report available to the chief executive about the existing works; and
 - (b) where a certified report is available for the existing works, calculate and consider the matters specified in sections 87 to 90.
- (5) The chief executive must include one or more of the conditions under section 86(1) for a licence granted under Section 212 of the Water Act.

84. Granting a water licence to allow a change to a water allocation under section 61 of this plan

- (1) This section applies if an application is received under section 61 of this plan, for a change to a water allocation to remove a special condition.
- (2) To enable the chief executive to determine the conditions for granting the water licence, the owner of existing works that take overland flow must within 90 business days provide a certified report.
- (3) The chief executive may then grant a licence under section 83.

85. 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 operates; 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 of Queensland.

86. Conditions for taking overland flow water

- (1) A water licence for taking overland flow water may include one or more of the following conditions—
 - (a) a maximum rate for taking water in megalitres per day;
 - (b) a storage volume in megalitres;
 - (c) a volumetric limit; and
 - (d) an average annual diversion.
- (2) The assessment of these conditions must be in accordance with sections 87 to 90.
- (3) The chief executive may impose conditions in addition to those mentioned above, including—
 - (a) a limit on the amount of water that can be taken in a period; and
 - (b) a limit on the volume that can be stored at any time.
- (4) Subsection (3) does not limit the conditions which the chief executive may impose.

87. Assessment of maximum rate for taking overland flow water

- (1) The chief executive must determine the condition limiting the maximum rate for taking overland flow water having regard to—
 - (a) if the works are taking overland flow water using a pump, the information about pump sizes and maximum rates that are stated in schedule 3 of the water resource plan; or

- (c) if the works are taking overland flow water other than by using a pump, the rate will be determined having regard to the information provided in the certified report.

88. Assessment of storage volume

The chief executive must determine the condition limiting the storage volume having regard to the information provided in a certified report.

89. Assessment of the volumetric limit for taking overland flow water

- (1) In assessing the volumetric limit for taking overland flow water, the chief executive must have regard to the following parameters—
 - (a) the catchment characteristics;
 - (b) the maximum rate determined in section 87;
 - (c) the storage volume determined in section 88;
 - (d) the pattern of usage demand from the storage based on water requirements having regard for the use being made of the water; and
 - (e) the extent to which the storage works would also be filled under the authority of other authorisations to take water.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

90. Assessment of the average annual diversion of overland flow water

The chief executive must determine the average annual diversion having regard to—

- (a) the volumetric limit; and
- (b) any other conditions related to when water may be taken under the authority.

91 and 92. Section numbers not used

Part 3 – Amending Existing Water Licences

93. Water licences where the purpose is for stock and domestic use

- (1) This section applies to a water licence in the plan area that has as its purpose any of the following—
 - (a) stock;
 - (b) stock water;
 - (c) stock watering;
 - (d) stock and domestic;
 - (e) waterharvesting for stockwater;
 - (f) waterharvesting for stock purpose/s; or
 - (g) a similar purpose.
- (2) Within 12 months of the commencement of this plan the chief executive must amend the water licence to include conditions that state—
 - (a) a maximum rate for taking water, calculated in accordance with Section 25 of the water resource plan; and
 - (b) a volume of water that can be taken in a water year, calculated by using Tables 1 and 2 in the worksheet in schedule 1 of the *Code for Self Assessable Development for Taking Overland Flow Water for Stock and Domestic Purposes*⁵ and based on the standard stocking rates for the property.

⁵ The *Code for Self Assessable Development for Taking Overland Flow Water for Stock and Domestic Purposes* can be accessed on the department's website at <http://www.nrm.qld.gov.au> or alternatively, inspected at any of the department's offices.

(3) The purpose of the water licence must be changed to ‘any’.

94 to 104. Section numbers not used

CHAPTER 5 – MONITORING, ASSESSMENT AND REPORTING

105. Water monitoring

- (1) The chief executive must measure, or collect and keep publicly available, records of—
 - (a) water quantity;
 - (b) water taken;
 - (c) prices for water permanently traded;
 - (d) the number of permanent trades and seasonal assignments; and
 - (e) nominal volume of water permanently traded and seasonally assigned.
- (2) The chief executive must collect and record publicly available information on—
 - (a) future consumptive demands for water; and
 - (b) water use efficiency.
- (3) The chief executive may use information collected to support water resource assessment and reporting.

106. Natural ecosystems monitoring and assessment

The chief executive must collect and record information on—

- (a) ecological assets that are linked to the ecological outcomes of the water resource plan; and
- (b) the critical water requirements of biological indicators of the ecological assets.

107. Assessment

- (1) The chief executive must make ongoing assessments of whether the trends in data measured, collected and recorded under sections 105 and 106 of this plan indicate that outcomes specified in the water resource plan will be achieved.
- (2) The chief executive’s assessments will be used in assisting the Minister to prepare a report under Section 48 of the water resource plan.

108. Links to other monitoring programs

Information collected as part of other monitoring and assessment programs in the catchments may be used to help with the assessment of the ecological outcomes detailed in the water resource plan.

109. Murray–Darling Basin Cap audit

- (1) Water supply in the Moonie catchment must be managed to comply with the *Murray–Darling Basin Agreement*.
- (2) The ‘measured volume’ is the total volume of water taken from the catchment for each water year under—
 - (a) water allocations; and
 - (b) overland flow.
- (3) The ‘annual diversion target’ is the total volume of water that would have been taken under the water authorisations and sharing rules detailed in the Moonie Resource Operations Plan 2006.

- (4) Calculation of the target level will be undertaken using the IQQM computer program. If it is not practicable to use the IQQM computer program, another assessment method approved by the chief executive may be used.
- (5) The measured volume will be compared with the annual diversion target for the audited water year in accordance with the process identified in the *Murray–Darling Basin Agreement*.
- (6) If following the audit process under the *Murray–Darling Basin Agreement* it is determined that action should be taken to bring the cumulative measured volume back into balance with the Cap, then actions may be taken which may include amending the resource operations plan.

110 to 116. Section numbers not used

CHAPTER 6 – INTERSTATE AGREEMENTS

117. Resource operations plan to meet interstate obligations

- (1) This resource operations plan meets the obligations of the Murray–Darling Basin Agreement.
- (2) At the commencement of this resource operations plan there are no other agreements between Queensland and New South Wales that apply to water in the plan area.
- (3) In accordance with Section 31 of the water resource plan, the resource operations plan may be amended to give effect to any interstate agreement regarding the supply of water that may be signed after the commencement of the plan.

118 to 124. Section numbers not used

CHAPTER 7 – AMENDMENTS TO THE RESOURCE OPERATIONS PLAN

125. Scope of chapter 7

This chapter describes those amendments that may be made to this plan under Section 106(b) of the Act. These amendments do not require public notification.

126. Implementing an amendment to the water resource plan

An amendment that is necessary to implement an amendment to the water resource plan made under Section 57(b) of the Act may be made to this plan.

127. Granting an entitlement for unallocated water

An amendment that provides for granting a water entitlement to a local authority for unallocated water under section 26 of this plan may be made to this plan.

128. Changing monitoring, assessment and reporting requirements

- (1) An amendment that provides for improved or more efficient monitoring for assessing the water resource plan 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 or biological monitoring;
 - (b) an increase or addition to monitoring requirements if further information is required;
 and

- (c) a reduction or removal of State monitoring requirements if the chief executive is satisfied that no further information or benefit is gained from the continuation of the monitoring requirements.

129. Adding additional resource operations plan ‘zones’

- (1) The chief executive may modify existing or create additional resource operations plan zones when there is sufficient justification⁶ to do so.
- (2) New zones will consist of parts of the water management area dealt with under this plan that are not yet classified as resource operations plan zones.
- (3) New zones may be amalgamated with existing zones.
- (4) Existing zones may be subdivided into new zones.

130. Changes to flow conditions

- (1) At any time during the operation of this plan the details of flow conditions specified on a water allocation may be amended to a new reference point provided that the availability of water to the allocation is not reduced.
- (2) The new reference point will refer to a passing flow that will be representative of the passing flow conditions at the reference point that is being replaced.
- (3) The water allocation must be amended in accordance with Section 125 of the Act.

131. Granting a water allocation to replace a water licence that has a volumetric limit

An amendment that provides for the granting of a water allocation to replace a water licence that has been amended to include a daily rate and a volumetric limit, where the conversion of the water licence to a water allocation does not increase the volumetric limit or daily rate and the average volume of water taken may be made to this plan.

132. Changes to the method of determining conditions on an overland flow licence

Sections 81 to 90 of this plan may be amended to allow for an improved method of determining the requirements of a water licence for taking overland flow.

133. Changes to unsupplemented water sharing rules

- (1) This plan may be amended to allow for changes to the unsupplemented water sharing rules that may result from a future review of operational procedures and community consultation in the water management area.
- (2) The proposed new operational procedures must meet the water resource plan water allocation security objectives and environmental flow objectives.

134 to 139. Section numbers not used

CHAPTER 8 – IMPLEMENTATION

140. Implementation

The chief executive must implement the requirements of this plan as soon as is practicable.

⁶ ‘Sufficient justification’ includes proposals to trade water or issue a new authorisation into an area that is not presently defined as a ‘zone’ under section 6 of this resource operations plan.

GLOSSARY

Act: Is the *Water Act 2000*.

AMTD: The adopted middle thread distance. For the purposes of this plan it is the distance measured upstream from the NSW border (AMTD = 0 at the border).

Average Annual Volume: A volume of water expressed as a long-term modelled average over a period of climatic record.

Change Certificate: A certificate issued under Section 129 of the *Water Act 2000*.

Chief Executive: The chief executive officer of the department responsible for administering the *Water Act 2000*.

Department: The department responsible for administering the *Water Act 2000*.

Discharge: Discharge is the rate at which a volume of water passes a point in a stream or pipeline per unit of time. This could be measured in litres per second (L/s), cubic metres per second (m³/s) or in megalitres per day (megalitres/day).

Existing Water Authorisations: Means a water licence, interim water allocation or other authority to take water that has effect immediately prior to the commencement of this plan.

Flow Conditions: The passing flow conditions at a specified reference point as detailed in the flow condition columns in Attachment 4 and that will be registered on a water allocation as flow conditions.

Gauging Station: The complete installation at a measuring site on a watercourse where water level and discharge records are regularly obtained.

Location: For a water allocation, means the zone, or zone and place, from which water under the water allocation can be taken.

Nil Passing Flow Condition: An allocation that has as its flow condition 'nil' thus permitting water to be extracted at any time subject to availability and the conditions on the allocation and in the resource operations plan.

Ponded Area: Area of inundation at full supply level of a storage.

Publish: Means—

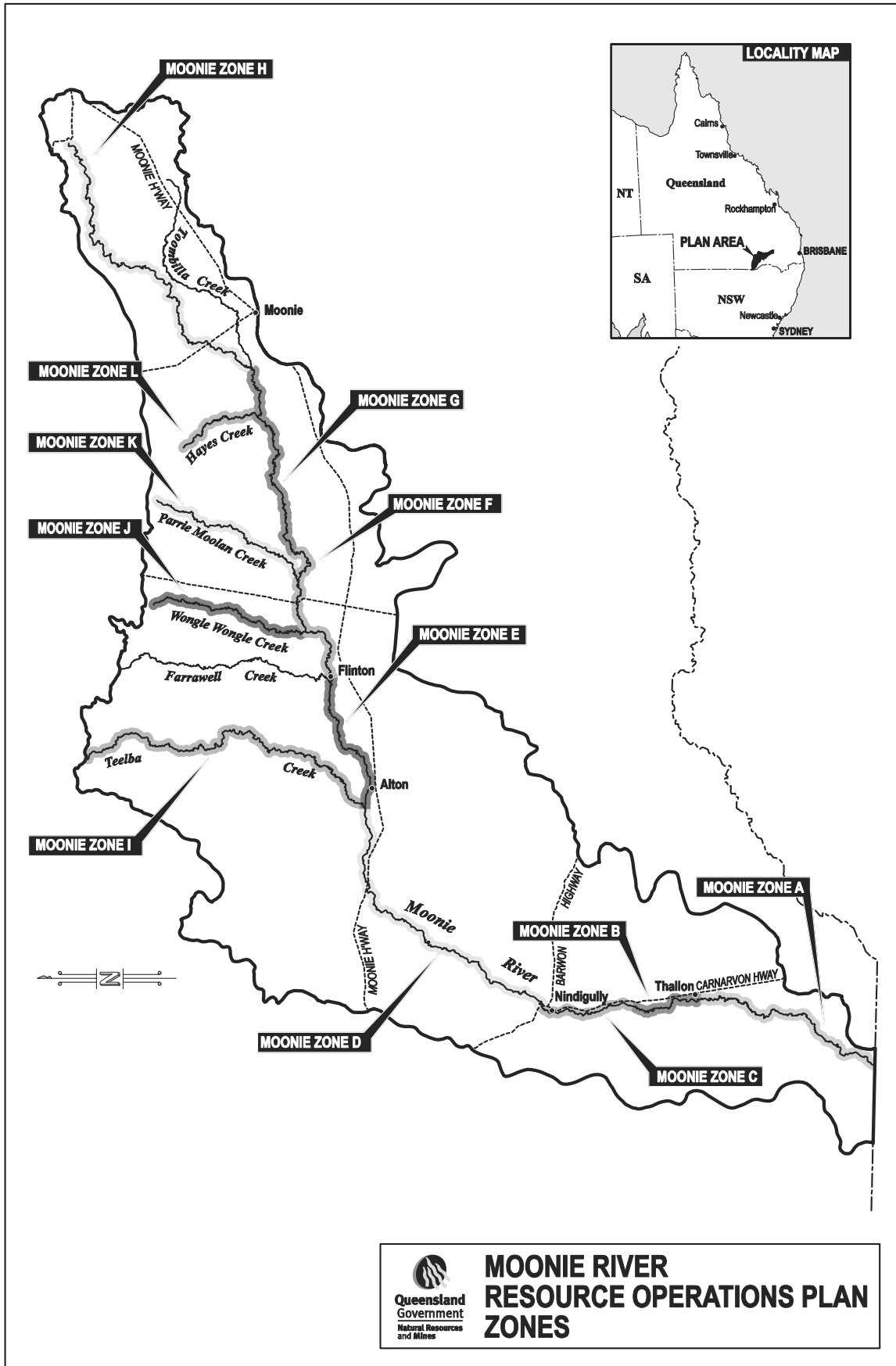
- (a) if the provision states the way the notice must be published – in the way stated in the provision; or
- (b) if the provision does not state the way the notice must be published – in a newspaper circulating generally throughout the area for which the notice is published.

Resource Operations Plan Zone: A geographic location defined by a reach of a watercourse. A resource operations plan zone defines the location of a water allocation and operational arrangements under this plan.

Special Conditions: Other conditions that are detailed in the special condition columns in Attachment 4 and that will be registered on a water allocation as special or other conditions.

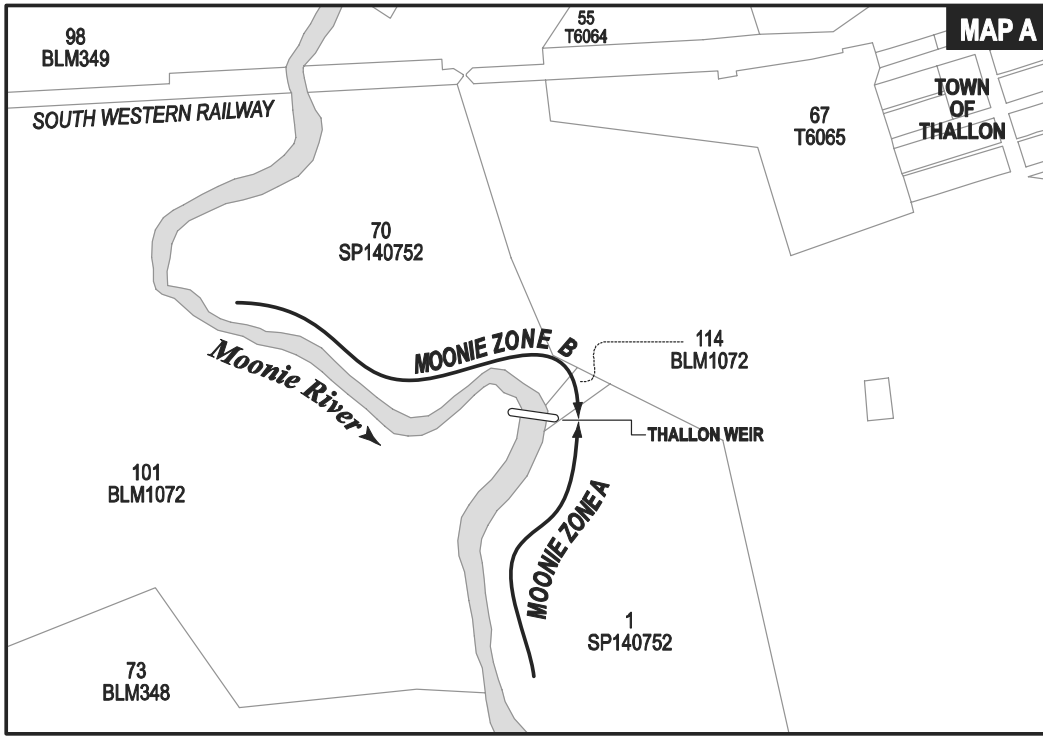
Water Year: The period from 1 July to 30 June in the following year.

ATTACHMENT 1 – WATER MANAGEMENT AREA AND RESOURCE OPERATIONS PLAN ZONES

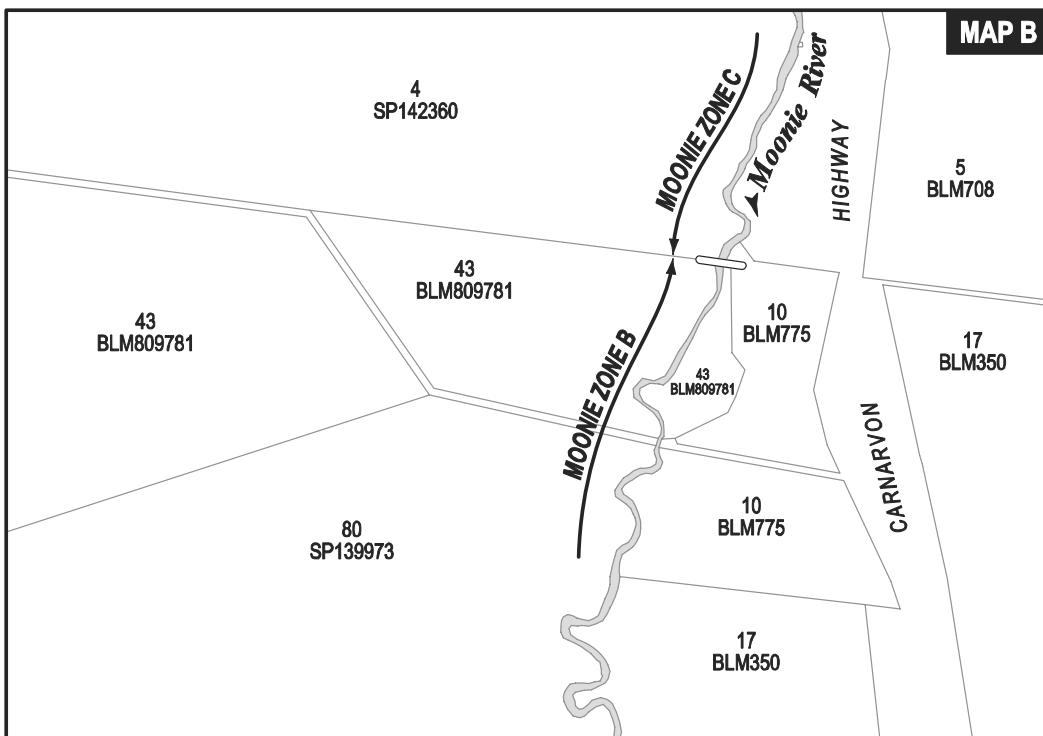


ATTACHMENT 2 – RESOURCE OPERATIONS PLAN ZONE BOUNDARIES

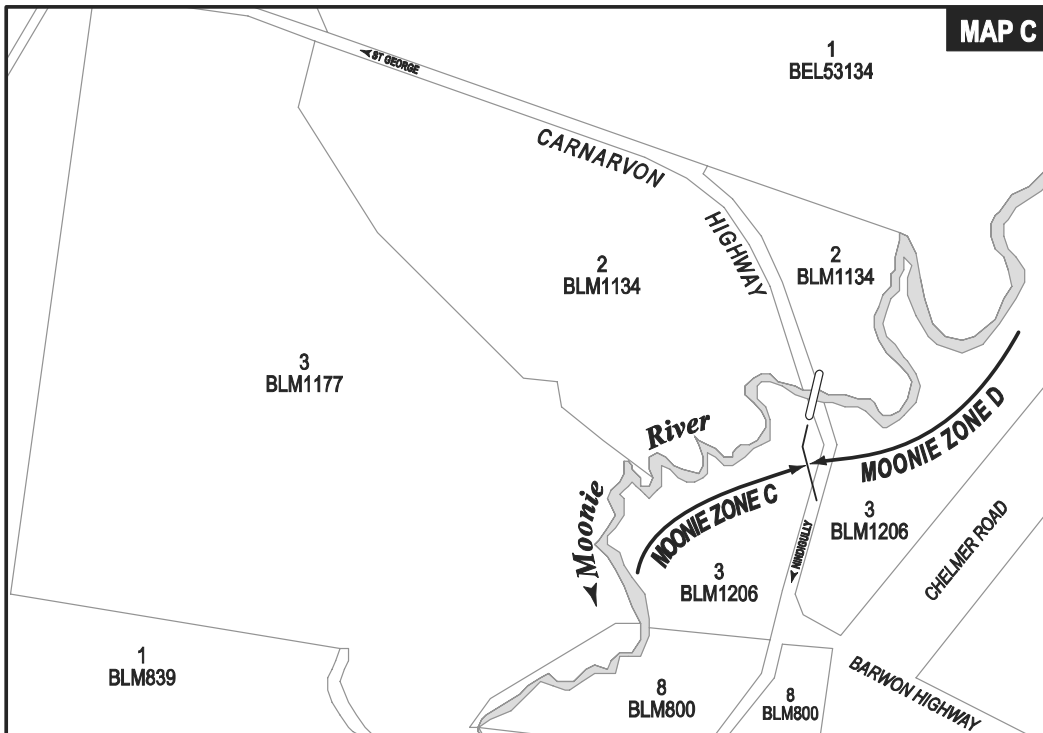
Zone Boundary – MOONIE ZONE A and MOONIE ZONE B



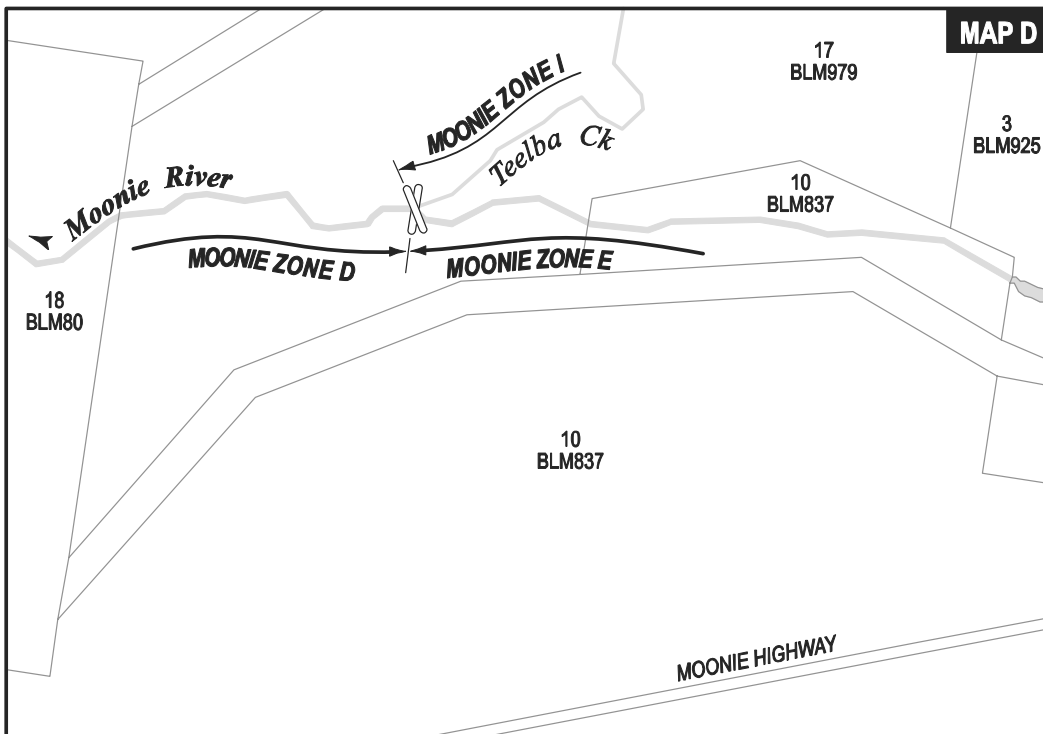
Zone Boundary – MOONIE ZONE B and MOONIE ZONE C



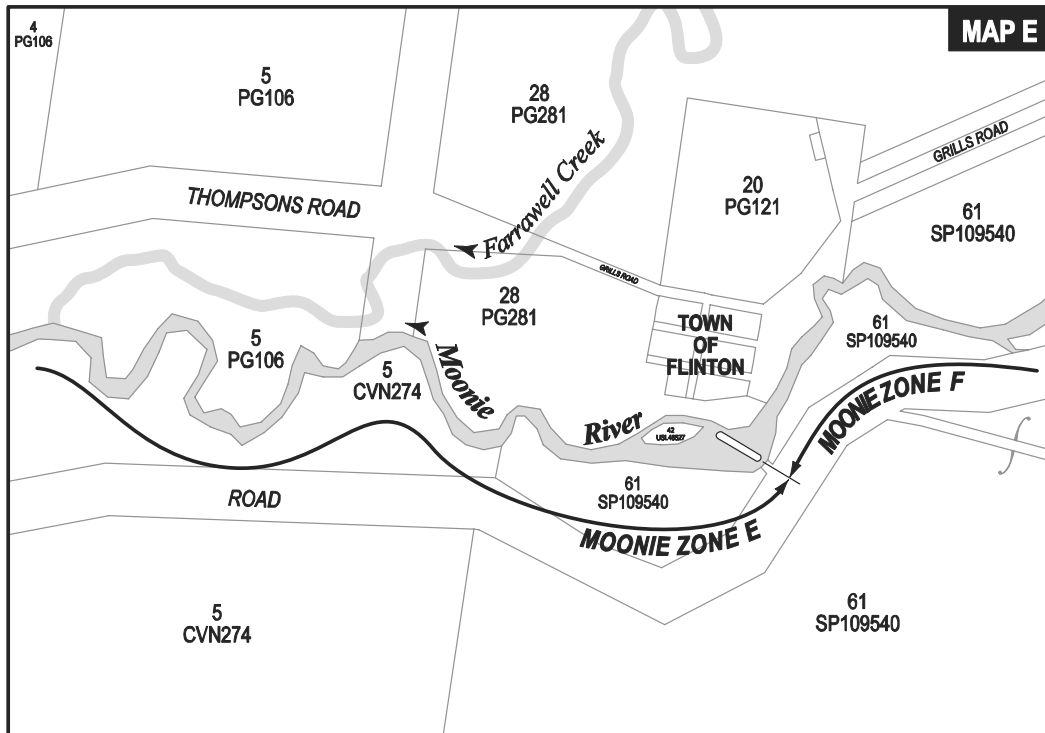
Zone Boundary – MOONIE ZONE C and MOONIE ZONE D



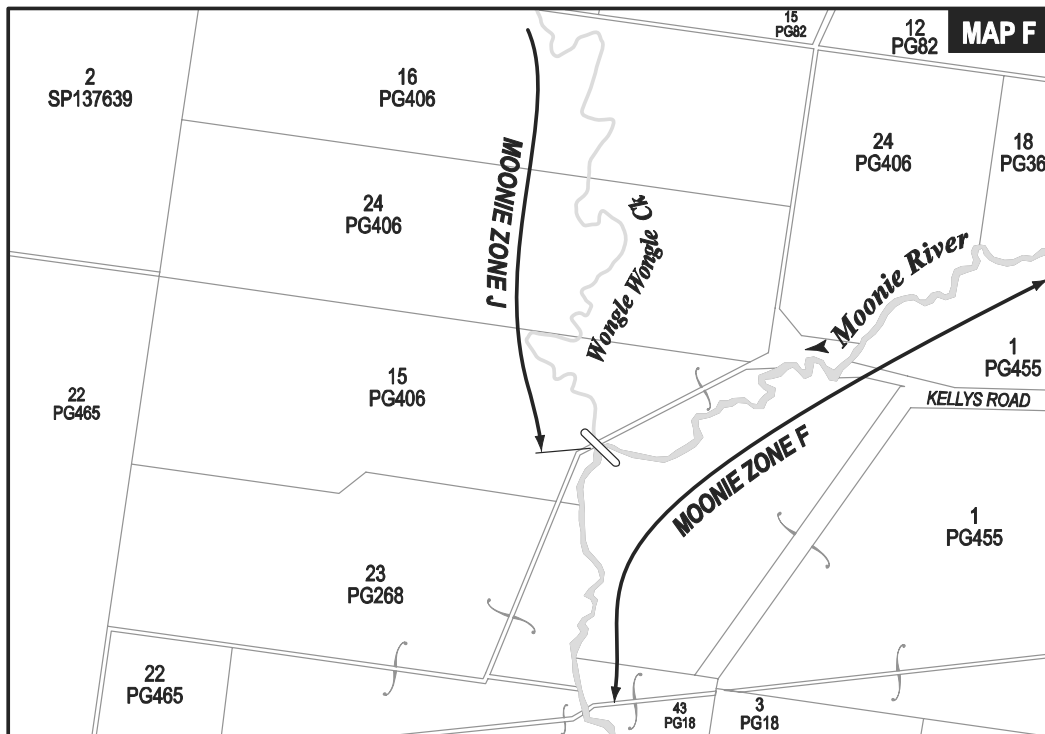
Zone Boundary – MOONIE ZONE D, MOONIE ZONE E and MOONIE ZONE I



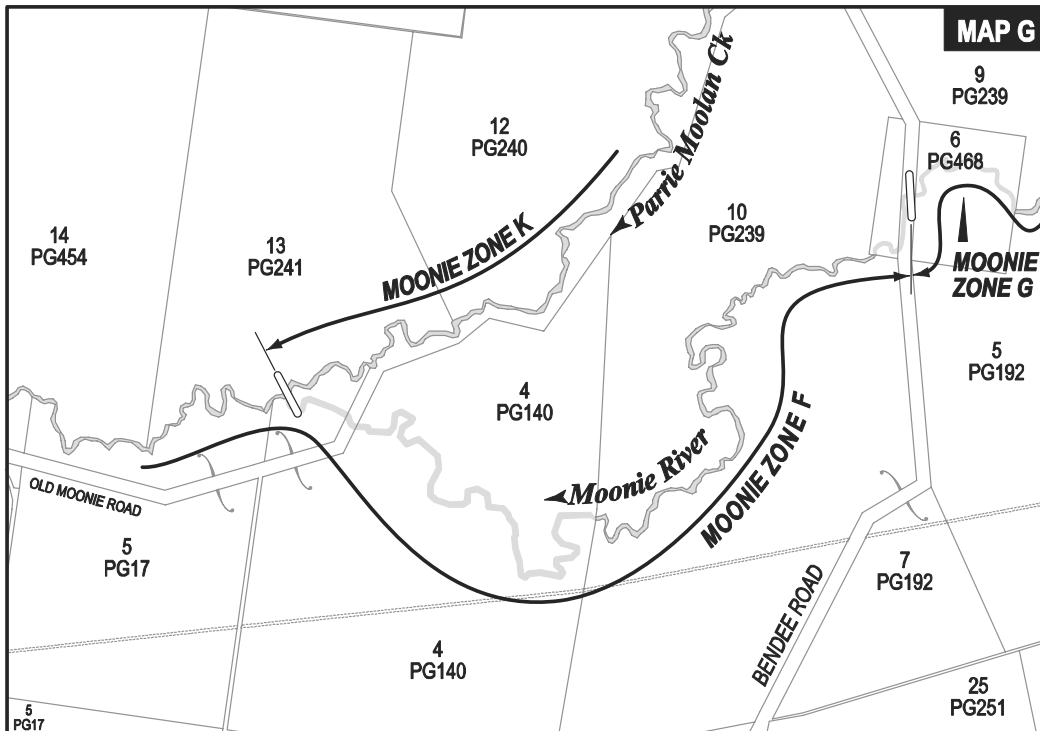
Zone Boundary – MOONIE ZONE E and MOONIE ZONE F



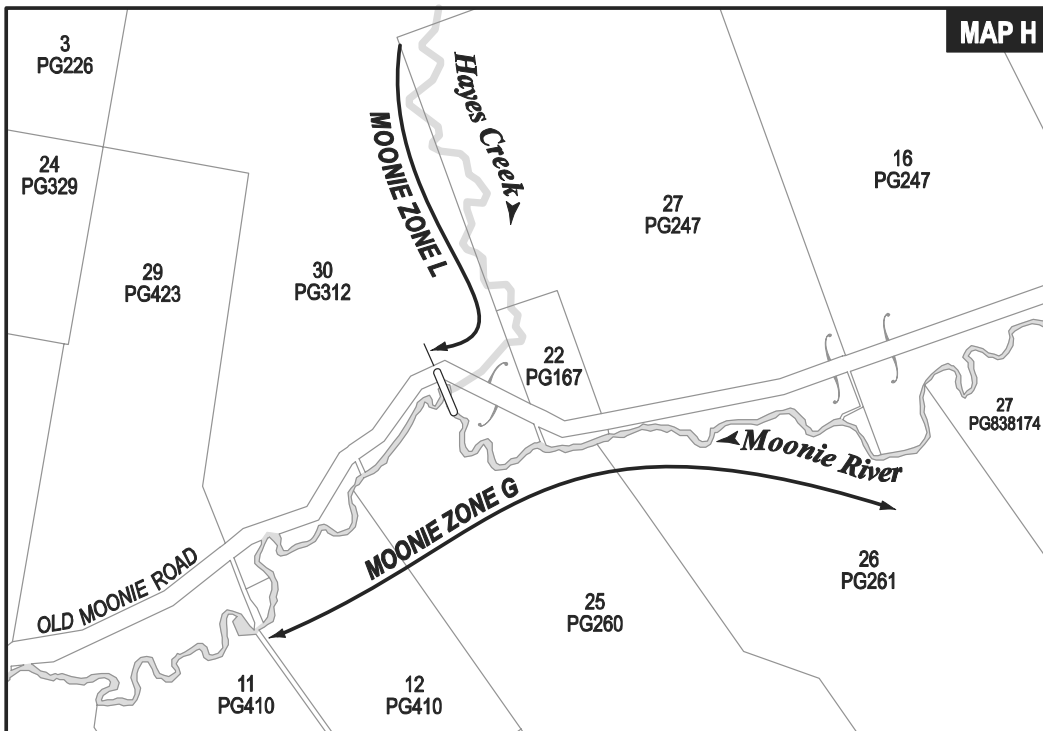
Zone Boundary – MOONIE ZONE F and MOONIE ZONE J



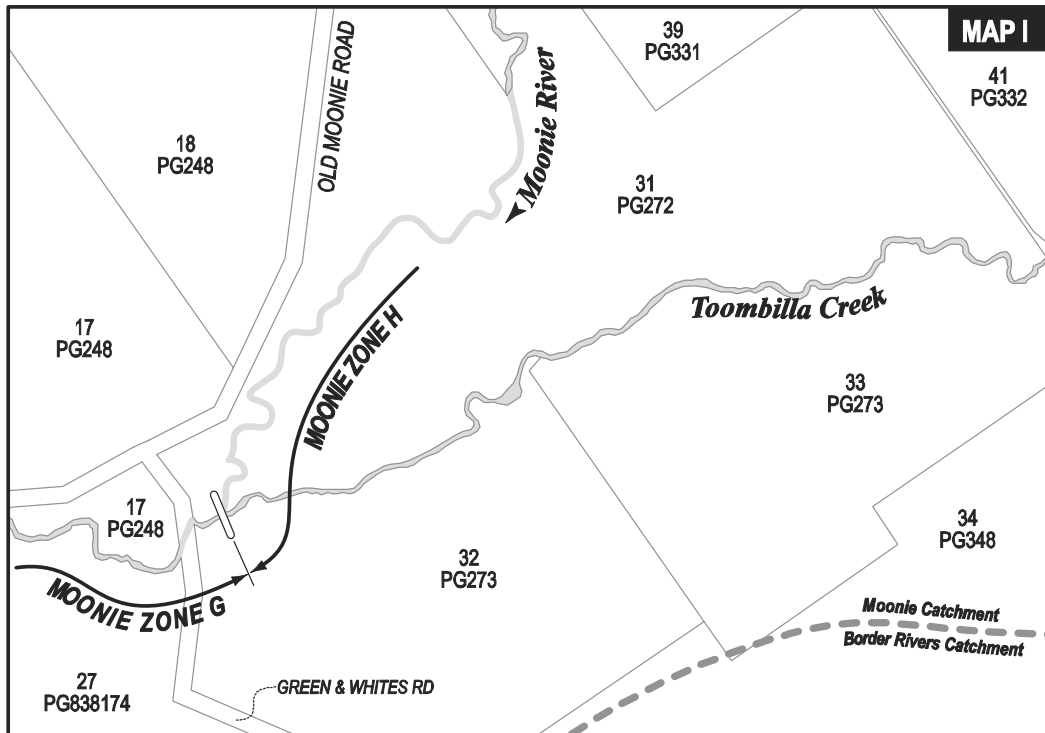
Zone Boundary – MOONIE ZONE F and MOONIE ZONE K



Zone Boundary – MOONIE ZONE G and MOONIE ZONE L



Zone Boundary – MOONIE ZONE G and MOONIE ZONE H



ATTACHMENT 3 – LINKS BETWEEN THIS PLAN AND THE WATER RESOURCE (MOONIE) PLAN 2003

How the *Moonie Resource Operations Plan 2006* is related to the *Water Resource (Moonie) Plan 2003* outcomes

General outcomes of the <i>Water Resource (Moonie) Plan 2003</i> (Section 9)	Resource operations plan rules
Water is to be allocated and managed in a way that seeks to achieve a balance in the following outcomes—	
9(a)—to make water available to sustain current levels of, and to support future growth in, economic activity in the plan area while recognising the social and cultural values of communities in the basin;	<ul style="list-style-type: none"> • water allocation change rules (eg. trading and seasonal assignment) • water sharing rules (eg. announced allocations) • dealing with water authorisations • granting and converting authorisations • dealing with unallocated water
9(b)—to provide increased security in water entitlements for water users, including protecting the probability of being able to obtain water under a water allocation;	<ul style="list-style-type: none"> • water sharing rules • metering • dealing with authorisations • ROL holder monitoring and reporting • chief executive’s data collection and assessment
9(c)—to support an effective and efficient market in water allocations;	<ul style="list-style-type: none"> • metering • water sharing rules • water allocation change rules (eg. trading and seasonal assignment) • operating rules • dealing with unallocated water
9(d)—to make water from the basin available to be stored and used while retaining water for the riverine and associated environment;	<ul style="list-style-type: none"> • water allocation change rules (eg. trading and seasonal assignment) • granting and converting authorisations • water sharing rules • operating rules

<p align="center">General outcomes of the <i>Water Resource (Moonie) Plan 2003</i> (Section 9)</p>	<p align="center">Resource operations plan rules</p>
<p>9(e)—to achieve ecological outcomes consistent with maintaining a healthy riverine environment, floodplains and wetlands, including for example, maintaining—</p> <p>(i) pool habitats, and native plants and animals associated with the habitats, in watercourses; and</p> <p>(ii) natural riverine habitats that sustain native plants and animals; and</p> <p>(iii) the natural abundance and species richness of native plants and animals associated with habitats within watercourses, riparian zones, floodplains and wetlands; and</p> <p>(iv) active river-forming processes, including sediment transport;</p>	<ul style="list-style-type: none"> • chief executive’s data collection and assessment • operating rules (eg. diversion limit, change in rates of release, maintenance of low flow outcomes and waterhole management) • use of performance indicators for monitoring by the chief executive • metering • links to monitoring programs undertaken by other stakeholders and agencies
<p>9(f)—to maintain water quality at levels acceptable for water use and to support natural ecological processes;</p>	<ul style="list-style-type: none"> • operating rules (eg. waterhole management) • chief executive’s data collection and assessment • links to monitoring and assessment programs undertaken by other stakeholders and agencies
<p>9(g)—to promote a continual improvement in water use efficiency, both in the plan area generally and on individual properties;</p>	<ul style="list-style-type: none"> • metering • operating rules • water sharing rules • water allocation change rules (trading and seasonal assignment)
<p>9(h)—to promote improved understanding of the matters affecting the health of riverine and associated systems in the basin;</p>	<ul style="list-style-type: none"> • chief executive’s data collection and assessment • links to monitoring and assessment programs undertaken by other stakeholders and agencies
<p>9(i)—consistency with Murray Darling Basin agreements and commitments, including the Murray Darling Basin Salinity Management Strategy and implementing a cap on the taking of water;</p>	<ul style="list-style-type: none"> • water sharing rules (including environmental management rules) • granting and converting authorisations • chief executive’s data collection and assessment • contribution to the Minister’s report
<p>9(j)—consistency with water sharing arrangements and commitments between the State and New South Wales.</p>	<ul style="list-style-type: none"> • water sharing rules (including environmental management rules) • chief executive’s data collection and assessment • dealing with unallocated water • contribution to the Minister’s report

ATTACHMENT 4 – UNSUPPLEMENTED WATER ALLOCATIONS

Water Allocation Number	Family Name / Company	Given Names	Tenancy Type	Share of Water Allocation	Location (Zone)	Location (Place)	Purpose	Nominal Volume (ML)	Volumetric Limits (ML /Water Year)	Max Rate For Taking Water (ML/Day)	Flow Conditions	Special Conditions	Water Allocation Group	Converting Authorisation
1	JONES	ALBERT ROY	TC	1/2	Moonie Zone H	Moonie River AMTD 414.2 km to 418.3 km adjacent to Lot 1 PG73	Any	48	96	2.2	Nil	Nil	Class H	42889R
	JONES	DIANNE ISOBEL	TC	1/2										
2	BORCHARDT	HUGH RONALD	TC	1/2	Moonie Zone H		Any	284	950	120	86.4 ML/day passing flow at the point of take	NIL	Class H	51885R
	BORCHARDT	ROXELAINE LYNN	TC	1/2										
3	ANDERSON	RICHARD JOHN	SP	1	Moonie Zone H		Any	47	100	7.3	25.9 ML/day passing flow at the point of take	NIL	Class H	51796R
4	HIRST	MICHAEL HARINGTON	TC	1/2	Moonie Zone H		Any	162	700	64.8	259.2 ML/day passing flow at the point of take	NIL	Class H	56027WR
	HIRST	MARIE LOUISE	TC	1/2										
5	HIRST	MICHAEL HARINGTON	TC	1/2	Moonie Zone H		Any	145	400	21.6	86.4 ML/day passing flow at the point of take	Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 181837 and Works Reference 15761 & 15762.	Class H	56092R
	HIRST	MARIE LOUISE	TC	1/2										
6	BOND	ROBERT STUART	SP	1	Moonie Zone H		Any	113	240	12.1	43.2 ML/day passing flow at the point of take	NIL	Class H	51842R
7	SULLIVAN	ROBERT ANTHONY	TC	1/2	Moonie Zone G		Any	670	1400	86.4	259.2 ML/day passing flow at the point of take	NIL	Class G	42830WR
	SULLIVAN	HEATHER SUZANNE	TC	1/2										
8	NEAL	BARBARA	TC	1/2	Moonie Zone G		Any	1079	2200	120	172.8 ML/day passing flow at the point of take	NIL	Class G	44457R
	NEAL	JILL	TC	1/2										
9	NEAL	BARBARA	TC	1/2	Moonie Zone G		Any	1079	2200	120	172.8 ML/day passing flow at the point of take	NIL	Class G	44458R
	NEAL	JILL	TC	1/2										

Water Allocation Number	Family Name / Company	Given Names	Tenancy Type	Share of Water Allocation	Location (Zone)	Location (Place)	Purpose	Nominal Volume (ML)	Volumetric Limits (ML /Water Year)	Max Rate For Taking Water (ML/Day)	Flow Conditions	Special Conditions	Water Allocation Group	Converting Authorisation
10	KINSALE PTY LTD		SP	1	Moonie Zone G		Any	182	400	19.9	241.9 ML/day passing flow at the point of take	NIL	Class G	28055R
11	CORDWELL	GARRY BRIAN	TC	1/2	Moonie Zone F	Moonie River AMTD 273.3 km to 280.9 km adjacent to Lot 4 PG140	Any	240	480	7.3	Nil	NIL	Class F	45440R
	CORDWELL	AMY PATRICIA	TC	1/2										
12	CORDWELL	GARRY BRIAN	TC	1/2	Moonie Zone F		Any	480	1000	120	475.2 ML/day passing flow at Moonie River - Parrie Moolan Creek junction	Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 183858 and Works Reference 17587 & 17588.	Class F	58516R
	CORDWELL	AMY PATRICIA	TC	1/2										
13	BARTLETT	KENT DAVID BEECH	TC	1/2	Moonie Zone E	Moonie River AMTD 208.7km to 212.2km adjacent to Lot 1 BLM760	Any	60	120	12.1	Nil	When there is no flow in the Moonie River, taking water under this water allocation is prohibited whenever the water level in the waterhole is less than 1.77 metres below the level at which the waterhole would normally overflow or whenever the water level in the waterhole at the pump site is higher than 0.1 metre when the waterhole would normally overflow.	Class E	54339Q
	BARTLETT	SHARON DIANNE	TC	1/2										
14	BROWN	WALTER LESLIE	TC	1/2	Moonie Zone E	Moonie River AMTD 197.5 km to 215.0 km adjacent to Lot 3 BLM925	Any	66	180	3.9	Nil	NIL	Class E	17143Q
	BROWN	ALISON VICKIE	TC	1/2										
15	RODDA	WILLIAM FRANCIS	TC	1/2	Moonie Zone D	Moonie River AMTD 178.0 km to 185.5 km adjacent to Lot 2 BLM261	Any	120	240	5.6	Nil	Taking water under this water allocation is prohibited when water level in the weir pool of water licence 49297Q is equal to or more than 2.9 metres below the design crest level.	Class D	43296Q
	RODDA	ANN	TC	1/2										

Water Allocation Number	Family Name / Company	Given Names	Tenancy Type	Share of Water Allocation	Location (Zone)	Location (Place)	Purpose	Nominal Volume (ML)	Volumetric Limits (ML /Water Year)	Max Rate For Taking Water (ML/Day)	Flow Conditions	Special Conditions	Water Allocation Group	Converting Authorisation
16	PHELPS	JOHN WESLEY	TC	1/2	Moonie Zone D	Moonie River AMTD 178.0 km to 185.5 km adjacent to Lot 2 BLM261	Any	72	144	5.6	1000 ML/day passing flow at the Warrie Road Crossing	When there is no flow at the Warrie Road crossing water can be taken from the waterhole until water level in the waterhole is 1.6 metres below at which the waterhole would normally overflow.	Class D	54378Q
	PHELPS	SUSAN FLORENCE	TC	1/2										
17	FANNING	WILLIAM ALAN	SP	1	Moonie Zone D		Any	1356	4000	120	1000 ML/day passing flow at the Warrie Road Crossing	Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 184145 and Works Reference 17739.	Class D	43203Q
18	TRAIKANT PTY LTD ACN 010548062		SP	1	Moonie Zone D		Any	1822	5000	120	500 ML/day passing flow at the Warrie Road Crossing	NIL	Class D	39961Q
19	ALBECK	PETER LACHLAN	TC	1/2	Moonie Zone D	Moonie River AMTD 111.1 km to 115.1 km adjacent to Lot 1 BEL53134	Any	48	96	3.9	Nil	NIL	Class D	26180Q
	ALBECK	PENELOPE KAY	TC	1/2										

Water Allocation Number	Family Name / Company	Given Names	Tenancy Type	Share of Water Allocation	Location (Zone)	Location (Place)	Purpose	Nominal Volume (ML)	Volumetric Limits (ML /Water Year)	Max Rate For Taking Water (ML/Day)	Flow Conditions	Special Conditions	Water Allocation Group	Converting Authorisation
20	HILL	PETER DONALD	SP	1	Moonie Zone C		Any	1207	1500	520	1295 ML/day passing flow at the Nindigully gauge	<p>When flow is less than a 1295 Megalitres/day (ML/day) passing flow at Nindigully Gauging Station the conditions for taking water are as follows:</p> <p>255-515 ML/day passing flow the maximum take is 130 ML/day</p> <p>515-775 ML/day passing flow the maximum take is 260 ML/day</p> <p>775-1035 ML/day passing flow the maximum take is 390 ML/day</p> <p>1035-1295 ML/day passing flow the maximum take is 520 ML/day</p> <p>Above 1295 ML/day passing flow the maximum take is 520 ML/day</p> <p>Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 184147, 184149, 184152 & 184148 and Works Reference 17591, 17595, 17599 & 17593.</p>	Class C	39843Q
21	HILL	PETER DONALD	SP	1	Moonie Zone C		Any	1473	3970	86	500 ML/day passing flow at the Nindigully gauge	<p>Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 184147, 184149, 184152 & 184148 and Works Reference 17591, 17595, 17599 & 17593.</p>	Class C	104926, 104928, 41803Q, 49151Q
22	HILL	PETER DONALD	SP	1	Moonie Zone C		Any	1114	3090	86	750 ML/day passing flow at the Nindigully gauge	<p>Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 184147, 184149, 184152 & 184148 and Works Reference 17591, 17595, 17599 & 17593.</p>	Class C	104926, 104928, 41803Q, 49151Q
23	HILL	PETER DONALD	SP	1	Moonie Zone C		Any	2832	7940	263	1000 ML/day passing flow at the Nindigully gauge	<p>Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 184147, 184149, 184152 & 184148 and Works Reference 17591, 17595, 17599 & 17593.</p>	Class C	104926, 104928, 41803Q, 49151Q

Water Allocation Number	Family Name / Company	Given Names	Tenancy Type	Share of Water Allocation	Location (Zone)	Location (Place)	Purpose	Nominal Volume (ML)	Volumetric Limits (ML /Water Year)	Max Rate For Taking Water (ML/Day)	Flow Conditions	Special Conditions		Water Allocation Group	Converting Authorisation																	
24	WILLIS	WILLIAM KENNETH	SP	1	Moonie Zone B		Any	11279	32000	1000	1500 ML/day passing flow at the Bullamon Plains Homestead Weir	<p>For a Passing Flow less than 1500 ML/day at the Homestead Weir authorised by 43220Q the conditions for taking water under this water allocation are as follows:</p> <table border="1"> <thead> <tr> <th>Passing Flow (ML/day)</th> <th>Rate of take (ML/day)</th> </tr> </thead> <tbody> <tr><td>21</td><td>5</td></tr> <tr><td>81</td><td>20</td></tr> <tr><td>201</td><td>50</td></tr> <tr><td>295</td><td>206</td></tr> <tr><td>379</td><td>372</td></tr> <tr><td>501</td><td>500</td></tr> <tr><td>901</td><td>600</td></tr> <tr><td>1250</td><td>750</td></tr> </tbody> </table> <p>Water taken must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 184127, 184129, 184130, 184133 & 184137 and Works Reference 17650, 17651, 17683, 17684, 17691, 17698 & 17704.</p> <p>When there is no flow, water can be taken from the storage authorised by 49231WQ at a rate of 43.2 ML/day until the level in the storage is 0.5 metres below at which the weir would normally overflow with all drop boards removed.</p>	Passing Flow (ML/day)	Rate of take (ML/day)	21	5	81	20	201	50	295	206	379	372	501	500	901	600	1250	750	Class B	49228WQ, 49229WQ, 49230WQ
Passing Flow (ML/day)	Rate of take (ML/day)																															
21	5																															
81	20																															
201	50																															
295	206																															
379	372																															
501	500																															
901	600																															
1250	750																															
25	BALONNE SHIRE COUNCIL		SP	1	Moonie Zone B		Any	32	32	0.2	Nil	NIL	Class B	Order in Council																		
26	THE MINISTER FOR EDUCATION OF QUEENSLAND		SP	1	Moonie Zone I	Teelba Creek adjacent to Lot 41 on BLM1188	Any	12	24	2.2	Nil	NIL	Class I	49135WQ																		
27	KELEHER KELEHER	TERENCE GERARD CAROLYN JOYCE	TC TC	1/2 1/2	Moonie Zone D	Moonie River Flood Channel AMTD 1 km to 2 km within Lot 6 BLM261	Any	240	480	34.6	Nil	NIL	Class D	43230Q																		

Water Allocation Number	Family Name / Company	Given Names	Tenancy Type	Share of Water Allocation	Location (Zone)	Location (Place)	Purpose	Nominal Volume (ML)	Volumetric Limits (ML /Water Year)	Max Rate For Taking Water (ML/Day)	Flow Conditions	Special Conditions	Water Allocation Group	Converting Authorisation
28	CORDWELL CORDWELL	GARRY BRIAN AMY PATRICIA	TC TC	1/2 1/2	Moonie Zone K		Any	479	1000	120	475.2 ML/day passing flow at Moonie River (Parrie Moolan Creek junction)	NIL	Class K	58506R
29	COGGAN	JOHN CHARLES	SP	1	Moonie Zone K		Any	784	1700	120	43.2 ML/day passing flow at the point of take	Water taken under the authority of this water allocation must not be stored unless the water is being stored in the notified storage works as described under Overland Flow Works Notification Acknowledgement 183950 & 183951 and Works Reference 17706 & 17709.	Class K	44067WR
30	BAKER BAKER	EDWARD JAMES CLAIRE PATRICIA	TC TC	1/2 1/2	Moonie Zone L		Any	712	2000	120	86.4 ML/day passing flow at the point of take	Water can be taken when 43.2 ML/day passing flow at the point of take when there is 172.8 ML/day passing flow in the Moonie River at the junction with Hayes Creek.	Class L	55923R
31	DONALDSON DONALDSON	GEOFFREY THOMAS CAROLINE JEAN	TC TC	1/2 1/2	Moonie Zone L		Any	413	1000	120	172.8 ML/day passing flow at the point of take	Water can be taken when 129.6 ML/day passing flow at the point of take when there is 172.8 ML/day passing flow in the Moonie River at the junction with Hayes Creek.	Class L	55944R
32	WICKS	ROGER THOMAS	SP	1	Moonie Zone L	Hayes Creek within Lot 39 on PG215	Any	18	36	2.2	Nil	NIL	Class L	55967R

SP – Sole Proprietor TC – Tenant in Common

APPENDIX A

**EXPLANATORY NOTES FOR THE MOONIE
RESOURCE OPERATIONS PLAN 2006**

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THE EXPLANATORY NOTES

The explanatory notes are a ‘plain English’ version of the Moonie Resource Operations Plan 2006 (‘the plan’). The numbering of the explanatory notes corresponds with the numbering of the resource operations plan which should be read in conjunction with these notes.

The plan has been made to implement the *Water Resource (Moonie) Plan 2003* (‘the water resource plan’). The plan and the water resource plan applies to unregulated water within the Moonie catchment.

While these notes are intended to assist the reader in interpreting the Moonie Resource Operations Plan 2006, the reader should refer to the statutory plan for the water management rules themselves.

Section numbers not used

Certain sections of the plan are titled ‘Section numbers not used’. Because of the size and complexity of the plan, some section numbers have been deliberately left blank. This will allow the plan to be amended if necessary at a later date without the whole plan having to be renumbered.

CHAPTER 1 - PRELIMINARY

1. Water resource plan implemented through the resource operations plan

This section states that the purpose of the plan is to implement the *Water Resource (Moonie) Plan 2003*. The resource operations plan sets out the rules and requirements that guide the day to day management of surface water in order to achieve the objectives of the *Water Resource (Moonie) Plan 2003*.

2. Name of the resource operations plan

This section states the name of the plan.

3. Commencement of the resource operations plan

The plan commences on the first business day after notification in the *Queensland Government Gazette*.

4. Plan area

The geographic area to which these rules apply is shown on the map in Attachment 1 and includes the Moonie catchment.

5. Water to which this plan applies

The plan applies to all water within a watercourse, lake or spring including water collected in a weir or dam constructed across a watercourse, lake or spring in the plan area and also includes overland flow water.

6. Water Management Areas and Resource Operations Plan Zones

The plan has one water management area, made up of the Moonie catchment as shown in Attachment 1.

Every water allocation in the plan area has been assigned to a specific resource operations plan zone. The zones were determined by dividing the watercourse into separate reaches based on hydrological characteristics. They provide for geographic management of water trading and will be used to allow assessment and minimisation of the impacts of trades and water management decisions on other water users and the environment. Trading of allocations may occur between zones, subject to appropriate conditions (refer to Chapter 3, Part 3).

7. Information about areas

Interested persons will be able to identify in greater detail where zone boundaries lie in relation to property boundaries and watercourses by inspection of digital information held at the Department of Natural Resources and Mines head office at 41 George St, Brisbane (phone - 131304), or by contacting their local office.

8. Departmental water monitoring data collection standard

All water resource monitoring and data retention requirements in the plan must be conducted in accordance with the department's *Water Monitoring Data Collection Standard*. The standard addresses, amongst other things—

- external standards;
- responsibilities;
- requirements;
- definitions;
- accuracy of continuous recorded data;
- accuracy of intermittent data;
- water sample analysis methods, resolution and minimum reporting limits; and
- natural ecosystem monitoring methods.

The *Water Monitoring Data Collection Standard* is maintained on the department's website and will be updated regularly to ensure that the most recent industry best practice methods are used. It is the responsibility of the relevant monitoring body to ensure that they are collecting data in accordance with the most recent version of the standard.

The *Water Monitoring Data Collection Standard* is not continually specified in the plan in order to avoid excessive amendments and allow the standard to be regularly updated to reflect best practice.

9. Departmental water monitoring data reporting standard

Water resource monitoring data must be transferred and published in accordance with the department's *Water Monitoring Data Reporting Standard*. The *Water Monitoring Data Reporting Standard* includes format requirements and timeframes within which data must be transferred.

The *Water Monitoring Data Reporting Standard* is maintained on the department's website and will be updated to ensure that the most recent industry best practice methods are used. It is the responsibility of the relevant monitoring body to ensure that they are reporting data in accordance with the most recent version of the standard.

The *Water Monitoring Data Reporting Standard* addresses, amongst other things—

- data format and levels of accuracy;
- data fields; and
- timeframes for reporting requirements.

The *Water Monitoring Data Reporting Standard* is not continually specified in the plan in order to avoid excessive amendments and allow the standard to be regularly updated to reflect best practice.

10. Operating and environmental management rules and monitoring requirements

This section states that, where it is unsafe for a person or persons to carry out operating and environmental management rules or reporting requirements under the plan, that person or persons do not have to comply with that rule or requirement until it is safe to do so.

11. Metering

Water entitlements, to which the plan applies, including water allocations and water licences, will be metered to provide data for water management activities including demonstrating compliance with management rules. Metering water use is fundamental to the responsible management of the State's water resources.

Requirements for metering are covered by the regulation made under the *Water Act 2000*.

12. Sustainable management of water

As required under Section 98(1)(e) of the *Water Act 2000*, this section specifies the manner in which the plan seeks to sustainably manage water resources in the plan area.

13. Addressing water resource plan outcomes

As required under Section 98(1)(g) of the *Water Act 2000*, this section specifies the manner in which the plan seeks to achieve the general outcomes and ecological outcomes set out in the water resource plan.

Attachment 3 of the plan sets out how the rules and requirements of the plan are linked to the outcomes of the water resource plan.

CHAPTER 2 – DEALING WITH UNALLOCATED WATER

Up to 1,100 ML per year of unallocated water is available for future use for 'any' purpose within the plan area

A total of 100 megalitres of unallocated water is available for the purpose of 'town water supply' within the plan area.

Part 1 – Unallocated Water for 'Any' Purpose

14. Unallocated water reserved for future projects

Unallocated water in the Moonie Water Management Area is reserved for allocation at a future date.

15. Future amendment to allow release of unallocated water

When a decision is made to release some or all of the reserved unallocated water in the Moonie Water Management Area, the plan will be amended through a formal process, which will involve public consultation.

Section 41 of the water resource plan details the criteria the chief executive must consider when releasing unallocated water.

16 to 18. Section numbers not used

Part 2 – Unallocated Water for Town Water Supply

19. Scope of part 2

This section states that this part details how unallocated water for town water supply will be dealt with.

20. Unallocated water reserved

This section specifies that the water for town water supply is reserved for release at a future date.

21. Process for making the reserved water available

The unallocated water will be reserved until a local government requesting unallocated water for town water supply provides a written submission demonstrating that the water is needed. This section lists the information that must be provided to the chief executive to enable a decision to be made.

22. Assessment of submission for the reserved water

This section sets out the matters that must be considered by the chief executive when assessing a submission for the unallocated water.

23. Additional information may be required

This section states that the submitter may be asked to provide additional information to enable the chief executive to assess the submission.

24. Deciding the submission

The chief executive will, based on assessment of a submission, decide to—

- make the reserved water available and determine the conditions and price to be applied; or
- not make the reserved water available.

Where the decision is to make the reserved water available, the chief executive will determine the maximum rate of take, volume and any access conditions for the licence or allocation. This decision and the conditions to be imposed on the water may be reviewed if additional information is received.

25. Public notification

This section states that the public must be notified of the decision detailed in section 24 and that public submissions be sought on the issuing of the licence or allocation.

26. Granting a water entitlement to a local authority

This section states that the chief executive may consider issues raised in the submissions when determining the final conditions on the licence or allocation.

27 and 28. Section numbers not used

CHAPTER 3 – DEALING WITH UNSUPPLEMENTED WATER

Part 1 – Conversion of Unsupplemented Authorisations

29. Granting of water allocations

This section states where in the plan to find details of unsupplemented water allocations granted or converted from existing water authorisations.

Part 2 – Water Sharing Rules

30. Access rules for all water allocations

This section specifies when water can be taken under a water allocation.

31. Flow conditions

The flow condition stated on a water allocation is the stream flow that must be occurring at the nominated flow reference point before water can be taken.

Amendments may be made to the allocation in order to change the location of the flow reference point. Any changes will be in accordance with section 130 of the plan.

32. Volumetric limit

The volumetric limit is the maximum volume of water that may be taken under a water allocation in any water year.

33 to 41. Section numbers not used

Part 3 – Water Allocation Change Rules

42. Scope of part 3

This section states that this part details the water allocation change rules for unsupplemented water.

Division 1 – Permitted Changes

43. Change of location for allocations with nil passing flow condition

Allocations with nil passing flow conditions have been converted from direct irrigation/area licences which did not have flow conditions as they were granted on the basis of making use of waterholes in the river.

The plan provides ‘permitted’ rules for the relocation of an allocation with a nil passing flow condition. The provisions are detailed in this section but are intended to ensure that there are no impacts on existing water users or the environment as a result of the change.

44. Subdivision and amalgamation

This section states that amalgamation or subdivision of unsupplemented water is permitted provided there is no change to the—

- total nominal volume;
- volumetric limit;

- rate of take;
- flow conditions; and the
- location of the original water allocation.

45 to 51. Section numbers not used

Division 2 – Prohibited Changes

52. Prohibited changes

This section defines when the subdivision and amalgamation of water allocations will be prohibited.

53 to 59. Section numbers not used

Division 3 – Other Changes

60. Application for changes not specified as either permitted or prohibited

Any changes that are not listed as permitted or prohibited but relate to one or more elements of the allocation mentioned in Section 128 of the *Water Act 2000*, may be applied for in accordance with Section 130 of the *Water Act 2000*. This involves—

- an application being made to the chief executive;
- the application being supported by sufficient information to enable the chief executive to make a decision; and
- a fee being paid.

The applicant will be responsible for all costs associated with assessment of the application. The chief executive will then decide whether to allow or not allow the change.

Division 4 – Water Allocations Used in Conjunction with Overland Flow Works

61. Application to remove the special condition

This special condition applies to water allocations that take water from a watercourse and store it in works (storage) that also take overland flow. The condition ties the water allocation to the particular works.

When the special condition is changed or removed it potentially frees up space in the works for more overland flow and thus could result in growth in overland flow take which is prohibited under Section 18 of the water resource plan.

If an application to remove the special condition is received then an overland flow licence will be issued limiting the overland flow take to levels at the commencement of the plan.

Part 4 – Seasonal Water Assignments

62. Seasonal water assignment rules

Seasonal assignment of unsupplemented water allocations is allowed where there is—

- no change to the zone from which water will be taken;
- no requirement on the allocation to store the water in a particular works;
- there is no change to the flow condition; and

- if the water allocation being seasonally assigned has a nil passing flow condition then specific limitations are imposed on the take of water.

63 to 70. Section numbers not used

CHAPTER 4 – DEALING WITH WATER LICENCES

Part 1 – Dealing with Water Licence Applications

71. Scope of part 1

This section states that this part details how the department will deal with water licence applications.

72. Applications to be refused

This section states that water licence applications must be refused unless this part explicitly provides for accepting or dealing with the application.

73. Applications to take water from a watercourse, lake or spring

Some licence applications may be accepted and dealt with. These are applications—

- to reinstate or replace expired licences;
- to grant a water entitlement to a local government or a government agency for supply under operations that were in existence before 9 June 2001; and
- for a water entitlement from an owner of land who does not adjoin a watercourse, lake or spring, to take water for stock or domestic purposes using works that were in existence before 9 June 2001.

74. Applications to interfere with water by impounding flow

This section states that a water licence application for instream works (e.g. dam or weir) will be considered where the storage is for—

- stock and domestic purposes;
- a pumping pool associated with a water entitlement; or
- to store water for town water supply, where an application has been made by a local government.

Applications will not be approved if the storage is for a purpose not listed above.

In assessing whether to approve or refuse an application for a licence to interfere with water, the chief executive will consider—

- the size of the storage;
- other water supplies on the property; and
- the stock and domestic requirements of the property.

Conditions may be included on the licence to maintain passing flows and limit the size of the structure.

For an application for a licence to interfere with water that is submitted by a local government for the purpose of town water supply, the volumetric limit and rate of take of any water allocation associated with the licence to interfere must be reduced. This is done to account for

additional water 'taken' as a result of the use of the storage. The allocation will also be linked to the weir and any flow threshold conditions be removed.

75. Applications for a water licence to replace an overland flow authority

States that part 2 of this chapter deals with applications for a water licence to replace an overland flow authority.

76 to 80. Section numbers not used

Part 2 – Granting Water Licences for Taking Overland Flow Water

81. Scope of part 2

This section states that this part will detail how a water licence to take overland flow water will be granted.

82. Parts of the plan area and works for taking overland flow water where an authority may be replaced by a water licence

This section states that an authority to take overland flow can be replaced by a licence anywhere in the plan area in accordance with section 83 of the plan.

83. Granting a water licence under Section 36 of the water resource plan

Authorisations were granted to the owners of overland flow works that notified the department (under Section 34 of the water resource plan) of the details of their works by December 2004. Under this notification process, details relating to the size of the works were included and recorded on the authorisation.

If an owner of such works plans to reconfigure the works such that the annual average diversion may be increased, a notice will be issued to them stating that a water licence will be granted to them for the works. This notice may also request a certified report from the owner about the existing works.

The chief executive will then identify the maximum rate for taking overland flow water, the storage volume, volumetric limit and an annual average diversion for the water licence.

If the works are already licensed under this process, then the chief executive may use the same process to amend the licence if required.

84. Granting a water licence to allow a change to a water allocation under section 61 of this plan

When an application under section 61 of the plan to remove a special condition (condition that ties the allocation to a particular storage) from a water allocation is received, the applicant must send a certified report on the works within 90 days. This will allow the chief executive to determine the conditions and grant a licence for the works.

85. Certified reports for overland flow works

The certified reports for the works must provide the information requested in the notice sent by the chief executive under section 83 of the plan. The reports will identify the infrastructure, its operation and its ability to take overland flow water.

86. Conditions for taking overland flow water

Conditions will be placed on water licences for taking overland flow water. These conditions will ensure that no more water is taken by the works than was originally authorised. This will ensure that the water allocation security objectives and the environmental flow objectives that provide security for water users and maintain the health of the riverine ecosystems are not changed.

87. Assessment of maximum rate for taking overland flow water

This section details how the maximum rate for taking overland flow water will be assessed.

88. Assessment of storage volume

This section details how the storage volume of an overland flow storage will be assessed.

89. Assessment of the volumetric limit for taking overland flow water

This section details how the volumetric limit for taking overland flow water will be assessed.

90. Assessment of the average annual diversion of overland flow water

This section details how the average annual diversion for taking overland flow water will be assessed.

91 and 92. Section numbers not used

Part 3 – Amending Existing Water Licences

93. Water licences where the purpose is for stock and domestic use

Stock and/or domestic water licences will be amended within 12 months of the commencement of the plan to include—

- a maximum rate of take;
- a specified purpose of ‘any’; and
- a maximum volume of water that can be taken in a water year.

94 to 104. Section numbers not used

CHAPTER 5 – MONITORING, ASSESSMENT AND REPORTING

105. Water monitoring

Data will be collected and recorded in order to determine current and future trends in water use, trading, seasonal assignments and water use efficiency. Several years of data collection may be required before trends can be determined. Data will be collected from a variety of sources including water meters, agency monitoring programs and associated programs. The data collected as part of the monitoring programs will be based on indicators for each outcome and will be made publicly available. These activities will also contribute to an improved information base for future water planning within the plan area.

106. Natural ecosystems monitoring and assessment

Natural ecosystem monitoring will involve identification of ecological assets that are linked to the ecological outcomes of the water resource plan. An ecological asset can be a species, group of species, a biological function or particular ecosystem or place of value for which water is critical.

It is impractical to monitor every species or process associated with the identified ecological assets. Instead, indicators that are representative of each asset will be monitored. Monitoring of an indicator will involve looking for evidence that the water requirements of an ecological asset (or its representative indicator) have been provided. A detailed understanding of the biology of organisms is required in order to find critical ecological responses (e.g. breeding behaviour, successful recruitment) that depend on specific aquatic conditions (such as, water depth, water velocity, length of time of inundation and seasonal timing).

The department will need to determine if flow requirements specified in the rules of the plan provide opportunities for an ecological response.

Where required, further investigations will be undertaken to increase our understanding of the environmental water requirements of the organisms. The monitoring program will be altered when necessary in response to new and improved information.

As further information is obtained and the understanding of the biology of a particular organism increases, it is envisaged that ongoing assessment of the links between water management and achieving ecological outcomes will be more accurate and informative.

Sites for natural ecosystem monitoring will be established at locations where either the plan's rules and requirements have an influence on the indicators of the ecological assets or where it is suitable to carry out investigations to increase our understanding of the organisms' environmental water requirements. The timing and the nature of data collection will be determined by the specific flow events that occur within the plan area or by the type of investigative work undertaken.

107. Assessment

An assessment of the overall performance of the water resource plan will be based on analysis of the data collected under sections 105 and 106. The assessment will allow the chief executive to determine if the strategies of the water resource plan have been successful in seeking to achieve the general and ecological outcomes of the water resource plan.

Where it is determined that the general or ecological outcomes in the water resource plan are not being achieved, the Minister must consider amending the water resource plan. The findings and progress of the assessment will be presented, along with all of the other monitoring results, in the Minister's annual report.

108. Links to other monitoring programs

This section states that information gathered by other monitoring programs may be used to help with the assessment of the performance of ecological outcomes detailed in the water resource plan.

Other monitoring programs carried out in the Moonie plan area seek to address differing issues and hence involve collection of different types of information. These programs are often conducted by bodies such as the Environmental Protection Agency, the Department of Primary Industries and Fisheries, universities and cooperative research centers and include short-term, local projects of 2 or 3 year duration that are targeted at particular issues. Although they are not directly related to the plan, they may provide additional data and findings for assessment purposes.

109. Murray–Darling Basin Cap audit

As part of Queensland’s agreement to the Murray–Darling Basin Cap, the take of water in the plan area will be managed to comply with this agreement.

Under this agreement, the measured volume of water that is taken from each catchment will be audited against the annual diversion target each year. This target is calculated using a catchment model, the ‘Integrated Quantity and Quality Model’, or by way of any assessment method deemed appropriate by the chief executive.

If the measured volumes do not balance with the annual diversion target then the plan may be amended to achieve the Cap outcomes.

110 to 116. Section numbers not used**CHAPTER 6– INTERSTATE AGREEMENTS****117. Resource operations plan to meet interstate obligations**

This section lists the interstate agreements the plan is consistent with. It also states that the plan may be amended to accommodate the requirements of any new interstate agreement.

118 to 124. Section numbers not used**CHAPTER 7 – AMENDMENTS TO THE RESOURCE OPERATIONS PLAN****125. Scope of chapter 7**

This section states that this chapter details the different arrangements for making amendments to the resource operations plan.

126. Implementing an amendment to the water resource plan

This section states that any amendment that is necessary as a consequence of an amendment to the water resource plan may be made to the plan.

127. Granting an entitlement for unallocated water

An amendment may be made to the plan to provide for granting a water allocation to a local water authority under section 26 of the plan.

128. Changing monitoring, assessment and reporting requirements

This section states that any amendment to monitoring, assessment and reporting provisions may be made where that amendment will result in a more efficient or improved monitoring, assessment or reporting program for the department.

129. Adding additional resource operations plan ‘zones’

This section states that the chief executive can modify the plan zones through subdivision and amalgamation of existing zones or by creating new zones.

130. Changes to flow conditions

This section states that the chief executive may change the location of a flow reference point on a water allocation. The new reference point will possess the same passing flow requirement of the old reference point and the change must not result in a reduction in availability of water to the water allocation.

131. Granting a water allocation to replace a water licence that has a volumetric limit

An amendment may be made to the plan where a water licence with a maximum daily rate of take and a volumetric limit can be converted into a water allocation. This new allocation must not have a larger volumetric limit or daily rate of take and must not result in an increased average volume of water taken.

132. Changes to the method of determining conditions on an overland flow licence

If a better method of determining conditions for an overland flow licence becomes available, then this section allows for the new method to replace the existing method detailed in sections 81 to 90 of the plan.

133. Changes to unsupplemented water sharing rules

If, after a future review of operational procedures and community consultation in a water management area, it is decided that it is appropriate to change the unsupplemented water sharing rules then this section provides for this. The new rules must be consistent with the water resource plan and must not impact upon the security of water for water users or the environmental flow objectives.

134 to 139. Section numbers not used

CHAPTER 8 – IMPLEMENTATION

140. Implementation

This section states that the chief executive must implement the plan as soon as is practical.

APPENDIX B
WATER RESOURCE (MOONIE) PLAN 2003

Queensland



Subordinate Legislation 2003 No. 319

Water Act 2000

WATER RESOURCE (MOONIE) PLAN 2003

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PART 1—PRELIMINARY

1 Short title

This water resource plan may be cited as the *Water Resource (Moonie) Plan 2003*.

2 Commencement

(1) Part 5, division 5, commences on 1 July 2004.

(2) The remaining provisions commence on the day this plan is notified in the gazette.

3 Purposes of plan

The following are the purposes of this plan—

- (a) to define the availability of water in the plan area;
- (b) to provide a framework for sustainably managing water and the taking of water;
- (c) to identify priorities and mechanisms for dealing with future water requirements;
- (d) to provide a framework for establishing water allocations;
- (e) to provide a framework for reversing, where practicable, degradation that has occurred in natural ecosystems, including, for example, stressed rivers;
- (f) to regulate the taking of overland flow water.

4 Definitions

The dictionary in schedule 5 defines particular words used in this plan.

PART 2—PLAN AREA AND WATER TO WHICH PLAN APPLIES

5 Plan area

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

6 Information about plan area

(1) The exact location of the plan area boundary is held in digital electronic form by the department.

(2) The information held in digital electronic form can be reduced or enlarged to show the details of the boundary.¹

7 Nodes

(1) A node mentioned in this plan is a place—

- (a) on a watercourse in the plan area; and
- (b) for which environmental flow objectives are set for performance indicators.

(2) The location of each node is shown on the map in schedule 1 and described in schedule 2.

(3) Each node is identified on the map by a letter of the alphabet.

8 Water to which plan applies

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

- (a) water in a watercourse, lake or spring;
- (b) overland flow water.

¹ The boundary location in digital electronic form may be inspected at the department's head office, Brisbane.

PART 3—OUTCOMES FOR SUSTAINABLE MANAGEMENT OF WATER

9 Outcomes, including ecological outcomes, for the plan area

Water is to be allocated and managed in a way that seeks to achieve a balance in the following outcomes—

- (a) to make water available to sustain current levels of, and to support future growth in, economic activity in the plan area while recognising the social and cultural values of communities in the basin;
- (b) to provide increased security in water entitlements for water users, including protecting the probability of being able to obtain water under a water allocation;
- (c) to support an effective and efficient market in water allocations;
- (d) to make water from the basin available to be stored and used while retaining water for the riverine and associated environment;
- (e) to achieve ecological outcomes consistent with maintaining a healthy riverine environment, floodplains and wetlands, including, for example, maintaining—
 - (i) pool habitats, and native plants and animals associated with the habitats, in watercourses; and
 - (ii) natural riverine habitats that sustain native plants and animals; and
 - (iii) the natural abundance and species richness of native plants and animals associated with habitats within watercourses, riparian zones, floodplains and wetlands; and
 - (iv) active river-forming processes, including sediment transport;
- (f) to maintain water quality at levels acceptable for water use and to support natural ecological processes;
- (g) to promote a continual improvement in water use efficiency, both in the plan area generally and on individual properties;
- (h) to promote improved understanding of the matters affecting the health of riverine and associated systems in the basin;

- (i) consistency with Murray Darling Basin agreements and commitments, including the Murray Darling Basin Salinity Management Strategy and implementing a cap on the taking of water;
- (j) consistency with water sharing agreements and commitments between the State and New South Wales.

PART 4—PERFORMANCE INDICATORS AND OBJECTIVES

Division 1—Environmental flow objectives

10 Performance indicators for environmental flow objectives

The performance indicators for the environmental flow objectives are as follows—

- (a) end of system flow;
- (b) low flow;
- (c) summer flow;
- (d) beneficial flooding flow;
- (e) 1 in 2 year flood.

11 Environmental flow objective (s 10(a))

In preparing the first resource operations plan, the environmental flow objective is that the end of system flow be at least 70% of the pre-development flow pattern.

12 Environmental flow objectives (s 10(b) to (e))

The environmental flow objectives are that at each node described in schedule 2, the extent to which a performance indicator, mentioned in section 10(b) to (e), expressed as a percentage of the same indicator for the pre-development flow pattern, is less than 66% or more than 133% be minimised.

13 Environmental flow objectives (assessing impact of decisions)

For making a decision mentioned in section 19(2), the environmental flow objectives are that—

- (a) the end of system flow be not less than the end of system flow immediately before the decision is made; and
- (b) at each node described in schedule 2, a performance indicator, mentioned in section 10(b) to (e), be—
 - (i) not less than the lesser of the following—
 - (A) 66% of the indicator for the pre-development flow pattern;
 - (B) the indicator immediately before the decision is made; and
 - (ii) not more than the greater of the following—
 - (A) 133% of the indicator for the pre-development flow pattern;
 - (B) the indicator immediately before the decision is made.

Division 2—Water allocation security objectives**14 Performance indicators for water allocation security objectives**

The performance indicators for the water allocation security objectives are—

- (a) the annual volume probability; and
- (b) the 45% annual volume probability.

15 Water allocation security objectives

For making a decision mentioned in section 19(2), the water allocation security objectives are that—

- (a) the annual volume probability for a water allocation group be not less than the annual volume probability for the group immediately before the decision is made; and

- (b) the 45% annual volume probability for a water allocation group be not less than the 45% annual volume probability for the group immediately before the decision is made.

PART 5—STRATEGIES FOR ACHIEVING OUTCOMES

Division 1—Preliminary

16 Strategies

(1) This part states the strategies for achieving the outcomes mentioned in part 3.

(2) The strategies—

- (a) form part of a broad framework for the management of natural resources; and
- (b) complement other activities, including the National Action Plan for Salinity and Water Quality, for advancing the sustainable management of water.

Division 2—Decisions made under this plan

17 Application of div 2

This division applies to decisions about the allocation or management of water in the plan area, other than a decision—

- (a) about a water permit; or
- (b) about reinstating or replacing an expired licence; or
- (c) under the *Integrated Planning Act 1997*, about taking overland flow water mentioned in section 32(1)(a) or (e); or
- (d) to grant a water entitlement to a local government or a government agency for supply under operations that were in existence before 9 June 2001; or

- (e) to grant a water entitlement to an owner of land, other than land adjoining a watercourse, lake or spring, to take water for stock or domestic purposes using works that were in existence before 9 June 2001.

18 Decisions not to increase amount of water taken

(1) The chief executive must not make a decision that would increase the average volume of water available to be taken in the plan area.

(2) Subsection (1) does not apply to a decision about unallocated water made under section 40.

(3) However, subsection (1) applies to a decision about an application, in relation to taking water under an authorisation, made but not dealt with before the commencement of this plan.

19 Decisions consistent with objectives

(1) A decision made in preparing the first resource operations plan must be consistent with the environmental flow objectives mentioned in sections 11 and 12.

(2) All other decisions, including making the water allocation change rules in preparing the resource operations plan, must be consistent with—

- (a) the environmental flow objectives mentioned in sections 12 and 13; and
- (b) the water allocation security objectives mentioned in section 15.

20 Assessing impact of decisions

(1) The IQQM computer program's simulation for the simulation period is used to assess—

- (a) for section 18—whether the average volume of water available to be taken would increase; and
- (b) for section 19—consistency with the objectives.

(2) Subsection (1)(a) does not apply to a decision to refuse an application if approving the application would clearly increase the average volume of water available to be taken in the plan area.

(3) Subsection (1) does not limit the matters the chief executive may have regard to in assessing the matters mentioned in subsection (1).

(4) If it is not practicable to use the IQQM computer program, another assessment method approved by the chief executive may be used.

(5) The chief executive may approve an assessment method for subsection (4) only if the chief executive is satisfied the method will assess the matters mentioned in subsection (1) at least as accurately as the IQQM computer program.

21 Calculation of performance indicators

(1) The performance indicators mentioned in part 4 are calculated on the assumption the unallocated water mentioned in section 39 is being taken.

(2) Subsection (3) applies to a decision—

- (a) that will result in the addition of a water allocation to, or the omission of a water allocation from, a water allocation group; or
- (b) to grant an application under section 129 or 130 of the Act to change a water allocation.

(3) In assessing the decision's consistency with the water allocation security objectives, the performance indicators are calculated on the assumption the water allocation being added, omitted or changed is not part of any water allocation group.

Division 3—Conversion of authorisations to water allocations

Subdivision 1—General

22 Application of div 3

This division applies only to—

- (a) authorisations converted, under the resource operations plan, to water allocations; and
- (b) water allocations converted, under the resource operations plan, from authorisations.

23 Location for taking water

The location, for taking water, stated on a water allocation must—

- (a) contain the place at which water could have been taken under the authorisation; and
- (b) for a water allocation to take supplemented water—be contained within the water supply scheme that contains the place at which water could have been taken under the authorisation.

*Subdivision 2—Supplemented water***24 Nominal volume for supplemented water**

The nominal volume for a water allocation to take supplemented water is the annual volume for supplemented water stated on the authorisation.

*Subdivision 3—Unsupplemented water***25 Maximum rate for taking unsupplemented water**

(1) The maximum rate for taking water, for a water allocation to take unsupplemented water, is the rate in megalitres a day decided by the chief executive having regard to—

- (a) for an authorisation that states, in the schedule of terms on the authorisation, a rate for taking water—the stated rate; and
- (b) for an authorisation that states a pump size, other than for an axial flow pump—the information about pump sizes and maximum rates in schedule 3, columns 1 and 2; and
- (c) for an authorisation that states a pump size, for an axial flow pump—the information about pump sizes and maximum rates in schedule 3, columns 1 and 3; and
- (d) for an authorisation that states both a rate and a pump size, the lesser of the following—
 - (i) the rate decided under paragraph (a);
 - (ii) the rate decided under paragraph (b) or (c); and

- (e) for another authorisation—the terms or conditions under which water may be taken under the authorisation.

(2) If an authorisation includes a condition limiting the total rate for taking water for the authorisation and any other authorisations, the chief executive must have regard to the condition in deciding the maximum rate for taking water under the water allocations to which the authorisations are converted.

26 Conditions for taking unsupplemented water

(1) In deciding the conditions under which unsupplemented water may be taken under a water allocation, the chief executive must have regard to—

- (a) the terms or conditions stated on the authorisation; and
- (b) any existing water sharing arrangements that relate to the authorisation.

(2) Subsection (3) applies if—

- (a) the authorisation was for water harvesting; and
- (b) the water that could have been taken by water harvesting could have been stored in a storage that is works that allow taking overland flow water.

(3) The chief executive must impose a condition on the allocation to ensure there is no increase in the volume of overland flow water the storage may take.

27 Volumetric limit for unsupplemented water

In deciding the volumetric limit for taking water under an allocation for unsupplemented water, the chief executive must have regard to—

- (a) for an authorisation to supply town water that states an annual volume—the stated annual volume; and
- (b) for all other authorisations—
 - (i) the maximum rate for taking the water, decided under section 25; and
 - (ii) the conditions for taking the water, decided under section 26; and

- (iii) for an authorisation that states an area that may be irrigated—
 - (A) the local availability of water; and
 - (B) the volume of water estimated by the chief executive to be necessary to efficiently irrigate the types of crops grown in the part of the plan area to which the authorisation relates; and
- (iv) for other authorisations—the availability of water in the part of the plan area for the water allocation group to which the allocation relates.

28 Nominal volume for unsupplemented water

The nominal volume for a water allocation to take unsupplemented water is the volume decided by the chief executive having regard to—

- (a) the local availability of water; and
- (b) the maximum rate for taking the water, decided under section 25; and
- (c) the conditions for taking the water, decided under section 26; and
- (d) the volumetric limit for the water, decided under section 27; and
- (e) the water sharing rules in the resource operations plan.

Division 4—Resource operations plan

29 Water sharing rules

(1) The water sharing rules in the resource operations plan must state the circumstances under which a water allocation holder—

- (a) may start taking water; and
- (b) must stop taking water.

(2) In deciding the water sharing rules, the chief executive must have regard to—

- (a) any existing water sharing arrangements for the water to which the rules are to apply; and
- (b) existing water sharing rules for water in the plan area; and

- (c) the following—
 - (i) the maximum rates for taking water, decided under section 25; and
 - (ii) the conditions for taking water, decided under section 26; and
 - (iii) the volumetric limits for water, decided under section 27; and
- (d) any agreements between the State and New South Wales about sharing water; and
- (e) the unallocated water mentioned in section 39; and
- (f) any other authorisations to take water in the part of the plan area; and
- (g) for authorisations that state an area that may be irrigated—the local availability of water; and
- (h) for other authorisations—the availability of water in the part of the plan area for the water allocation group to which the allocations relate.

30 Deciding operating arrangements, supply requirements and environmental management rules

(1) In deciding the operating arrangements and supply requirements for water infrastructure and the environmental management rules for the resource operations plan, the chief executive must consider—

- (a) the impact of the infrastructure's operation on the following—
 - (i) water quality and temperature;
 - (ii) instream water levels;
 - (iii) the natural movement of sediment;
 - (iv) the bed and banks of watercourses;
 - (v) riparian vegetation;
 - (vi) habitats for native plants and animals; and
- (b) the extent to which rapid artificial variations in instream water levels, caused by the operation of the infrastructure, may adversely affect natural ecosystems; and

- (c) the impact of the infrastructure on the movement of fish and other aquatic species; and
- (d) whether the movement of water from a watercourse to another watercourse is likely to adversely affect the watercourse to which the water is moved; and
- (e) the likelihood of fish deaths caused by the operation of the infrastructure.

(2) Subsection (1)—

- (a) applies only if the arrangements, requirements or rules are a change from the existing practice; and
- (b) does not limit the matters the chief executive may consider.

31 Resource operations plan to meet interstate obligations

The chief executive must ensure the resource operations plan gives effect to any agreement made between the State and New South Wales about water in the plan area.

Division 5—Regulation of overland flow water

32 Limitation on taking overland flow water—Act, s 20(6)

- (1) A person may not take overland flow water other than—
- (a) for stock or domestic purposes;² or
 - (b) under an authority under section 34; or
 - (c) under an authorisation; or
 - (d) unallocated water granted to the person under the resource operations plan; or
 - (e) overland flow water—
 - (i) of not more than the amount necessary to satisfy the requirements of an environmental authority issued under the *Environmental Protection Act 1994*; or
 - (ii) that is contaminated agricultural runoff water.

² See the Act, section 20(4).

(2) In this section—

“contaminated agricultural runoff water” has the meaning given by the ‘Code for Assessable Development for Operational Works for Taking Overland Flow Water’.³

33 Decisions about taking overland flow water

(1) In deciding an application under the Act or the *Integrated Planning Act 1997* about taking overland flow water, the chief executive must consider whether granting the application is likely to adversely affect—

- (a) cultural values, including, for example, cultural values of local Aboriginal communities; or
- (b) natural aquatic ecosystems, including, for example, natural wetlands; or
- (c) users of overland flow water downstream of the area to which the application relates.

(2) However, subsection (1) does not apply to an application—

- (a) for a water permit; or
- (b) to reinstate or replace an expired licence.

34 Taking water using existing works or reconfiguration of existing works authorised

(1) Subsection (2) applies to the owner of land on which either of the following is situated—

- (a) existing works;⁴
- (b) works that—
 - (i) are a reconfiguration of existing works; and
 - (ii) do not increase the average annual volume of water taken above the average annual volume taken using the existing works.

3 A copy of the code is available on the department’s website.

4 See schedule 5, definition “existing works”, paragraph 2.

(2) The owner may continue to take overland flow water, using the works—

- (a) for 1 year after the commencement of this section; and
- (b) if the owner gives the chief executive notice of the works, in the approved form, and any further information required by the chief executive about the works—after the notice and information are given.

35 Granting water licences for authorities under s 34

(1) This section applies if—

- (a) an owner of land is authorised under section 34 to continue taking overland flow water using works; and
- (b) the chief executive is satisfied there has been, or may be, an increase, in the average annual volume of overland flow water taken using the works, above the average annual volume that could have been taken under the operating arrangements in place immediately before the commencement of this plan.

(2) The chief executive must—

- (a) under section 212⁵ of the Act, grant a water licence to replace the authority under section 34; and
- (b) impose a condition on the licence to ensure the average annual volume of overland flow water that may be taken using the works is not more than the average annual volume that could have been taken under the operating arrangements in place immediately before the commencement of this plan.

36 Granting or amending water licences under the resource operations plan

(1) For granting, under section 212 of the Act, a water licence to replace an authority under section 34, the resource operations plan—

- (a) must state the parts of the plan area in which an authority may be replaced by a water licence; and
- (b) must state the works to which each authority relates; and

5 Section 212 (Granting a water licence under a plan process) of the Act

- (c) must consider the extent to which the works allow the taking of—
 - (i) overland flow water under an authority under section 34; and
 - (ii) water under another authorisation; and
- (d) to meet the objectives and achieve the outcomes of this plan, may reduce the volume of overland flow water allowed to be taken in a part of the plan area mentioned in paragraph (a) by deciding—
 - (i) the volume of overland flow water available for allocation in the part; and
 - (ii) the share available under each authority to take overland flow water in the part.

(2) The resource operations plan may also decide the share of the water mentioned in subsection (1)(d)(i) available under a water licence granted under section 35 for a part of the plan area mentioned in subsection (1)(a).

(3) Section 217 of the Act applies to the amendment of the licence for consistency with the resource operations plan.

37 Relationship with Integrated Planning Act 1997

(1) Works that allow taking overland flow water, other than works mentioned in subsection (3), are assessable development for the *Integrated Planning Act 1997*, schedule 8, part 1, item 3B(c)(i).

(2) Subsection (1) does not apply to repairs or maintenance to works mentioned in section 34 or works constructed under a development permit, that do not alter the design of the works.

(3) Works for taking overland flow water for stock or domestic purposes are self-assessable development for the *Integrated Planning Act 1997*, schedule 8, part 2, item 9A(b)(i).

Division 6—Strategic reserve

38 Unallocated water held as strategic reserve

Unallocated water is held as a strategic reserve and dealt with under this division.

39 Limitation on allocation of unallocated water

(1) The allocation of unallocated water is limited to—

- (a) the parts of the plan area mentioned in schedule 4, column 1; and
- (b) the average annual volume mentioned for each of the parts in schedule 4, column 2; and
- (c) water for a use mentioned for each of the parts in schedule 4, column 3.

(2) Subsection (1)(b) applies to water from a watercourse, lake or spring.

(3) However, the chief executive may instead allow an equivalent volume of water to be taken as overland flow water.

(4) For subsection (3), an equivalent volume is the volume, decided by the chief executive, that would have an equivalent impact on the end of system flow.

40 Dealing with unallocated water

Unallocated water may be—

- (a) granted under a licence granted for a project declared under the *State Development and Public Works Organisation Act 1971* to be a significant project; or
- (b) granted or reserved under a process in the resource operations plan.

41 Matters chief executive must consider

(1) In dealing with unallocated water, the chief executive must consider—

- (a) the need for, and efficiency of, present and proposed uses of water including—
 - (i) the extent to which water is being taken under current authorisations in the plan area; and
 - (ii) emerging requirements in the plan area for additional water and the likely timeframe in which the additional water will be required; and

- (iii) alternative water sources including, for example, recycled water and water savings from improvements in the efficiency of water use; and
 - (b) the availability of an alternative water supply for the purpose for which the water is required; and
 - (c) the impact the proposed taking of, or interfering with, the water may have on the following—
 - (i) water quality;
 - (ii) inundation of habitats;
 - (iii) the movement of fish and other aquatic species;
 - (iv) the natural movement of sediment;
 - (v) recreation and aesthetic values;
 - (vi) cultural values, including, for example, cultural values of local Aboriginal communities; and
 - (d) whether the proposed taking or interfering with, or the proposed use of, water is likely to have a direct adverse effect on groundwater; and
 - (e) whether the proposed taking or interfering with, or the proposed use of, water is likely to lead to degradation, particularly salinity, of land or downstream watercourses including watercourses in the Murray Darling Basin.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

Division 7—Miscellaneous provisions

42 Continued effect of moratorium notice—Act, s 46(3)

(1) This section amends and continues, in part, the effect of the public notice of the proposed preparation of a water management plan for the plan area—

- (a) taken, under section 1039(2)(b) of the Act, to be a moratorium notice; and
- (b) amended on 9 June 2001, 16 August 2001 and 29 October 2001.

(2) Until the resource operations plan is approved—

- (a) new works must not be physically started; and
- (b) completed, or partly completed, works in existence must not be raised, enlarged or deepened.

(3) Subsection (2) applies only to—

- (a) works that would increase the taking of water from a watercourse, lake or spring; and
- (b) works for taking water from a watercourse, lake or spring that would increase the taking of overland flow water in the plan area; and
- (c) works that would increase the taking of overland flow water.

(4) This section does not apply to—

- (a) works for taking water under an authorisation that states an area that may be irrigated; or
- (b) works for taking only supplemented water; or
- (c) works being completed in accordance with a variation of the moratorium notice mentioned in subsection (1); or
- (d) works for taking water under a water permit; or
- (e) works for taking water under section 20(2), (3), (4) or (5) of the Act; or
- (f) works that have been physically started if—
 - (i) under the moratorium notice, the works could be continued; and
 - (ii) the works are being completed in accordance with the moratorium notice; and
 - (iii) within 20 business days after the commencement of this plan, the owner of the works gives the chief executive notice that the works are being completed.

(5) However, this section applies to works for storing water taken under an authorisation mentioned in subsection (4)(a).

(6) Subsection (3)(c) expires on 30 June 2004.

43 Measuring devices

(1) A measuring device must be used to measure the volume of the following—

- (a) water taken under a water entitlement to take water in the plan area;
- (b) floodwater taken.

(2) Subsection (1) applies in the circumstances mentioned and on the day a regulation prescribes the matters mentioned in section 1014(2)(d) of the Act, in relation to meters.

44 Taking water from waterholes or lakes

(1) This section applies to the chief executive—

- (a) in making the water allocation change rules in preparing the resource operations plan; and
- (b) in deciding an application to change the location from which water may be taken under a water allocation.

(2) If a change in the location from which water may be taken under a water allocation would allow the taking of water from a waterhole or lake, the chief executive must impose a condition on the allocation that water may be taken from the waterhole or lake only if the water level in the waterhole or lake is above the level that is 0.5 m below the level at which it naturally overflows.

(3) However, the chief executive need not impose a condition mentioned in subsection (2) if the chief executive is satisfied the taking of water from the waterhole or lake will not adversely affect its cultural and ecological values.

**PART 6—MONITORING AND REPORTING
REQUIREMENTS****45 Monitoring**

(1) The monitoring requirements for the plan are—

- (a) water monitoring for—
 - (i) volume, frequency, duration and season of streamflows; and
 - (ii) taking water; and
 - (iii) water quality; and
 - (b) natural ecosystems monitoring, for the condition of riverine habitats including the following—
 - (i) waterholes and lake ecosystems;
 - (ii) stream-bed habitats;
 - (iii) upper and in-channel riparian zones;
 - (iv) floodplains;
 - (v) wetlands.
- (2) The monitoring requirements are to be achieved by—
- (a) monitoring programs undertaken by water infrastructure operators under a resource operations plan; and
 - (b) monitoring programs undertaken by community groups with relevant State agencies; and
 - (c) monitoring programs administered by relevant State agencies.

46 Monitoring programs undertaken by water infrastructure operators

(1) Each water infrastructure operator must develop and undertake monitoring programs, satisfactory to the chief executive, that include monitoring water, for the matters stated in section 45(1)(a), in the water supply scheme in which the operator manages water.

- (2) The programs must include monitoring the following—
- (a) water quantity including—
 - (i) the flow of water at gauging stations; and
 - (ii) the volume and rate at which, and times when, water is supplied and taken; and
 - (iii) inflows of water to dams or weirs; and
 - (iv) the quantity of water released from a dam or weir for each of the following—

- (A) consumption;
 - (B) the environment;
 - (C) the operation of fish ways;
 - (D) any other purpose stated by the chief executive; and
 - (v) the level of water in a dam or weir;
 - (b) water quality including—
 - (i) temperature; and
 - (ii) biological, chemical and physical measurements;
 - (c) the operation of outlet works for a dam including, for example, multi-level offtakes.
- (3) The monitoring programs must assist in enabling the chief executive to assess the effectiveness of the strategies under part 5.

47 Water infrastructure operators to give reports

- (1) Each water infrastructure operator must give the chief executive a written report containing the following—
- (a) details of the information obtained by monitoring the matters mentioned in section 46;
 - (b) details of decisions made by the operator in managing water and water infrastructure, including, for example, decisions about the following—
 - (i) making water available to water users under the operator's usual procedures for managing water in a water supply scheme;
 - (ii) managing the flow of water;
 - (iii) restrictions on the taking or supply of water;
 - (iv) infrastructure modifications or installations;
 - (c) information about any non-compliance by the operator with a resource operations plan for the area;
 - (d) details about remedial action taken by the operator—
 - (i) in relation to a requirement under a resource operations plan; or

- (ii) in response to an event or thing affecting water quality;
 - (e) details of any emergency action taken by the operator that may affect the achievement of the outcomes under part 3.
- (2) A report about a matter mentioned in subsection (1)(a), (1)(b)(i) or (1)(b)(ii) must be given—
- (a) for each financial year in which the operator manages water under this plan; and
 - (b) within 3 months after the end of the financial year to which the report relates.
- (3) A report about a matter mentioned in subsection (1)(b)(iii), (1)(b)(iv), (1)(c) or (1)(d) must be given within 1 month after the matter happens.
- (4) A report about a matter mentioned in subsection (1)(e) must be given the next business day after the action is taken.

48 Minister's report on plan—Act, s 53

- (1) The Minister's report⁶ on this plan must be prepared—
- (a) for the first report—after the commencement of the resource operations plan; or
 - (b) for subsequent reports—for each financial year this plan is in force and within 6 months after the end of the financial year to which the report relates.
- (2) The report prepared 5 years after the commencement of this plan must include information on—
- (a) the accuracy of flow gauging in the plan area; and
 - (b) community views on implementation of this plan; and
 - (c) the appropriateness of the performance indicators for achieving this plan's outcomes.

⁶ See section 54 (Matters the reports must include) of the Act.

PART 7—IMPLEMENTING AND AMENDING THIS PLAN

49 Implementation schedule

(1) This section states—

- (a) the proposed arrangements for implementing this plan; and
- (b) the priorities for the conversion to, or granting of, water allocations.

(2) Within 1 year after the commencement of this plan, it is proposed to prepare a resource operations plan—

- (a) to convert the following authorisations to water allocations—
 - (i) authorisations to take supplemented water;
 - (ii) authorisations to take unsupplemented water, other than authorisations that state an area that may be irrigated or authorisations for water spreading; and
- (b) to make environmental management rules, water sharing rules, water allocation change rules and seasonal water assignment rules; and
- (c) to implement the monitoring requirements in part 6.

(3) Section 217 of the Act applies to the part of an authorisation, mentioned in subsection (2)(a), that is a water licence not converted to a water allocation.

(4) Within 5 years after the commencement of this plan, it is proposed to prepare a new resource operations plan or amend the plan mentioned in subsection (2) to convert to water allocations authorisations to take unsupplemented water that state an area that may be irrigated.

(5) Subsections (2) and (4) do not limit the matters that may be included in the resource operations plan.

(6) In this section—

“authorisation” does not include an authorisation to take overland flow water.

50 Minor or stated amendments of plan—Act, s 57

The following types of amendment may be made to this plan under section 57(b) of the Act—

- (a) an amendment of an environmental flow objective or a water allocation security objective, or a performance indicator for an objective, if the amendment achieves an equivalent or improved environmental flow and water allocation security outcome;
- (b) an amendment to part 5, division 3,⁷ that—
 - (i) does not adversely affect meeting the environmental flow objectives or water allocation security objectives or achieving the outcomes; and
 - (ii) does not result in a water allocation holder being able to take less water under the allocation than the holder would have been able to take before the amendment;
- (c) an amendment to section 42⁸ if notice of the amendment is published as if it were a moratorium notice under section 26 of the Act;
- (d) an amendment or addition of a monitoring or reporting requirement under part 6;
- (e) an amendment of schedule 5, definition “works that allow taking overland flow water”.

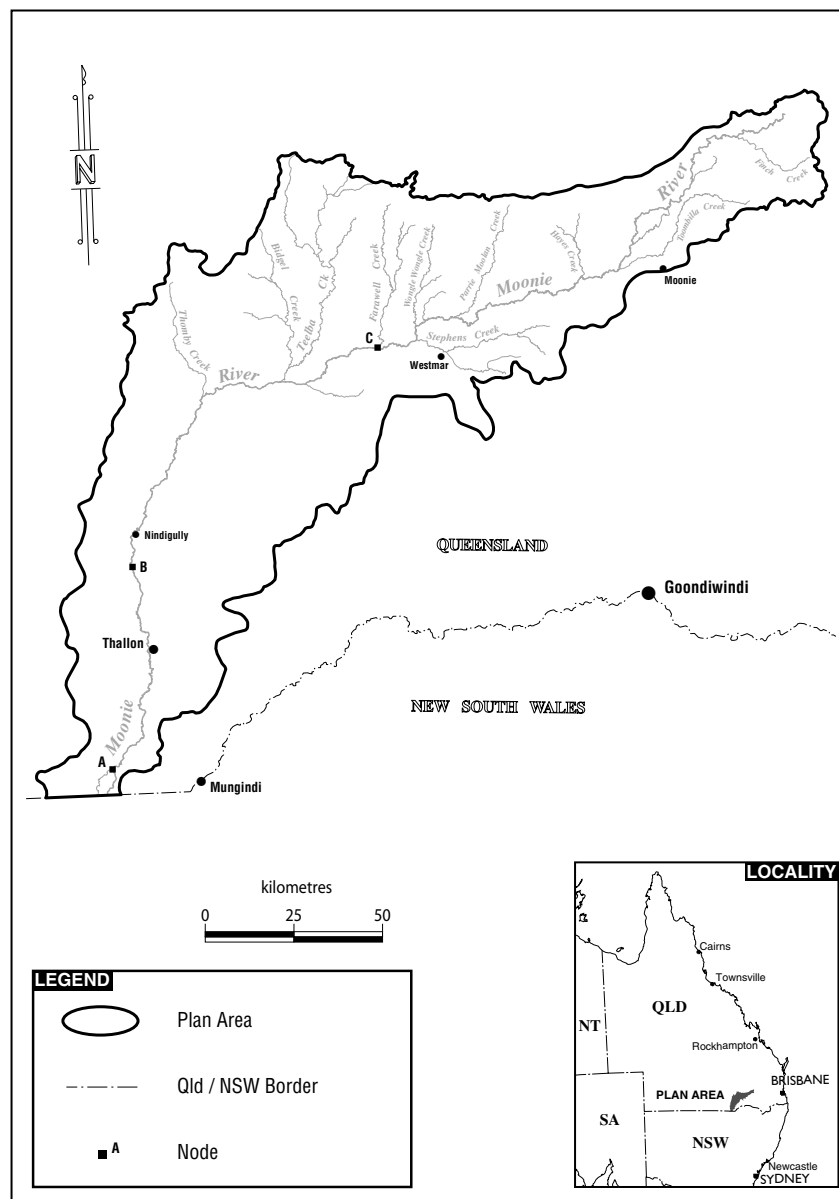
⁷ Part 5, division 3 (Conversion of authorisations to water allocations)

⁸ Section 42 (Continued effect of moratorium notice—Act, s 46(3))

SCHEDULE 1

PLAN AREA AND NODES

sections 5 and 7 and schedule 5, definition “plan area”



SCHEDULE 2**NODE DESCRIPTIONS**

sections 7, 12 and 13

Node	Location
A	Moonie River at Fenton stream gauging station (AMTD 9.7 km)
B	Moonie River at Nindigully stream gauging station (AMTD 95 km)
C	Moonie River downstream of the confluence of the river and Farawell Creek

SCHEDULE 3
PUMP SIZES AND MAXIMUM RATES

section 25

Column 1	Column 2	Column 3
Pump size (mm)	Maximum rate (ML/day)	Maximum rate (ML/day)
32	0.5	
40	1	
50	2.2	
65	3.9	
80	5.6	
100	7.3	
125	7.3	
150	12.1	
200	15.6	
250	21.6	
300	25.9	
350	34.6	
375 to 400	43.2	
500	47.5	70
600 to 610	86.4	120
660	120	
700 to 720	150	200
750 to 770	180	220
780 to 810	200	235

SCHEDULE 4**ALLOCATION OF UNALLOCATED WATER**

section 39

Column 1	Column 2	Column 3
Part of the plan area	Average annual volume	Use
Anywhere	100 ML	Town water supply
Anywhere	1 100 ML	Any

SCHEDULE 5**DICTIONARY**

section 4

“1 in 2 year flood” means the daily flow that has a 50% probability of being reached at least once a year.

“45% annual volume probability”, for a water allocation group, means the percentage of years in the simulation period in which the volume of water that may be taken by the group is at least 45% of the total of the nominal volumes for the group.

“AMTD” means the adopted middle thread distance which is the distance in kilometres, measured along the middle of a watercourse, that a specific point in the watercourse is from the watercourse’s mouth, the watercourse’s junction with the main watercourse or the border between the State and New South Wales.

“annual volume probability” means—

- (a) for a water allocation group for taking unsupplemented water—the percentage of years in the simulation period in which the volume of water that may be taken by the group is at least the total of the nominal volumes for the group; and
- (b) for a water allocation group for taking supplemented water—the average annual volume of water that may be taken by the group in the simulation period as a percentage of the total of the nominal volumes for the group.

“authorisation”—

- (a) means a licence, permit or other authority to take water given under the Act or the repealed Act, other than a permit for stock or domestic purposes; and
- (b) includes, for part 5, division 3, a development permit for works for taking water under the authorisation.

“average volume of water available to be taken” means the average volume of water allowed to be taken under authorisations, calculated for the simulation period.

SCHEDULE 5 (continued)

“beneficial flooding flow” means the median of the wet season 90-day flows for the years in the simulation period.

“daily flow”, for a node, means the volume of water that flows past the node in a day.

“end of system flow” means the volume of water from the Moonie River and its distributory streams that crosses the border from the State into New South Wales in the simulation period.

“existing works” —

1. “Existing works” means works that—
 - (a) allow taking overland flow water; and
 - (b) either—
 - (i) were in existence on 9 June 2001; or
 - (ii) were started, but not completed by 9 June 2001 and—
 - (A) if a variation to a moratorium notice was granted for the works under section 27 of the Act—have been, or are being, completed in accordance with the moratorium notice, as varied; or
 - (B) if subparagraph (A) does not apply—were completed by 30 November 2001.
2. The term does not include works that allow taking overland flow water only for stock or domestic purposes.⁹

“groundwater” means water from an underground source.

“IQQM computer program” means the department’s Integrated Quantity and Quality Modelling computer program, and associated modelling, statistical analysis and reporting programs, that simulate daily stream flows, flow management, storages, releases, instream infrastructure, water extractions, water demands and other hydrologic events in the plan area.

“low flow” means the total number of days in the simulation period in which the daily flow is not more than half the pre-development median daily flow.

⁹ See section 20 (Authorised taking of water without water entitlement) of the Act.

 SCHEDULE 5 (continued)

“node” see section 7.

“plan area” means the area shown as the plan area on the map in schedule 1.

“pre-development flow pattern” means the pattern of water flows, during the simulation period, decided by the chief executive using the IQQM computer program as if—

- (a) there were no dams or other water infrastructure on watercourses in the plan area; and
- (b) no water was taken under authorisations from watercourses or floodplains in the plan area.

“pre-development median daily flow” means the median of the daily flows in the simulation period for the pre-development flow pattern.

“resource operations plan” means the resource operations plan to implement this plan.

“simulation period” means the period from 1 January 1889 to 31 December 1998.

“started”, for existing works, means—

- (a) construction of the works had physically started, or if construction had not physically started, a contract had been entered into to start construction, and construction had started, by 8 August 2001; and
- (b) an independently verifiable construction program existed for progressive construction towards completion of the works; and
- (c) detailed design plans existed showing, among other things, the extent of the works; and
- (d) if a permit under the *Local Government Act 1993*, section 940¹⁰ was required for the works—the permit had been issued; and
- (e) if a development permit was required for the works—the permit had been given.

“summer” means the period from 1 December in a year until the end of February in the following year.

¹⁰ *Local Government Act 1993*, section 940 (Issue of permit)

SCHEDULE 5 (continued)

“summer flow” means the average number of summer flow days in the simulation period.

“summer flow day”, for a summer, means a day in the summer in which the daily flow is more than the pre-development median daily flow.

“supplemented water” means water supplied under an interim resource operations licence, resource operations licence or other authority to operate water infrastructure.

“unsupplemented water” means water that is not supplemented water.

“water allocation group” means—

- (a) for taking supplemented water—the water allocations in a priority group in a water supply scheme; and
- (b) for taking unsupplemented water—the water allocations in a part of the plan area stated in the resource operations plan.

“waterhole” means a part of a watercourse that contains water after the watercourse ceases to flow, other than a part of a watercourse that is within the storage area of a dam on the watercourse.

“wet season 90-day flow”, for a year, means the total flow in the continuous 90 day period with the highest total of daily flows.

“works that allow taking overland flow water” include—

- (a) storages, sumps, drains, embankments, channels and pumps for taking, or that can be used for taking, overland flow water; and
- (b) storages that are connected to the works mentioned in paragraph (a); and
- (c) works that make, or that can be used to make, the original connection between the storages mentioned in paragraph (b) and the works mentioned in paragraph (a).

ENDNOTES

1. Approved by the Governor in Council on 4 December 2003.
2. Notified in the gazette on 5 December 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Natural Resources and Mines.

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