

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.