

Whitsunday Resource Operations Plan

Explanatory Notes

December 2011

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Chapter 1 Preliminary

The purpose of these notes is to provide a plain English guide to the Whitsunday Resource Operations Plan 2011 (the plan). The rules and provisions of the plan implement the Water Resource (Whitsunday) Plan 2010 (the water resource plan). The numbering and partitioning of the explanatory notes correspond to those in the plan.

These notes are intended to assist the reader in understanding the plan's rules and provisions. They provide a simple explanation and background information on each of the chapters in the plan. The notes should be read in conjunction with the plan, as the detail is contained within the plan itself.

Chapter 1 provides preliminary information about the plan.

1 Short title

This section declares the plan will be known as the Whitsunday Resource Operations Plan 2011. This section also states that all references to 'this plan' in the document mean the Whitsunday Resource Operations Plan 2011.

2 Commencement of the resource operations plan

This section states the rules and requirements of the plan begin on the first business day after the plan is notified in the Queensland Government Gazette.

3 Purpose of plan

This section states the purpose of the plan is to implement the water resource plan.

The plan sets out the rules and requirements that guide the day-to-day management of surface water and groundwater in the plan area to achieve the outcomes and objectives of the water resource plan.

4 Interpretation of words used in this plan

This section advises the reader that the dictionary in Attachment 1 defines particular terms used in the plan. The dictionary includes a definition for 'scheme licence holder'. This definition is also provided for in section 4, and defines the term 'scheme licence holder' as:

1. the resource operations licence holder for the Proserpine River Water Supply Scheme;
2. the distribution operations licence holder within the Proserpine River Water Supply Scheme for Six Mile Creek Water Supply Board; and
3. the distribution operations licence holder within the Proserpine River Water Supply Scheme for Kelsey Creek Water Board.

Terms defined in the dictionary of the water resource plan or the *Water Act 2000* are not defined in the plan.

5 Plan area

This section defines the area to which the plan applies. The plan area includes the Proserpine River, Andromache River, O'Connell River, Six Mile Creek, and Thompson Creek subcatchments as well as the Kelsey Creek and Lethe Brook subcatchment. The plan area boundary can be found in attachment 2(a).

6 Water to which this plan applies

The plan applies to surface water in watercourses, lakes and springs, overland flow water and groundwater in the plan area.

7 Water management areas - Water Regulation 2002, section 56(4A)

This section establishes the Whitsunday Water Management Area as the same geographic area as the plan area.

8 Resource operations plan zones

This section states that watercourse reaches within the Proserpine River Water Supply Scheme have been sectioned into four resource operations plan zones (zones) shown on the map in attachment 2(b) of the plan. Locations of water allocations are specified as particular zones relating to a particular reach of the river and provide geographic limits for water trading and water sharing rules that ensure that water allocation security objectives and environmental flow objectives are achieved. The limits for these zones are shown on the map in attachment 2(c).

9 Information about areas

This section advises the reader the Department of Environment and Resource Management (the department) holds digital maps of the plan area. The maps show where plan-related boundaries lie in relation to property boundaries and watercourses. The maps can be viewed at any of the department's offices and can be enlarged or reduced to show the details of any particular boundary.

10 Purpose of a water allocation

This section states the purpose for which water may be used is stated on each water allocation. Water can be used for rural, any or distribution loss purposes. When water is taken as part of a water allocation it must only be used for that purpose except when taken under a seasonal water assignment in which case the water can be used for any purpose.

11 Metering

This section states a meter must be used to measure the amount of water taken under a water entitlement or seasonal water assignment in the plan area. The meter used must comply with the standards approved by the chief executive. This section only applies to water entitlements declared to be metered entitlements under part 7 of the Water Regulation 2002.

12 Departmental water monitoring data collection standards

The plan states any monitoring and data collection under the plan must be undertaken in accordance with the plan's requirements. It must also be consistent with the department's Water Monitoring Data Collection Standards (the collection standards).

The collection standards are available on the department's website at <www.derm.qld.gov.au>.

The collection standards will be updated as required to reflect industry best practice data collection standards. It is the responsibility of the scheme licence holder to ensure that they are collecting data in accordance with the most recent version of the Standard. The scheme licence holder will be notified of any substantive changes to the collection standards.

13 Departmental water monitoring data reporting standard

This section states that water resource monitoring data must be transferred and published in accordance with the department's Water Monitoring Data Reporting Standards (the reporting standards).

The reporting standards are available on the department's website at <www.derm.qld.gov.au> and will be updated as required to reflect industry best practice reporting standards. It is the responsibility of the scheme licence holder to ensure that they are reporting data in accordance with the most recent version of the reporting standards. The scheme licence holder will be notified of any substantive changes to the reporting standards.

14 Operating and environmental management rules and monitoring requirements

This section states that where undertaking an operating and environmental management rule or monitoring requirement under this plan would be unsafe, the scheme licence holder is not obliged to comply with that rule or requirement. However, the scheme licence holder must comply with all other rules and requirements of the plan, including reporting requirements.

In situations where carrying out an operating and environmental management rule or monitoring requirement would be unsafe, the scheme licence holder must comply with the requirements for an operational or emergency incident. The scheme licence holder may submit an interim program for achieving compliance with the plan rules and requirements under section 15 of the plan.

15 Implementation

This section is applicable where a scheme licence holder is unable to meet the requirements of this plan on the day the plan commences, or as the result of an operational or emergency incident.

Where this is the case, an interim program, approved by the chief executive, may be implemented until the requirements of the plan can be met. The interim program must include a timetable and interim methods, and cannot extend past the five year limit as specified by section 98(2)(f) of the *Water Act 2000*. A scheme licence holder with an approved interim program may also submit a revised program to the chief executive for consideration.

Accordingly, the chief executive and scheme licence holder must implement the requirements of the plan as soon as practicable, but no later than five years from plan commencement. After this time, scheme licence holder must comply with the specified rules and requirements of the plan.

In situations where failure to comply is the result of an operational or emergency incident, the scheme licence holder may implement approved interim arrangements. The scheme licence holder may also apply to amend an existing interim program.

The approval of an interim program allows scheme licence holders to transition to the rules and requirements of the plan. This means there may be cases where the methods of the approved interim program are inconsistent with the plan's rules and requirements. Where an inconsistency like this arises, the approved interim program overrides the rules and requirements of the plan while the program is in place.

16 Sustainable management of water

This section specifies how the plan seeks to sustainably manage water resources in the plan area, as required under section 98(1)(e) of the *Water Act 2000*.

17 Addressing water resource plan outcomes

Subsection (1) specifies how the plan seeks to achieve the general outcomes and ecological outcomes set out in the water resource plan, as required under section 98(1)(g) of the *Water Act 2000*.

Subsection (2) states 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.

18 to 28 Section numbers not used

These numbers have intentionally been left blank to accommodate future amendments without the need for the plan to be renumbered.

Chapter 2 Unallocated water

29 Scope of Chapter 2

This chapter specifies the process for releasing and granting unallocated water that was reserved in the water resource plan.

30 Record of volume of unallocated water

The chief executive may develop a register to record the volume of unallocated water that is available. If a register is created, it must be updated when an entitlement has been created under the unallocated water provisions.

31 Requirement for information about land suitability

This section states that where a submission for unallocated water is made and the intended use of the water is for irrigation, the submission must include information about the suitability of the land to which the submission relates.

The submitter's case for gaining access to unallocated water under a release process may be affected by the suitability of the land for irrigation.

32 Land and water management plan

Water granted in accordance with this chapter cannot be used to irrigate land until a land and water management plan has been prepared under section 73 of the *Water Act 2000* and approved under section 77 of the *Water Act 2000*.

Part 1 Unallocated water reserves

33 Unallocated water reserves

This section specifies the reserves of unallocated water that have been identified through the water resource planning process in the plan area as:

- general reserve
- strategic reserve.

The volume of water available in each reserve at the time of plan commencement, and the subcatchment area from which the unallocated water will be made available, is shown in Table 1 of this plan.

Part 2 Granting unallocated water from reserves

Division 1 Granting from general reserve and strategic reserve for state purposes

34 Scope of Division 1

This division details the process for the granting of unallocated water from the general reserve and the strategic reserve for State purposes.

35 Process for granting unallocated water held as general reserve and the strategic reserve for state purposes

This section states the Water Regulation 2002 prescribes the processes for releasing and granting unallocated water. The Water Regulation 2002 also prescribes whether the release of the unallocated water will be through a non-competitive process or a competitive process.

36 Unallocated water product specification

The chief executive will grant unallocated water only as water licences.

Division 2 Terms and conditions for water licences

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

This section applies to water licences to take water from a watercourse, lake or spring granted from unallocated water. Chapter 5, Part 2, Division 3, Subdivision 2 of the water resource plan details particular elements that must be stated on a water licence, as well as the process for determining some of these elements. Any water licence to take unsupplemented water from a watercourse, lake or spring granted from unallocated water must be consistent with these requirements of the water resource plan.

As stipulated in section 61 the water resource plan, a water licence to take unsupplemented water from a watercourse, lake or spring must state the purpose for which water may be taken under the licence, the maximum rate at which the water may be taken, the daily volumetric limit and the nominal entitlement. The water licence may state other conditions such as a flow condition.

Sections 63 to 65 of the water resource plan outline how the maximum rate, the daily volumetric limit and the nominal entitlement should be determined. The nominal entitlement is the annual volumetric limit for the licence.

38 Water licences for taking groundwater

This section applies to water licences to take groundwater granted from unallocated water. Chapter 5, Part 3, sections 75-77 of the water resource plan details particular elements that must be stated on a water licence to take groundwater, as well as the process for determining some of these elements. Any water licence to take groundwater granted from unallocated water must be consistent with these requirements of the water resource plan.

As stipulated in section 75 of the water resource plan, a water licence to take groundwater must state the nominal entitlement, the purpose for which groundwater water may be taken under the licence, the conditions under which groundwater may be taken, and a monthly volumetric limit or a quarterly volumetric limit.

39 Water licences for taking overland flow water

This section applies to water licences to take overland flow water granted from unallocated water. The water licence must state the purpose for which water may be taken as either 'rural' or 'any'. The licence must also state at least one of the following conditions: the maximum stored volume; the maximum rate at which the water may be taken; the daily volumetric limit; the annual volumetric limit; the nominal entitlement; or the mean annual volume for the licence. The water licence may state other conditions such as a flow condition and a condition for storing water.

40 Additional condition for water licences granted for particular state purposes

Water licences granted from the strategic reserve for a project of State significance or a project of regional significance must include a condition on the licence that the volume of water is granted only for the life of the project and on conclusion of the project the volume of water returns to the strategic reserve.

40 to 49 Section numbers not used

These numbers have intentionally been left blank to accommodate future amendments without the need for the plan to be renumbered.

Chapter 3 Granting, converting and amending authorisations

Part 1 Granting of a resource operations licence

50 Resource operations licence

This section requires the chief executive to grant a resource operations licence to SunWater Limited for the Proserpine River Water Supply Scheme. This section also states that the infrastructure associated with the resource operations licence is described in Attachment 4, part 1 and that the water allocations managed under the licence are detailed in Attachment 6(a), parts 1 to 5 inclusive.

A resource operations licence is a licence granted under the *Water Act 2000* that authorises the holder to operate their water infrastructure in supplying and distributing water to water allocation holders. The resource operations licence replaces the interim resource operations licence for the Proserpine River Water Supply Scheme. Under the resource operations licence, the holder is required to comply with the rules and requirements of this plan.

Part 2 Granting of a distribution operations licence

51 Distribution operations licence

This section states that the Kelsey Creek Water Board and the Six Mile Creek Water Supply Board will each be granted a distribution operations licence for the operation of distribution infrastructure associated with supplying water from the Proserpine River Water Supply Scheme.

This section also states that the infrastructure associated with the distribution operations licence for the Kelsey Creek Water Board is described in Attachment 4, part 3 and that the water allocations managed under the licence are detailed in Attachment 6(a), parts 2 and 5.

In addition, this states that the infrastructure associated with the distribution operations licence for the Six Mile Creek Water Supply Board is described in Attachment 4, part 2 and that the water allocations managed under the licence are detailed in Attachment 6(a), parts 3 and 4.

The distribution operations licence authorises the holder to operate their water supply infrastructure in distributing water supplies to water allocation holders.

Part 3 Converting to and granting of supplemented water allocations

52 Scope of part 3

This part defines the rules for converting existing interim water allocations to supplemented water allocations and for granting supplemented water allocations for the purpose of distribution loss to the Kelsey Creek Water Board and the Six Mile Creek Water Supply Board.

This section refers to Attachment 6(a), parts 1 to 5 inclusive, which lists relevant details of all supplemented water allocations to be converted and granted under this plan.

Details of the converted and granted water allocations only apply at the time the plan commences and will not be updated to reflect any changes occurring after the plan commencement. On the day the final resource operations plan commences, all authorisations to be converted under the plan expire and the chief executive will grant the holders of these expired water authorisations the water allocations stated in the plan. Water allocation ownership details are recorded on the state's Water Allocations Register.

53 Rules for converting existing interim water allocations to supplemented water allocations

This section states the rules for converting existing interim water allocations to supplemented water allocations. The person granted the supplemented water allocation is the person who holds the existing interim water allocation.

All water allocations state the purpose for which water may be taken, the location from which water may be taken and a nominal volume for the allocation. These supplemented water allocations also specify the resource operations licence under which they are managed and the priority group to which the allocation belongs. The water allocations may be classed as either high A priority or medium A1, medium A2 or medium A3 priority.

54 Rules for granting supplemented water allocations for distribution loss

This section defines the rules for granting new supplemented water allocations to the Kelsey Creek Water Board and the Six Mile Creek Water Supply Board. Each board will be granted a water allocation to take supplemented water from the Proserpine River Water Supply Scheme for the purpose of 'distribution loss'. The priority group for each new water allocation will be medium A1 priority. The new water allocations will also state the nominal volume for the allocation and the location from which water may be taken.

55 Granting of supplemented water allocations

This section simply states that the chief executive must grant the water allocations as outlined in this part of the plan and detailed in Attachment 6(a), parts 1 to 5 inclusive.

Part 4 Amending of water licences

56 Scope of part 4

This part provides for the amendment of existing water licences to take water in a watercourse, lake or spring in subcatchment areas A, B, and C of the plan area. The amendments to these water licences are in accordance with the requirements of Chapter 5, part 2, division 3, subdivision 2 of the water resource plan.

57 Amending a water licence for taking unsupplemented water

This section details the process for the chief executive to follow when amending a water licence to take water from a watercourse, lake or spring if the water licence is inconsistent with the water resource plan.

The chief executive must amend the water licence to state:

- the purpose for the water licence as determined under section 62 of the water resource plan
- the maximum rate (litres / second) and at which the water may be taken under the water licence as determined under section 63 of the water resource plan
- the daily volumetric limit (megalitres / day) as determined under section 64 of the water resource plan
- the nominal entitlement as determined under section 65 of the water resource plan
- any flow conditions imposed on the water licence as determined under section 66 of the water resource plan.

58 Amending existing water licences for taking unsupplemented water

Within 120 business days of the commencement of this plan, the chief executive must amend the water licences mentioned in Attachment 7, part 1 of the plan, to include the elements specified in that attachment.

The licence amendments are made in accordance with section 217 of the *Water Act 2000*.

Part 5 Granting a resource operations licence or distribution operations licence to meet future water requirements

59 Scope of part 5

This section outlines the process for granting a resource operations licence or distribution operations licence to meet future water requirements in accordance with section 108 of the *Water Act 2000*.

60 Applying for a resource operations licence or distribution operations licence

This section applies to the proposed owner of new water infrastructure that has been declared a project of State significant or a project of regional significance.

For projects of State significance, written evidence by the Coordinator-General stating that the applicant is the proponent of the proposed infrastructure is required. For projects of regional significance, written evidence by the chief executive stating that the applicant is the proponent of the proposed infrastructure is required.

The chief executive may give a notice to the proposed owner of the new water infrastructure that they must apply for a resource operations licence or a distribution operations licence. The application must be submitted to the chief executive, be in the approved form and be accompanied by the prescribed fee. The application must include specific information about the matters outlined in subsection (3).

The chief executive may give a copy of the application to any person or party.

61 Additional information may be required

This section states that the chief executive may request additional information from the applicant about the proposed infrastructure. Any information, including any additional information submitted to the chief executive may be required to be verified by statutory declaration.

The information must be provided within the timeframe specified by the chief executive otherwise the application will lapse.

62 Matters the chief executive must consider

This section outlines the matters the chief executive must consider when deciding the application.

The chief executive must consider the information provided in the application, including any additional information submitted, as well as any conditions which may need to be placed on the application if it were approved and the licence granted. The chief executive must also consider the public interest.

There are no limits on the information that the chief executive can consider in deciding the application.

63 Deciding an application for a resource operations licence or a distribution operations licence

This section advises that if the chief executive is satisfied that the application should be approved, the chief executive may decide to approve the application wholly or in part, and with or without conditions.

If the chief executive decides not to approve the application, the chief executive must notify the applicant within 30 business days of the decision.

Part 6 Amending a resource operations licence or distribution operations licence to meet future water requirements

64 Scope of this part

This part detail the process for the chief executive to follow when making an amendment to a resource operations licence or a distribution operations licence in accordance with section 111A of the *Water Act 2000*.

Division 2 Amendment by the chief executive - *Water Act 2000*, section 111A

65 Amending a resource operations licence or distribution operations licence by chief executive

This section outlines the process for the chief executive to following when amending a resource operations licence or a distribution operations licence.

The chief executive, may, at any time, amend a resource operations licence or a distribution operations licence. Before amending the licence, the chief executive must advise the holder of the licence of the intention to amend the licence. The notice must state:

- a summary of the proposed amendment
- the reasons for the proposed amendment
- that the written submissions may be made by the holder of the licence about the proposed amendment
- the day, the person to whom, and the place where submissions must be made.

The notice must include a copy of the proposed amendment in the notice. The chief executive must give the holder of the licence at least 30 business days, from the date the notice is given, in which to lodge a submission.

66 Matters the chief executive must consider

This section outlines the matters the chief executive must consider when deciding to amend a resource operations licence or a distribution operations licence. The chief executive must consider any requirements specified in the water resource plan and any submissions made by the resource operations licence or the distribution operations licence holder when deciding to amend a licence.

There are no limits on the information that the chief executive can consider in deciding the application.

67 Deciding whether to amend a resource operations licence or a distribution operations licence

This section advises that the chief executive may decide to amend the resource operations licence or the distribution operations licence, wholly or in part, and with or without conditions.

In amending the licence, the chief executive must comply with the requirements of section 111A of the *Water Act 2000*.

If the chief executive decides not to amend a resource operations licence or a distribution operations licence, the chief executive must notify the resource operations licence holder or the distribution operations licence holder within 30 business days of the decision.

Division 3 Amendment requested by the scheme licence holder - *Water Act 2000*, section 111A

68 Amending a resource operations licence or distribution operations licence on application by holder

This section applies to the holder of the resource operations licence or distribution operations licence when making an application to the chief executive to amend the licence.

The application must be in the approved form and be accompanied by the prescribed fee. The application must also include a summary of the amendment required and the reasons for the amendment.

The chief executive may give a copy of the proposed amendment to any person or party.

69 Additional information may be required

This section states that the chief executive may request additional information from the applicant about the proposed amendment. Any information, including any additional information submitted to the chief executive may be required to be verified by statutory declaration.

The information must be provided within the timeframe specified by the chief executive otherwise the application will lapse.

70 Matters the chief executive must consider

This section outlines the matters the chief executive must consider when deciding whether to approve the proposed amendment to the resource operations licence or distribution operations licence. The chief executive must consider any requirements specified in the water resource plan, any additional information submitted by the licence holder, as well as any submissions made by persons or parties who received a copy of the proposed amendment from the chief executive.

There are no limits on the information that the chief executive can consider in deciding the application.

71 Deciding whether to amend a resource operations licence or distribution operations licence

This section advises that if the chief executive is satisfied that the proposed amendment to a resource operations licence or distribution operations licence should be approved, the chief executive may decide to approve the amendment wholly or in part, and with or without conditions.

In amending a resource operations licence or distribution operations licence, the chief executive must comply with the requirements of section 111A of the *Water Act 2000*.

If the chief executive decides not to approve the proposed amendment, the chief executive must notify the resource operations licence holder or distribution operations licence holder within 30 business days of the decision.

72 to 87 section numbers not used

These numbers have intentionally been left blank to accommodate future amendments without the need for the plan to be renumbered.

Chapter 4 Proserpine River Water Supply Scheme

88 Scope of Chapter 4

This chapter applies to the resource operations licence holder for the Proserpine River Water Supply Scheme, the distribution operations licence holders associated with the Proserpine River Water Supply Scheme, and all water allocations within the Proserpine River Water Supply Scheme.

Chapter 4 sets out the rules for the operation of the infrastructure within the water supply scheme, the environmental management rules, the water sharing rules, the water allocation change rules and the rules governing seasonal water assignments for the water managed under this water supply scheme.

89 Scheme licence holder responsibilities

This section advises that Attachment 5 summarises the responsibilities of the resource operations licence holder for the Proserpine River Water Supply Scheme and the distribution operations licence holders associated with the Proserpine River Water Supply Scheme.

Where the responsibilities of each licence holder overlap, the distribution operations licence holder is only responsible for implementing the rules and requirements of the plan that relate to the water allocations that receive water from the distribution operations licence holder.

Part 1 Operating and environmental management rules

90 Use of watercourses for distribution

This section states that any scheme licence holder may only use certain watercourses to distribute water. Table 2 in the plan describes the physical boundaries of each part of the watercourse that may be used to distribute water, including the upstream and downstream limits of each watercourse part.

91 Operating levels of storages

This section advises that the operating levels for Peter Faust Dam are set out in attachment 4, part 1. The resource operations licence holder must not draw water from the dam below the minimum operating level.

The resource operations licence holder may only release water from the dam to supply a water allocation holder or a distribution operations licence holder with water.

92 Change in rate of release from Peter Faust Dam

This section states that the rate at which water is released from infrastructure in the water supply scheme must be incrementally changed to reduce the risk of environmental impacts. For example, a sudden stopping of water releases from the storage could, under certain circumstances, result in fish stranding in watercourses downstream. Similarly, a rapid drop in water levels within a storage resulting from a release of a large volume of water could lead to bank slumping or slip because of the hydraulic failure of waterlogged soil in the banks of the storage.

93 Quality of water downstream of Peter Faust Dam

This section states that when the resource operations licence holder releases water from Peter Faust Dam, they must release water from the off-take level that will provide the best quality of water. Peter Faust Dam has a multi level off-take and any release of water must comply with this requirement.

The quality of water can be affected by the depth or position within the storage from which it is released. Water released from the lower levels of the dam may have reduced dissolved oxygen levels, lower temperature or less desirable composition of solutes.

Releases should be managed to optimise water quality and minimise the impact on aquatic habitats downstream of the storage.

The resource operations licence holder must prepare and maintain operating procedures that demonstrate that the best quality water is being released from the dam.

Part 2 Water Sharing Rules

94 Announced allocation

The announced allocation defines the share of water available to be taken under water allocations in that water year. This section specifies that the resource operations licence holder must set an announced allocation percentage for each priority group on the first day of the water year (1 July).

The announced allocation must be revised and reset during a water year in response to inflows or other factors that would increase the announced allocation by five or more percentage points for each priority group.

The announced allocation must be recalculated at the start of every month. The announced allocation set at the beginning of the water year cannot be reduced in that water year.

The announced allocation only applies within the relevant water year and cannot be less than zero or:

- for priority groups A and A1, exceed 100 per cent
- for priority group A2, exceed 90 per cent
- for priority group A3, exceed 75 per cent.

The resource operations licence holder must recalculate and/or reset the announced allocation within five business days following the first day of every month.

Within five business days of resetting or recalculating the announced allocation, the resource operations licence holder must make public on its website, the announced allocation percentage for each priority group.

95 Calculation of announced allocation for high priority and medium priority water allocations

The resource operations licence holder must calculate the announced allocations for each priority group using the appropriate formula stated in Table 3.

This section states that priority group A is a high priority water allocation and priority group A1, A2 and A3 are medium priority water allocations.

The nominal volume on a water allocation in the water supply scheme is multiplied by the announced allocation percentage to produce the volume which may be taken in the water year. The parameters used in the formula are defined in Table 4. Tables 5, 6 and 7 list the parameter values.

96 Calculation of announced allocation for water allocations changed from priority group A1 to priority group A

This section applies to water allocations that have changed from priority group A1 to priority group A since the announced allocation for priority group A1 was last at 100 per cent.

If a priority group A1 water allocation is converted to priority group A at a time when the priority group A1 announced allocation is less than 100 per cent, its announced allocation will continue to be calculated as though it was a priority group A1 allocation. This condition remains in force until the announced allocation for priority group A1 has reached 100 per cent.

97 Announced allocation parameters

This section and accompanying Table 4 defines the parameters used in calculating the announced allocation.

98 Carry over

A water user in the Proserpine River Water Supply Scheme is permitted to carry over part of their unused volume of water from one water year into the next water year. In order to protect high priority water users, carry over of medium priority water is only permitted if the level in Peter Faust Dam at the start of the water year is at or above 75.5m AHD.

The volume of water permitted to be carried over by each water user will be determined by the resource operations licence holder. The resource operations licence holder must make public on its website, the methodology for determining the volume of water each water user is permitted to carry over.

In determining the total volume of unused water permitted to be carried over, the total volume of water carried over must be the lesser of 25 per cent of the total nominal volume for the scheme and 90 per cent of the total volume of unused water for the scheme at the end of the water year.

To account for evaporative losses, the volume of water that a water user is permitted to carry over must not be more than 90 per cent of the water user's unused volume at the end of the water year.

Any volume of water carried over in the next water year that remains unused by the water user will be deducted or lost after six months into the commencement of the water year or when Peter Faust Dam spills.

When any of these events occur, the volume of water available to the water user will be determined by the announced allocation.

99 Taking water under a water allocation

This section states that the maximum amount of water entitled to be taken by the water allocation holder in a water year is the nominal volume stated on a water allocation multiplied by the announced allocation percentage and divided by one hundred. The volume of water taken at any time during a water year under a water allocation or seasonal water assignment must not be greater than the volume allowed under an announced allocation at that time.

For example, where the nominal volume of a water allocation equals two hundred megalitres and the announced allocation equals 80 per cent, the water allocation volume is calculated as follows:

Example of how to apply announced allocation (no carry over)

Nominal volume of a water allocation = 200 ML
Announced allocation = 80%
Water allocation volume = $200 \times 80 \div 100 = 160$ ML

The volume permitted to be taken under a water allocation does not include the volume of water carried over.

100 Critical water supply arrangements

This section states that the resource operations licence holder may develop critical water supply arrangements and submit these to the chief executive for approval. The purpose of critical water supply arrangements will be to set out the rules for the sharing of water in times of severe water shortage.

Preparation of the critical water supply arrangements must involve stakeholder and community consultation, detail the triggers for when the arrangements will commence and cease, include a monitoring and reporting schedule, and consider the options for supplying high priority users and essential services.

The plan must be amended to include any approved critical water supply arrangements. Once approved, the critical water supply arrangements must be made public on the resource operations licence holder's website.

101 Commencement and cessation of critical water supply arrangements

This section applies where critical water supply arrangements have been approved by the chief executive, and deals with the commencement triggers for critical water supply arrangements and the cessation of critical water supply arrangements.

When critical water supply arrangements are activated, the critical water supply arrangements apply instead of the water sharing rules described under sections 94-98 of this plan. Upon cessation of the critical water supply arrangements, the water sharing rules described under sections 94-98 are reinstated.

102 Changing the critical water supply arrangements

This section states that the resource operations licence holder may seek the chief executive's approval to change the critical water supply arrangements. The chief executive may request additional information from the licence holder to assess or decide the proposed changes.

The resource operations plan must be amended to include any approved changes to the critical water supply arrangements.

Part 3 Dealing with water allocations

Division 1 Subdivisions or amalgamation of water allocations

103 Permitted subdivisions or amalgamations

This section states the subdivision and amalgamation of water allocations is permitted, provided that:

- the priority group and location does not change
- for subdivisions, the sum of the nominal volumes of the new water allocations equals the nominal volume of the water allocation being subdivided
- for amalgamations, the nominal volume of the new water allocation equals the sum of the nominal volumes of the water allocations being amalgamated.

104 Prohibited subdivisions or amalgamations

A subdivision is prohibited if the combined nominal volume of each new water allocation is not equal to the nominal volume of the water allocation being subdivided or if the locations and priority groups of the new water allocations are not the same as the water allocation being subdivided.

An amalgamation is prohibited if the nominal volume of the new water allocation is not equal to the combined nominal volume of the water allocations being amalgamated or if the locations and priority groups of the water allocations being amalgamated are not the same.

Division 2 Water allocation change rules

105 Scope of division 2

This division provides the rules for changes to water allocations in the Proserpine River Water Supply Scheme. Water allocation change rules define the conditions that must be met to allow a permanent change to an attribute of a water allocation.

This division outlines water allocation changes that are permitted, prohibited, assessed or other changes.

Subdivision 2 Permitted changes

106 Location

This section outlines permitted changes in location, based on the distribution of maximum and minimum total nominal volumes for each zone. For each zone and priority group, maximum and minimum total nominal volumes are assigned. These have been set to ensure the environmental flow objectives and water allocation security objectives in the water resource plan are met.

The location of water allocations may only be changed within or between zones if the result of changing the location between zones does not result in either the total nominal volume for each priority group in the zone either being greater than the maximum total nominal volume or less than the minimum total nominal volume.

The permitted distributions for each priority group in each zone and zone group are listed in Table 8.

Example of application to change location

Maximum total volume in zone X = 1000ML
Combined total volume of water allocations in zone X = 800ML
Allowable additional volume in Zone X = 1000 – 800 = 200ML

Application is made for permanent change of 50ML into zone X and as this will not exceed the maximum nominal volume for that zone the change must be approved.

When this application is approved, there would be 150ML allowable additional volume in zone X.

Applicants whose changes are permitted under the plan will receive a certificate stating that the change is allowed. A change to a water allocation cannot occur until the chief executive has issued a valid change certificate. Change certificates granted by the chief executive remain valid for a period of forty business days unless otherwise stated. If a change is not registered with Queensland's Titles Registry office within the time period stated on the certificate, the change certificate lapses. For allocations in a water supply scheme, the registrar must also receive a notice from the scheme licence holder stating that there is an agreed supply contract between the water allocation holder and the scheme licence holder.

The change is complete when the change is recorded on the Water Allocations Register.

107 Nominal location

This section permits a change to be made to the nominal location for the taking of water under a water allocation if it is in order to give effect to a change in the location of the water allocation made under section 106 of this plan. This is to ensure the nominal location is the same as the location on the water allocation.

108 Priority group

This section permits a change in priority group from priority group A to priority group A1 and back again.

The change to the priority group can only occur if the total nominal volume for priority group A water allocations (including the proposed change) is maintained at levels between 12 000 ML and 22 000 ML.

When changing from priority group A to priority group A1, the new nominal volume for the water allocation is calculated by multiplying the nominal volume of the water allocation by a conversion factor of 1.3.

When changing from priority group A1 to priority group A, the new nominal volume for the water allocation is calculated by dividing the nominal volume of the water allocation by a conversion factor of 1.3 to maintain the water allocation security commensurate with the priority group of the water allocation.

Converted nominal volumes for each priority group must be rounded down to the nearest whole number.

Example of change in priority group from priority group A to priority group A1

Where 2000 ML of water that belongs to the high priority group is changed to the medium priority group, the nominal volume of water belonging to the medium priority group is $2\,000\text{ ML} \times 1.3 = 2\,600\text{ ML}$. The new priority group and nominal volume will be recorded in the Water Allocations Register.

Example of change in priority group from priority group A1 to priority group A

Where 2000 ML of water that belongs to the medium priority group is changed to the high priority group, the nominal volume of water belonging to the high priority group is $2000\text{ ML} / 1.3 = 1538\text{ ML}$. The new priority group and nominal volume will be recorded in the Water Allocations Register.

109 Purpose

This section permits a change in the purpose of the water allocation from ‘any’ to ‘rural’ or from ‘rural’ to ‘any’.

Subdivision 3 Prohibited changes

110 Prohibited changes

This section lists the types of changes to water allocations that are not allowed. The chief executive cannot approve prohibited changes. The specified changes may pose a risk to achieving the water allocation security objectives and/or the environmental flow objectives outlined in the water resource plan or are otherwise inconsistent with the water resource plan outcomes.

Subdivision 4 Assessed changes to water allocations

111 Change of purpose from 'distribution loss'

This section states that a water allocation holder may apply to change the purpose of a water allocation from ‘distribution loss’ to ‘any’ or ‘rural’. An application for a change of purpose from ‘distribution loss’ may be granted if the chief executive is satisfied that operational changes and efficiency gains are sufficient that the allocation for the purpose of distribution loss is no longer required.

Subdivision 5 Other changes to water allocations

112 Application for changes not specified as permitted or prohibited

Any changes not specified as either permitted or prohibited may be applied for in accordance with section 130 of the Water Act 2000. Such applications will be assessed according to the criteria set out in the Water Act 2000 and will be subject to public notification. The applicant may be required to pay the chief executive for the costs of researching and investigating the application.

Part 4 Seasonal water assignment rules

Seasonal water assignment rules allow the temporary transfer of the right to take water under a water allocation from one water allocation holder to another water user. A seasonal water assignment does not involve making a change to any of the details registered on the register for a water allocation. It is important to note a seasonal water assignment involves the assignment of a specified volume of water and not the nominal volume. Where there is a change (i.e. increase) to an announced allocation, the water allocation holder will be entitled to the additional water, not the assignee.

113 Maximum water use

This section specifies the maximum volume of water that may be taken in a zone in a water year. These volumes are inclusive of all priority groups. Table 9 in the plan details the maximum allowable water use volume for each zone in the Proserpine River Water Supply Scheme. These volumes account for the maximum total nominal volumes allowed for each zone (outlined in Table 8), as well as additional seasonal water assignments to be used in a particular zone.

114 Seasonal water assignment rules

This section states that seasonal water assignments are permitted in the Proserpine River Water Supply Scheme only if they do not exceed the maximum volume of water that may be taken within a zone in a water year.

For water allocations with a purpose of ‘distribution loss’, water can only be seasonally assigned if there is sufficient water remaining under the water allocation to cover distribution losses in the system. A seasonal water assignment can only be made where the seasonal assignment will not result in the total water use in a

water year for each zone exceeding the maximum allowable water use volume (outlined in Table 9) for that zone.

Where an application has been made to seasonally assign water, and that water would need to be distributed under a distribution operations licence, the distribution operations licence holder must also consent to the seasonal water assignment.

The resource operations licence holder is responsible for dealing with applications for seasonal water assignments and if the seasonal water assignment rules are met, the resource operations licence holder must consent to the assignment.

Where the location of a seasonal water assignment or the water allocation being seasonally assigned is located within Proserpine Zone C, SunWater Limited and Six Mile Creek Water Board must notify each other of their consent to the seasonal water assignment. Similarly, where the location of a seasonal water assignment or the water allocation being seasonally assigned is located within Proserpine Zone D, SunWater Limited and Kelsey Creek Water Board must notify each other of their consent to the seasonal water assignment. If the seasonal water assignment is from Proserpine Zone C to Proserpine Zone D, or vice versa, Six Mile Creek Water Board must also notify Kelsey Creek Water Board, or vice versa.

115 to 175 Section numbers not used

These numbers have intentionally been left blank to accommodate future amendments without the need for the plan to be renumbered.

Chapter 5 Chapter not used

This chapter has intentionally been left blank to accommodate future amendments without the need for the plan's chapters to be renumbered.

Chapter 6 Chapter not used

This chapter has intentionally been left blank to accommodate future amendments without the need for the plan's chapters to be renumbered.

Chapter 7 Dealing with water licence applications

176 Scope of chapter 7

This chapter sets out how particular water licence applications will be dealt with. This chapter applies to applications for water licences to take or interfere with water from a watercourse, lake or spring, as well as applications to take overland flow water or groundwater. Particular applications are to be assessed according to the rules stated in this chapter.

177 Water licence applications to which this chapter applies

The provisions of this chapter apply to applications made under section 206 of the *Water Act 2000* if the granting would have one or more of the following effects:

- increase the average annual volume of water allowed to be taken under the licence
- increase the nominal entitlement for taking water under the licence, if the licence states a nominal entitlement
- increase the maximum area to be irrigated under the licence
- increase the interference with water
- increase the daily, monthly or quarterly volumetric limit for taking water under the licence
- change the location from which water may be taken
- increase the maximum rate for taking water
- change the conditions under which water may be taken.

The provisions of this chapter apply to applications, including those previously submitted, where no decision has yet been made.

This chapter does not apply to an application made under the following provisions of the *Water Act 2000*:

- Section 221—reinstating an expired water licence
- Section 224—amalgamating water licences
- Section 225—subdividing a water licence
- Section 229—effect of disposal of part of land to which a water licence to take water attaches.

This chapter also does not apply to applications made in accordance with Chapter 2 of the plan (that is, about Unallocated Water).

178 Applications to be refused

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

179 Applications to interfere with the flow of water

This section states that the chief executive may decide an application to interfere with, or increase the interference with, water in a watercourse, lake or spring, only if the purpose of the interference is any of the following:

- to provide a storage with a capacity of no more than twenty megalitres of water that is to be taken under an authorisation for stock or domestic purposes
- to provide a small pumping pool with a capacity of no more than two megalitres of water to enable water to be taken under an existing authorisation
- to artificially improve or change the course of a watercourse, lake or spring
- to provide a storage with a capacity of no more than twenty megalitres of water for a purpose not related to the taking of water under an existing entitlement, such as community landscaping or retaining water for flood mitigation purposes.

The chief executive will assess applications having regard to the impact of the proposed interference on:

- instream water levels
- the natural movement of sediment
- the bed and banks of the watercourse or lake
- riparian vegetation
- habitats for native plants and animals
- the movement of fish and other aquatic species
- the cultural and ecological values of watercourses, waterholes, lakes or springs.

This section prohibits an application being approved if the storage capacity proposed is greater than the volumes specified in this section for the particular purpose of the proposed interference.

Where the application is to store water for stock or domestic purposes, the chief executive will consider the availability of water on the property to which the application relates, including existing water supplies such as existing weirs, groundwater and dams taking overland flow water.

180 Application to increase the maximum rate at which water may be taken

This section states that applications seeking to amend an existing water licence to increase the maximum rate of take of water will only be dealt with where the water licence states a nominal entitlement and if there is an existing development permit associated with the water licence. This provision also applies where an existing development permit authorises other works which have a maximum rate of take of greater than that which is stated on the water licence.

This allows the chief executive to deal with an application for increasing the maximum rate of take if the change would make it consistent with the capabilities specified in schedule 7 of the water resource plan for the pump stated on the existing development permit. For example, a water licence may state a rate of take, but an existing development permit specifies a pump size for which schedule 7 of the water resource plan specifies a higher rate for taking water than the pump on the existing development permit.

The chief executive may determine a new rate of take if the existing development permit specifies works which are capable of taking water at a greater rate than on the water licence, but not exceeding the rate specified in schedule 7 of the water resource plan.

Applications to increase the maximum rate of take must be refused if the rate applied for would exceed the capabilities of any previously authorised pump or works.

181 Application to increase the daily volumetric limit

This section states that applications seeking to amend an existing water licence to increase the daily volumetric limit will only be dealt with where the water licence states a nominal entitlement and if there is an existing development permit associated with the water licence. This provision also applies where an existing development permit authorises other works which have a daily volumetric limit greater than that which is stated on the water licence.

This allows the chief executive to deal with an application for increasing the daily volumetric limit if the change would make it consistent with the capabilities specified in schedule 7 of the water resource plan for the pump stated on the existing development permit. For example, a licence may state a daily volumetric limit, but an existing development permit specifies a pump size for which schedule 7 of the water resource plan specifies a higher daily volumetric limit than the pump on the existing development permit.

The chief executive may determine a new daily volumetric limit if the existing development permit specifies works which are capable of taking water at a greater rate than the daily volumetric limit on the water licence, but not exceeding the rate specified in schedule 7 of the water resource plan.

Applications to increase the daily volumetric limit must be refused if the rate applied for would exceed the capabilities of any previously authorised pump or works to take water in a day.

182 Applications to take water for stock or domestic purposes

This section details the requirements for applications which seek to take water from a watercourse, lake or spring, where the application is for taking water for stock or domestic purposes, and the location from which water will be taken is not within a resource operations plan zone established under section 8 of this plan.

The chief executive may grant the application if the applicant does not have any other water entitlement for the land to which the application applies, there is no suitable water source to the land to which the application relates, unallocated water is not available, and the plan of survey for the land was registered prior to the plan's commencement.

If the application is approved by the chief executive, it can only be granted as a water licence for stock and domestic purposes.

183 to 193 Section numbers not used

This chapter has intentionally been left blank to accommodate future amendments without the need for the plan's chapters to be renumbered.

Chapter 8 Granting water licences for taking overland flow water

194 Scope of chapter 8

This chapter outlines the process for dealing with water licence applications or amendments concerning the take, or increase in the rate of take, of overland flow water.

The chapter sets out how these applications are processed, where further information will be sought from the applicant, and which applications may be granted. Decisions about the granting of new or amended water licences or the determination of new conditions of take will be made in accordance with Section 212 of the *Water Act 2000* and sections 68 and 69 of the water resource plan.

195 Granting a water licence in accordance with section 69 of the Water Resource (Whitsunday) Plan 2010

This section states that the chief executive may, at any time, replace an existing authority for the take of overland flow water given under section 68 of the water resource plan by granting a water licence.

Before a water licence is granted, the chief executive must issue a notice to the owner of the land identifying the existing works that take overland flow water, stating whether a water licence to take overland flow water using those works will be granted, and requesting any additional information that may be required. Additional information includes information about the historical and current use of water from the works specified, and the purpose for which the water is used.

Other additional information, such as a certified report about the works, may also be required.

In making a decision about granting a water licence, the chief executive must consider all relevant information about the works, including the certified report, if one has been prepared.

196 Certified reports for overland flow works

This section provides the requirements for landowners in preparing a certified report.

Where the chief executive has issued a notice to the landowner requesting a certified report about the take of overland flow water using existing works, the certified report must be prepared in accordance with the standards and requirements set out in the notice provided by the chief executive.

The purpose of a certified report is to provide the chief executive with an accurate description of the infrastructure, its operation and its ability to take overland flow water.

The report may need to be verified and signed by a registered professional engineer.

197 Content and conditions for a water licence to take overland flow water

This section states that a water licence issued to take overland flow water must state a purpose of either 'rural' or 'any', and at least one of the following terms and conditions:

- the maximum stored volume
- the maximum rate at which the water may be taken under the licence
- the daily volumetric limit for the licence
- the nominal entitlement
- the annual volumetric limit for the licence
- the mean annual volume for the licence.

A water licence may also include other conditions, such as flow conditions or conditions for storing the water taken under the water licence.

198 to 208 Section numbers not used

These section numbers are left blank intentionally. This is to allow for some minor amendments to be made, if required in the future, while maintaining consistent section numbers in sections that are not amended.

Chapter 9 Monitoring and Reporting

This chapter outlines the monitoring and reporting requirements for the plan. The data collected can be used by the chief executive to indicate if the outcomes specified in the water resource plan are being achieved and used to support future management of water resources in the plan area.

209 Water monitoring

Water monitoring information to be measured or collected and kept publicly available includes:

- water quantity
- water taken
- groundwater levels.

Water monitoring information to be collected and kept publicly available includes information on:

- future consumptive demands for water
- water use efficiency.

210 Natural ecosystem monitoring

The chief executive must collect and record information on ecological assets linked to the ecological outcomes in the water resource plan, and the critical water requirements for these ecological assets.

211 Assessment

The monitoring and reporting requirements will allow the chief executive to determine if the strategies of the water resource plan have been successful in achieving the general, ecological and specific ecological outcomes of the water resource plan. The information will contribute to an improved information base for future water planning within the water resource plan area.

Where it is determined that the general or ecological outcomes in the water resource plan are not being achieved, the Minister may consider amending the water resource plan.

212 to 222 Section numbers not used

This chapter has intentionally been left blank to accommodate future amendments without the need for the plan's chapters to be renumbered.

Chapter 10 Scheme licence holder monitoring and reporting

223 Scope of chapter 10

This Chapter outlines the monitoring and reporting requirements for the scheme licence holder for the Proserpine River Water Supply Scheme and all water allocations associated with the scheme.

Monitoring and reporting is designed for compliance purposes, and to determine if the rules in the plan have been implemented. Implementation of the rules is directly linked to the strategies for achieving the water resource plan's outcomes. Monitoring and reporting helps to demonstrate the effectiveness of the plan in achieving the outcomes specified in the water resource plan.

224 Scheme licence holder responsibilities

This section states that Attachment 5 sets out the responsibilities of the resource operations licence holder and the distribution operations licence holders as they relate to the Proserpine River Water Supply Scheme and all allocations associated with the scheme.

In instances where the resource operations licence holder and the distribution operations licence holders have responsibility for a particular function, the distribution operations licence holder is only responsible for monitoring water allocations and infrastructure managed under the distribution operations licence. The resource operations licence holder is responsible for any other monitoring and reporting requirements relating to the water supply scheme.

Part 2 Scheme licence holder monitoring

Division 1 Water quantity

225 Stream flow and storage water level data

This section states that the resource operations licence holder must measure and record details relating to the volume, height and flow data for Peter Faust Dam. Table 10 in the plan specifies that continuous time series height and volume data must be measured and recorded at Peter Faust Dam tailwater, and continuous time series storage water level data must be measured and recorded at Peter Faust Dam headwater.

226 Releases from storages

This section requires the resource operations licence holder to measure and record details relating to all releases made from Peter Faust Dam.

The information to be collected and recorded includes the daily volume released, the release rate and the reason for release. Where a release rate is changed, the resource operations licence holder must also record the date and time of the change and the new release rate. The resource operations licence holder must also record the inlet level used and the reason for releasing from that particular inlet level.

227 Announced allocations

This section requires the resource operations licence holder to record the announced allocations for all priority group allocations in the water supply scheme area, including the date the announced allocations were determined and the values of each parameter used in calculating the announced allocations.

228 Water taken by water users

This section requires the scheme licence holder to record the total volume of water taken by each water user every quarter, including distribution losses. The information must be recorded for each resource operations plan zone.

The total volume of water entitled to be taken at any time and the basis for determining that volume must also be recorded.

229 Seasonal water assignment of water allocation

This section requires that the scheme licence holder who gives consent to a seasonal assignment must record the details of all seasonal assignments that occur. The information to be recorded includes, the name of the assignee (the person that an interest or right is being transferred to) and assignor (the person transferring that right), the volume of water being seasonally assigned to the assignee by the assignor, and the date of the transfer.

230 Critical water supply arrangements

This section requires the resource operations licence holder to record the dates that the approved critical water supply arrangements commenced and ceased for each priority group, the volumes of water supplied to each priority group, the minimum allocation for priority group A users, and the critical levels for priority group A reserves.

231 Carry over

This section requires the resource operations licence holder to record details of the volume of water carried over by a water allocation holder and the total volume of water in the scheme carried over from the previous water year into the next.

Division 2 Impact of storage operation and distribution of water on aquatic ecosystems

232 Water quality

There is well-documented evidence that the operation of water storages can result in water quality problems within the storage (e.g. low dissolved oxygen levels), and downstream water quality changes that could affect the water resource plan's outcomes.

Such impacts are primarily due to stratification within the storage. That is, the water stored in the impoundment separates into chemically distinct layers. Deeper water (below the 'thermocline') is, among other things, often very low in dissolved oxygen and temperature. If this water is released downstream there may be unacceptable impacts on stream health.

Not all storages will result in such impacts on water quality. The risk-based approach will identify those storages most likely to cause an impact. Preliminary data analysis suggests stratification is more likely to occur in storages with water depths greater than approximately four metres. Water quality data for these storages will need to be collected. An annual review of the monitoring data will provide for appropriate adjustments to apply from the following water year in order to improve management of storages including minimising impacts on downstream water quality.

233 Bank condition

This section requires the resource operations licence holder to inspect the banks of ponded areas and associated with the holder's infrastructure for evidence of erosion or collapse after rapid water level changes or large flows through their infrastructure or when bank erosion or collapse may be likely. This includes bank changes downstream of that infrastructure.

Resource operations licence holders may become aware of instances of bank slumping and/or erosion via internal and/or external sources including reports from staff, the public, landholders or through local and state government agencies.

All instances of bank erosion or collapse identified must be investigated to determine if the instability was caused by the nature or operation of the infrastructure.

234 Fish stranding

This section requires the scheme licence holder to record and assess all reported instances of fish stranding in watercourses and ponded areas associated with the holder's infrastructure to determine if the stranding was caused by the nature or operation of the infrastructure.

The scheme licence holder may become aware of instances of fish stranding via internal and/or external sources, including reports from staff, the public and landholders, or through local and state government agencies.

Division 3 Data transfer

235 Monitoring data must be made available

This section states the scheme licence holders must retain all data that forms the basis for decisions regarding the operation of infrastructure to allow for those decisions to be fully audited if needed. The chief executive may request any data, at any time, to check compliance of the scheme licence holders with the rules and requirements specified in the plan.

236 Transfer of data by distribution operations licence holder

This section states that the distribution operations licence holder must, upon a request from the resource operations licence holder, provide the resource operations licence holder with all the data measured, collected, and recorded for the Proserpine River Water Supply Scheme.

The data provided from the distribution operations licence holders to the resource operations licence holder is data that the resource operations licence holder requires to be able to properly comply with the rules and requirements of the plan.

Where a request is made, the distributions operations licence holders must provide all of the data requested within 15 business days of the request or by another time agreed by both parties.

Part 3 Scheme licence holder reporting

237 Reporting requirements

This section states that the scheme licence holder must prepare and provide quarterly and annual reports as well as operational and emergency reports as required.

Division 1 Quarterly reporting

238 Quarterly report—resource operations licence holder

This section identifies the data measured, collected and recorded that must be submitted to the chief executive by the resource operations licence holder on a quarterly basis. Generally, this data will be used by the department to confirm compliance by the resource operations licence holders with the rules and requirements of the plan.

The report must contain the data collected for streamflow and storage water levels; the daily volume of water released from the storage; the total volumes of water taken, and entitled to be taken, for each resource operations plan zone; any water diversions and water quality.

A summary of bank condition monitoring and instances of slumping must also be included in the report.

Division 2 Annual reporting

239 Annual report—resource operations licence holder

This section requires the resource operations licence holder to provide an annual report to the chief executive at the end of each water year.

The annual report must include the results of the water quantity monitoring and the impact of storage operations on aquatic ecosystems.

The annual report must also include a discussion on any implementation or compliance issues that arose during the water year.

240 Annual report—water quantity monitoring

This section specifies the water quantity monitoring information that the resource operations licence holder must provide in its annual report to the chief executive. This information includes:

- a summary of announced allocation procedures and outcomes
- details of changes to the announced allocations made
- for each zone, the total annual volume of water taken, entitled to be taken and the basis for determining the water taken by each water user
- for each zone, the total annual volume of supplemented water taken, entitled to be taken and the basis for determining the water taken by all water users
- the total number of seasonal water assignments and the total volume of water seasonally assigned
- the total volume of water carried over to the water year from the previous water year and the total volume of water carried over from the current water year to the next water year
- the commencement and cessation dates when the critical water supply arrangements have been implemented, including an evaluation of the effectiveness of the arrangements
- details of changes to the storage and delivery infrastructure or the operation of storage and delivery infrastructure
- details of any new monitoring devices used.

241 Annual report—impact of storage operation and distribution of water on aquatic ecosystems

This section specifies information about the impact of storage operations on aquatic ecosystems that the resource operations licence holder must provide in its annual report to the chief executive.

The annual report must include a discussion and summary on:

- environmental considerations made by the resource operations licence holder in making operational and release decisions
- environmental outcomes of the decision including adverse environmental impacts
- instances of bank erosion or collapse, and fish stranding; the results of the investigations into bank erosion or collapse, fish stranding; and changes to the operation of storages to reduce instances of bank erosion or collapse, and fish stranding
- thermal and chemical stratification in the storage
- the contribution of the storage and its management to the quality of water released
- the cumulative effect of the storage on water quality
- changes in the population of blue-green algae in response to stratification in each storage
- proposed changes to the monitoring program as a result of the evaluation of the data.

Division 3 Operational reporting

242 Operational reporting—scheme licence holder

This section states that a scheme licence holder must notify the chief executive of any non-compliance with the rules and requirements of this plan within one business day of becoming aware of the non-compliance.

Scheme licence holders must also notify the chief executive instances of fish stranding and bank slumping within supplemented watercourses within one business day of becoming aware of the issue.

Within five business days of the occurrence of an operational incident, scheme licence holders must provide a report to the chief executive which includes details of the incident, the conditions which caused the incident, and the actions taken in response to the incident.

243 Operational report—resource operations licence holder

This section states that the resource operations licence holder is required to notify the chief executive and the distribution operations licence holders when:

- activating critical water supply arrangements

- making decisions about an initial or recalculated announced allocation
- water cannot be supplied to water allocation holders and the details of actions taken to address these circumstances.

When water cannot be supplied to water allocation holders, the resource operations licence holder must transfer details on the actions taken to address the issue to the chief executive within five business days of the decision.

Division 4 Emergency reporting

244 Emergency report—scheme licence holder

This section specifies the reporting requirements in an emergency when a scheme licence holder cannot comply with the rules and requirements of this plan.

Upon discovery of the emergency, the scheme licence holder must:

- notify the other scheme licence holder
- notify the chief executive
- provide a report to the chief executive which includes details of the emergency, the conditions which caused the emergency, the actions taken in response to the emergency, and any rules and requirements specified in this plan that the scheme licence holder is unable to comply with due to the emergency.

245 to 256 Section numbers not used

This chapter has intentionally been left blank to accommodate future amendments without the need for the plan's chapters to be renumbered.

Chapter 11 Amendments to the resource operations plan

257 Scope of chapter 11

The *Water Act 2000* provides for amendments to be made to resource operations plans. This chapter states the types of amendments that may be made to the plan and whether the amendments need to be publicly notified.

258 Commencement of amendments

This section declares that an amendment made under this chapter comes into effect immediately following the date the amendment is specified in the Queensland Government Gazette or where no date is specified in the Queensland Government Gazette, on the date the Gazette is first published.

Part 1 Amendments not requiring public notification

259 Scope of part 1

Section 106(b) of the *Water Act 2000* provides for amendments to be made to a resource operations plan where the amendment is stated in the resource operations plan as being able to be made under section 106(b). These amendments do not require public notification and advertising. This part describes the amendments to the plan that may be made under section 106(b) of the *Water Act 2000*.

260 Amendment to implement an amendment to the Water Resource (Whitsunday) Plan 2010

This section states any amendment needed as the result of an amendment to the water resource plan, may be made to this plan.

261 Amendment to monitoring requirements

Subsection (1) states an amendment may be made to this plan to improve monitoring requirements or to make them more efficient.

Subsection (2) gives examples of the type of amendments that could occur under this section. There are no restrictions on the amendments that can be made to the monitoring and assessment provisions in the plan.

262 Amendment to infrastructure details

This section states an amendment may be made to the infrastructure details if the amendment does not affect water resource plan outcomes, and if the amendment is to correct a minor error, for installing a fish transfer device, or the modification or installation of multi-level inlet works.

263 Amendment to chapter 4

This section states that an amendment may be made to chapter 4 to change the watercourse or parts of the watercourse used for the distribution of water.

An amendment to the operating and environmental management rules, water sharing rules and seasonal water assignment rules can occur when the amendment is necessary to implement or amend critical water supply arrangements that have been approved by the chief executive.

264 Amendment to attachment 5

This section states that an amendment may be made to the scheme licence holder responsibilities detailed in attachment 5.

Part 2 Amendments requiring public notification

265 Scope of part 2

Section 105 of the *Water Act 2000* allows amendments to be made through a formal process detailed in the *Water Act 2000*. This process requires public notification, advertising, receipt of submissions and consideration of a number of factors listed in section 99 of the *Water Act 2000*. This part describes the amendments that may be made to the plan under section 105(6) of the *Water Act 2000*.

266 Amendments under the *Water Act 2000*

This section describes a range of amendments that could be made under section 105(6) of the *Water Act 2000* to include additional requirements for managing water in the plan area. This section does not limit the type of amendments that can occur under section 105(6) of the *Water Act 2000*.

Part 3 Amendment to provide for deferred aspect

267 Scope of part 3

This part states the amendments that may be made under section 105A of the *Water Act 2000* to provide for an aspect of the resource operations plan that has been deferred.

268 Amendments to provide for a deferred aspect

This section states that the chief executive may amend this plan under section 105A of the *Water Act 2000* to provide for a deferred aspect if the plan has not previously been amended to include provisions about that aspect.