Queensland

Water Act 2000

Water Plan (Burnett Basin) 2014

Current as at 2 September 2017

Queensland

Water Plan (Burnett Basin) 2014

Contents

Water Plan (Burnett Basin) 2014

Chapter 1 Preliminary

1 Short title

This water plan (***this plan***) may be cited as the *Water Plan (Burnett Basin) 2014*.

2 Commencement

Section 32(2)(b) commences on 1 July 2015.

3 Purposes of plan

The following are the purposes of this plan—

(a) to define the availability of water in the plan area;

(b) to provide a framework for sustainably managing water and the taking of water;

(c) to identify priorities and mechanisms for dealing with future water requirements;

(d) to provide a framework for establishing water allocations;

(e) to provide a framework for reversing, where practicable, degradation in natural ecosystems;

(f) to regulate the taking of overland flow water;

(g) to regulate the taking of groundwater;

(h) to provide interim rules for the taking or sharing of water.

4 Definitions

The dictionary in schedule 12 defines particular words used in this plan.

Chapter 2 Plan area and water to which plan applies

5 Plan area

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

6 Subcatchment areas

(1) Each part of the plan area that is shown as a subcatchment area on the map in schedule 2 is a ***subcatchment area***.

(2) A reference in this plan to a subcatchment area followed by a letter is a reference to the subcatchment area in schedule 2 with that letter.

7 Coastal Burnett overland flow area

The part of the plan area that is shown as the Coastal Burnett overland flow area on the map in schedule 3 is the ***Coastal Burnett overland flow area***.

8 Groundwater management areas

(1) Each part of the plan area that is shown as a groundwater management area on the map in schedule 4 is a ***groundwater management area***.

(2) A reference in this plan to a groundwater management area by name is a reference to the groundwater management area in schedule 4 with that name.

9 Groundwater units and groundwater sub-areas

(1) The Coastal Burnett groundwater management area consists of the following (each a ***groundwater unit***)—

(a) the Coastal Burnett groundwater unit 1, containing the aquifers of—

(i) the Elliott Formation; and

(ii) the Gooburrum Clay; and

(iii) the Quaternary alluvium; and

(iv) the Coastal Dune Sands; and

(v) the Hummock Basalt; and

(vi) the Pemberton Basalt; and

(vii) the Burrum Coal Measures;

(b) the Coastal Burnett groundwater unit 2, containing the aquifers of the Fairymead beds.

(2) Each area of the Coastal Burnett groundwater unit 1 that is shown on map A in schedule 5 is a ***groundwater sub-area*** under this plan.

(3) Each area of the Coastal Burnett groundwater unit 2 that is shown on map B in schedule 5 is a ***groundwater sub-area*** under this plan.

(4) Each area of the Upper Burnett groundwater management area that is shown on map C in schedule 5 is a ***groundwater sub-area*** under this plan.

(5) A reference in this plan to a groundwater sub-area by name is a reference to the groundwater sub-area on map A, B or C in schedule 5 with that name.

10 Information about areas

The exact location of the boundaries of the plan area, subcatchment areas, Coastal Burnett overland flow area, groundwater management areas and groundwater sub-areas is

held in digital electronic form by the department and may be accessed, free of charge, at each office of the department.

Editor's note—

The location of each office of the department is available on the department's website.

11 Nodes

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

(a) on a watercourse in the plan area; or

(b) in a groundwater management area in the plan area.

(2) The location of each node is—

(a) shown on a map in schedule 6, part 1 or 2; and

(b) described in schedule 6, part 3 or 4.

(3) Each node is identified on a map by a number.

12 Water to which plan applies

(1) This plan applies to the following water (***surface water***) in the plan area—

(a) water in a watercourse or lake;

(b) water in a spring not connected to water to which the *Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017* applies;

(c) overland flow water, other than water in a spring connected to water to which the *Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017* applies.

(2) This plan also applies to groundwater in the plan area.

Chapter 3 Outcomes for sustainable management of water

13 Outcomes for water in plan area

(1) This chapter states the outcomes for the sustainable management of water to which this plan applies.

(2) Without limiting subsection (1) or sections 14 to 16, the outcomes include the allocation and management of water in a way that—

(a) recognises that the natural state of watercourses, lakes, springs and aquifers has changed because of the taking of, and interfering with, water; and

(b) achieves a balance in the following outcomes—

(i) the economic outcomes mentioned in section 14;

(ii) the social outcomes mentioned in section 15;

(iii) the ecological outcomes mentioned in section 16.

14 Economic outcomes

(1) Each of the following is an economic outcome for water in the plan area—

(a) provision for—

(i) the use of water entitlements and other authorisations in the plan area; and

(ii) the continued use of existing overland flow works; and

(iii) the continued use of existing groundwater works;

(b) protection of the probability of being able to take water under a water entitlement;

(c) availability of water for the following—

(i) growth in industries dependent on water resources in the plan area;

(ii) stock purposes in the plan area;

(iii) Indigenous communities dependent on water resources in the plan area to achieve their economic aspirations;

(d) support of activities stated in the *Water Regulation 2016*, schedule 3;

(e) maintenance of flows that support water-related economic activities in the plan area, including, for example, tourism;

(f) support of continual improvement in the efficient use of water;

(g) maintenance, to the extent practicable, of the quality of groundwater for consumptive purposes;

(h) for groundwater in the Coastal Burnett groundwater management area—management and allocation of groundwater to prevent further seawater intrusion.

(2) In this section—

existing groundwater works means—

(a) works that are prescribed existing groundwater works; and

(b) works for taking groundwater, other than prescribed existing groundwater works, that were in existence immediately before the commencement.

15 Social outcomes

(1) Each of the following is a social outcome for water in the plan area—

(a) increased security for town water supplies that rely on surface water and groundwater;

(b) availability of water for the following—

(i) population growth in towns and communities dependent on water resources in the plan area;

(ii) domestic purposes in the plan area;

(c) maintenance, to the extent practicable, of the quality of water for human use;

(d) maintenance of flows that support water-related aesthetic, cultural and recreational values in the plan area, including the cultural values of the traditional owners in the plan area;

(e) for groundwater—the support of cultural values associated with Ban Ban Springs.

(2) In this section—

traditional owners, in the plan area, means the Aboriginal people who identify as descendants of the original inhabitants of the area.

16 Ecological outcomes

Each of the following is an ecological outcome for water in the plan area—

(a) minimisation of changes to the natural variability of flows that support aquatic ecosystems;

(b) the continued capability of a part of the river system to be connected to another, including by maintaining flows that—

(i) allow for the movement of native aquatic fauna between riverine, floodplain, wetland, estuarine and marine environments; and

(ii) support water-related ecosystems; and

(iii) support river-forming processes;

(c) protection and maintenance of refugia associated with waterholes, lakes and wetlands;

(d) the support of ecosystems dependent on groundwater, including, for example, riparian vegetation and wetlands;

(e) provision of flows and hydraulic habitat for flow-spawning fish and endemic species, including, for example, the Australian lungfish (*Neoceratodus forsteri*) and the white-throated snapping turtle (*Elseya albagula*);

(f) maintenance of flows necessary for estuarine ecosystem functions, including flows for—

(i) barramundi (*Lates calcarifer*) and sea mullet (*Mugil cephalus*) recruitment; and

(ii) banana prawn (*Fenneropenaeus merguiensis*) growth; and

(iii) river mangroves (*Aegiceras corniculatum*);

(g) maintenance of a near natural flow regime that supports waterholes and riverine ecosystems in subcatchment area M.

Chapter 4 Performance indicators and objectives

Part 1 Environmental flow objectives

Division 1 Surface water

17 Performance indicators for environmental flow objectives

The performance indicators for the environmental flow objectives for surface water are—

(a) the number of periods of no flow of at least 6 months; and

(b) the mean annual flow; and

(c) the median annual flow; and

(d) the 1.5 year daily flow volume; and

(e) the 5 year daily flow volume; and

(f) the 20 year daily flow volume.

18 Environmental flow objectives

The environmental flow objectives for surface water for this plan are stated in schedule 7, part 1.

Division 2 Groundwater in Coastal Burnett groundwater management area

19 Performance indicators for environmental flow objectives—groundwater-dependent ecosystems

The performance indicators for the environmental flow objectives for a node or groundwater sub-area for assessing groundwater levels to support groundwater-dependent ecosystems in the Coastal Burnett groundwater management area are—

(a) the average depth to the watertable; and

(b) the drawdown period; and

(c) the average ocean groundwater discharge.

20 Environmental flow objectives

The environmental flow objectives for groundwater in the Coastal Burnett groundwater management area are stated in schedule 7, part 2.

Part 2 Water allocation security objectives

21 Performance indicators for water allocation security objectives

The performance indicators for the water allocation security objectives are—

(a) for water allocations to take supplemented water—the monthly supplemented water sharing index; and

(b) for water allocations to take unsupplemented surface water—the annual volume probability; and

(c) for water allocations to take unsupplemented groundwater—

(i) the groundwater annual volume probability; and

(ii) 90% annual volume probability.

22 Water allocation security objectives

The water allocation security objectives for this plan are stated in—

(a) for water allocations to take supplemented water—schedule 8, part 1; and

(b) for water allocations to take unsupplemented surface water—schedule 8, part 2; and

(c) for water allocations to take unsupplemented groundwater—schedule 8, part 3.

Chapter 5 Strategies for achieving outcomes

Part 1 Strategies for both surface water and groundwater

Division 1 General provisions

23 Application of pt 1

The strategies stated in this part apply to surface water and groundwater.

24 Decisions to be consistent with objectives

Decisions made by the chief executive about the allocation or management of water in the plan area, other than a decision about a water permit, must be consistent with—

(a) the environmental flow objectives stated in schedule 7; and

(b) the water allocation security objectives stated in schedule 8.

25 Assessing impact of decisions about surface water, and groundwater in Three Moon Creek groundwater sub-area

(1) The IQQM computer program's simulation for the IQQM simulation period is to be used to assess consistency with the environmental flow objectives and the water allocation security objectives for—

(a) surface water; and

(b) groundwater in the Three Moon Creek groundwater sub-area.

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

(3) However, the chief executive may approve an assessment method for subsection (2) only if the chief executive is satisfied the method will assess consistency with the objectives at least as accurately as the IQQM computer program.

26 Assessing impact of decisions about groundwater in Coastal Burnett groundwater management area

(1) The Coastal Burnett groundwater computer program's simulation for the groundwater simulation period is to be used to assess consistency with the environmental flow objectives and the water allocation security objectives for groundwater in the Coastal Burnett groundwater management area.

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

(3) However, the chief executive may approve an assessment method for subsection (2) only if the chief executive is satisfied the method will assess consistency with the objectives at least as accurately as the Coastal Burnett groundwater computer program.

Division 2 Interim arrangements and directions to chief executive about applications

27 Application of div 2

This division does not apply to an application under—

(a) section 221 of the Act to reinstate an expired water licence; or

(b) section 224 of the Act to amalgamate 2 or more water licences; or

(c) section 225 of the Act to subdivide a water licence; or

(d) section 229 of the Act to replace a jointly held water licence after the disposal of land under that section.

28 Applications for water licence to take or interfere with surface water made before 29 May 2003

(1) This section applies to an application for a water licence to take or interfere with surface water in the plan area made under the Act or the repealed Act before 29 May 2003 and not finally decided before the commencement.

(2) However, this section does not apply if works existed on 14 December 2000 on land to which the application relates.

(3) The chief executive must refuse the application if granting the application would have 1 or more of the following effects in relation to water to which this plan applies—

(a) increase the amount of water that may be taken;

(b) change the location from which water may be taken;

(c) increase the rate at which water may be taken;

(d) change the flow conditions under which water may be taken;

(e) increase or change the interference with the water.

29 Additional criteria for deciding applications about surface water if works existed on 14 December 2000—Act, s 210(1)(c)

(1) This section applies to an application mentioned in section 28(1) if works existed on 14 December 2000 on the land to which the application relates.

(2) If the application is for a water licence to take water from a watercourse, lake or spring, the nominal entitlement for the water licence must be—

(a) for an application that states an area to be irrigated—the volume decided by the chief executive having regard to the volume of water required for the purpose stated on the application, but not more than the volume, expressed in megalitres, calculated by multiplying the area, expressed in hectares, by 6; or

(b) if the chief executive is satisfied that the amount under paragraph (a) is not sufficient for the licence's intended purpose or for an application that does not state an area to be irrigated—the volume decided by the chief executive having regard to the following—

(i) the water-taking capacity of the works;

(ii) the volume of water required for the purpose stated on the application;

(iii) the annual volumes of water estimated by the chief executive to have been taken by the works during the period of not more than 10 years, immediately before the commencement;

(iv) the efficiency of the use of the water mentioned in subparagraph (iii).

(3) Also, if the application is for a water licence to interfere with water in a watercourse, lake or spring by impounding the flow of water under the water licence—

(a) the maximum volume of water stored under the water licence must not be greater than the storage capacity of the works; and

(b) the maximum height of impounded water must not be greater than the height of the works; and

(c) the purpose to be stated on the water licence must be 'conserve water'.

30 Direction to chief executive about non-acceptance of application to take surface water

An application for a water licence, made under section 206 of the Act, to take surface water must not be accepted if granting the application would have either of the following effects in relation to water in the plan area—

(a) increase the amount of water that may be taken; or

(b) change the location from which water may be taken.

Note—

See section 40 for the process for granting unallocated water.

31 Direction to chief executive about refusal of application to take groundwater in a relevant groundwater management area

(1) This section applies to an application for a water licence, made under section 206 of the Act, to take groundwater from a relevant groundwater management area, other than an application for the purpose of agricultural dewatering in the Coastal Burnett groundwater management area.

(2) The application must be refused if granting the application would have 1 or more of the following effects in relation to the water to which this plan applies—

(a) increase the amount of water that may be taken;

(b) change the location from which water may be taken;

(c) change the conditions under which water may be taken.

32 Interim arrangements for rules for taking or sharing water in particular water supply schemes—Act, s 46(2)(l)

(1) The environmental management rules and infrastructure operating rules are the following—

(a) for the Barker Barambah Water Supply Scheme—the rules stated in schedule 9, part 2, division 2;

(b) for the Bundaberg Water Supply Scheme—the rules stated in schedule 9, part 3, division 2;

(c) for the Upper Burnett Water Supply Scheme—the rules stated in schedule 9, part 4, division 2.

(2) The water sharing rules are the following—

(a) for the Barker Barambah Water Supply Scheme—the rules stated in schedule 9, part 2, division 3;

(b) for the Bundaberg Water Supply Scheme—the rules stated in schedule 9, part 3, division 3;

Note—

See section 2 for the commencement of paragraph (b).

(c) for the Upper Burnett Water Supply Scheme—the rules stated in schedule 9, part 4, division 3.

(3) The environmental management rules, infrastructure operating rules and water sharing rules mentioned in subsection (1) or (2) apply for a water supply scheme mentioned in the subsection until the resource operations plan is first amended, after the commencement, to state the environmental management rules, infrastructure operating rules and water sharing rules for the water supply scheme.

33 Particular provisions of the resource operations plan cease to have effect—Act, s 106A(3)

(1) On the commencement, the following provisions of the resource operations plan cease to have effect for the plan area—

(a) chapter 4, sections 4.1.5, 4.2.5, 4.2.6, 4.4.5 and 4.4.6;

(b) chapter 6, section 6.1;

(c) chapter 7;

(d) attachments 4.1E, 4.2E, 4.2F, 4.3E and 4.3F.

(2) The following provisions of the resource operations plan cease to have effect on the commencement of section 32(2)(b)—

(a) chapter 4, section 4.1.6;

(b) attachment 4.1F.

Division 3 Unallocated water

Subdivision 1 General reserve, strategic reserve and strategic water infrastructure reserve

34 Unallocated water held as general reserve, strategic reserve and strategic water infrastructure reserve

Unallocated water in the plan area is held as a general reserve, a strategic reserve or a strategic water infrastructure reserve.

35 Purpose for which unallocated water may be granted

Unallocated water in the plan area may only be granted for the following purposes—

(a) for unallocated water held as a general reserve—any purpose;

(b) for unallocated water held as a strategic reserve—a State purpose or an Indigenous purpose;

(c) for unallocated water held as a strategic water infrastructure reserve—for water infrastructure mentioned in section 36(3).

36 Reserve volumes

(1) The total of the nominal entitlements for all water licences to take unallocated water from the general reserve is the following—

(a) for water licences to take unallocated water from subcatchment area E—1,000ML;

(b) for water licences to take unallocated water from subcatchment area F—1,000ML.

(2) The total of the nominal entitlements for all water licences to take unallocated water from the strategic reserve in the plan area is the following—

(a) for all water licences to take unallocated water for a State purpose from the strategic reserve in the plan area—1,000ML;

(b) for all water licences to take unallocated water for an Indigenous purpose from the strategic reserve in the plan area—1,000ML.

(3) The total of the nominal volumes for all supplemented water allocations to take unallocated water from the strategic water infrastructure reserve is the following—

(a) for water infrastructure on Barambah Creek within the boundaries of the Barker Barambah Water Supply Scheme—up to 4,250ML;

(b) for water infrastructure on the Burnett River within the boundaries of the Bundaberg Water Supply Scheme—up to 15,295ML;

(c) for water infrastructure on the Burnett River within the boundaries of the Upper Burnett Water Supply Scheme—up to 6,300ML.

37 Period for which water is granted from strategic reserve for particular State purpose

(1) This section applies to the volume of water granted from the strategic reserve for either of the following State purposes—

(a) a coordinated project;

(b) a project of regional significance.

(2) The volume of water is granted only for the life of the project and on conclusion of the project the volume of water is taken to be part of the strategic reserve.

38 Projects that may be considered to be of regional significance

The chief executive may consider a particular project to be a project of regional significance for the plan area only if the chief executive considers the project is significant for a region in the plan area having regard to the following—

(a) the outcomes stated in chapter 3;

(b) the economic or social impact the project will have on the region;

(c) the public interest and the welfare of people in the region;

(d) any other relevant consideration.

39 Period for which water is granted from strategic reserve for particular Indigenous purpose

(1) This section applies to the volume of water granted from the strategic reserve for a project for an Indigenous purpose.

(2) The volume of water is granted only for the life of the project and on conclusion of the project the volume of water is taken to be part of the strategic reserve.

Subdivision 2 Process for granting unallocated water

40 Statement of process—Regulation, s 18

The process for granting unallocated water in the plan area is a process stated in the *Water Regulation 2016*, part 2, division 2, subdivision 2.

Subdivision 3 Authorised taking of, or interference with, water without water entitlement

41 Taking water for stock or domestic purposes

(1) For section 20A(5) of the Act, an owner of land may take water from a watercourse, lake or spring in the plan area—

(a) if the taking is from a watercourse within the Barker Barambah, Boyne River and Tarong, Bundaberg, Three Moon Creek or Upper Burnett Water Supply Schemes—only by using existing stock or domestic works; or

(b) if paragraph (a) does not apply—in any way.

(2) In subsection (1)—

existing stock or domestic works, in relation to an owner of land, means works that are in place at the commencement of this section and had been used by the owner, before the commencement, to take water from a watercourse within the Barker Barambah, Boyne River and Tarong, Bundaberg, Three Moon Creek or Upper Burnett Water Supply Schemes for stock or domestic purposes on the owner's land.

Division 4 Three Moon Creek Water Supply Scheme

Subdivision 1 Water allocations to be managed under a resource operations licence

42 Management of water allocations

Water allocations converted from interim water allocations to take supplemented water from the Three Moon Creek Water Supply Scheme are to be managed under a resource operations licence.

Subdivision 2 Converting authorisations to water allocations to take supplemented water

43 Purpose of sdiv 2

This subdivision states strategies for interim water allocations for the Three Moon Creek Water Supply Scheme to be converted, under section 121 of the Act, to water allocations to take supplemented water under the resource operations plan.

44 Application of sdiv 2

This subdivision applies to interim water allocations that are to be converted to water allocations as mentioned in section 45.

45 Authorisations to be converted to water allocations

An interim water allocation to take water from the Three Moon Creek Water Supply Scheme is to be converted to a water allocation to take supplemented water from that scheme.

46 Location for taking water under water allocation

The location for taking water to be stated on the water allocation is to include the place at which water could have been taken under the authorisation from which the water allocation is being converted.

47 Purpose to be stated on water allocation

The purpose to be stated on the water allocation must be ‘any’.

48 Nominal volume for water allocation

The nominal volume for the water allocation is the volume stated on the authorisation from which the water allocation is being converted.

49 Priority group for water allocation

(1) The water allocation belongs to the following priority group—

(a) if the authorisation from which the water allocation is being converted states a nominal entitlement of high priority—the high priority group;

(b) if the authorisation from which the water allocation is being converted states a nominal entitlement of medium priority and states an activity of taking water from Three Moon Creek—the surface water medium priority group;

(c) if the authorisation from which the water allocation is being converted states a nominal entitlement of medium priority and states an activity of taking groundwater from Three Moon Creek alluvium—the groundwater medium priority group.

(2) However—

(a) if the water allocation is converted from interim water allocation 21499M or 68268M, the water allocation belongs to the surface water medium priority group; or

(b) if the water allocation is converted from interim water allocation 178404, 603188, 21357M, 21527M, 21534M, 35711M, 45220M, 47671M, 62962M, 67272M, 68069M, 74219M or 74177M, the water allocation belongs to the groundwater medium priority group.

50 Conditions for water allocation

In deciding the conditions under which water may be taken under the water allocation, the chief executive must consider

the contents and conditions of the authorisation from which the water allocation is being converted.

Part 2 Additional strategies for surface water

Division 1 Preliminary

51 Application of pt 2

The strategies stated in this part apply to surface water in addition to the strategies stated in part 1.

52 Restrictions on taking water from waterholes or lakes

(1) This section applies to the chief executive in making a decision about—

(a) a water licence, other than a decision about the following—

(i) amalgamating, under section 224 of the Act, 2 or more water licences;

(ii) subdividing, under section 225 of the Act, a water licence;

(iii) replacing, under section 229 of the Act, a jointly held water licence after the disposal of land under that section; or

(b) converting an authorisation to take unsupplemented water into a water allocation; or

(c) the management of water under a resource operations licence, a distribution operations licence or an interim resource operations licence.

(2) If the water licence, water allocation, resource operations licence, distribution operations licence or interim resource

operations licence allows for the taking of water from a waterhole or lake, the chief executive must—

(a) consider the impact the taking may have on the cultural or ecological values of the waterhole or lake; and

(b) impose a condition on the water licence, water allocation, resource operations licence, distribution operations licence or interim resource operations licence about maintaining the cultural or ecological values of the waterhole or lake.

Example for paragraph (b)—

a condition that the water may be taken only if the water level in the waterhole or lake is above the level that is 0.5m below the level at which it naturally overflows

(3) However, the chief executive need not impose a condition mentioned in subsection (2)(b) if satisfied—

(a) the taking of water from the waterhole or lake will not adversely affect its cultural or ecological values; or

(b) for a water licence or water allocation that replaces an authorisation in force immediately before the commencement—

(i) the authorisation is not subject to a condition about maintaining the cultural or ecological values of the waterhole or lake; and

(ii) the holder of the authorisation would suffer economic hardship if the condition were imposed on the water licence or water allocation that replaces the authorisation.

Division 2 Bundaberg Water Supply Scheme

Subdivision 1 Preliminary

53 Application of div 2

This division applies to the water allocations that are converted from the Avondale authorisations, as mentioned in section 57.

54 Definition for div 2

In this division—

Avondale authorisations means the interim water allocations under section 1089A(2) of the Act that relate to the Avondale Water Supply Board.

Subdivision 2 Water allocations to be managed under a resource operations licence

55 Management of water allocations

Water allocations converted from the Avondale authorisations are to be managed under a resource operations licence for the Bundaberg Water Supply Scheme.

Subdivision 3 Converting authorisations to water allocations to take supplemented water

56 Purpose of sdiv 3

This subdivision states strategies for the Avondale authorisations to be converted, under section 121 of the Act,

to water allocations to take supplemented water under the resource operations plan.

57 Authorisations to be converted to water allocations

An Avondale authorisation is to be converted to a water allocation to take supplemented water from the Bundaberg Water Supply Scheme.

58 Water to be distributed under distribution operations licence

Water is to be distributed under a distribution operations licence to the holder of the water allocation.

59 Location for taking water under water allocation

The location for taking water to be stated on the water allocation is to include the place at which water could have been taken under the Avondale authorisation from which the water allocation is being converted.

60 Purpose to be stated on water allocation

The purpose to be stated on the water allocation must be 'any'.

61 Nominal volume for water allocation

The nominal volume for the water allocation is the volume for the Avondale authorisation from which the water allocation is being converted.

62 Priority group for water allocation

The water allocation belongs to the medium priority group.

Division 3 Upper Burnett Water Supply Scheme

63 Amending Burnett Water allocations in resource operations plan

(1) This section applies if the elevation of Claude Wharton Weir is less than 94.4m AHD at the time the resource operations plan is first amended, after the commencement, to state water sharing rules for the Upper Burnett Water Supply Scheme.

(2) Burnett Water allocations in the medium priority group under which water in zone NA, NB, GB or GY described in the resource operations plan may be taken must be amended to belong to the low priority group.

(3) Burnett Water allocations in the medium priority group under which water in zone SA, SB, OC, OD, OB, NC, OA or MA described in the resource operations plan may be taken (the ***original water allocations***) must be subdivided and amended, proportionally across the zones, so that 5,000ML of the total of the nominal volumes for the original water allocations is changed to water allocations in the low priority group.

(4) In this section—

Burnett Water allocations means water allocations held by Burnett Water Pty Ltd ACN 097 206 614 in the Upper Burnett Water Supply Scheme.

Division 4 Interference with water in a watercourse, lake or spring

64 Application of div 4

This division applies to an application, made under section 206 of the Act, for a water licence to interfere with water in a watercourse, lake or spring by impounding the flow of water.

65 Limitations on interference with water

The chief executive may grant the application only if—

(a) the purpose of the proposed interference is a purpose provided for in this division; or

(b) the proposed interference is related to a proposed water licence to take water that is allocated under the resource operations plan; or

(c) the interference was in existence immediately before 20 September 2000.

66 Interference with water to enable taking of water for stock or domestic purposes

(1) This section applies if the purpose of the proposed interference with water is to store water to be taken under an authorisation for stock or domestic purposes.

(2) In deciding the application, the chief executive must consider existing water supplies on the property to which the application relates, including existing weirs, groundwater and storages taking overland flow water, and the availability of water at the proposed site.

(3) The storage capacity for water to be taken under subsection (1) must not be greater than is necessary for the storage of water to be taken.

67 Interference with water for provision of pumping pool

(1) This section applies if the purpose of the proposed interference with water is to provide a pumping pool to enable water to be taken under an authorisation.

(2) The storage capacity of the pumping pool must not be greater than the capacity required to enable the pump to function properly.

(3) In this section—

pumping pool means a pool of water near a pump in a watercourse, lake or spring that ensures the water level of the watercourse, lake or spring is appropriate to enable the pump to function properly.

68 Interference with water to improve security for town water supply

(1) This section applies if the purpose of the proposed interference with water is to provide improved security for town water supplies taken under an authorisation.

(2) The chief executive may grant the application if satisfied there is a need for an increased reliability of the water supply.

69 Interference with water related to the granting of unallocated water

(1) This section applies if the purpose of the proposed interference with water is a purpose related to the granting of unallocated water under the process stated in section 40.

(2) The interference must not be greater than is necessary for the purpose of taking the unallocated water.

(3) A water licence to interfere with water, granted in association with a water entitlement to take water granted from the release of unallocated water, must include flow conditions.

Division 5 Existing water allocations to take supplemented and unsupplemented water

70 Purpose of div 5

This division states strategies for water allocations established under the repealed *Water Resource (Burnett Basin) Plan 2000* to take water.

71 Existing water allocations to take supplemented water

(1) A water allocation established under the repealed *Water Resource (Burnett Basin) Plan 2000* to take supplemented water—

(a) is taken to be, without amendment, a water allocation under this plan; and

(b) continues to be managed under the allocation's resource operations licence.

(2) The water allocation—

(a) is subject to the relevant water sharing rules; and

(b) continues to be subject to the water allocation change rules and seasonal water assignment rules in the resource operations plan.

(3) This section is subject to sections 32(2)(b) and (3) and 73.

(4) In this section—

relevant water sharing rules means—

(a) for a water allocation in the Barker Barambah Water Supply Scheme—the water sharing rules stated in schedule 9, part 2, division 3; or

(b) for a water allocation in the Upper Burnett Water Supply Scheme—the water sharing rules stated in schedule 9, part 4, division 3; or

(c) if paragraph (a) or (b) does not apply to the water allocation—the water sharing rules stated in the resource operations plan.

Notes—

1 Section 32(2)(b) states the water sharing rules for the Bundaberg Water Supply Scheme that will apply from 1 July 2015.

2 Section 32(3) states the period for which the water sharing rules stated in schedule 9 for the Barker Barambah Water Supply Scheme, the Bundaberg Water Supply Scheme and the Upper Burnett Water Supply Scheme apply.

72 Existing water allocations to take unsupplemented water

A water allocation established under the repealed *Water Resource (Burnett Basin) Plan 2000* to take unsupplemented water—

(a) is taken to be, without amendment, a water allocation under this plan; and

(b) continues to be subject to the water sharing rules, water allocation change rules and seasonal water assignment rules in the resource operations plan.

73 Amendment of particular water allocations

(1) This section applies to the following water allocations established under the repealed *Water Resource (Burnett Basin) Plan 2000*—

(a) water allocation 1504 on administrative plan AP6975;

(b) water allocation 1540 on administrative plan AP6975;

(c) water allocation 2909 on administrative plan AP6975.

(2) The water allocations are to be amended under the resource operations plan to state the following location—

(a) for water allocation 1504 on administrative plan AP6975—zone AD described in the resource operations plan;

(b) for water allocation 1540 on administrative plan AP6975—zone AA described in the resource operations plan;

(c) for water allocation 2909 on administrative plan AP6975—zone AD described in the resource operations plan.

Division 6 Converting authorisations to water allocations to take unsupplemented water

74 Purpose of div 6

This division states strategies for particular authorisations to be converted, under section 121 of the Act, to water allocations to take unsupplemented water under the resource operations plan.

75 Application of div 6

This division applies to the water allocations that are converted from the authorisations mentioned in section 76.

76 Authorisations to be converted to water allocations

A water licence for taking unsupplemented water from any of the following places is to be converted to a water allocation to take unsupplemented water—

(a) Three Moon Creek from Abercorn gauging station at AMTD 13.2km to Monto Weir at AMTD 64.8km;

(b) Elliott River from AMTD 9.9km to AMTD 21.3km;

(c) Mahogany Creek from its confluence with the Elliott River to AMTD 6.5km;

(d) Gillens Creek from its confluence with the Elliott River to AMTD 5.0km;

(e) Gregory River from Gregory River Weir at AMTD 13.9km to Isis Highway gauging station at AMTD 47.9km;

(f) Isis River from Isis Junction Weir at AMTD 11.8km to AMTD 23.8km.

77 Location for taking water under water allocation

The location for taking water to be stated on the water allocation is to include the place at which water could have been taken under the water licence from which the water allocation is being converted.

78 Purpose to be stated on water allocation

The purpose to be stated on the water allocation must be 'any'.

79 Nominal volume for water allocation

(1) In deciding the nominal volume for the water allocation, the chief executive must have regard to the following—

(a) the local availability of water;

(b) the conditions under which water may be taken under the water licence from which the allocation is being converted;

(c) for a water licence that states a volumetric limit—the stated volumetric limit;

(d) the simulated mean annual diversion for the proposed water allocation.

(2) In this section—

simulated mean annual diversion, for a proposed water allocation, means the total volume of water simulated to have been taken under the proposed water allocation, as if the proposed water allocation were in existence for the whole of the IQQM simulation period, divided by the number of years in the IQQM simulation period.

80 Maximum rate for taking water

(1) The maximum rate at which water may be taken under the water allocation is to be—

(a) if the water licence from which the allocation is being converted states a maximum rate—the stated rate; or

(b) if the water licence from which the allocation is being converted does not state a maximum rate but there is a related development permit that states a pump size mentioned in schedule 11, column 1—the rate stated in schedule 11, column 2 for the pump size; or

(c) if the water licence from which the allocation is being converted does not state a maximum rate but there is a related development permit that states a pump size other than a pump size mentioned in schedule 11, column 1—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 11, column 2; or

(d) if paragraph (a), (b) or (c) does not apply—the rate decided by the chief executive having regard to—

(i) the type of water licence being converted; and

(ii) an estimate or measurement of the rate at which water can be taken under the water licence before the conversion.

(2) However, for subsection (1)(b) or (c), if the water licence holder satisfies the chief executive that the maximum rate at which water has been taken is different from the rate decided under the subsection, the maximum rate is the rate decided by the chief executive having regard to the following—

(a) the conditions under which the water may be taken;

(b) the water-taking capacity of the pump to which the development permit relates (the ***existing pump***);

(c) the irrigation or water distribution system related to the existing pump (the ***related system***) during the period, of not more than 10 years, immediately before the commencement;

(d) the efficiency of the water use associated with the existing pump and the related system.

81 Annual volumetric limit for water allocation

The annual volumetric limit for the water allocation is—

(a) if the water licence from which the water allocation is being converted states the volume of water, or an equivalent volume of water, that may be taken in a period of 12 months—the stated volume; or

(b) if the water licence from which the water allocation is being converted states the area that may be irrigated and does not state an equivalent volume of water that may be taken—

(i) the volume decided by the chief executive having regard to the volume of water required for the allocation's intended purpose, but not more than the volume, expressed in megalitres, calculated by multiplying the area, expressed in hectares, by 6; or

(ii) if the chief executive is satisfied that the amount under subparagraph (i) is not sufficient for the allocation's intended purpose—the volume decided by the chief executive having regard to the following—

(A) the volume required for the allocation's intended purpose;

(B) the annual volumes of water estimated by the chief executive to have been taken under the water licence from which the water allocation is being converted during the period, of not more than 10 years, immediately before the commencement;

(C) the efficiency of the use of the water mentioned in sub-subparagraph (B); or

(c) if paragraph (a) or (b) does not apply—the volume decided by the chief executive having regard to the following—

(i) the condition under which water may be taken under the water licence from which the water allocation is being converted;

(ii) the water-taking capacity of any works for taking water under the water licence from which the water allocation is being converted;

(iii) the volume required for the allocation's intended purpose;

(iv) the annual volumes of water estimated by the chief executive to have been taken under the water licence from which the water allocation is being converted during the period, of not more than 10 years, immediately before the commencement;

(v) the efficiency of the use of the water mentioned in subparagraph (iv).

82 Conditions for water allocation

(1) The chief executive may impose on the water allocation any condition the chief executive is satisfied is necessary to ensure the outcomes of this plan are achieved.

(2) In deciding the requirements for the flow conditions under which water may be taken under the water allocation, the chief executive must have regard to the conditions and requirements stated on the water licence from which the allocation is being converted.

(3) However, if the water allocation is being converted from a water licence for taking unsupplemented water from a location mentioned in schedule 10, column 1 for which 1 or more flow conditions are stated in schedule 10, column 2, the water allocation must be subject to—

(a) if only 1 flow condition is stated in schedule 10, column 2 for the location—the flow condition stated in schedule 10, column 2 for the location; or

(b) if more than 1 flow condition is stated in schedule 10, column 2 for the location—1 of the flow conditions

stated in schedule 10, column 2 for the location, as decided by the chief executive.

83 Water allocation group

The water allocation belongs to—

(a) for a water allocation that is subject to a flow condition stated in schedule 10, column 2—the water allocation group stated in schedule 10, column 3 opposite the flow condition stated in schedule 10, column 2 under which water may be taken under the water allocation; or

(b) otherwise—the water allocation group stated in schedule 10, column 3 opposite the location used for taking water under the water allocation that is mentioned in schedule 10, column 1.

Division 7 Water licences to take water from watercourse, lake or spring

Subdivision 1 Form of water licence

84 Elements of water licence to take water from watercourse, lake or spring

A water licence to take water from a watercourse, lake or spring in the plan area must state—

(a) the purpose for which water may be taken under the licence as ‘any’; and

(b) the maximum rate at which water may be taken under the licence; and

(c) the licence’s nominal entitlement; and

(d) the conditions, if any, to which the licence is subject, including requirements for flow conditions and conditions for storing water taken under the licence.

Subdivision 2 Amendment of water licences to achieve plan outcomes

85 Definition for sdiv 2

In this subdivision—

amended water licence means a water licence to take unsupplemented water from a watercourse, lake or spring that is amended under section 217 of the Act.

86 Purpose to be stated on water licence

The purpose to be stated on an amended water licence must be 'any'.

87 Maximum rates for water licence

(1) The maximum rate at which unsupplemented water may be taken under an amended water licence must be—

(a) for an amended water licence that, before the amendment, stated a maximum rate—the stated rate; or

(b) for an amended water licence that, before the amendment, did not state a maximum rate but for which there is a related development permit that states a pump size mentioned in schedule 11, column 1—the rate stated in schedule 11, column 2 for the pump size; or

(c) for an amended water licence that, before the amendment, did not state a maximum rate but for which there is a related development permit that states a pump size other than a pump size mentioned in schedule 11, column 1—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 11, column 2; or

(d) for an amended water licence to which paragraph (a), (b) or (c) does not apply—the rate decided by the chief executive having regard to—

(i) the type of water licence being amended; and

(ii) an estimate or measurement of the rate at which water has been taken under the licence before the amendment.

(2) However, for subsection (1)(b) or (c), if the licence holder satisfies the chief executive that the maximum rate at which water has been taken is different from the rate decided under the subsection, the maximum rate is the rate decided by the chief executive having regard to the following—

(a) the conditions under which the water may be taken;

(b) the water-taking capacity of the pump to which the development permit relates (the ***existing pump***);

(c) the irrigation or water distribution system related to the existing pump (the ***related system***) during the period of not more than 10 years immediately before the commencement;

(d) the efficiency of the water use associated with the existing pump and the related system.

88 Nominal entitlement for water licence

The nominal entitlement for an amended water licence is to be—

(a) for an amended water licence that, before the amendment, stated the volume, or an equivalent volume, of water that may be taken in a 12-month period—the stated volume; or

(b) for an amended water licence that, before the amendment, stated an area that may be irrigated but did not state an equivalent volume that may be irrigated—

(i) the volume decided by the chief executive having regard to the volume of water required for the licence's intended purpose, but not more than the volume, expressed in megalitres, calculated by

multiplying the area, expressed in hectares, by 6; or

(ii) if the chief executive is satisfied that the amount under subparagraph (i) is not sufficient for the licence's intended purpose, the volume decided by the chief executive having regard to the following—

(A) the volume required for the licence's intended purpose;

(B) the annual volumes of water estimated by the chief executive to have been taken under the licence during the period, of not more than 10 years, immediately before the commencement;

(C) the efficiency of the use of the water mentioned in sub-subparagraph (B); or

(c) for an amended water licence to which paragraph (a) or (b) does not apply—the volume decided by the chief executive having regard to the following—

(i) the conditions under which water may be taken under the licence before its amendment under section 217 of the Act;

(ii) the water-taking capacity of any works for taking water under the licence;

(iii) the volume required for the licence's intended purpose;

(iv) the annual volumes of water estimated by the chief executive to have been taken under the licence during the period, of not more than 10 years, immediately before the commencement;

(v) the efficiency of the use of the water mentioned in subparagraph (iv).

89 Conditions for water licence

In deciding the conditions and requirements for the flow conditions under which water may be taken under an amended water licence, the chief executive must consider the conditions and requirements stated on the water licence before its amendment under section 217 of the Act.

90 Storing water taken under water licence

(1) The chief executive may impose a condition on an amended water licence that states the works that may be used to store the water taken under the licence.

(2) In deciding to impose the condition, the chief executive must consider the capacity of any existing overland flow works being used to store the water.

Division 8 Regulating overland flow water

91 Limitation on taking overland flow water—Act, s 20

(1) This section limits the overland flow water that may be taken under section 20(2)(b) of the Act in the Coastal Burnett overland flow area.

(2) A person may only take overland flow water in the Coastal Burnett overland flow area—

(a) for stock or domestic purposes; or

(b) for another purpose if the works that allow the taking of overland flow water are not existing overland flow works and have a capacity of not more than 20ML; or

(c) under a water licence; or

(d) subject to subsection (3), to satisfy the requirements of the following—

(i) an environmental authority issued under the *Environmental Protection Act 1994*;

(ii) a development permit for carrying out an environmentally relevant activity, other than a mining or petroleum activity, under the *Environmental Protection Act 1994*; or

(e) that is contaminated agricultural run-off water; or

(f) that is incidental to the operation of a storage facility constructed to store water, other than overland flow water, in a catchment area of not more than 25ha; or

(g) for any purpose if the works that allow the taking of overland flow water are existing overland flow works.

(3) A person who takes overland flow water under subsection (2)(d) may not take more than the volume necessary to satisfy the requirements of the environmental authority or the development permit.

(4) In this section—

contaminated agricultural run-off water means overland flow water that contains, or is likely to contain, excess nutrients or farm chemicals at levels that are harmful or potentially harmful to the quality of water in a watercourse.

92 Granting water licences for using particular existing overland flow works

(1) The chief executive may, under section 212 of the Act, grant a water licence to replace an authorisation under section 91(2)(g).

(2) In deciding the matters mentioned in section 93(b) to be stated on the licence, the chief executive—

(a) must consider—

(i) the average annual volume of overland flow water that could have been taken, immediately before the commencement, using the existing overland flow works to which the authorisation relates; and

(ii) the annual volumes of overland flow water estimated by the chief executive to have been taken

using the works during the period, of not more than 10 years, immediately before the commencement; and

(b) may consider the extent to which the works, immediately before the commencement, allowed—

(i) the taking of other water under another authorisation; or

(ii) the storage of other water taken under another authorisation.

93 Water licence to take overland flow water

A water licence to take overland flow water must state—

(a) the purpose for which water may be taken under the licence as 'any'; and

(b) at least 1 of the following—

(i) the maximum rate at which water may be taken under the licence;

(ii) the licence's nominal entitlement;

(iii) the maximum volume of water that may be stored under the licence; and

(c) the conditions, if any, to which the licence is subject.

Part 3 Additional strategies for groundwater

Division 1 Preliminary

95 Purpose of pt 3

This part states the strategies for achieving the outcomes mentioned in chapter 3.

96 Application of pt 3

This part applies only to groundwater in a groundwater management area.

97 Limitation on taking groundwater—Act, s 20

(1) This section limits the groundwater that may be taken under section 20(2)(c) of the Act.

(2) A person may only take groundwater in a relevant groundwater management area—

(a) under a water permit; or

(b) under a water licence; or

(c) under an interim water allocation; or

(d) under a water allocation; or

(e) under section 105; or

(f) for stock or domestic purposes; or

(g) for an activity prescribed under a regulation for section 20(2)(a) of the Act.

(3) However, despite subsection (2)(f), a person may take groundwater in the Coastal Burnett groundwater management area for stock or domestic purposes only under section 99 or 100.

(4) A person may only take groundwater in the Ban Ban Springs groundwater management area or the Barker Creek groundwater management area—

(a) under section 105; or

(b) for stock or domestic purposes; or

(c) for an activity prescribed under a regulation for section 20(2)(a) of the Act.

Division 2 Taking groundwater for stock or domestic purposes in Coastal Burnett groundwater management area

99 Taking groundwater for stock or domestic purposes using works constructed before 30 November 2007

(1) An owner of land in the Coastal Burnett groundwater management area may use existing works for taking groundwater for stock or domestic purposes.

(2) In this section—

existing works means—

(a) works on land in the Coastal Burnett groundwater management area—

(i) constructed before 30 November 2007; or

(ii) for which an agreement with the chief executive to construct the works was entered into before 30 November 2007 regardless of when the construction is completed; or

(b) works that, in relation to the works mentioned in paragraph (a), are a replacement water bore.

replacement water bore see the *Water Regulation 2016*, schedule 19.

100 Taking groundwater for stock or domestic purposes using works constructed on or after 30 November 2007

(1) This section applies to an owner of land in the Coastal Burnett groundwater management area if—

(a) the owner is not using existing works under section 99 for taking groundwater for stock or domestic purposes; and

(b) the land is not in a service area under the *Water Supply (Safety and Reliability) Act 2008* for a retail water service.

(2) The owner may use works constructed on the land on or after 30 November 2007 for the taking of groundwater for stock or domestic purposes if the works are on a lot that has not been reconfigured after 22 January 2007.

(3) In this section—

reconfigured, for a lot, means—

(a) created by subdividing another lot; or

(b) divided into parts by agreement rendering different parts of the lot immediately available for separate disposition or separate occupation, other than by an agreement that is—

(i) a lease for a term, including renewal options, not exceeding 10 years; or

(ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the *Body Corporate and Community Management Act 1997*.

Division 3 Water licences to take groundwater

Subdivision 1 General

101 Elements of water licences

(1) A water licence to take groundwater must state—

(a) the purpose for which the water may be taken under the licence as one of the following—

(i) 'agricultural dewatering';

(ii) 'dewatering';

(iii) 'urban';

(iv) 'any'; and

(b) the licence's nominal entitlement; and

(c) the conditions, if any, to which the licence is subject.

(2) However, subsection (1)(b) does not apply to a licence granted under section 206 of the Act for the purpose of—

(a) agricultural dewatering; or

(b) dewatering.

Subdivision 2 Amendment of water licences to achieve plan outcomes

102 Definition for sdiv 2

In this subdivision—

amended water licence means a water licence to take groundwater that is amended under section 217 of the Act.

103 Purpose to be stated on water licence

The purpose to be stated on an amended water licence is to be—

(a) if the purpose stated on the licence before its amendment under section 217 of the Act was dewatering for agricultural purposes or a similar purpose—'agricultural dewatering'; or

(b) if the purpose stated on the licence before its amendment under section 217 of the Act was dewatering, other than dewatering for agricultural purposes—'dewatering'; or

(c) if the purpose stated on the licence before its amendment under section 217 of the Act was urban or town supply—'urban'; or

(d) if paragraph (a), (b) or (c) does not apply—'any'.

104 Conditions for water licence

In deciding the conditions under which water may be taken under an amended water licence, the chief executive must consider—

(a) the conditions stated on the water licence before its amendment under section 217 of the Act; and

(b) if the purpose stated on the water licence before its amendment was agricultural dewatering purposes or a similar purpose, the following—

(i) the groundwater levels to allow for normal agricultural activities;

Example of normal agricultural activities—

the practical operation of harvesting equipment

(ii) the location of works for dewatering for agricultural purposes and any works for monitoring the dewatering.

Subdivision 3 Dealing with prescribed existing groundwater works and groundwater-dependent activities

105 Taking groundwater using prescribed existing groundwater works

(1) An owner of land on which there are prescribed existing groundwater works mentioned in schedule 12, definition *prescribed existing groundwater works*, paragraph (a) may take groundwater using the works.

(2) An owner of land on which there are prescribed existing groundwater works mentioned in schedule 12, definition *prescribed existing groundwater works*, paragraph (b) may

take groundwater using the works until 1 year after the commencement.

(3) However, if an owner of land mentioned in paragraph (b) gives notice to the chief executive that there are prescribed existing groundwater works mentioned in schedule 12, definition *prescribed existing groundwater works*, paragraph (b) on the land, the owner may take groundwater using the works any time after the commencement.

(4) An authorisation under subsection (1), (2) or (3) ceases to apply to an owner of land if the owner is granted a water licence relating to the works or any other works on the land.

106 Granting water licences

(1) This section does not apply in relation to groundwater in—

(a) the Ban Ban Springs groundwater management area; or

(b) the Barker Creek groundwater management area.

(2) The chief executive may, under section 212 of the Act, grant a water licence—

(a) to a person authorised under section 105(1), (2) or (3) to take groundwater; or

(b) to an owner of land in a groundwater management area to take groundwater for a groundwater-dependent activity if the owner satisfies the chief executive that the owner had a commitment to a groundwater-dependent activity on 18 January 2010.

(3) The water licence must be consistent with this part.

(4) In this section—

commitment, for a groundwater-dependent activity, means that any of the following applies—

(a) infrastructure for taking or distributing groundwater has been constructed;

(b) a financial commitment to the construction of the infrastructure has been made;

(c) local or State government requirements for carrying out the activity have been satisfied, for example, a development permit for the activity is held.

Example of financial commitment—

A loan has been granted for the activity on the basis that irrigation would be permitted.

groundwater-dependent activity means an activity that uses groundwater, for example, growing a crop requiring irrigation, the commercial production of animals or a commercial or industrial enterprise.

107 Nominal entitlements for authorisation

(1) The nominal entitlement for a water licence mentioned in section 106 is to be the volume decided by the chief executive having regard to the following—

(a) for a water licence in relation to prescribed existing groundwater works to which section 105(1) applies—the information given in the notice mentioned in the repealed *Water Resource (Burnett Basin) Plan 2000*, section 30C(2) in relation to the works;

(b) for a water licence in relation to prescribed existing groundwater works to which section 105(3) applies—the information given in the notice mentioned in section 105(3);

(c) the availability of groundwater;

(d) the efficiency of the use of the water;

(e) the capacity of the works;

(f) crop water demands;

(g) the water-related infrastructure associated with the prescribed existing groundwater works to which section 105(1), (2) or (3) applies.

(2) Subsection (1) does not limit the matters the chief executive may consider.

Division 4 Converting authorisations to water allocations to take unsupplemented groundwater

108 Purpose of div 4

This division states strategies for particular authorisations to be converted, under section 121 of the Act, to water allocations to take unsupplemented groundwater under the resource operations plan.

109 Application of div 4

This division applies to the water allocations that are converted from the authorisations mentioned in section 110(1).

110 Authorisations to be converted to water allocations

(1) A water licence to take groundwater from any of the following groundwater sub-areas is to be converted to a water allocation to take unsupplemented groundwater from the groundwater sub-area—

(a) the Kolan-Burnett A groundwater sub-area;

(b) the Burnett-Elliott A groundwater sub-area;

(c) the Elliott-Gregory A groundwater sub-area;

(d) the Fairymead A groundwater sub-area.

(2) This section does not apply to a water licence—

(a) for the purpose of—

(i) agricultural dewatering; or

(ii) dewatering; or

(b) that does not state a volumetric limit.

111 Location for taking water under water allocation

The location for taking water to be stated on the water allocation is to include the place at which water could have been taken under the authorisation from which the water allocation is being converted.

112 Purpose to be stated on water allocation

The purpose to be stated on the water allocation must be 'any'.

113 Nominal volume for water allocation

(1) In deciding the nominal volume for the water allocation, the chief executive must have regard to the following—

(a) the local availability of groundwater;

(b) the conditions under which groundwater may be taken under the authorisation from which the allocation is being converted;

(c) the nominal entitlement for the authorisation from which the allocation is being converted;

(d) the simulated mean annual diversion for the proposed water allocation.

(2) In this section—

simulated mean annual diversion, for a proposed water allocation, means the total volume of water simulated to have been taken under the proposed water allocation, as if the proposed water allocation were in existence for the whole of the groundwater simulation period, divided by the number of years in the groundwater simulation period.

114 Annual volumetric limit for water allocation

The annual volumetric limit for the water allocation must be the nominal entitlement stated on the authorisation from which the water allocation is being converted.

115 Water allocation group for water allocation

The water allocation belongs to the following water allocation group—

(a) if the water allocation is being converted from an authorisation under which water in the Kolan-Burnett A groundwater sub-area may be taken—

(i) for an authorisation that states a purpose of urban water supply or town water supply—the CB-KBA-A water allocation group; or

(ii) for an authorisation that states any other purpose—the CB-KBA-B water allocation group;

(b) if the water allocation is being converted from an authorisation under which water in the Burnett-Elliott A groundwater sub-area may be taken—

(i) for an authorisation that states a purpose of urban water supply or town water supply—the CB-BEA-A water allocation group; or

(ii) for an authorisation that states any other purpose—the CB-BEA-B water allocation group;

(c) if the water allocation is being converted from an authorisation under which water in the Elliott-Gregory A groundwater sub-area may be taken—

(i) for an authorisation that states a purpose of urban water supply or town water supply—the CB-EGA-A water allocation group; or

(ii) for an authorisation that states any other purpose—the CB-EGA-B water allocation group;

(d) if the water allocation is being converted from an authorisation under which water in the Fairymead A groundwater sub-area may be taken—

(i) for an authorisation that states a purpose of urban water supply or town water supply—the CB-FMA-A water allocation group; or

(ii) for an authorisation that states any other purpose—the CB-FMA-B water allocation group.

116 Conditions for water allocation

In deciding the conditions under which groundwater may be taken under the water allocation, the chief executive must have regard to—

(a) the conditions stated on the authorisation from which the water allocation is being converted; or

(b) any development permit relating to the authorisation.

Division 5 Limitation on interfering with groundwater in Coastal Burnett groundwater management area

117 Limitation on interference with groundwater—Act, s 20

(1) This section limits the groundwater in the Coastal Burnett groundwater management area that may be interfered with under section 20(2)(c) of the Act.

(2) If the interference is by an excavation exposing the watertable by an area greater than 1,500m^2, the interference with groundwater must be authorised under a water licence to interfere with the flow of water on, under or adjoining the land.

(3) Subsection (2) only applies to an excavation constructed after the commencement.

Division 6 Water licences to interfere with groundwater in Coastal Burnett groundwater management area

118 Interference with groundwater by particular excavations

(1) This section applies to an application, made under section 206 of the Act, for a water licence to interfere with groundwater in the Coastal Burnett groundwater management area if the interference is by an excavation mentioned in section 117.

(2) In deciding the application, the chief executive must consider the following—

(a) the area by which the excavation will expose the watertable;

(b) any groundwater losses as a result of the excavation exposing the watertable;

(c) the effect of granting the application on—

(i) the availability of groundwater for existing holders of water entitlements in the groundwater management area; and

(ii) the integrity of the aquifer; and

(iii) groundwater-dependent ecosystems; and

(iv) seawater intrusion.

(3) If the chief executive decides to grant the water licence, the chief executive must—

(a) decide a volume of water as the estimated loss of groundwater by evaporation resulting from the interference; and

(b) impose a condition on the water licence—

(i) requiring the holder of the water licence to hold—

(A) a water allocation with a nominal volume of at least the volume of water decided under paragraph (a); or

(B) a water licence to take water with a nominal entitlement of at least the volume of water decided under paragraph (a); and

(ii) stopping the holder from taking the volume of water decided under paragraph (a) under the water allocation or water licence mentioned in subparagraph (i).

(4) In deciding a volume of water under subsection (3)(a), the chief executive must have regard to—

(a) the area by which the excavation will expose the watertable; and

(b) information provided by the applicant about the estimated loss of groundwater by evaporation resulting from the interference; and

(c) historical data on the loss of water by evaporation for the groundwater management area.

(5) Subsections (2) and (4) do not limit the matters the chief executive may consider.

Chapter 6 Monitoring and reporting requirements

119 Monitoring and reporting requirements

The water and natural ecosystem monitoring and reporting requirements under this plan are stated in the resource operations plan.

Chapter 7 Implementing and amending this plan

121 Implementation schedule

(1) This section states the proposed arrangements for implementing this plan.

(2) After the commencement, it is proposed to include in the resource operations plan—

(a) for groundwater in the Coastal Burnett groundwater management area—

(i) a process to grant water licences, and convert authorisations to water allocations, to take groundwater; and

(ii) water sharing rules, water allocation change rules and seasonal water assignment rules for the taking of groundwater; and

(b) for water in the plan area, other than water mentioned in paragraphs (a) and (d)—

(i) a process to grant, or convert authorisations to, water allocations to take water; and

(ii) a process to amend water allocations in the Upper Burnett Water Supply Scheme; and

(iii) a process to amend water licences; and

(iv) a process to grant a distribution operations licence to the Avondale Water Supply Board in the Bundaberg Water Supply Scheme; and

(c) for water in the Three Moon Creek Water Supply Scheme, Upper Burnett Water Supply Scheme, Barker Barambah Water Supply Scheme and Bundaberg Water Supply Scheme—environmental management rules, infrastructure operating rules, water sharing rules, water allocation change rules and seasonal water assignment rules; and

(d) for groundwater in the Central Burnett River groundwater management area and the Barambah Creek groundwater management area—a process to grant water licences to take groundwater in the groundwater management area.

122 Minor or stated amendment of plan—Act, s 57

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

(a) an amendment of section 2 to postpone the commencement section 32(2)(b);

(b) an amendment or addition of an environmental flow objective if the amendment or addition achieves an equivalent or improved ecological outcome without adversely affecting—

(i) the outcomes mentioned in chapter 3; or

(ii) the water allocation security objectives mentioned in section 22;

(c) an amendment or addition of a water allocation security objective if the amendment or addition does not adversely affect—

(i) the outcomes mentioned in chapter 3; or

(ii) the environmental flow objectives mentioned in section 18 or 20;

(d) an amendment or addition of a node;

(e) an amendment to subdivide a subcatchment area;

(f) an amendment to adjust the boundaries of a groundwater management area or groundwater sub-area if more accurate information about the boundaries of the plan area or hydrological characteristics of the plan area becomes available;

(g) an amendment or addition of a priority group;

(h) an amendment or addition of a water allocation group;

(i) an amendment of the capacity of works to take overland flow water mentioned in section 91(2)(b);

(j) an amendment of the catchment area mentioned in section 91(2)(f);

(k) an amendment to omit chapter 5, part 3, divisions 5 and 6 if a provision of a law, other than the Act, authorises, or otherwise deals with, the interference, by an excavation, with groundwater in the Coastal Burnett groundwater management area;

(l) an amendment or addition of a monitoring or reporting requirement under chapter 6;

(m) an amendment of, or to remove, a redundant provision of this plan;

(n) an amendment to omit a provision relating to the grant, amendment or conversion of an authorisation if the grant, amendment or conversion under the provision has been completed.

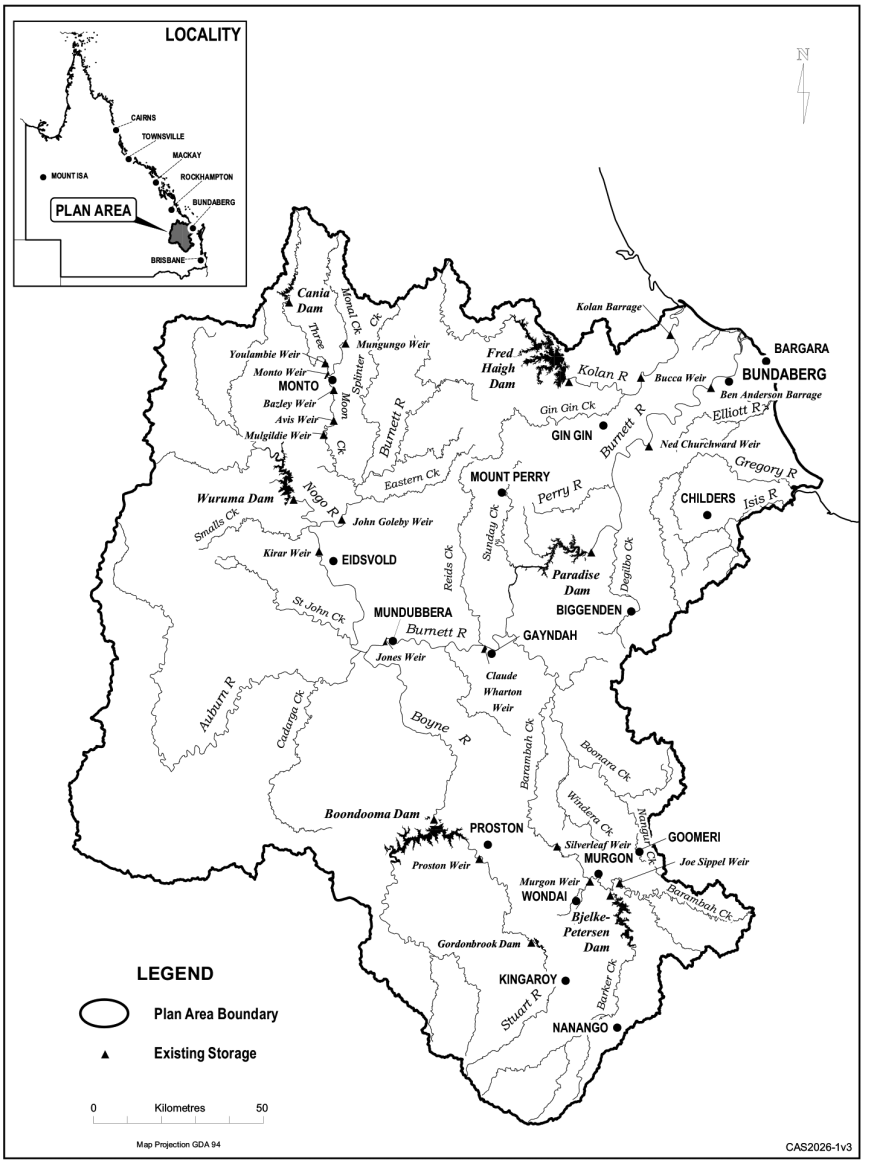
Chapter 8 Repeal

123 Repeal

The Water Resource (Burnett Basin) Plan 2000, SL No. 359 is repealed.

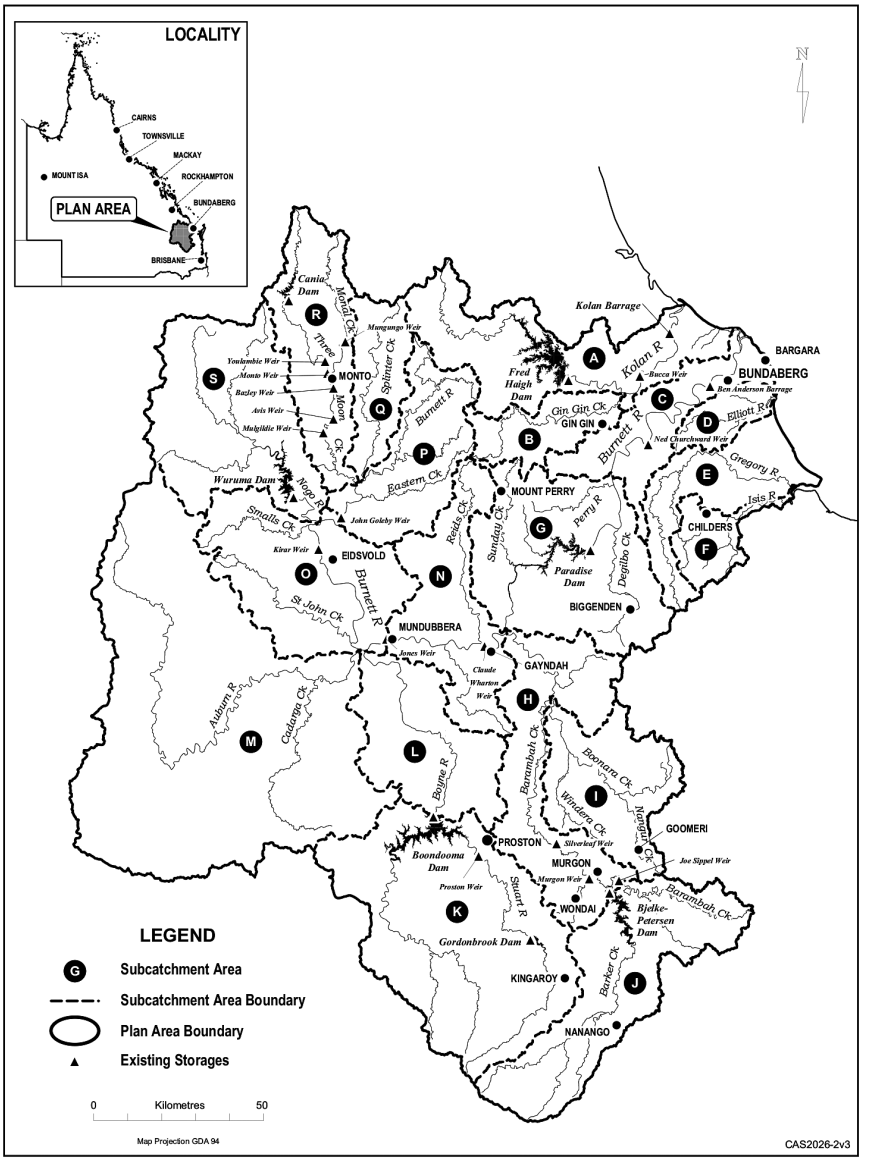
Schedule 1 Plan area

section 5



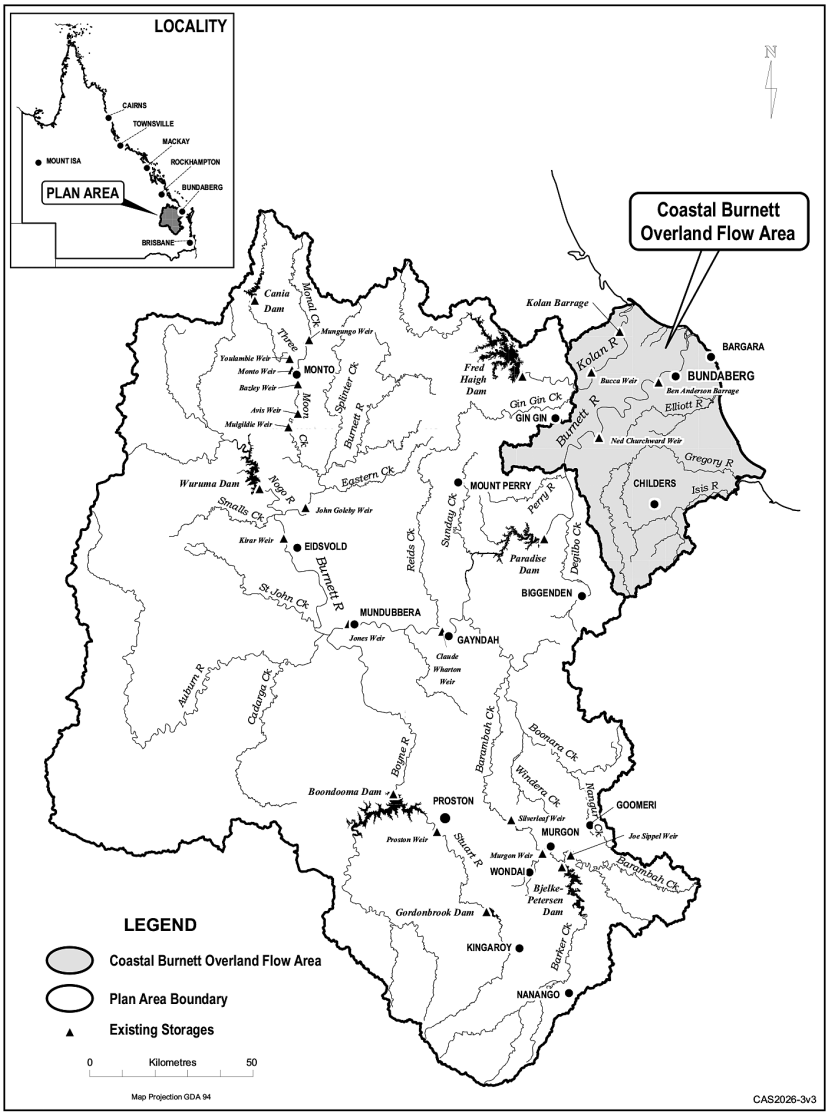
Schedule 2 Subcatchment areas

section 6



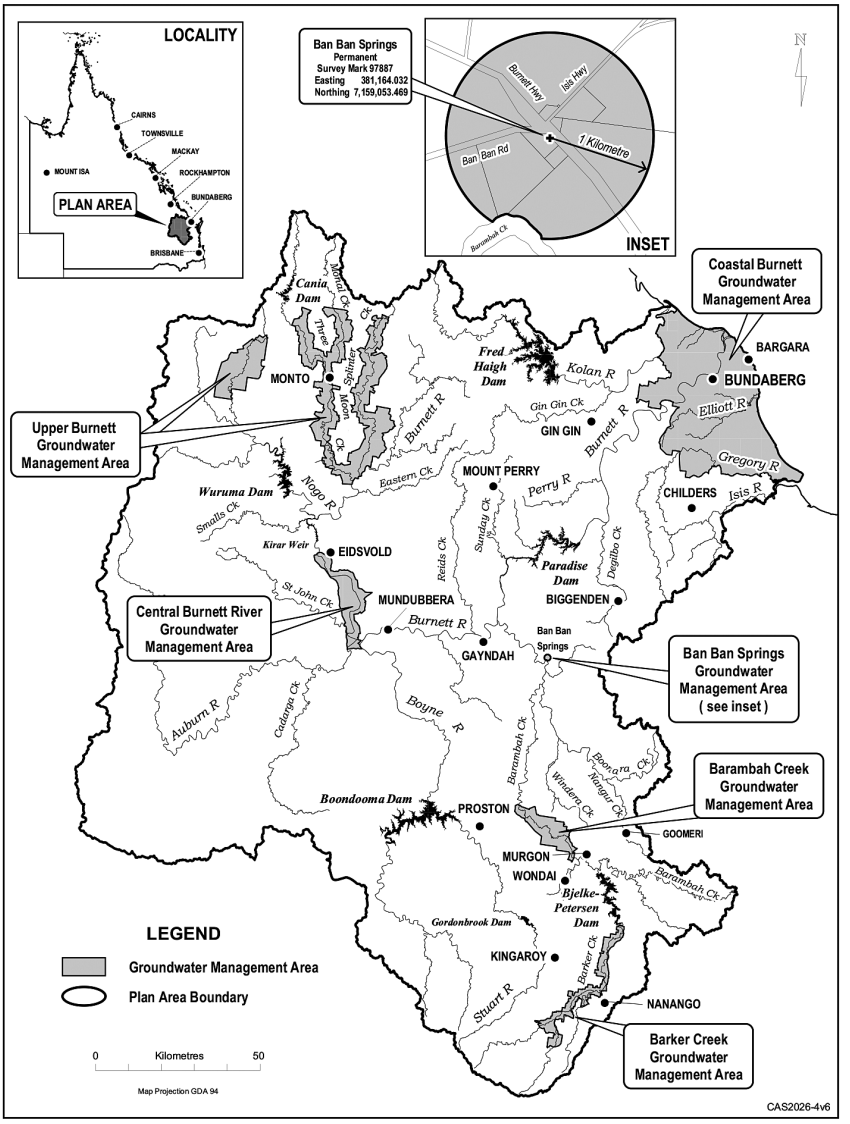
Schedule 3 Coastal Burnett overland flow area

section 7



Schedule 4 Groundwater management areas

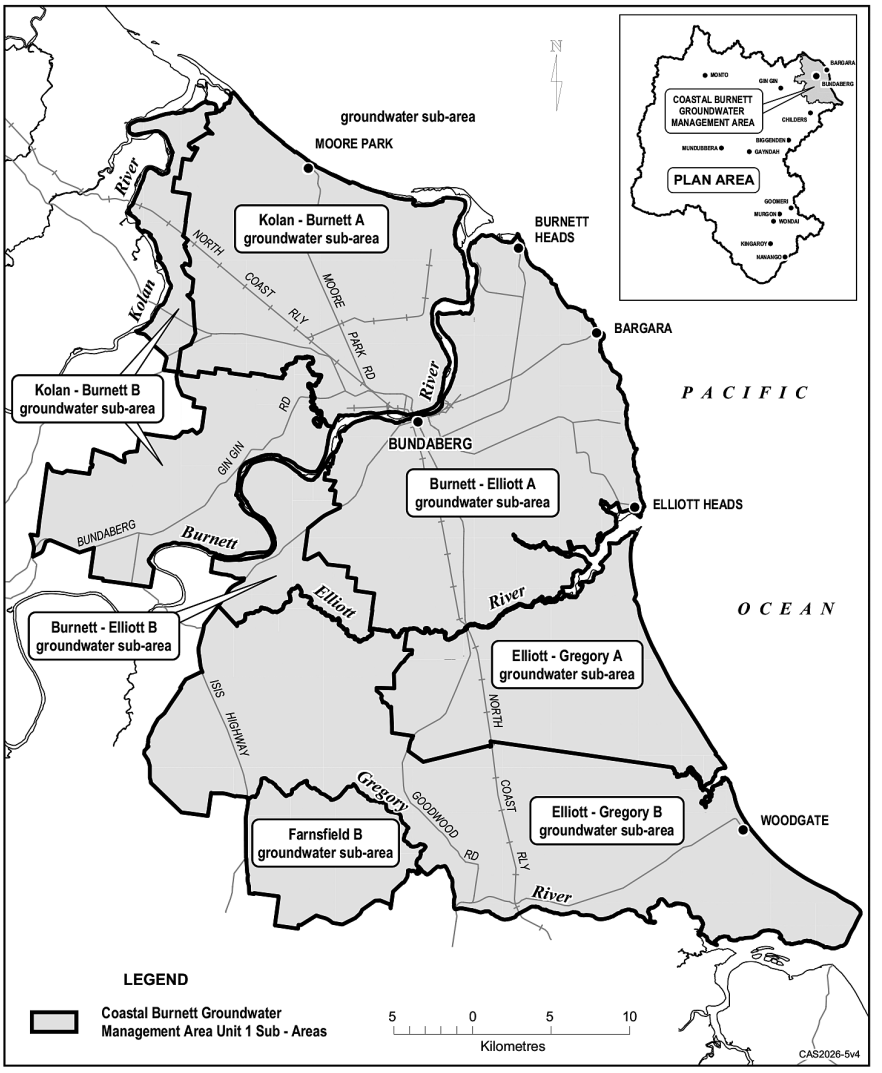
section 8



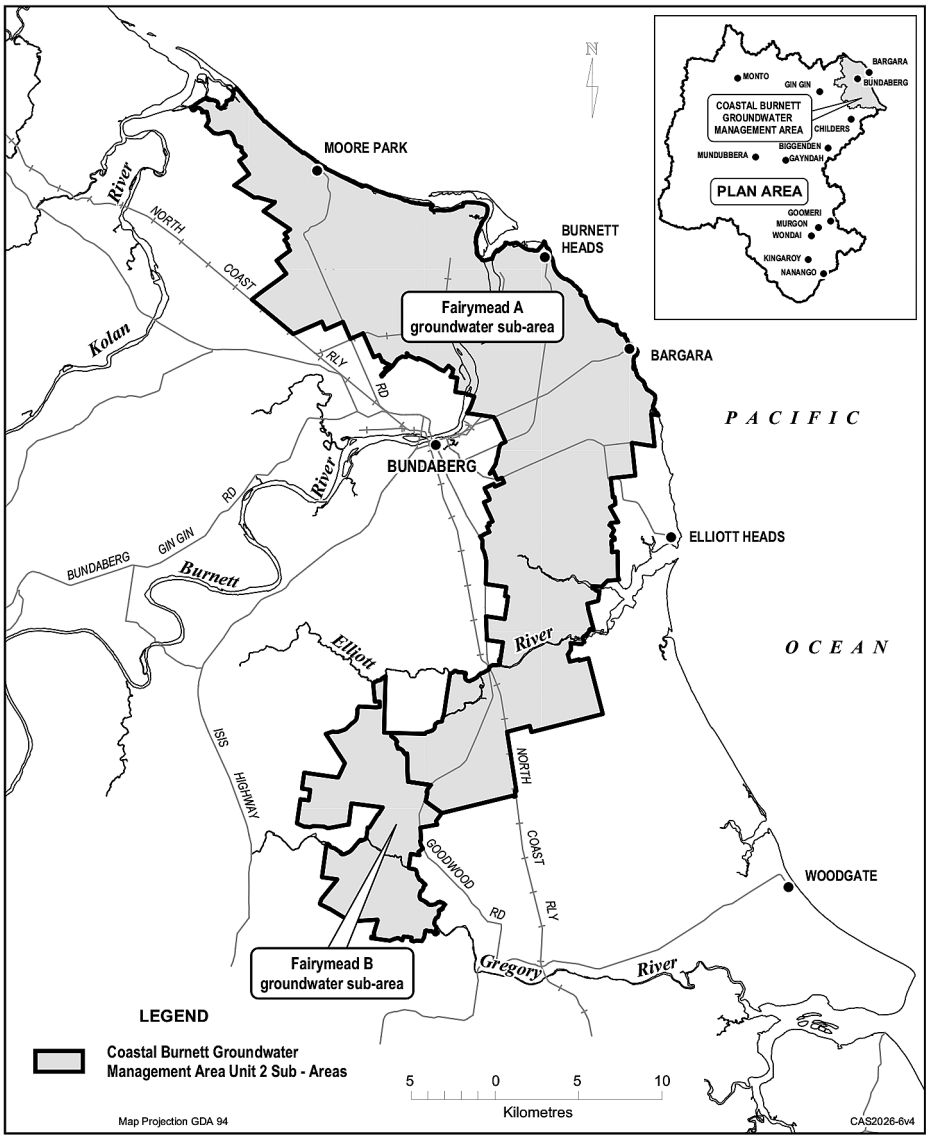
Schedule 5 Groundwater sub-areas

section 9

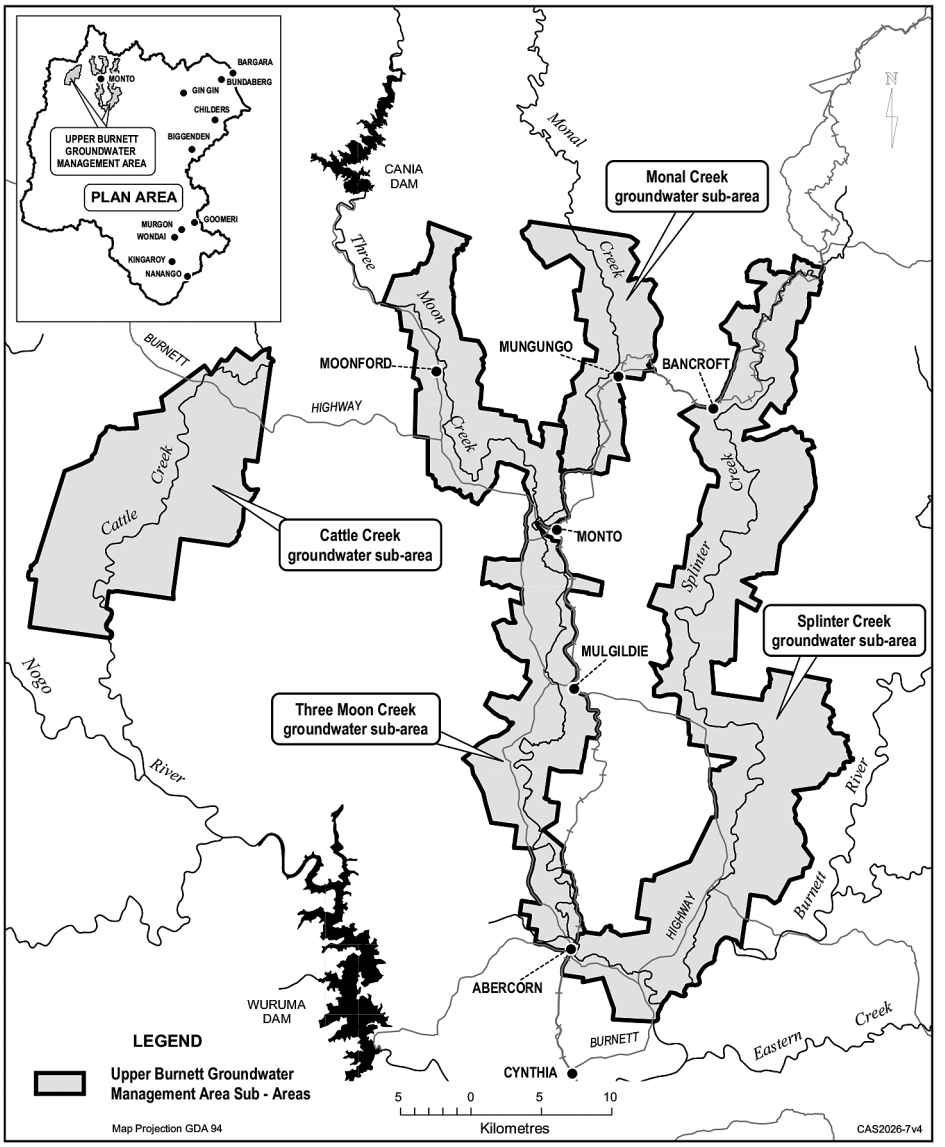
Map A



Map B



Map C

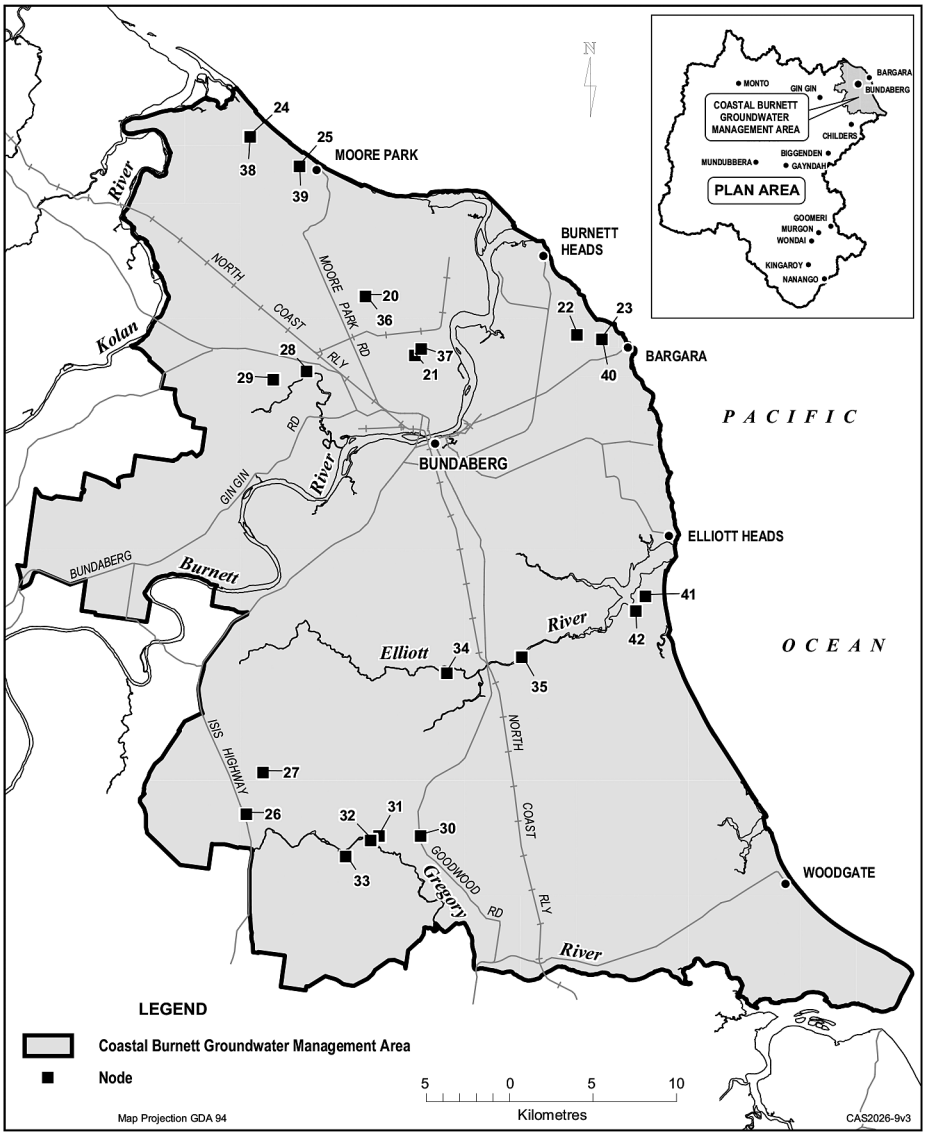


Schedule 6 Nodes

section 11

Part 1 Surface water node location

Part 2 Groundwater node location



Part 3 Surface water node description

Column 1	Column 2	Column 3
Node	**Location**	**AMTD**
1	Burnett River at river mouth	AMTD 0.0km
2a	Burnett River at Mount Lawless gauging station	AMTD 184.1km
2	Burnett River at Figtree gauging station	AMTD 119.2km
3	Burnett River at Gayndah flume	AMTD 201.3km
4	Barambah Creek at Ban Ban	AMTD 35.2km
5	Barambah Creek at Stonelands	AMTD 90.2km
6	Boyne River at Derra	AMTD 6.4km
7	Stuart River at Proston Rifle Range	AMTD 24.1km
8	Auburn River at Dykehead	AMTD 37.9km
9	Burnett River at Eidsvold	AMTD 291.1km
10	Three Moon Creek at Abercorn	AMTD 13.2km
11	Kolan River at river mouth	AMTD 0.0km
12	Kolan River at Bucca Weir Tailwater	AMTD 37.9km
13	Elliott River at river mouth	AMTD 0.0km
14	Elliott River at Elliott gauging station	AMTD 17.0km
15	Gregory River at river mouth	AMTD 0.0km
16	Gregory River at Isis Highway	AMTD 47.9km
17	Isis River at river mouth	AMTD 0.0km
18	Isis River at Bruce Highway	AMTD 22.7km
19	Splinter Creek at Dakiel	AMTD 74.8km

Part 4 Groundwater node description

Column 1	Column 2
Node	**Location**
20	Tantitha-Whymere (site 1)
21	Tantitha-Whymere (site 2)
22	Pasturage Reserve (site 1)
23	Pasturage Reserve (site 2)
24	Moore Park (site 1)
25	Moore Park (site 2)
26	North Gregory-Isis Highway (site 1)
27	North Gregory-Isis Highway (site 2)
28	Meadowvale (site 1)
29	Meadowvale (site 2)
30	Foley (site 1)
31	Foley (site 2)
32	Gregory River (site 1)
33	Gregory River (site 2)
34	Elliott River (site 1)
35	Elliott River (site 2)
36	Tantitha-Whymere (site 3)
37	Tantitha-Whymere (site 4)
38	Moore Park (site 3)
39	Moore Park (site 4)
40	Pasturage Reserve (site 3)

Column 1	Column 2
Node	**Location**
41	Elliott Heads (site 3)
42	Elliott Heads (site 4)

Schedule 7 Environmental flow objectives

sections 18 and 20

Part 1 Surface water objectives

1 At each node mentioned in table 1, column 1, the number of periods of no flow of at least 6 months in the IQQM simulation period is to be no more than the number stated for the node in table 1, column 2.

Table 1

Column 1	Column 2
Surface water node	**Number of periods of no flow**
2a	3
4	6
6	12

2 At each node mentioned in table 2, column 1—

(a) the mean annual flow in the IQQM simulation period, expressed as a percentage of the mean annual flow for the pre-development flow pattern, is to be at least the percentage stated for the node in table 2, column 2; and

(b) the median annual flow in the IQQM simulation period, expressed as a percentage of the median annual flow for the pre-development flow pattern, is to be at least the percentage stated for the node in table 2, column 3.

Table 2

Column 1	Column 2	Column 3
Surface water node	**Mean annual flow (%)**	**Median annual flow (%)**
1	70	40
11	70	55
13	75	55
15	85	70
17	95	90

3 At each node mentioned in table 3, column 1—

(a) the 1.5 year daily flow volume in the IQQM simulation period, expressed as a percentage of the 1.5 year daily flow volume for the pre-development flow pattern, is to be at least the percentage stated for the node in table 3, column 2; and

(b) the 5 year daily flow volume in the IQQM simulation period, expressed as a percentage of the 5 year daily flow volume for the pre-development flow pattern, is to be at least the percentage stated for the node in table 3, column 3; and

(c) the 20 year daily flow volume in the IQQM simulation period, expressed as a percentage of the 20 year daily flow volume for the pre-development flow pattern, is to be at least the percentage stated for the node in table 3, column 4.

Table 3

Column 1	Column 2	Column 3	Column 4
Surface water node	**1.5 year daily flow volume (%)**	**5 year daily flow volume (%)**	**20 year daily flow volume (%)**
1	50	80	90
11	70	50	60

Column 1	Column 2	Column 3	Column 4
Surface water node	1.5 year daily flow volume (%)	5 year daily flow volume (%)	20 year daily flow volume (%)
13	35	80	90
15	65	90	95
17	90	95	95

Part 2 Groundwater objectives

1 At each node mentioned in table 4, column 1—

(a) the average depth to the watertable in the groundwater simulation period must not be more than the maximum distance stated for the node in table 4, column 2; and

(b) the greatest drawdown period for the node in the groundwater simulation period must not be more than the percentage stated for the node in table 4, column 3.

Table 4

Column 1	Column 2	Column 3
Groundwater node	Maximum distance (m)	Drawdown period (%)
21	10.85	0
26	15.35	0
27	3.64	0.33
28	4.14	1.0
29	3.64	2.50
30	17.64	0
31	13.40	1.0
36	2.50	8.58

2 The average ocean groundwater discharge for a groundwater sub-area mentioned in table 5, column 1 is to be at least the volume stated for the groundwater sub-area in table 5, column 2.

Table 5

Column 1	**Column 2**
Groundwater sub-area	**Volume (ML)**
Kolan-Burnett A	8,100
Burnett-Elliott A	2,100
Elliott-Gregory A	4,200
Fairymead A	4,100

Schedule 8 Water allocation security objectives

section 22

Part 1 Supplemented water

1 Barker Barambah Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 99%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 75%.

2 Boyne River and Tarong Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 95%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 70%.

3 Bundaberg Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 99%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 90%.

4 Three Moon Creek Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 95%.

2 For water allocations in the surface water medium priority group, the monthly supplemented water sharing index is to be at least 65%.

3 For water allocations in the groundwater medium priority group, the monthly supplemented water sharing index is to be at least 80%.

5 Upper Burnett Water Supply Scheme

1 For water allocations in the high priority group, the monthly supplemented water sharing index is to be at least 99%.

2 For water allocations in the medium priority group, the monthly supplemented water sharing index is to be at least 85%.

3 For water allocations in the low priority group, the monthly supplemented water sharing index is to be at least 25%.

Part 2 Unsupplemented surface water

For water allocations in a water allocation group mentioned in the resource operations plan or this plan and stated in table 1, column 1, the annual volume probability is to be at least the percentage stated for the group in table 1, column 2.

Table 1

Column 1	Column 2
Water allocation group	**Annual volume probability (%)**
class 1H	62
class 2H	54
class 3H	52
class 1J	65
class 2J	23

Column 1	Column 2
Water allocation group	**Annual volume probability (%)**
class 1L	78
class 2L	77
class 3L	66
class 4L	30
class 1K	78
class 2K	35
class 3K	89
class 4K	58
class 5K	70
class 6K	62
class 7K	80
class 1A	85
class 2A	81
class 3C	71
class 4C	75
class 5C	74
class 7G	70
class 8G	73
class 9G	81
class 14G	75
class 6M	76
class 6N	70
class 7N	67

Column 1	Column 2
Water allocation group	**Annual volume probability (%)**
class 8N	87
class 12N	79
class 13N	71
class 6O	65
class 7O	64
class 10O	68
class 10P	75
class 11P	56
class 1R	57
class 2R	52
class 3R	40
class 1D	48
class 1E	48
class 1F	53

Part 3 Unsupplemented groundwater

6 Coastal Burnett Groundwater Management Area

1 For water allocations in the CB-KBA-A, CB-BEA-A or CB-FMA-A water allocation group, the 90% annual volume probability is to be 100%.

2 For water allocations in the CB-KBA-B, CB-BEA-B, CB-EGA-B or CB-FMA-B water allocation group, the groundwater annual volume probability is to be at least 50%.

Schedule 9 Interim rules for taking or sharing water

section 32

Part 1 Definitions

1 Definitions for sch 9

In this schedule—

adjusted storage level, for a storage, means the level in AHD calculated by subtracting the storage loss for the storage from the current storage level for the storage.

adjusted storage volume, for a storage, means the volume of water in the storage for the adjusted storage level calculated using the storage curve for the storage.

announced allocation percentage—

(a) for a priority group in a water supply scheme—means the percentage used to calculate the maximum volume of water that may be supplied, under section 16, in a water year to water allocation holders in the priority group; or

Note—

See sections 9 and 10.

(b) for the high priority water allocations, or medium priority water allocations, in a relevant subscheme—means the percentage used to calculate the maximum volume of water that may be supplied, under section 33 or 53, in a water year to the holders of high priority water allocations, or medium priority water allocations, in the relevant subscheme; or

Note—

See sections 26, 27, 42 and 43.

(c) for the John Goleby MP water allocations—means the percentage used to calculate the maximum volume of water that may be supplied, under section 61, in the first water period in a water year to the holders of John Goleby MP water allocations.

Note—

See sections 56 and 57.

bulk capacity share means a conceptual portion of a water storage that is used to supply a particular group of water allocations.

Burnett bulk capacity share means the Burnett bulk capacity share established as mentioned in section 25(1)(a).

Burnett River subscheme means the part of the Bundaberg Water Supply Scheme located on the Burnett River extending from the Ben Anderson Barrage at AMTD 25.9km upstream to within the ponded area of Paradise Dam at AMTD 162.8km.

Claude Wharton A subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from Claude Wharton Weir at AMTD 202.4km upstream to the ponded limits of Claude Wharton Weir at AMTD 213.1km.

Claude Wharton B subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from within the ponded area of Paradise Dam at AMTD 162.8km upstream to the Claude Wharton Weir at AMTD 202.4km.

Claude Wharton subscheme means the Claude Wharton A subscheme and the Claude Wharton B subscheme.

current storage level, for a storage, means the current level of water in the storage in AHD.

current storage volume, for a storage, means the volume of water in the storage for the current storage level calculated using the storage curve for the storage.

dead storage volume, for a storage, means the dead storage volume of the storage stated in the infrastructure details for the storage in the resource operations plan.

diversion, for a water supply scheme or subscheme, for a water year, means the total volume of water taken under all water allocations in the scheme or subscheme since the start of the water year in which the provisional allocation percentage is calculated.

first water period, for a water year, see section 55.

full supply volume, for a storage, means the full supply volume of the storage stated in the infrastructure details for the storage in the resource operations plan.

high priority water allocations, for a relevant subscheme, means water allocations in the high priority group under which water may be taken from the relevant subscheme.

inflow allowance, for a subscheme, for a month, means an allowance, for the estimated flow of water into the subscheme, stated in part 5, table 4 for the subscheme for the month in which the provisional allocation percentage is calculated.

John Goleby MP water allocations means water allocations in the medium priority group under which water may be taken from the John Goleby subscheme.

John Goleby subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from the confluence of the Burnett River and the Nogo River at AMTD 311.8km upstream to the ponded limits of John Goleby Weir at AMTD 333.9km.

Jones subscheme means the part of the Upper Burnett Water Supply Scheme located on—

(a) the Burnett River extending from the ponded limits of Claude Wharton Weir at AMTD 213.1km upstream to the Jones Weir at AMTD 253km; and

(b) the Auburn River extending from the confluence of the Auburn River and the Burnett River at AMTD 0km upstream to AMTD 6km.

Kirar subscheme means the part of the Upper Burnett Water Supply Scheme located on the Burnett River extending from the ponded limits of Jones Weir at AMTD 253km to the confluence of the Burnett River and the Nogo River at AMTD 311.8km.

Kolan bulk capacity share means the Kolan bulk capacity share established as mentioned in section 25(1)(b).

Kolan River subscheme means the part of the Bundaberg Water Supply Scheme located on the Kolan River extending from the Kolan Barrage at AMTD 14.7km upstream to the ponded limits of Fred Haigh Dam at AMTD 116km.

last water period, for a water year, see section 55.

major inflow—

(a) for a water supply scheme—means a flow of water into the scheme that would allow the announced allocation percentage for either of the following to increase by more than 5%—

(i) a priority group in the scheme;

(ii) the high priority water allocations, or medium priority water allocations, in a relevant subscheme that is part of the scheme; or

(b) for the John Goleby subscheme—means a flow of water into the John Goleby subscheme that would allow the announced allocation percentage for the John Goleby MP water allocations to increase by more than 5%.

medium priority water allocations, for a relevant subscheme, means water allocations in the medium priority group under which water may be taken from the relevant subscheme.

provisional allocation percentage—

(a) for a priority group in a water supply scheme—means the percentage, calculated for the priority group under section 12 or 13, that is used to calculate the announced allocation percentage for the priority group;

(b) for the high priority water allocations, or medium priority water allocations, in a relevant

subscheme—means the percentage, calculated for the high priority water allocations, or medium priority water allocations, in the relevant subscheme under section 29, 30, 45, 46, 47 or 48, that is used to calculate the announced allocation percentage for the high priority water allocations, or medium priority water allocations, in the relevant subscheme; or

(c) for the John Goleby MP water allocations—means the percentage, calculated under section 59, that is used to calculate the announced allocation percentage for the John Goleby MP water allocations.

relevant subscheme—

(a) for schedule 9, part 3, division 3—see schedule 9, section 23; or

(b) for schedule 9, part 4, division 3, subdivision 1—see schedule 9, section 40.

reserve, for a water supply scheme or subscheme, for a month, means the volume, in megalitres, reserved for water allocations in the high priority group for future water years, stated in part 5, table 2 for the scheme or subscheme for the month in which the provisional allocation percentage is calculated.

ROL holder—

(a) for part 2—see section 2; or

(b) for part 3—see section 17; or

(c) for part 4—see section 34.

storage curve, for a storage, means the drawing, showing the volume of water in the storage for a range of water levels, stated in the resource operations plan for the storage.

Editor's note—

A copy of the storage curve for a storage mentioned in this schedule is available from the resource operations licence holder who operates the storage.

storage loss, for a storage, for a month, means the loss of water from the storage, due to evaporation and seepage, stated

in part 5, table 1 for the storage for the month in which the provisional allocation percentage is calculated.

subscheme means the following—

(a) the Burnett River subscheme;

(b) the Claude Wharton A subscheme;

(c) the Claude Wharton B subscheme;

(d) the Claude Wharton subscheme;

(e) the John Goleby subscheme;

(f) the Jones subscheme;

(g) the Kirar subscheme;

(h) the Kolan River subscheme;

(i) the Wuruma subscheme.

transfer allowance means the figure associated with supplying water from Wuruma Dam to water allocations in the Claude Wharton subscheme—

(a) if the current storage level for Wuruma Dam when the provisional allocation percentage is calculated is as stated in part 5, table 5, column 1—stated in the table, column 2 opposite the current storage level; or

(b) if the current storage level for Wuruma Dam when the provisional allocation percentage is calculated is other than as stated in part 5, table 5, column 1—linearly interpolated using the figures in the table.

transmission and operational losses, for a water supply scheme or relevant subscheme, for a month, means the figure, used as an allowance for the loss of water associated with supplying water to water allocation holders—

(a) if the provisional allocation percentage for the medium priority group in the scheme, or the medium priority water allocations in the relevant subscheme, is zero—stated in part 5, table 3, column 2 for the scheme or relevant subscheme for the month in which the provisional allocation percentage is calculated; or

(b) if the provisional allocation percentage for the medium priority group in the scheme, or the medium priority water allocations in the relevant subscheme, is 100%—stated in part 5, table 3, column 3 for the scheme or relevant subscheme for the month in which the provisional allocation percentage is calculated; or

(c) for another provisional allocation percentage for the medium priority group in the scheme, or the medium priority water allocations in the relevant subscheme—linearly interpolated using the figures in part 5, table 3, columns 2 and 3 for the scheme or subscheme for the month in which the provisional allocation percentage is calculated.

unused water—

(a) for the last water period in a water year—means water that may be taken, but is not taken, in the last water period in the water year by the holder of a water allocation, but does not include water that may be taken in the last water period only because the ROL holder has allowed the water allocation holder to carry over water from the previous water year; or

(b) for a water year—means water that may be taken, but is not taken, in the water year by the holder of a water allocation, but does not include water that may be taken in the water year only because the ROL holder has allowed the water allocation holder to carry over water from the previous water year.

usable volume—

(a) for a bulk capacity share—means the volume of water in the bulk capacity share divided by the current storage volume for Fred Haigh Dam and multiplied by the volume calculated under paragraph (b) for Fred Haigh Dam; or

(b) for a storage—means the adjusted storage volume for the storage minus the dead storage volume for the storage.

water year means a period of 12 months beginning on 1 July.

Wuruma subscheme means the part of the Upper Burnett Water Supply Scheme located on the Nogo River extending from the confluence of the Nogo River and the Burnett River at AMTD 0km upstream to the ponded limits of Wuruma Dam at AMTD 44.5km.

Part 2 Barker Barambah Water Supply Scheme

Division 1 Preliminary

2 Application of pt 2

This part applies to—

(a) the holder of the resource operations licence for the Barker Barambah Water Supply Scheme (the ***ROL holder***); and

(b) all water allocations managed under the resource operations licence.

3 Definitions for pt 2

In this part—

Barker Barambah HP water allocations means water allocations in the high priority group in the Barker Barambah Water Supply Scheme.

Barker Barambah MP water allocations means water allocations in the medium priority group in the Barker Barambah Water Supply Scheme.

Division 2 Environmental management rules and infrastructure operating rules

4 Use of watercourses for distribution

The ROL holder may only use the following watercourses for the distribution of water—

(a) the part of Barker Creek extending from the confluence of Barker Creek and Barambah Creek at AMTD 0km upstream to the ponded limits of Bjelke-Petersen Dam at AMTD 38.2km;

(b) the part of Barambah Creek at AMTD 85km to the ponded limits of Francis Weir at AMTD 189.5km.

5 Operating levels of storages

(1) The ROL holder may only release water from a storage mentioned in the table, column 1 for the following—

(a) to maintain a downstream storage at its nominal operating level under subsection (2);

(b) to comply with the environmental management rules in section 7;

(c) to supply water under a water allocation under section 16.

(2) The ROL holder must maintain each storage mentioned in the table, column 1, other than Bjelke-Petersen Dam, at or above the level (the ***nominal operating level***) stated in the table, column 3 for the period stated in the table, column 4 opposite the storage.

(3) However, the ROL holder may maintain the storage at a level below the nominal operating level for the storage for not more than 7 days a month.

(4) Despite subsections (1) and (2), the ROL holder must not, unless authorised by the chief executive, release water from a storage mentioned in the table, column 1 if the current storage

level for the storage is at or below the level (the ***minimum operating level***) stated in the table, column 2 for the storage.

Table

Column 1	Column 2	Column 3	Column 4
Storage	**Minimum operating level (m AHD)**	**Nominal operating level (m AHD)**	**Period**
Bjelke-Petersen Dam	289.9	n/a	n/a
Silverleaf Weir	259.86	263.25	April to September
		263.5	October to March
Joe Sippel Weir	291.06	294.5	all year

6 Change in rate of release

(1) The ROL holder must prepare and maintain operating procedures for Bjelke-Petersen Dam, Silverleaf Weir and Joe Sippel Weir.

(2) The operating procedures must ensure that any increase or decrease in the rate of release of water from the storages occurs incrementally so as to minimise the occurrence of adverse environmental impacts.

Example—

The occurrence of fish stranding and bank slumping can be reduced by ensuring smooth and gradual changes to the rate of release of water from a storage.

7 Environmental management rules

(1) For each day from 1 July to 31 August, the ROL holder must release water from Silverleaf Weir to maintain a daily flow at Stonelands gauging station of 5ML or more if—

(a) the combined daily flow at West Barambah gauging station and Glenmore gauging station is 10ML or more; and

(b) the daily flow at Ban Ban gauging station is 0ML; and

(c) the announced allocation percentage for the Barker Barambah MP water allocations is greater than 5%.

(2) For each day from 1 September to 31 December, the ROL holder must release water from Silverleaf Weir to maintain a daily flow at Stonelands gauging station of—

(a) if the combined daily flow at West Barambah gauging station and Glenmore gauging station is 10ML or more but less than 15ML—5ML; or

(b) if the combined daily flow at West Barambah gauging station and Glenmore gauging station is 15ML or more—the lesser of two-thirds of the combined daily flow at the gauging stations and 50ML.

(3) However, subsection (2) does not apply if—

(a) the daily flow at Ban Ban gauging station is 50ML or more; or

(b) the announced allocation percentage for the Barker Barambah MP water allocations is 5% or less.

8 Quality of water released

If the ROL holder is releasing water from water infrastructure that incorporates multilevel inlets, the ROL holder must draw water from the inlet that optimises the quality of the water released.

Division 3 Water sharing rules

9 Announced allocation percentage—initial percentage

(1) The ROL holder must, within 5 business days after the start of a water year, calculate a provisional allocation percentage for

each priority group in the Barker Barambah Water Supply Scheme under section 12 or 13.

(2) The announced allocation percentage for a priority group is the provisional allocation percentage calculated for the priority group under section 12 or 13.

(3) However, if the provisional allocation percentage calculated for a priority group under section 12 or 13 is less than zero, the announced allocation percentage for the priority group is zero.

(4) The announced allocation percentage for a priority group—

(a) takes effect on the first day of the water year; and

(b) subject to section 10, has effect as the announced allocation percentage for the priority group for the water year.

10 Announced allocation percentage—further calculations

(1) The ROL holder must calculate a provisional allocation percentage for each priority group in the Barker Barambah Water Supply Scheme under section 12 or 13—

(a) within 5 business days after the start of each quarter of the water year, other than the first quarter; and

(b) within 10 business days after a major inflow for the water supply scheme.

(2) Also, the ROL holder may, at any time during the water year, calculate a provisional allocation percentage for each priority group in the water supply scheme under section 12 or 13.

(3) If the provisional allocation percentage for a priority group calculated as mentioned in subsection (1) or (2) is greater than the announced allocation percentage currently in effect for the priority group, the provisional allocation percentage—

(a) takes effect as the announced allocation percentage for the priority group on the day on which the calculation is made; and

(b) has effect as the announced allocation percentage for the priority group for the water year unless a greater announced allocation percentage for the priority group takes effect under this section.

11 Publication of announced allocation percentage

(1) The ROL holder must, within the required time after an announced allocation percentage for a priority group takes effect under section 9 or 10, publish details of the announced allocation percentage for the priority group on the ROL holder's website.

Editor's note—

Details for the water supply scheme are on the ROL holder's website.

(2) In this section—

required time means—

(a) for an announced allocation percentage that takes effect for a priority group under section 9—5 business days; or

(b) for an announced allocation percentage that takes effect for a priority group under section 10—2 business days.

12 Calculating provisional allocation percentage for high priority water allocations—ss 9 and 10

The provisional allocation percentage for the Barker Barambah HP water allocations is the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV + DIVH - HPTOL - VIWY)}{HPA} \times 100$$

where—

UV means the usable volume for Bjelke-Petersen Dam.

DIVH means the total volume of water taken under all Barker Barambah HP water allocations since the start of the water

year in which the provisional allocation percentage is calculated.

HPTOL means the figure stated in part 5, table 3, column 2 for the Barker Barambah Water Supply Scheme for the month in which the provisional allocation percentage is calculated.

VIWY means the difference between the total volume of water carried over to the current water year under section 14, and the total volume of water brought forward to the current water year under section 15, by holders of water allocations under which water may be taken from the Barker Barambah Water Supply Scheme.

HPA means the total of the nominal volumes for the Barker Barambah HP water allocations.

13 Calculating provisional allocation percentage for medium priority water allocations—ss 9 and 10

The provisional allocation percentage for the Barker Barambah MP water allocations is the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV - HPA - RE + DIV - TOL - VIWY)}{MPA} \times 100$$

where—

UV means the total of the usable volumes for Bjelke-Petersen Dam, Silverleaf Weir and Joe Sippel Weir.

HPA means the total of the nominal volumes for the Barker Barambah HP water allocations.

RE means the reserve for the Barker Barambah Water Supply Scheme for the month.

DIV means the diversion for the Barker Barambah Water Supply Scheme for the water year.

TOL means the transmission and operational losses for the Barker Barambah Water Supply Scheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 14, and the total volume of water brought forward to the current water year under section 15, by holders of water allocations under which water may be taken from the Barker Barambah Water Supply Scheme.

MPA means the total of the nominal volumes for the Barker Barambah MP water allocations.

14 Carry over

(1) The ROL holder may allow the holder of a water allocation in the medium priority group in the Barker Barambah Water Supply Scheme to carry over unused water from 1 water year to the next water year.

(2) However, the total volume of water the ROL holder may allow the water allocation holders to carry over is the lesser of the following—

(a) 20% of the total of the nominal volumes for all Barker Barambah MP water allocations;

(b) the total volume of the unused water for the water year under all Barker Barambah MP water allocations.

15 Forward draw

(1) The ROL holder may allow the holder of a water allocation in the Barker Barambah Water Supply Scheme to bring forward to the current water year any water that may be taken under the water allocation in the next water year.

(2) However, the total volume of water the ROL holder may allow the holders of water allocations in a priority group to bring forward must not exceed 1% of the total of the nominal volumes for all water allocations in the priority group.

16 Supplying and taking water under a water allocation

(1) The ROL holder may supply under a water allocation in the Barker Barambah Water Supply Scheme, and the water

allocation holder may take, in a water year, the volume of water calculated under subsection (2).

(2) The volume of water is calculated by—

(a) multiplying the nominal volume for the water allocation by the announced allocation percentage for the priority group to which the water allocation belongs; and

(b) adding the volume of water, if any, that the water allocation holder brought forward to the current water year under section 15; and

(c) subtracting the volume of water, if any, that the water allocation holder brought forward in the previous water year under section 15.

(3) Also, the ROL holder may supply under the water allocation, and the water allocation holder may take, in the carry over period in the water year, the volume of water, if any, that the water allocation holder carried over to the current water year under section 14.

(4) However, if the water allocation holder does not take, during the carry over period in the water year, the full volume of the water mentioned in subsection (3), the water allocation holder may not take any further volume of that water after the carry over period ends.

(5) In this section—

carry over period, for a water year, means the period in the water year—

(a) starting at the start of the water year; and

(b) ending on the earliest of the following—

(i) when Bjelke-Petersen Dam overflows;

(ii) when the current storage level in Bjelke-Petersen Dam is less than 295.7m AHD;

(iii) 9 months after the start of the water year.

Part 3 Bundaberg Water Supply Scheme

Division 1 Preliminary

17 Application of pt 3

This part applies to—

(a) the holder of the resource operations licence for the Bundaberg Water Supply Scheme (the ***ROL holder***); and

(b) all water allocations managed under the resource operations licence.

Division 2 Environmental management rules and infrastructure operating rules

18 Use of watercourses for distribution

The ROL holder may only use the following watercourses for the distribution of water—

(a) the part of the Kolan River extending from the Kolan Barrage at AMTD 14.7km upstream to the ponded limits of Fred Haigh Dam at AMTD 116km;

(b) the part of the Burnett River extending from the Ben Anderson Barrage at AMTD 25.9km to within the ponded area of Paradise Dam at AMTD 162.8km;

(c) the part of Sheepstation Creek extending from the confluence of Sheepstation Creek and the Burnett River at AMTD 0.0km upstream to the Gin Gin Main Channel outlet at AMTD 8.6km;

(d) the part of St Agnes Creek extending from the confluence of St Agnes Creek and the Burnett River at AMTD 0.0km upstream to the St Agnes main channel

outfall into the St Agnes Creek crossing on Walla Road at AMTD 1.5km;

(e) the part of Welcome Creek extending from the Welcome Creek crossing on Gooburrum Road upstream to the Welcome Creek crossing on Tolls Road.

19 Operating levels of storages

(1) The ROL holder may only release water from a storage mentioned in the table, column 1 for the following—

(a) to maintain a downstream storage at its nominal operating level under subsection (2);

(b) to comply with the environmental management rules in section 21;

(c) to supply water under a water allocation under section 33;

(d) to supply water under a distribution operations licence.

(2) The ROL holder must maintain each storage mentioned in the table, column 1, other than Fred Haigh Dam and Paradise Dam, at or above the level (the ***nominal operating level***) stated in the table, column 3 for the period stated in the table, column 4, opposite the storage.

(3) However, the ROL holder may maintain the storage at a level below the nominal operating level for the storage for not more than 7 days a month.

(4) Despite subsections (1) and (2), the ROL holder must not, unless authorised by the chief executive, release water from a storage mentioned in the table, column 1 if the current storage level for the storage is at or below the level (the ***minimum operating level***) stated in the table, column 2 for the storage.

Table

Column 1	Column 2	Column 3	Column 4
Storage	**Minimum operating level (m AHD)**	**Nominal operating level (m AHD)**	**Period**
Fred Haigh Dam	42.63	n/a	n/a
Bucca Weir	8.95	14.0	September to March
		12.2	April to August
Kolan Barrage	0.94	2.0	all year
Paradise Dam	42.0	n/a	n/a
Ned Churchward Weir	10.8	13.5	all year
Ben Anderson Barrage	0.0	3.0	May to July
		2.2	August to April

20 Change in rate of release

(1) The ROL holder must prepare and maintain operating procedures for Fred Haigh Dam, Bucca Weir, Paradise Dam and Ned Churchward Weir.

(2) The operating procedures must ensure that any increase or decrease in the rate of release of water from the storages occurs incrementally so as to minimise the occurrence of adverse environmental impacts.

Example—

The occurrence of fish stranding and bank slumping can be reduced by ensuring smooth and gradual changes to the rate of release of water from a storage.

21 Environmental management rules

(1) The ROL holder must, in any 7 day period, release a minimum of 35ML from Bucca Weir.

(2) However, subsection (1) does not apply if the current storage level in Kolan Barrage is more than 2.32m AHD.

(3) For each day from 1 September to 31 December, the ROL holder must release—

(a) from Paradise Dam—the lesser of the daily inflow of water to Paradise Dam and 14,000ML; and

(b) from Ned Churchward Weir—the lesser of the natural daily inflow to Ned Churchward Weir and 200ML.

(4) However—

(a) subsection (3)(a) does not apply if the current storage level in Paradise Dam is 63.45m AHD or less; and

(b) subsection (3)(b) does not apply if—

(i) the natural daily inflow to Ned Churchward Weir is less than 85ML; or

(ii) the current storage level for Ned Churchward Weir is less than the nominal operating level for the storage.

(5) In this section—

natural daily inflow, in relation to Ned Churchward Weir, means the daily inflow of water to the storage, including water from a release of water under subsection (3)(a), but does not include other water from a release of water upstream from the storage.

nominal operating level see section 19(2).

22 Quality of water released

If the ROL holder is releasing water from water infrastructure that incorporates multilevel inlets, the ROL holder must draw water from the inlet that optimises the quality of the water released.

Division 3 Water sharing rules

23 Application of div 3

This division applies to the Burnett River subscheme and the Kolan River subscheme (each a ***relevant subscheme***).

24 Definitions for div 3

In this division—

Burnett HP water allocations means water allocations in the high priority group under which water may be taken from the Burnett River subscheme.

Burnett MP water allocations means water allocations in the medium priority group under which water may be taken from the Burnett River subscheme.

Kolan HP water allocations means water allocations in the high priority group under which water may be taken from the Kolan River subscheme.

Kolan MP water allocations means water allocations in the medium priority group under which water may be taken from the Kolan River subscheme.

25 Bulk capacity shares for Fred Haigh Dam

(1) The ROL holder must establish 2 bulk capacity shares for Fred Haigh Dam as follows—

(a) the Burnett bulk capacity share with a total volume of 15% of the full supply volume of Fred Haigh Dam;

(b) the Kolan bulk capacity share with a total volume of 85% of the full supply volume of Fred Haigh Dam.

(2) The volume of water stored for a bulk capacity share—

(a) must be worked out under this section and recorded daily by the ROL holder; and

(b) must not be less than zero.

(3) The volume of water stored for the bulk capacity shares must total the current storage volume for Fred Haigh Dam.

(4) In working out the volume of water stored for each bulk capacity share, the ROL holder must adjust the recorded volume for the bulk capacity share by—

(a) crediting the inflows to Fred Haigh Dam in proportion to the bulk capacity share's percentage of the full supply volume of Fred Haigh Dam; and

(b) debiting the volume of water released from Fred Haigh Dam for supplying water allocations—

(i) if the location from which water may be taken under the water allocations is in the Kolan River subscheme—from the Kolan bulk capacity share; or

(ii) if the location from which water may be taken under the water allocations is in the Burnett River subscheme—from the Burnett bulk capacity share; and

(c) accounting for other changes in the current storage volume for Fred Haigh Dam in proportion to the recorded volume for the bulk capacity share.

(5) However, if the adjustments made under subsection (4) would result in the volume of water stored for a bulk capacity share (the ***relevant bulk capacity share***) being greater than the relevant bulk capacity share's total volume—

(a) the recorded volume for the relevant bulk capacity share is equal to the relevant bulk capacity share's total volume; and

(b) the difference between the following volumes must be credited to the other bulk capacity share—

(i) the recorded volume for the relevant bulk capacity share as calculated under paragraph (a);

(ii) what would, apart from paragraph (a), have been the recorded volume for the relevant bulk capacity share.

(6) Also, if Fred Haigh Dam is at or above its full supply volume, the recorded volume stored for each bulk capacity share is equal to the bulk capacity share's total volume.

(7) In this section—

recorded volume, for a bulk capacity share, means—

(a) if the ROL holder is working out the volume of water stored for the bulk capacity share on the commencement—

(i) for the Burnett bulk capacity share—15% of the current storage volume for Fred Haigh Dam; or

(ii) for the Kolan bulk capacity share—85% of the current storage volume for Fred Haigh Dam; or

(b) otherwise—the volume recorded for the bulk capacity share under subsection (2) on the day immediately before the day the ROL holder is working out the volume of water stored for the bulk capacity share.

26 Announced allocation percentage—initial percentage

(1) The ROL holder must, within 5 business days after the start of a water year, calculate a provisional allocation percentage for the high priority water allocations and the medium priority water allocations in each relevant subscheme under section 29 or 30.

(2) The announced allocation percentage for the high priority water allocations or the medium priority water allocations in a relevant subscheme is the provisional allocation percentage calculated for the water allocations under section 29 or 30.

(3) However, if the provisional allocation percentage calculated for the high priority water allocations or the medium priority water allocations in a relevant subscheme under section 29 or 30 is less than zero, the announced allocation percentage for the water allocations is zero.

(4) The announced allocation percentage for the high priority water allocations or the medium priority water allocations in a relevant subscheme—

(a) takes effect on the first day of the water year; and

(b) subject to section 27, has effect as the announced allocation percentage for the water allocations for the water year.

27 Announced allocation percentage—further calculations

(1) The ROL holder must calculate a provisional allocation percentage for the high priority water allocations and the medium priority water allocations in each relevant subscheme under section 29 or 30—

(a) within 5 business days after the start of each quarter of the water year, other than the first quarter; and

(b) within 10 business days after a major inflow for the Bundaberg Water Supply Scheme.

(2) Also, the ROL holder may, at any time during the water year, calculate a provisional allocation percentage for the high priority water allocations or the medium priority water allocations in a relevant subscheme under section 29 or 30.

(3) If the provisional allocation percentage for the high priority water allocations or the medium priority water allocations in a relevant subscheme calculated as mentioned in subsection (1) or (2) is greater than the announced allocation percentage currently in effect for the water allocations, the provisional allocation percentage—

(a) takes effect as the announced allocation percentage for the water allocations on the day on which the calculation is made; and

(b) has effect as the announced allocation percentage for the water allocations for the water year unless a greater announced allocation percentage for the water allocations takes effect under this section.

28 Publication of announced allocation percentage

(1) The ROL holder must, within the required time after an announced allocation percentage for the high priority water

allocations or the medium priority water allocations in a relevant subscheme takes effect under section 26 or 27, publish details of the announced allocation percentage for the water allocations on the ROL holder's website.

Editor's note—

Details for the water supply scheme are on the ROL holder's website.

(2) In this section—

required time means—

(a) for an announced allocation percentage that takes effect for water allocations under section 26—5 business days; or

(b) for an announced allocation percentage that takes effect for water allocations under section 27—2 business days.

29 Calculating provisional allocation percentage for high priority water allocations—ss 26 and 27

(1) The provisional allocation percentage for the Burnett HP water allocations is the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV + DIVH - HPTOL - VIWY)}{HPA} \times 100$$

where—

UV means the total of the usable volumes for Paradise Dam, Ned Churchward Weir and Ben Anderson Barrage and the usable volume for the Burnett bulk capacity share.

DIVH means the total volume of water taken under all Burnett HP water allocations since the start of the water year in which the provisional allocation percentage is calculated.

HPTOL means the figure stated in part 5, table 3, column 2 for the Burnett River subscheme for the month in which the provisional allocation percentage is calculated.

VIWY means the difference between the total volume of water carried over to the current water year under section 31, and the total volume of water brought forward to the current water year under section 32, by holders of water allocations under which water may be taken from the Burnett River subscheme.

HPA means the total of the nominal volumes for the Burnett HP water allocations.

(2) The provisional allocation percentage for the Kolan HP water allocations is the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV + DIVH - HPTOL - VIWY)}{HPA} \times 100$$

where—

UV means the total of the usable volumes for Bucca Weir and Kolan Barrage and the usable volume for the Kolan bulk capacity share.

DIVH means the total volume of water taken under all Kolan HP water allocations since the start of the water year in which the provisional allocation percentage is calculated.

HPTOL means the figure stated in part 5, table 3, column 2 for the Kolan River subscheme for the month in which the provisional allocation percentage is calculated.

VIWY means the difference between the total volume of water carried over to the current water year under section 31, and the total volume of water brought forward to the current water year under section 32, by holders of water allocations under which water may be taken from the Kolan River subscheme.

HPA means the total of the nominal volumes for the Kolan HP water allocations.

30 Calculating provisional allocation percentage for medium priority water allocations—ss 26 and 27

(1) The provisional allocation percentage for the Burnett MP water allocations is—

(a) if the total of the usable volumes for Paradise Dam, Ned Churchward Weir and Ben Anderson Barrage and the usable volume for the Burnett bulk capacity share is greater than 340,000ML—100%; or

(b) otherwise—the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV - HPA - RE + DIV - TOL - VIWY)}{MPA} \times 100$$

where—

UV means the total of the usable volumes for Paradise Dam, Ned Churchward Weir and Ben Anderson Barrage and the usable volume for the Burnett bulk capacity share.

HPA means the total of the nominal volumes for the Burnett HP water allocations.

RE means the reserve for the Burnett River subscheme for the month.

DIV means the diversion for the Burnett River subscheme for the water year.

TOL means the transmission and operational losses for the Burnett River subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 31, and the total volume of water brought forward to the current water year under section 32, by holders of water allocations under which water may be taken from the Burnett River subscheme.

MPA means the total of the nominal volumes for the Burnett MP water allocations.

(2) The provisional allocation percentage for the Kolan MP water allocations is the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV - HPA - RE + DIV - TOL - VIWY)}{MPA} \times 100$$

where—

UV means the total of the usable volumes for Bucca Weir and Kolan Barrage and the usable volume for the Kolan bulk capacity share.

HPA means the total of the nominal volumes for the Kolan HP water allocations.

RE means the reserve for the Kolan River subscheme for the month.

DIV means the diversion for the Kolan River subscheme for the water year.

TOL means the transmission and operational losses for the Kolan River subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 31, and the total volume of water brought forward to the current water year under section 32, by holders of water allocations under which water may be taken from the Kolan River subscheme.

MPA means the total of the nominal volumes of the Kolan MP water allocations.

31 Carry over

(1) The ROL holder may allow the holder of a medium priority water allocation in a relevant subscheme to carry over unused water from 1 water year to the next water year.

(2) However, the total volume of water the ROL holder may allow the holders of medium priority water allocations in a relevant subscheme to carry over is the lesser of the following—

(a) 2% of the total of the nominal volumes for all medium priority water allocations in the relevant subscheme;

(b) the total volume of the unused water for all medium priority water allocations in the relevant subscheme.

32 Forward draw

(1) The ROL holder may allow the holder of a high priority water allocation or a medium priority water allocation in a relevant subscheme to bring forward to the current water year any water that may be taken under the water allocation in the next water year.

(2) However, the total volume of water the ROL holder may allow holders of water allocations to bring forward must not exceed—

(a) for the holders of high priority water allocations in a relevant subscheme—1% of the total of the nominal volumes for all high priority water allocations in the relevant subscheme; or

(b) for the holders of medium priority water allocations in a relevant subscheme—1% of the total of the nominal volumes for all medium priority water allocations in the relevant subscheme.

33 Supplying and taking water under a water allocation

(1) The ROL holder may supply under a water allocation in a relevant subscheme, and the water allocation holder may take, in a water year, the volume of water calculated under subsection (2).

(2) The volume of water is calculated by—

(a) multiplying the nominal volume for the water allocation by—

(i) for a high priority water allocation in a relevant subscheme—the announced allocation percentage for the high priority water allocations in the subscheme to which the water allocation belongs; or

(ii) for a medium priority water allocation in a relevant subscheme—the announced allocation percentage for the medium priority water allocations in the relevant subscheme to which the water allocation belongs; and

(b) adding the volume of water, if any, that the water allocation holder carried over to the current water year under section 31; and

(c) adding the volume of water, if any, that the water allocation holder brought forward to the current water year under section 32; and

(d) subtracting the volume of water, if any, that the water allocation holder brought forward in the previous water year under section 32.

Part 4 Upper Burnett Water Supply Scheme

Division 1 Preliminary

34 Application of pt 4

This part applies to—

(a) the holder of the resource operations licence for the Upper Burnett Water Supply Scheme (the ***ROL holder***); and

(b) all water allocations managed under the resource operations licence.

Division 2 Environmental management rules and infrastructure operating rules

35 Use of watercourses for distribution

The ROL holder may only use the following watercourses for the distribution of water—

(a) the part of the Burnett River extending from within the ponded area of Paradise Dam at AMTD 162.8km upstream to the ponded limits of John Goleby Weir at AMTD 333.9km;

(b) the part of the Nogo River extending from the confluence of the Nogo River and the Burnett River at AMTD 0km upstream to the ponded limits of Wuruma Dam at AMTD 44.5km;

(c) the part of the Auburn River extending from the confluence of the Auburn River and the Burnett River at AMTD 0km upstream to AMTD 6km.

36 Operating levels of storages

(1) The ROL holder may only release water from a storage mentioned in the table, column 1 for the following—

(a) for John Goleby Weir—to supply water under a water allocation in the John Goleby subscheme under section 61;

(b) for another storage—

(i) to maintain a downstream storage at its nominal operating level under subsection (2); or

(ii) to comply with the environmental management rules in section 38; or

(iii) to supply water under a water allocation under section 53.

(2) The ROL holder must maintain each storage mentioned in the table, column 1, other than Wuruma Dam and John Goleby Weir, at or above the level (the ***nominal operating level***)

stated in the table, column 3 for the period stated in the table, column 4 opposite the storage.

(3) However, the ROL holder may maintain the storage at a level below the nominal operating level for the storage for not more than 7 days a month.

(4) Despite subsections (1) and (2), the ROL holder must not, unless authorised by the chief executive, release water from a storage mentioned in the table, column 1 if the current storage level for the storage is at or below the level (the ***minimum operating level***) stated in the table, column 2 for the storage.

Table

Column 1	Column 2	Column 3	Column 4
Storage	**Minimum operating level (m AHD)**	**Nominal operating level (m AHD)**	**Period**
Wuruma Dam	200.75	n/a	n/a
Kirar Weir	142.5	149. 6	August to December
		144.6	January to July
Jones Weir	104.45	108.47	all year
Claude Wharton Weir	86.5	91.12	all year
John Goleby Weir	163	n/a	n/a

37 Change in rate of release

(1) The ROL holder must prepare and maintain operating procedures for Wuruma Dam, Kirar Weir, Jones Weir, Claude Wharton Weir and John Goleby Weir.

(2) The operating procedures must ensure that any increase or decrease in the rate of release of water from the storages occurs incrementally so as to minimise the occurrence of adverse environmental impacts.

Example—

The occurrence of fish stranding and bank slumping can be reduced by ensuring smooth and gradual changes to the rate of release of water from a storage.

38 Environmental management rules

(1) For each day from 1 September to 31 March, the ROL holder must release from Claude Wharton Weir the lesser of the natural daily inflow to Claude Wharton Weir and 150ML.

(2) However, subsection (1) does not apply if—

(a) the natural daily inflow to Claude Wharton Weir is less than 50ML; or

(b) the current storage level for Claude Wharton Weir is less than the nominal operating level for the storage.

(3) In this section—

natural daily inflow, in relation to Claude Wharton Weir, means the daily inflow of water to the storage other than from a release of water upstream from the storage.

nominal operating level see section 36(2).

39 Quality of water released

If the ROL holder is releasing water from water infrastructure that incorporates multilevel inlets, the ROL holder must draw water from the inlet that optimises the quality of the water released.

Division 3 Water sharing rules

Subdivision 1 Jones subscheme, Kirar subscheme, Wuruma subscheme and Claude Wharton subscheme

40 Application of sdiv 1

This subdivision applies to the Jones subscheme, the Kirar subscheme, the Wuruma subscheme and the Claude Wharton subscheme (each a ***relevant subscheme***).

41 Definitions for sdiv 1

In this subdivision—

Claude Wharton A MP water allocations means water allocations in the medium priority group under which water may be taken from the Claude Wharton A subscheme.

Claude Wharton B MP water allocations means water allocations in the medium priority group under which water may be taken from the Claude Wharton B subscheme.

Claude Wharton HP water allocations means water allocations in the high priority group under which water may be taken from the Claude Wharton subscheme.

Claude Wharton MP water allocations means water allocations in the medium priority group under which water may be taken from the Claude Wharton subscheme.

Jones HP water allocations means water allocations in the high priority group under which water may be taken from the Jones subscheme.

Jones MP water allocations means water allocations in the medium priority group under which water may be taken from the Jones subscheme.

Kirar HP water allocations means water allocations in the high priority group under which water may be taken from the Kirar subscheme.

Kirar MP water allocations means water allocations in the medium priority group under which water may be taken from the Kirar subscheme.

Wuruma HP water allocations means water allocations in the high priority group under which water may be taken from the Wuruma subscheme.

Wuruma MP water allocations means water allocations in the medium priority group under which water may be taken from the Wuruma subscheme.

42 Announced allocation percentage—initial percentage

(1) The ROL holder must, within 5 business days after the start of a water year, calculate a provisional allocation percentage for the medium priority water allocations in each relevant subscheme under section 45, 46, 47 or 48.

(2) The announced allocation percentage for the medium priority water allocations in a relevant subscheme is the provisional allocation percentage calculated for the water allocations in the relevant subscheme under section 45, 46, 47 or 48.

Note—

See section 52 for when the announced allocation percentage for medium priority water allocations in a relevant subscheme is zero.

(3) The announced allocation percentage for the medium priority water allocations in a relevant subscheme—

(a) takes effect on the first day of the water year; and

(b) subject to section 43, has effect as the announced allocation percentage for the water allocations for the water year.

43 Announced allocation percentage—further calculations

(1) The ROL holder must calculate a provisional allocation percentage for the medium priority water allocations in each relevant subscheme under section 45, 46, 47 or 48—

(a) within 5 business days after the start of each quarter of a water year, other than the first quarter; and

(b) within 10 business days after a major inflow for the Upper Burnett Water Supply Scheme.

(2) Also, the ROL holder may, at any time during the water year, calculate a provisional allocation percentage for the medium priority water allocations in a relevant subscheme under section 45, 46, 47 or 48.

(3) If the provisional allocation percentage for the medium priority water allocations in a relevant subscheme calculated as mentioned in subsection (1) or (2) is greater than the announced allocation percentage currently in effect for the water allocations, the provisional allocation percentage—

(a) takes effect as the announced allocation percentage for the water allocations on the day on which the calculation is made; and

(b) has effect as the announced allocation percentage for the water allocations for the water year unless a greater announced allocation percentage for the water allocations takes effect under this section.

44 Publication of announced allocation percentage

(1) The ROL holder must, within the required time after an announced allocation percentage for the medium priority water allocations in a relevant subscheme takes effect under section 42 or 43, publish details of the announced allocation percentage for the water allocations on the ROL holder's website.

Editor's note—

Details for the water supply scheme are on the ROL holder's website.

(2) In this section—

required time means—

(a) for an announced allocation percentage that takes effect for water allocations under section 42—5 business days; or

(b) for an announced allocation percentage that takes effect for water allocations under section 43—2 business days.

45 Calculating provisional allocation percentage for Jones MP water allocations—ss 42 and 43

(1) The provisional allocation percentage for the Jones MP water allocations is the greatest of the following percentages—

(a) the percentage calculated using the following formula, rounded up to the nearest whole per cent—

$$\frac{(UV + IN - HPA - RE + DIV - TOL - VIWY - TR)}{(MPA - 5000)} \times 100$$

where—

UV means the total of the usable volumes for Wuruma Dam, Kirar Weir and Jones Weir.

IN means the total of the inflow allowances for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme for the month.

HPA means the total of the nominal volumes for the Wuruma HP water allocations, the Kirar HP water allocations and the Jones HP water allocations.

RE means the total of the reserves for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme for the month.

DIV means the total of the diversions for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme for the water year.

TOL means the total of the transmission and operational losses for the Wuruma subscheme, the Kirar subscheme and the Jones subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Wuruma subscheme, the Kirar subscheme and the Jones subscheme.

TR means the transfer allowance.

MPA means the total of the nominal volumes for the Wuruma MP water allocations, the Kirar MP water allocations and the Jones MP water allocations;

(b) the percentage calculated using the following formula, rounded up to the nearest whole per cent—

$$\frac{(UV + IN - HPA - RE + DIV - TOL - VIWY)}{(MPA - 4204)} \times 100$$

where—

UV means the total of the usable volumes for Kirar Weir and Jones Weir.

IN means the total of the inflow allowances for the Kirar subscheme and the Jones subscheme for the month.

HPA means the total of the nominal volumes for the Kirar HP water allocations and the Jones HP water allocations.

RE means the total of the reserves for the Kirar subscheme and the Jones subscheme for the month.

DIV means the total of the diversions for the Kirar subscheme and the Jones subscheme for the water year.

TOL means the total of the transmission and operational losses for the Kirar subscheme and the Jones subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Kirar subscheme and the Jones subscheme.

MPA means the total of the nominal volumes for the Kirar MP water allocations and the Jones MP water allocations;

(c) the percentage calculated using the following formula, rounded up to the nearest whole per cent—

$$\frac{(\boldsymbol{UV + IN - HPA - RE + DIV - TOL - VIWY})}{(\boldsymbol{MPA - 3421})} \times \mathbf{100}$$

where—

UV means the usable volume for Jones Weir.

IN means the inflow allowance for the Jones subscheme for the month.

HPA means the total of the nominal volumes for the Jones HP water allocations.

RE means the reserve for the Jones subscheme for the month.

DIV means the diversion for the Jones subscheme for the water year.

TOL means the transmission and operational losses for the Jones subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Jones subscheme.

MPA means the total of the nominal volumes for the Jones MP water allocations.

(2) However—

(a) if the provisional allocation percentage calculated under subsection (1) is greater than 100%, the provisional allocation percentage for the Jones MP water allocations is 100%; or

(b) if the provisional allocation percentage calculated under subsection (1) is less than zero, the provisional allocation percentage for the Jones MP water allocations is zero.

46 Calculating provisional allocation percentage for Kirar MP water allocations—ss 42 and 43

(1) The provisional allocation percentage for the Kirar MP water allocations is—

(a) if the greatest percentage for the Jones MP water allocations under section 45(1) is the percentage calculated under section 45(1)(a)—the percentage calculated for the Jones MP water allocations under section 45(1)(a); or

(b) if the greatest percentage for the Jones MP water allocations under section 45(1) is the percentage calculated under section 45(1)(b)—the percentage calculated for the Jones MP water allocations under section 45(1)(b); or

(c) if the greatest percentage for the Jones MP water allocations under section 45(1) is the percentage calculated under section 45(1)(c)—the greater of the following percentages—

(i) the percentage calculated using the following formula, rounded up to the nearest whole per cent—

$$\frac{(UV + IN - HPA - RE + DIV - TOL - VIWY - TR)}{(MPA - 1579)} \times 100$$

where—

UV means the total of the usable volumes for Wuruma Dam and Kirar Weir.

IN means the total of the inflow allowances for the Wuruma subscheme and the Kirar subscheme for the month.

HPA means the total of the nominal volumes for the Wuruma HP water allocations and Kirar HP water allocations.

RE means the total of the reserves for the Wuruma subscheme and the Kirar subscheme for the month.

DIV means the total of the diversions for the Wuruma subscheme and the Kirar subscheme for the water year.

TOL means the total of the transmission and operational losses for the Wuruma subscheme and the Kirar subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Wuruma subscheme and the Kirar subscheme.

TR means the transfer allowance.

MPA means the total of the nominal volumes for the Wuruma MP water allocations and the Kirar MP water allocations;

(ii) the percentage calculated using the following formula, rounded up to the nearest whole per cent—

$$\frac{(UV + IN - HPA - RE + DIV - TOL - VIWY)}{(MPA - 783)} \times 100$$

where—

UV means the usable volume for Kirar Weir.

IN means the inflow allowance for the Kirar subscheme for the month.

HPA means the total of the nominal volumes for the Kirar HP water allocations.

RE means the reserve for the Kirar subscheme for the month.

DIV means the diversion for the Kirar subscheme for the water year.

TOL means the transmission and operational losses for the Kirar subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Kirar subscheme.

MPA means the total of the nominal volumes for the Kirar MP water allocations.

(2) However—

(a) if the provisional allocation percentage calculated under subsection (1) is greater than 100%, the provisional allocation percentage for the Kirar MP water allocations is 100%; or

(b) if the provisional allocation percentage calculated under subsection (1) is less than zero, the provisional allocation percentage for the Kirar MP water allocations is zero.

47 Calculating provisional allocation percentage for Wuruma MP water allocations—ss 42 and 43

(1) The provisional allocation percentage for the Wuruma MP water allocations is—

(a) if the greatest percentage for the Jones MP water allocations under section 45(1) is the percentage

calculated under section 45(1)(a)—the percentage calculated for the Jones MP water allocations under section 45(1)(a); or

(b) if the greatest percentage for the Jones MP water allocations under section 45(1) is the percentage calculated under section 45(1)(c) and the greater percentage for the Kirar MP water allocations under section 46(1)(c) is the percentage calculated under section 46(1)(c)(i)—the percentage calculated for the Kirar MP water allocations under section 46(1)(c)(i); or

(c) if paragraph (a) or (b) does not apply—the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV + IN - HPA - RE + DIV - TOL - VIWY - TR)}{(MPA - 796)} \times 100$$

where—

UV means the usable volume for Wuruma Dam.

IN means the inflow allowance for the Wuruma subscheme for the month.

HPA means the total of the nominal volumes for the Wuruma HP water allocations.

RE means the reserve for the Wuruma subscheme for the month.

DIV means the diversion for the Wuruma subscheme for the water year.

TOL means the transmission and operational losses for the Wuruma subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Wuruma subscheme.

TR means the transfer allowance.

MPA means the total of the nominal volumes for the Wuruma MP water allocations.

(2) However—

(a) if the provisional allocation percentage calculated under subsection (1) is greater than 100%, the provisional allocation percentage for the Wuruma MP water allocations is 100%; or

(b) if the provisional allocation percentage calculated under subsection (1) is less than zero, the provisional allocation percentage for the Wuruma MP water allocations is zero.

48 Calculating provisional allocation percentage for Claude Wharton MP water allocations—ss 42 and 43

(1) The provisional allocation percentage for the Claude Wharton MP water allocations is the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV + IN - HPA - RE + DIV - TOL - VIWY + TR)}{(MPA - 5469)} \times 100$$

where—

UV means the usable volume for Claude Wharton Weir.

IN means the inflow allowance for the Claude Wharton subscheme for the month.

HPA means the total of the nominal volumes for the Claude Wharton HP water allocations.

RE means the reserve for the Claude Wharton subscheme for the month.

DIV means the diversion for the Claude Wharton subscheme for the water year.

TOL means the transmission and operational losses for the Claude Wharton subscheme for the month.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Claude Wharton subscheme.

TR means the transfer allowance.

MPA means the total of the nominal volumes for the Claude Wharton MP water allocations.

(2) However, if the provisional allocation percentage calculated under subsection (1) is less than 40%, the provisional allocation percentage for the Claude Wharton MP water allocations is—

(a) for the Claude Wharton A MP water allocations—the percentage calculated under subsection (3); or

(b) for the Claude Wharton B MP water allocations—zero.

(3) For subsection (2)(a), the percentage for the Claude Wharton A MP water allocations is—

(a) if paragraph (b) does not apply—the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 40%—

$$\frac{(UV + IN - HPA - RE + DIV - TOL - VIWY + TR)}{(MPA - 1239)} \times 100$$

where—

UV means the usable volume for Claude Wharton Weir.

IN means the inflow allowance for the Claude Wharton subscheme for the month.

HPA means the total of the nominal volumes for the Claude Wharton HP water allocations.

RE means the reserve for the Claude Wharton subscheme for the month.

DIV means the diversion for the Claude Wharton A subscheme for the water year.

TOL means the figure stated in part 5, table 3, column 2 for the Claude Wharton subscheme for the month in which the provisional allocation percentage is calculated.

VIWY means the difference between the total volume of water carried over to the current water year under section 49, and the total volume of water brought forward to the current water year under section 50, by holders of water allocations under which water may be taken from the Claude Wharton A subscheme.

TR means the transfer allowance.

MPA means the total of the nominal volumes for the Claude Wharton A MP water allocations; or

(b) if the percentage calculated under paragraph (a) is less than zero—zero.

49 Carry over

(1) The ROL holder may allow the holder of a medium priority water allocation in a relevant subscheme to carry over unused water from 1 water year to the next water year.

(2) However, the total volume of water the ROL holder may allow the holders of medium priority water allocations in the relevant subschemes to carry over is the lesser of the following—

(a) 2% of the total of the nominal volumes for all medium priority water allocations in all the relevant subschemes;

(b) the total volume of the unused water for all medium priority water allocations in all the relevant subschemes.

50 Forward draw

(1) The ROL holder may allow the holder of a high priority water allocation or a medium priority water allocation in a relevant subscheme to bring forward to the current water year any water that may be taken under the water allocation in the next water year.

(2) However, the total volume of water the ROL holder may allow holders of water allocations to bring forward must not exceed—

(a) for the holders of high priority water allocations in the relevant subschemes—1% of the total of the nominal volumes for all high priority water allocations in all the relevant subschemes; or

(b) for the holders of medium priority water allocations in the relevant subschemes—1% of the total of the nominal volumes for all medium priority water allocations in all the relevant subschemes.

51 Level at which water must not be taken under particular water allocations

(1) Subsection (2) applies if the current storage level for a storage mentioned in the table, column 1 is at or below the level (the ***critical level***) stated for the storage in the table, column 2.

(2) The holder of a medium priority water allocation in a relevant subscheme who is an on-pond user of a storage mentioned in column 1 must not take water under the water allocation.

(3) Subsection (2) applies until the current storage level for the storage is above the critical level for the storage.

(4) The ROL holder must give notice to the water allocation holder—

(a) when the current storage level for the storage falls to the critical level for the storage; and

(b) if the current storage level for the storage has fallen to, or below, the critical level for the storage, when the

current storage level for the storage rises above the critical level for the storage.

(5) In this section—

on-pond user, in relation to a storage, means a person with works or a connection extending to, and capable of taking water directly from, the water impounded by the storage.

Table

Column 1	**Column 2**
Storage	**Critical level (m AHD)**
Kirar Weir	144.4
Jones Weir	106.25
Claude Wharton Weir	89.3

52 Taking water during critical water shortage

(1) This section applies to the holder of a medium priority water allocation in a relevant subscheme if—

(a) the ROL holder—

(i) can not supply water under the water allocation; and

(ii) gives the water allocation holder notice that the water allocation holder may take water in the way mentioned in subsection (2); or

(b) the announced allocation percentage for the medium priority water allocations in the relevant subscheme for a water year is zero.

(2) The water allocation holder may take water from either or both of the following—

(a) a waterhole in the water supply scheme;

(b) an aquifer under a watercourse mentioned in the *Water Regulation 2016*, section 129 that is in the plan area.

(3) However, the authorisation to take water under subsection (2) in a water year ends when the combined volume of water taken by the water allocation holder since the start of the water year equals the nominal volume for the water allocation.

(4) In this section—

combined volume of water taken, for a water allocation holder, means the total of—

(a) the volume of water taken by the water allocation holder under subsection (2); and

(b) the volume of water taken by the water allocation holder under section 53 that relates to the volume of water calculated under section 53(3)(a)(i).

53 Supplying and taking water under a water allocation

(1) The ROL holder may supply under a high priority water allocation in a relevant subscheme, and the water allocation holder may take, in a water year, the nominal volume for the water allocation.

(2) The ROL holder may supply under a medium priority water allocation in a relevant subscheme, and the water allocation holder may take, in a water year, the volume of water calculated under subsection (3).

(3) The volume of water is calculated by—

(a) if—

(i) subsection (5) does not apply—multiplying the nominal volume for the water allocation by the announced allocation percentage for the medium priority water allocations in the relevant subscheme to which the water allocation belongs; or

(ii) subsection (5) applies—calculating the volume of water under subsection (5); and

(b) adding the volume of water, if any, that the water allocation holder carried over to the current water year under section 49; and

(c) adding the volume of water, if any, that the water allocation holder brought forward to the current water year under section 50; and

(d) subtracting the volume of water, if any, that the water allocation holder brought forward in the previous water year under section 50.

(4) Subsection (5) applies if, during the water year, the water allocation holder—

(a) takes a volume of water under section 52(2); and

(b) the volume of water mentioned in paragraph (a) is more than the difference between—

(i) the nominal volume for the water allocation; and

(ii) the volume of water calculated under subsection (3)(a)(i).

(5) The volume of water for subsection (3)(a)(ii) is the volume calculated using the following formula—

$$NV - CWSV$$

where—

NV means the nominal volume for the water allocation.

CWSV means the volume of water that the water allocation holder takes under section 52(2) during the water year.

Subdivision 2 John Goleby subscheme

54 Application of sdiv 2

This subdivision applies to the John Goleby subscheme.

55 Definitions for sdiv 2

In this subdivision—

first water period, for a water year, means the period in the water year starting at the start of the water year and ending on the earlier of the following—

(a) if John Goleby Weir is overflowing at the start of the water year—

(i) when the weir stops overflowing;

(ii) 4 months after the start of the water year;

(b) if John Goleby Weir is not overflowing at the start of the water year—

(i) when the weir overflows;

(ii) the end of the water year.

last water period, for a water year, means the water period in the water year that ends on the end of the water year.

subsequent water period, for a water year, means each period in the water year starting at the end of a water period and ending on the earlier of the following—

(a) if John Goleby Weir is overflowing at the start of the period—

(i) when the weir stops overflowing;

(ii) 4 months after the start of the period;

(iii) the end of the water year;

(b) if the John Goleby Weir is not overflowing at the start of the period—

(i) when the weir overflows;

(ii) the end of the water year.

water period, for a water year, means—

(a) the first water period in the water year; or

(b) a subsequent water period in the water year.

56 Announced allocation percentage—initial percentage

(1) The ROL holder must, within 5 business days after the start of a water year, calculate a provisional allocation percentage for the John Goleby MP water allocations under section 59.

(2) The announced allocation percentage for the John Goleby MP water allocations is the provisional allocation percentage calculated under section 59.

(3) However, if the provisional allocation percentage calculated under section 59 is less than zero, the announced allocation percentage for the John Goleby MP water allocations is zero.

(4) The announced allocation percentage—

(a) takes effect on the first day of the water year; and

(b) subject to section 57, has effect as the announced allocation percentage for the John Goleby MP water allocations for the first water period in the water year.

57 Announced allocation percentage—further calculations

(1) During the first water period in the water year, the ROL holder must calculate a provisional allocation percentage for the John Goleby MP water allocations under section 59—

(a) within 5 business days after the start of each quarter of the water year, other than the first quarter; and

(b) within 10 business days after a major inflow for the John Goleby subscheme, other than a major inflow that causes John Goleby Weir to overflow.

(2) Also, the ROL holder may, at any time during the first water period in the water year, calculate a provisional allocation percentage for the John Goleby MP water allocations under section 59.

(3) If the provisional allocation percentage calculated as mentioned in subsection (1) or (2) is greater than the announced allocation percentage currently in effect for the John Goleby MP water allocations, the provisional allocation percentage—

(a) takes effect as the announced allocation percentage for the John Goleby MP water allocations on the day on which the calculation is made; and

(b) has effect as the announced allocation percentage for the John Goleby MP water allocations for the first water period in the water year unless a greater announced allocation percentage takes effect under this section.

58 Publication of announced allocation percentage and start of subsequent water period

(1) The ROL holder must, within the required time after an announced allocation percentage takes effect for the John Goleby MP water allocations under section 56 or 57, publish details of the announced allocation percentage for the water allocations on the ROL holder's website.

(2) Also, the ROL holder must, within 5 business days after the start of a subsequent water period in a water year, publish details of the date on which the subsequent water period started on the ROL holder's website.

Note—

Section 61(4) states the volume of water that may be taken in a subsequent water period by the holder of a John Goleby MP water allocation.

Editor's note for subsections (1) and (2)—

Details for the water supply scheme are on the ROL holder's website.

(3) In this section—

required time means—

(a) for an announced allocation percentage that takes effect under section 56—5 business days; or

(b) for an announced allocation percentage that takes effect under section 57—2 business days.

59 Calculating provisional allocation percentage for John Goleby MP water allocations—ss 56 and 57

The provisional allocation percentage for the John Goleby MP water allocations is the lesser of the percentage calculated using the following formula, rounded up to the nearest whole per cent, and 100%—

$$\frac{(UV + DIV - VIWY)}{MPA} \times 100$$

where—

UV means the usable volume for John Goleby Weir.

DIV means the total volume of water taken under the John Goleby MP water allocations in the first water period in the water year in which the provisional allocation percentage is calculated.

VIWY means the total volume of water carried over to the current water year under section 60 by holders of John Goleby MP water allocations.

MPA means the total of the nominal volumes for the John Goleby MP water allocations.

60 Carry over

The ROL holder may allow the holder of a John Goleby MP water allocation to carry over unused water from the last water period in a water year to the first water period in the next water year.

61 Supplying and taking water under a John Goleby MP water allocation

(1) This section applies to the supply and taking of water in a water year under a John Goleby MP water allocation.

(2) In the first water period in the water year, the ROL holder may supply, and the holder of the water allocation may take, the volume of water calculated under subsection (3).

(3) The volume of water is calculated by—

(a) multiplying the nominal volume for the water allocation by the announced allocation percentage for the John Goleby MP water allocations; and

(b) adding the volume of water, if any, that the water allocation holder carried over to the current water year under section 60.

(4) In a subsequent water period in the water year, the ROL holder may supply, and the holder of the water allocation may take, the nominal volume for the water allocation.

(5) However, the total volume of water supplied or taken under the water allocation in the water year must not exceed 2.5 times the nominal volume for the water allocation.

Part 5 Tables

Table 1 –Storage loss

Month in water year	Bjelke-Petersen Dam	Silverleaf Weir	Joe Sippel Weir
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1,446	0	0
August	1,378	0	0
September	1,280	0	0
October	1,156	0	0
November	1,002	0	0
December	839	0	0
January	679	0	0
February	517	0	0
March	393	0	0

Month in water year	Bjelke-Petersen Dam	Silverleaf Weir	Joe Sippel Weir
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
April	251	0	0
May	137	0	0
June	59	0	0

Month in water year	Paradise Dam	Ned Churchward Weir	Ben Anderson Barrage
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1,479	1,585	1,585
August	1,407	1,497	1,497
September	1,305	1,378	1,378
October	1,176	1,232	1,232
November	1,012	1,065	1,065
December	845	889	889
January	676	714	714
February	518	566	566
March	397	441	441
April	256	302	302
May	141	174	174
June	61	76	76

Month in water year	Fred Haigh Dam	Bucca Weir	Kolan Barrage
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1,585	1,585	1,585

Month in water year	Fred Haigh Dam	Bucca Weir	Kolan Barrage
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
August	1,497	1,497	1,497
September	1,378	1,378	1,378
October	1,232	1,232	1,232
November	1,065	1,065	1,065
December	889	889	889
January	714	714	714
February	566	566	566
March	441	441	441
April	302	302	302
May	174	174	174
June	76	76	76

Month in water year	Wuruma Dam	Kirar Weir	Jones Weir	Claude Wharton Weir	John Goleby Weir
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
July	1,256	815	957	957	0
August	1,201	933	1,090	1,090	0
September	1,121	986	1,154	1,154	0
October	1,012	1,013	1,193	1,193	0
November	872	961	1,141	1,141	0
December	723	863	1,038	1,038	0
January	571	738	902	902	0
February	427	551	680	680	0

Month in water year	Wuruma Dam	Kirar Weir	Jones Weir	Claude Wharton Weir	John Goleby Weir
	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)	Storage loss (mm)
March	324	406	503	503	0
April	207	258	320	320	0
May	112	146	182	182	0
June	49	66	82	82	0

Table 2 –Reserve

Month in water year	Barker Barambah Water Supply Scheme	Burnett River subscheme	Kolan River subscheme
	Reserve (ML)	Reserve (ML)	Reserve (ML)
July	4,480	37,048	7,324
August	4,667	40,135	7,934
September	4,853	43,222	8,544
October	5,040	46,309	9,154
November	5,227	49,396	9,764
December	5,413	52,483	10,374
January	5,600	55,570	10,984
February	5,787	58,657	11,594
March	5,973	61,744	12,204
April	6,160	64,831	12,814
May	6,347	67,918	13,424
June	6,533	71,005	14,034

Month in water year	Wuruma subscheme	Kirar subscheme	Jones subscheme	Claude Wharton subscheme
	Reserve (ML)	Reserve (ML)	Reserve (ML)	Reserve (ML)
July	5	100	160	500
August	6	117	186	584
September	7	133	213	667
October	8	150	239	750
November	8	167	266	832
December	9	183	292	916
January	10	200	319	1,000
February	11	217	345	1,083
March	12	233	372	1,166
April	13	250	400	1,249
May	13	267	428	1,332
June	14	283	454	1,417

Table 3 –Transmission and operational losses

Barker Barambah Water Supply Scheme		
Month in water year	Column 2 (ML)	Column 3 (ML)
July	743	11,401
August	703	11,042
September	631	10,224
October	559	8,766
November	490	7,737
December	428	6,609

Barker Barambah Water Supply Scheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
January	366	5,481
February	303	4,460
March	248	3,552
April	186	2,531
May	122	1,827
June	55	907

Burnett River subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
July	7,410	52,656
August	6,791	51,212
September	6,106	49,041
October	5,431	45,978
November	4,756	42,335
December	4,097	38,291
January	3,441	32,639
February	2,832	25,168
March	2,208	17,599
April	1,596	10,478
May	1,046	4,909
June	500	2,053

Kolan River subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
July	1,465	23,409
August	1,398	22,981
September	1,306	22,031
October	1,200	20,591
November	1,080	18,855
December	955	17,138
January	812	14,720
February	640	11,148
March	471	7,676
April	311	4,596
May	170	1,940
June	77	737

Wuruma subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
July	2	310
August	2	293
September	2	274
October	2	253
November	1	224
December	1	197
January	1	165

Wuruma subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
February	1	136
March	1	109
April	1	73
May	0	46
June	0	22

Kirar subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
July	40	1,692
August	37	1,601
September	33	1,497
October	30	1,377
November	27	1,228
December	23	1,077
January	20	903
February	17	744
March	13	591
April	10	397
May	7	253
June	3	121

Jones subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
July	80	5,256
August	73	4,972
September	67	4,654
October	60	4,280
November	53	3,814
December	47	3,351
January	40	2,805
February	33	2,312
March	27	1,839
April	20	1,233
May	13	784
June	7	377

Claude Wharton subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
July	250	3,861
August	229	2,963
September	208	2,768
October	188	2,543
November	167	2,266
December	146	1,990
January	125	1,668

Claude Wharton subscheme		
Month in water year	**Column 2 (ML)**	**Column 3 (ML)**
February	104	1,376
March	83	1,094
April	63	740
May	42	472
June	21	228

Table 4 –Inflow allowance

Month in water year	Wuruma subscheme (ML)	Kirar subscheme (ML)	Jones subscheme (ML)	Claude Wharton subscheme (ML)
July	0	1,230	3,536	1,351
August	0	806	2,996	707
September	0	592	2,172	466
October	0	302	813	322
November	0	252	722	105
December	0	113	240	0
January	0	0	0	0
February	0	0	0	0
March	0	0	0	0
April	0	0	0	0
May	0	0	0	0
June	0	0	0	0

Table 5 –Transfer allowance

Column 1	Column 2
Wuruma Dam current storage level (m AHD)	**Transfer allowance (ML)**
210	0
212	5,100
219.2	16,000

Schedule 10 Water allocation groups to take unsupplemented surface water

section 83

Column 1 Location	Column 2 Flow conditions	Column 3 Water allocation group
Three Moon Creek from Abercorn gauging station at AMTD 13.2km to Monto Weir at AMTD 64.8km	A flow of 43ML per day or greater at the Monto gauging station and a flow greater than 0ML/d at the Abercorn gauging station	class 1R
	A flow of 86ML per day or greater at the Monto gauging station and a flow greater than 0ML/d at the Abercorn gauging station	class 2R
	A flow of 432ML per day or greater at the Monto gauging station and a flow greater than 0ML/d at the Abercorn gauging station	class 3R
Elliott River from AMTD 9.9km to Elliott Gauging Station Weir at AMTD 16.3km	n/a	class 1D
Elliott River from Elliott Gauging Station Weir at AMTD 16.3km to AMTD 21.3km	n/a	class 1D

Column 1	Column 2	Column 3
Location	**Flow conditions**	**Water allocation group**
Mahogany Creek from its confluence with the Elliott River to AMTD 6.5km	n/a	class 1D
Gillens Creek from its confluence with the Elliott River to AMTD 5.0km	n/a	class 1D
Gregory River from Gregory River Weir at AMTD 13.9km to Isis Highway gauging station at AMTD 47.9km	Start: a flow of 300ML/d or greater at the Leesons gauging station. Cease: a flow of 140ML/d or less at the Leesons gauging station	class 1E
Isis River from Isis Junction Weir at AMTD 11.8km to AMTD 23.8km	n/a	class 1F

Schedule 11 Rates and pump sizes

sections 80(1)(b) and (c) and 87(1)(b) and (c)

Column 1	Column 2	Column 3
Pump size (mm)	Maximum rate (l/s)	Daily volumetric limit (ML)
32	8	0.69
40	13	1.05
50	25.5	2.2
65	46.3	4
80	65	5.6
100	95	8.2
125	116	10
150	149	12.9
200	220	19
250	300	25.9
300	347	30
350	405	35
375–400	500	43.2
450	636	55
500	762	65.8
600–610	1,000	86.4
660	1,527	132
800	2,130	184

Schedule 12 Dictionary

section 4

1.5 year daily flow volume, for a node, means the daily flow at the node that has a 67% probability of being reached at least once a year.

5 year daily flow volume, for a node, means the daily flow at the node that has a 20% probability of being reached at least once a year.

20 year daily flow volume, for a node, means the daily flow at the node that has a 5% probability of being reached at least once a year.

90% annual volume probability means the percentage of years in the groundwater simulation period in which the volume of water that may be taken by a water allocation group is at least 90% of the total of the nominal volumes for the water allocations in the group.

adjusted storage level, for a storage, for schedule 9, see schedule 9, section 1.

adjusted storage volume, for a storage, for schedule 9, see schedule 9, section 1.

adopted middle thread distance means the distance in kilometres, measured along the middle of a watercourse, that a specific point in the watercourse is, at the commencement of this plan, from—

(a) the watercourse's mouth; or

(b) if the watercourse flows into another watercourse—the watercourse's confluence with its main watercourse.

AHD means the Australian height datum adopted by the National Mapping Council of Australia for referencing a level or height back to a standard base level.

amended water licence—

(a) for chapter 5, part 2, division 7, subdivision 2, see section 85; or

(b) for chapter 5, part 3, division 3, subdivision 2, see section 102.

AMTD means the adopted middle thread distance.

announced allocation percentage—

(a) for a priority group in a water supply scheme, for schedule 9—see schedule 9, section 1; or

(b) for the high priority water allocations, or medium priority water allocations, in a relevant subscheme, for schedule 9—see schedule 9, section 1; or

(c) for the John Goleby MP water allocations, for schedule 9—see schedule 9, section 1.

annual flow volume, for a point on a watercourse or a node, means the total volume of flow, at the point or node, in a period of 12 months starting on 1 July.

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

annual volumetric limit, for a water allocation, means the maximum volume of water that may be taken under the allocation in a water year.

authorisation means a water licence, water permit, interim water allocation, water allocation or other authority to take water given under the Act or the repealed Act, other than a water permit for stock or domestic purposes.

average depth to the watertable, for a node, means the sum of the simulated vertical distances at the node for each month in the groundwater simulation period, divided by the number of months in the groundwater simulation period.

average ocean groundwater discharge, for a groundwater sub-area, means the total volume of groundwater simulated to have been discharged to the ocean from the groundwater

sub-area in the groundwater simulation period, divided by the number of years in the groundwater simulation period.

Avondale authorisations, for chapter 5, part 2, division 2, see section 54.

Barker Barambah HP water allocations, for schedule 9, part 2, see schedule 9, section 3.

Barker Barambah MP water allocations, for schedule 9, part 2, see schedule 9, section 3.

Barker Barambah Water Supply Scheme means the water supply scheme described in the resource operations plan as the Barker Barambah Water Supply Scheme.

Boyne River and Tarong Water Supply Scheme means the water supply scheme described in the resource operations plan as the Boyne River and Tarong Water Supply Scheme.

bulk capacity share, for schedule 9, see schedule 9, section 1.

Bundaberg Water Supply Scheme means the water supply scheme described in the resource operations plan as the Bundaberg Water Supply Scheme.

Burnett bulk capacity share, for schedule 9, see schedule 9, section 1.

Burnett HP water allocations, for schedule 9, part 3, division 3, see schedule 9, section 24.

Burnett MP water allocations, for schedule 9, part 3, division 3, see schedule 9, section 24.

Burnett River subscheme, for schedule 9, see schedule 9, section 1.

Claude Wharton A MP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Claude Wharton A subscheme, for schedule 9, see schedule 9, section 1.

Claude Wharton B MP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Claude Wharton B subscheme, for schedule 9, see schedule 9, section 1.

Claude Wharton HP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Claude Wharton MP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Claude Wharton subscheme, for schedule 9, see schedule 9, section 1.

Coastal Burnett groundwater computer program means the department's computer program, developed using the code 'MODFLOW', that simulates movement of water below the surface of the land in the Coastal Burnett groundwater management area.

Coastal Burnett overland flow area see section 7.

commencement means the commencement of this schedule.

coordinated project means a project declared under the *State Development and Public Works Organisation Act 1971*, section 26 to be a coordinated project.

current storage level, for a storage, for schedule 9, see schedule 9, section 1.

current storage volume, for a storage, for schedule 9, see schedule 9, section 1.

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

daily volumetric limit, for a water licence, means the maximum volume of water that may be taken under the licence in a day.

dead storage volume, for a storage, for schedule 9, see schedule 9, section 1.

dewatering means—

(a) draining, either permanently or temporarily, overland flow water from land; or

(b) removing groundwater from soils or sediments that are waterlogged.

discharge, for a flow at a point in a watercourse, means the rate at which water passes the point, measured in cubic metres a second or megalitres a day.

diversion, for a water supply scheme or subscheme, for a water year, for schedule 9, see schedule 9, section 1.

drawdown period, for a node, means any period, expressed as a percentage of the groundwater simulation period, for which the simulated vertical distance for the node is more than the maximum distance for the node.

existing overland flow works—

(a) means works that allow the taking of overland flow water in the Coastal Burnett overland flow area and either—

(i) were in existence on 18 January 2010; or

(ii) were started, but not completed, by 18 January 2010 and—

(A) if a variation to a moratorium notice was granted for the works under section 27 of the Act—have been, or are being, completed in accordance with the moratorium notice, as varied; or

(B) if sub-subparagraph (A) does not apply—were completed by 19 July 2010; and

(b) if works replacing the works mentioned in paragraph (a) do not increase the volume of water that may be taken under the works mentioned in paragraph (a)—includes works replacing the works mentioned in paragraph (a).

first water period, for a water year, for schedule 9, part 4, division 3, subdivision 2, see schedule 9, section 55.

flow regime means the entire range of flows at a point in a watercourse including variations in the watercourse height, discharge, seasonality and event duration.

full supply volume, for a storage, for schedule 9, see schedule 9, section 1.

general reserve means a volume of unallocated water available for allocation for any purpose.

groundwater means underground water to which the *Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017* does not apply.

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

groundwater management area see section 8.

groundwater simulation period means the period from 1 January 1905 to 31 December 2004.

groundwater sub-area see section 9.

high priority water allocations, for a relevant subscheme, for schedule 9, see schedule 9, section 1.

Indigenous purpose means the purpose of helping an Indigenous community achieve its economic and social aspirations.

inflow allowance, for a subscheme, for a month, for schedule 9, see schedule 9, section 1.

infrastructure operating rules, for water infrastructure to which the resource operations plan applies, means details of how the infrastructure will be operated.

IQQM computer program means—

(a) the department's Integrated Quantity and Quality Modelling computer program that simulate daily stream flows, flow management, storages, releases, instream infrastructure, water diversions, water demands and other hydrologic events in the plan area; and

(b) the statistical analysis and reporting programs associated with the computer program mentioned in paragraph (a).

IQQM simulation period means the period from 1 July 1890 to 30 June 2008.

John Goleby MP water allocations, for schedule 9, see schedule 9, section 1.

John Goleby subscheme, for schedule 9, see schedule 9, section 1.

Jones HP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Jones MP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Jones subscheme, for schedule 9, see schedule 9, section 1.

Kirar HP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Kirar MP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Kirar subscheme, for schedule 9, see schedule 9, section 1.

Kolan bulk capacity share, for schedule 9, see schedule 9, section 1.

Kolan HP water allocations, for schedule 9, part 3, division 3, see schedule 9, section 24.

Kolan MP water allocations, for schedule 9, part 3, division 3, see schedule 9, section 24.

Kolan River subscheme, for schedule 9, see schedule 9, section 1.

last water period, for a water year, for schedule 9, part 4, division 3, subdivision 2, see schedule 9, section 55.

major inflow—

(a) for a water supply scheme, for schedule 9—see schedule 9, section 1; or

(b) for the John Goleby MP water allocations, for schedule 9—see schedule 9, section 1.

maximum distance, for a node, means the distance stated for the node in schedule 7, part 2, table 4, column 2.

mean annual flow, for a node, means the total volume of flow, at the node, in the IQQM simulation period divided by the number of years in the IQQM simulation period.

median annual flow, for a node, means the annual flow volume, at the node, that is equalled or exceeded in 50% of years in the IQQM simulation period.

medium priority water allocations, for a relevant subscheme, for schedule 9, see schedule 9, section 1.

monthly supplemented water sharing index, for water allocations to take supplemented water, means the percentage of months in the IQQM simulation period in which the allocations are fully supplied.

node means a node under section 11.

nominal entitlement see the *Water Regulation 2016*, section 28.

period of no flow, for a node, means the period in the IQQM simulation period in which the flow of water at the node is less than 1ML a day.

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

(a) there were no dams or other water infrastructure in the plan area; and

(b) no water was taken under authorisations in the plan area.

prescribed existing groundwater works means—

(a) works for taking groundwater, other than for stock or domestic purposes—

(i) in the following groundwater sub-areas for which a notice was given under the repealed *Water Resource (Burnett Basin) Plan 2000*, section 30C—

(A) Kolan-Burnett B groundwater sub-area;

(B) Burnett-Elliott B groundwater sub-area;

(C) Elliott-Gregory B groundwater sub-area;

(D) Farnsfield B groundwater sub-area;

(E) Fairymead B groundwater sub-area; or

(ii) that are constructed or installed to replace works mentioned in subparagraph (i) and that—

(A) are within 10m of the location of the works mentioned in subparagraph (i); and

(B) tap the same aquifer tapped by the works mentioned in subparagraph (i); or

(b) works for taking groundwater, other than for stock or domestic purposes, in a groundwater management area (other than the Coastal Burnett groundwater management area or the Upper Burnett groundwater management area) that—

(i) were in existence on 18 January 2010; or

(ii) were started, but not completed, by 18 January 2010 and—

(A) if a variation to a moratorium notice was granted for the works under section 27 of the Act—have been, or are being, completed in accordance with the moratorium notice, as varied; or

(B) otherwise—were completed by 19 July 2010; or

(iii) are constructed or installed to replace works mentioned in subparagraph (i) or (ii) and—

(A) are within 10m of the location of the works mentioned in subparagraph (i) or (ii); and

(B) tap the same aquifer tapped by the works mentioned in subparagraph (i) or (ii).

project of regional significance means a project the chief executive considers to be a project of regional significance under section 38.

provisional allocation percentage—

(a) for a priority group in a water supply scheme, for schedule 9—see schedule 9, section 1; or

(b) for the high priority water allocations, or medium priority water allocations, in a relevant subscheme, for schedule 9—see schedule 9, section 1; or

(c) for the John Goleby MP water allocations, for schedule 9—see schedule 9, section 1.

relevant groundwater management area means any of the following—

(a) Barambah Creek groundwater management area;

(b) Central Burnett River groundwater management area;

(c) Coastal Burnett groundwater management area;

(d) Upper Burnett groundwater management area.

relevant subscheme—

(a) for schedule 9, part 3, division 3—see schedule 9, section 23; or

(b) for schedule 9, part 4, division 3, subdivision 1—see schedule 9, section 40.

reserve, for a water supply scheme or subscheme, for a month, for schedule 9, see schedule 9, section 1.

resource operations plan means the resource operations plan for this plan that was made in 2003.

Note—

See the Act, section 1266.

ROL holder—

(a) for schedule 9, part 2—see schedule 9, section 2; or

(b) for schedule 9, part 3—see schedule 9, section 17; or

(c) for schedule 9, part 4—see schedule 9, section 34.

seasonality, for a flow in a watercourse, means the time of year when the flow happens.

seawater intrusion means the movement of sea water inland into aquifers that contain freshwater.

simulated vertical distance means a vertical distance from the surface of the land to the watertable that is simulated by—

(a) the Coastal Burnett groundwater computer program; or

(b) if it is not practical to use the Coastal Burnett groundwater computer program, another assessment method approved by the chief executive under section 26(2).

started, for existing overland flow works or prescribed existing groundwater works, means all of the following apply to the works—

(a) construction of the works has physically begun or, if construction has not physically begun, a contract has been entered into to begin construction;

(b) an independently verifiable construction program exists for progressive construction towards completion of the works;

(c) detailed design plans exist showing, among other things, the extent of the works;

(d) if a permit is required for the works under the repealed *Local Government Act 1993*, section 940—the permit has been issued;

(e) if a development permit is required for the works—the permit had been given.

State purpose means—

(a) a coordinated project; or

(b) a project of regional significance; or

(c) town water supply purposes.

storage curve, for a storage, for schedule 9, see schedule 9, section 1.

storage loss, for a storage, for a month, for schedule 9, see schedule 9, section 1.

strategic reserve means a volume of unallocated water available only for allocation for a State purpose or an Indigenous purpose.

strategic water infrastructure reserve means a volume of unallocated water available only for allocation for a coordinated project.

subcatchment area see section 6.

subscheme, for schedule 9, see schedule 9, section 1.

subsequent water period, for a water year, for schedule 9, part 4, division 3, subdivision 2, see schedule 9, section 55.

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

surface water see section 12(1).

this plan see section 1.

Three Moon Creek Water Supply Scheme means—

(a) the water supply scheme described in the interim resource operations licence for the Three Moon Creek Water Supply Scheme; or

(b) if the resource operations plan provides for a water supply scheme as the Three Moon Creek Water Supply Scheme—the water supply scheme described in the resource operations plan under that name.

transfer allowance, for schedule 9, see schedule 9, section 1.

transmission and operational losses, for a water supply scheme or relevant subscheme, for a month, for schedule 9, see schedule 9, section 1.

unallocated water means surface water available for allocation in the plan area.

unsupplemented groundwater means groundwater that is unsupplemented water.

unsupplemented surface water means surface water that is unsupplemented water.

unsupplemented water means water that is not supplemented water.

unused water—

(a) for the last water period in a water year, for schedule 9—see schedule 9, section 1; or

(b) for a water year, for schedule 9—see schedule 9, section 1.

Upper Burnett Water Supply Scheme means the water supply scheme described in the resource operations plan as the Upper Burnett Water Supply Scheme.

usable volume—

(a) for a bulk capacity share, for schedule 9—see schedule 9, section 1; or

(b) for a storage, for schedule 9—see schedule 9, section 1.

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

water period, for a water year, for schedule 9, part 4, division 3, subdivision 2, see schedule 9, section 55.

water year, for schedule 9, see schedule 9, section 1.

works that allow the taking of overland flow water include—

(a) storages, sumps, drains, embankments, channels and pumps for taking, or that can be used for taking, overland flow water; and

(b) storages that are connected to the works mentioned in paragraph (a); and

(c) works that make, or that can be used to make, the connections between the storages mentioned in paragraph (b) and the works mentioned in paragraph (a).

Wuruma HP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Wuruma MP water allocations, for schedule 9, part 4, division 3, subdivision 1, see schedule 9, section 41.

Wuruma subscheme, for schedule 9, see schedule 9, section 1.