



Queensland

Water Amendment Plan (Burdekin Basin) (No. 1) 2017

Subordinate Legislation 2017 No. 7

made under the

Water Act 2000

Contents

		Page
1	Short title	5
2	Plan amended	5
3	Declaration of amendments—Act, s 1259	5
4	Insertion of new s 6A	5
	6A Water management area zones	5
5	Amendment of s 8 (Information about areas)	5
6	Replacement of pt 3, hdg (Outcomes for sustainable management of water)	6
7	Amendment of s 12 (General outcomes)	6
8	Amendment of s 22 (Restrictions on taking water from waterholes or lakes)	6
9	Amendment of s 23 (Matters to be considered for environmental management rules)	6
10	Replacement of s 24 (Matters to be considered for water sharing rules)	7
	24 Matters to be considered for water sharing rules for unsupplemented water	7
11	Omission of s 24A (Matters to be considered for infrastructure operating rules)	7
12	Amendment of s 25 (Matters to be considered for water allocation change rules)	8
13	Insertion of new ss 26A to 28	8

Contents

	26A	Particular applications for water licences must not be accepted	8
	26B	Accepting and deciding applications for dealings with water licences	8
	27	Deciding applications to increase per-second rate or maximum rate for water licences	9
	28	Deciding applications to take water for stock or domestic purposes	10
14		Replacement of pt 5, div 2 (Unallocated water)	11
	Division 2	Unallocated water	
	Subdivision 1	General reserve, strategic reserve and SunWater reserve	
	29	Unallocated water held as general, strategic or SunWater reserve	11
	30	Volumes of unallocated water held	11
	31	Volume of unallocated water held as general reserve or strategic reserve for subcatchment areas	12
	32	Release of unallocated water held as strategic reserve	12
	Subdivision 2	Dealing with unallocated water	
	33	Releasing unallocated water	12
	33A	Processes for release of unallocated water	13
	33B	Unallocated water released for coordinated project or project of regional significance	13
15		Omission of pt 5, div 3 (Process for granting and amending interim resource operations licence)	13
16		Omission of pt 5, div 6, sdiv 1, hdg (Preliminary)	14
17		Replacement of s 54 (Application of div 6)	14
	54	Application of division	14
18		Amendment of s 56 (Purpose to be stated on water allocation)	14
19		Omission of pt 5, div 6, sdiv 3, hdg (Water allocations to take unsupplemented water)	14
20		Omission of s 62 (Authorisations to be converted)	14
21		Replacement of s 63 (Elements of a water allocation to take unsupplemented water)	15
	63	Elements of a water allocation	15
22		Amendment of s 64 (Nominal volumes for water allocations to take unsupplemented water)	15
23		Replacement of ss 65 and 66	15
	65	Per-second rate	15
	66	Maximum rate	17

24	Amendment of s 67 (Annual volumetric limits for taking unsupplemented water)	18
	67 Volumetric limits	18
25	Amendment of s 68 (Conditions for taking unsupplemented water)	18
26	Amendment of s 69 (Water allocation groups for water allocations to take unsupplemented water)	18
27	Amendment of s 71 (Water licences to take unsupplemented water)	19
28	Replacement of ss 73 and 74	19
	73 Per-second rates for water licences to take unsupplemented water	19
	74 Maximum rates for water licences to take unsupplemented water	20
29	Amendment of section 75 (Annual volumetric limits for taking unsupplemented water)	21
30	Omission of s 78 (Conditions giving effect to rules)	22
31	Amendment of s 79 (Limitation on taking overland flow water—Act, s 20(2))	22
32	Insertion of new pt 5, div 8, sdiv 1, hdg	22
33	Amendment of s 80 (Taking water using particular existing overland flow works authorised)	23
34	Insertion of new pt 5, div 8, sdiv 2, hdg	23
35	Insertion of new s 80A	23
	80A Deciding application to amend water licence by removing water storage condition	23
36	Replacement of s 81 (Granting or amending water licences under the resource operations plan)	24
	81 Definition for subdivision	24
	81A Purpose of subdivision	24
	81B Notice of proposed grant or amendment	25
	81C Decision about grant or amendment	26
	81D Content, conditions and effect of water licence	26
37	Amendment of s 83 (Monitoring and reporting requirements) . . .	27
38	Replacement of pt 7 (Implementing and amending this plan) . . .	27
	Part 7 Amending this plan	
	87 Amendments of a type not requiring public consultation—Act, s 51	27
39	Insertion of new sch 2A	28
	Schedule 2A Water management area zones	28
40	Amendment of sch 8 (Rates and pump sizes)	30

Contents

41	Amendment of sch 10 (Dictionary)	30
----	--	----

1 Short title

This plan may be cited as the *Water Amendment Plan (Burdekin Basin) (No. 1) 2017*.

2 Plan amended

This plan amends the *Water Plan (Burdekin Basin) 2007*.

3 Declaration of amendments—Act, s 1259

Each of the following amendments is made for section 1259(7) of the Act—

- (a) the amendments under sections 4, 5, 13, 33, 34, 35, 36 and 38 of this plan;
- (b) the insertion, under section 14 of this plan, of sections 30 and 32 of the *Water Plan (Burdekin Basin) 2007*.

4 Insertion of new s 6A

After section 6—

insert—

6A Water management area zones

- (1) Each part of a water management area shown on a map in schedule 2A is a *water management area zone* for this plan.
- (2) Each water management area zone is identified on the map by its name.

5 Amendment of s 8 (Information about areas)

Section 8(1), after ‘water management areas’—

insert—

, water management area zones

[s 6]

6 Replacement of pt 3, hdg (Outcomes for sustainable management of water)

Part 3, heading—

omit, insert—

Part 3 Water plan outcomes

7 Amendment of s 12 (General outcomes)

(1) Section 12(e)(i), ‘and Thuringowa’—

omit.

(2) Section 12(f)(ii), ‘Charters Towers, Dalrymple Shire’—

omit, insert—

the local government area of the Charters Towers
Regional Council

8 Amendment of s 22 (Restrictions on taking water from waterholes or lakes)

(1) Section 22(1)(c)—

omit.

(2) Section 22(2), ‘water licence, water allocation, resource operations licence or distribution operations licence’—

omit, insert—

water licence or water allocation

9 Amendment of s 23 (Matters to be considered for environmental management rules)

Section 23(1), ‘the resource operations plan’—

omit, insert—

the water management protocol or a resource
operations licence

10 Replacement of s 24 (Matters to be considered for water sharing rules)

Section 24—

omit, insert—

24 Matters to be considered for water sharing rules for unsupplemented water

- (1) In deciding the water sharing rules, to be included in the water management protocol, for authorisations to take unsupplemented water in a part of the plan area, the chief executive must consider the following—
 - (a) any existing water sharing arrangements;
 - (b) the local availability of water that may be taken from streamflows, waterholes or bedsands;
 - (c) the conditions for taking water decided under section 68 or 76;
 - (d) the per-second rates decided under section 65 or 73;
 - (e) the maximum rates decided under section 66 or 74;
 - (f) the volumetric limits decided under section 67 or 75;
 - (g) the impact on authorisations to take water in the plan area.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

11 Omission of s 24A (Matters to be considered for infrastructure operating rules)

Section 24A—

omit.

[s 12]

12 Amendment of s 25 (Matters to be considered for water allocation change rules)

- (1) Section 25, heading, ‘change’—

omit, insert—

dealing

- (2) Section 25(1), ‘change rules, to be included in the resource operations plan’—

omit, insert—

dealing rules, to be included in the water management protocol

13 Insertion of new ss 26A to 28

Part 5, division 1—

insert—

26A Particular applications for water licences must not be accepted

- (1) This section does not apply to an application to which section 26 applies.
- (2) An application for a water licence must not be accepted under section 107 of the Act if the application is for a water licence to—
- (a) take water and use water on the land; or
 - (b) interfere with the flow of water on, under or adjoining the land.

26B Accepting and deciding applications for dealings with water licences

- (1) This section applies to the chief executive in making a decision about an application for 1 or more dealings with a water licence, other than an application to which section 26 applies.
- (2) The chief executive may accept and decide the application if granting the application would

not—

- (a) increase the volumetric limit for the licence; or
- (b) increase the interference with water under the licence; or
- (c) change a location from which water may be taken under the licence; or
- (d) change a condition of the licence, other than by removing a water storage condition.

27 Deciding applications to increase per-second rate or maximum rate for water licences

- (1) This section applies to the chief executive in making a decision about an application to increase the per-second rate or maximum rate for a water licence.
- (2) The chief executive may grant the application if—
 - (a) the existing works for taking water under the licence have the capacity to take water at a rate greater than the existing rate the subject of the application; and
 - (b) if the existing works include a pump—the rate applied for does not exceed—
 - (i) for a pump of a size mentioned in schedule 8, column 1—the corresponding rate stated in schedule 8, column 2 or column 3 for the pump size; or
 - (ii) for a pump of another size—the rate decided by the chief executive having regard to the corresponding rates stated for similar pump sizes in schedule 8, column 2 or column 3.

28 Deciding applications to take water for stock or domestic purposes

- (1) This section applies to the chief executive in making a decision about an application to take water from a watercourse, lake or spring if—
 - (a) the proposed taking is for—
 - (i) stock purposes only; or
 - (ii) domestic purposes only; or
 - (iii) stock purposes and domestic purposes only; and
 - (b) the proposed location for the taking is not in a water management area zone.
- (2) The chief executive may grant the application if the chief executive is satisfied—
 - (a) the applicant does not hold a water entitlement allowing the taking of water from the proposed location; and
 - (b) there is no alternative water supply to the proposed location; and
 - (c) there is no unallocated water at the proposed location for which the applicant may apply for a water entitlement; and
 - (d) there is a registered plan of survey for the land containing the proposed location; and
 - (e) the plan of survey was registered before the final draft of the pre-amendment resource operations plan was approved under section 103(5) of the pre-amendment Act.
- (3) Subsection (2) does not limit the matters the chief executive may consider.
- (4) In this section—

pre-amendment Act means the Act as in force immediately before 6 December 2016.

pre-amendment resource operations plan means the resource operations plan to implement the pre-amendment water resource plan as in force immediately before 6 December 2016.

pre-amendment water resource plan means this plan as in force immediately before 6 December 2016.

registered plan of survey means a plan of survey registered under the *Land Title Act 1994*.

14 Replacement of pt 5, div 2 (Unallocated water)

Part 5, division 2—

omit, insert—

Division 2 Unallocated water

Subdivision 1 General reserve, strategic reserve and SunWater reserve

29 Unallocated water held as general, strategic or SunWater reserve

Unallocated water is held as a general reserve, strategic reserve or SunWater reserve and dealt with under this division.

30 Volumes of unallocated water held

- (1) The volume of unallocated water held as a general reserve is 200,000ML.
- (2) The volume of unallocated water held as a strategic reserve is 335,000ML.
- (3) The volume of unallocated water held as a SunWater reserve is 8744ML.

31 Volume of unallocated water held as general reserve or strategic reserve for subcatchment areas

- (1) The volume of unallocated water held as a general reserve or a strategic reserve in a subcatchment area is the volume stated for the reserve in the water management protocol for the subcatchment area.
- (2) This section does not limit section 30(1) or (2).

32 Release of unallocated water held as strategic reserve

Unallocated water held as a strategic reserve may be released for the following purposes—

- (a) 35,000ML for State purposes;
- (b) 150,000ML for a future raising of the Burdekin Falls Dam by up to 2m;
- (c) 150,000ML for water infrastructure for the Bowen and Broken subcatchment areas for industrial purposes.

Subdivision 2 Dealing with unallocated water

33 Releasing unallocated water

- (1) Unallocated water may be released from the general reserve, strategic reserve or SunWater reserve under section 33A.
- (2) However, the volume of unallocated water released from the strategic reserve for a purpose mentioned in section 32 can not be more than the volume that may be released for the purpose under that section.

33A Processes for release of unallocated water

- (1) Subsection (2) applies to the release of unallocated water held as—
 - (a) a general reserve; or
 - (b) a strategic reserve for a State purpose.
- (2) The process for releasing the unallocated water is the process stated in the *Water Regulation 2016*, part 2, division 2, subdivision 2.
- (3) Subsection (4) applies to the release of unallocated water held as—
 - (a) a strategic reserve for a purpose other than a State purpose; or
 - (b) a SunWater reserve.
- (4) The process for releasing the unallocated water is the process stated in the water management protocol.

33B Unallocated water released for coordinated project or project of regional significance

- (1) This section applies to a volume of unallocated water released 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 unallocated water is released only for the life of the project and, on conclusion of the project, the volume of water returns to the strategic reserve as unallocated water to be released for State purposes.

15 Omission of pt 5, div 3 (Process for granting and amending interim resource operations licence)

Part 5, division 3—

omit.

16 Omission of pt 5, div 6, sdiv 1, hdg (Preliminary)

Part 5, division 6, subdivision 1, heading—

omit.

17 Replacement of s 54 (Application of div 6)

Section 54—

omit, insert—

54 Application of division

- (1) This division applies to each water allocation to take unsupplemented water converted, under section 146 of the Act, from an authorisation.
- (2) In a provision about a water allocation, a reference to the authorisation is a reference to the authorisation that is converted to the water allocation.

18 Amendment of s 56 (Purpose to be stated on water allocation)

Section 56(c), from ‘North’ to ‘South’—

omit, insert—

Lower

19 Omission of pt 5, div 6, sdiv 3, hdg (Water allocations to take unsupplemented water)

Part 5, division 6, subdivision 3, heading—

omit.

20 Omission of s 62 (Authorisations to be converted)

Section 62—

omit.

21 Replacement of s 63 (Elements of a water allocation to take unsupplemented water)

Section 63—

omit, insert—

63 Elements of a water allocation

A water allocation must state each of the following for the allocation—

- (a) the per-second rate;
- (b) the maximum rate;
- (c) the volumetric limit;
- (d) the flow conditions.

22 Amendment of s 64 (Nominal volumes for water allocations to take unsupplemented water)

Section 64, 'to take unsupplemented water'—

omit.

23 Replacement of ss 65 and 66

Sections 65 and 66—

omit, insert—

65 Per-second rate

- (1) The per-second rate for a water allocation is—
 - (a) if the authorisation states a per-second rate—the stated rate; or
 - (b) if the authorisation does not state a per-second rate but the works for taking water under the authorisation include a pump—

- (i) for a pump of a size mentioned in schedule 8, column 1—the rate stated in schedule 8, column 2 for the pump size; or
 - (ii) for a pump of another size—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 8, column 2; or
 - (c) otherwise—the per-second rate decided by the chief executive having regard to—
 - (i) the type of authorisation; and
 - (ii) an estimate or measurement of the per-second rate at which water can be taken under the authorisation.
- (2) However, for subsection (1)(b), if the authorisation holder satisfies the chief executive that the per-second rate at which water can be taken is different from the per-second rate determined under that subsection, the per-second 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 any works for taking water under the authorisation;
 - (c) the irrigation or water distribution system related to the works during a period, of not more than 10 years, immediately before the draft water entitlement notice that provided for the conversion of the authorisation was published;
 - (d) the efficiency of the water use mentioned in paragraph (c).

66 Maximum rate

- (1) The maximum rate for a water allocation is—
 - (a) if the authorisation states the volume of water that may be taken in a day—the stated volume; or
 - (b) if the authorisation does not state a volume but the works for taking water under the authorisation include a pump—
 - (i) for a pump of a size mentioned in schedule 8, column 1—the maximum rate stated in schedule 8, column 3 for the pump size; or
 - (ii) for a pump of another size—the maximum rate decided by the chief executive having regard to the maximum rates stated for similar pump sizes in schedule 8, column 3; or
 - (c) otherwise—the maximum rate decided by the chief executive having regard to—
 - (i) the type of authorisation; and
 - (ii) an estimate or measurement of the maximum rate at which water can be taken under the authorisation.
- (2) However, for subsection (1)(b), if the authorisation holder satisfies the chief executive that the water taking capacity of the pump is different from the maximum rate determined under that subsection, the maximum rate is the volume decided by the chief executive having regard to the following—
 - (a) the conditions under which the water may be taken under the authorisation;
 - (b) the water taking capacity of any works for taking water under the authorisation;

[s 24]

- (c) the irrigation or water distribution system related to the works during a period, of not more than 10 years, immediately before the draft water entitlement notice that provided for the conversion of the authorisation was published;
 - (d) the efficiency of the water use mentioned in paragraph (c).
- (3) The chief executive must ensure the maximum rate for a water allocation is not more than the volume that could be taken in a day at the per-second rate for the water allocation.

24 Amendment of s 67 (Annual volumetric limits for taking unsupplemented water)

- (1) Section 67, heading—

omit, insert—

67 Volumetric limits

- (2) Section 67, ‘annual volumetric limit for a water allocation to take unsupplemented water’—

omit, insert—

volumetric limit for a water allocation

25 Amendment of s 68 (Conditions for taking unsupplemented water)

- (1) Section 68, heading, ‘for taking unsupplemented water’—

omit.

- (2) Section 68(1), ‘to take unsupplemented water’—

omit.

26 Amendment of s 69 (Water allocation groups for water allocations to take unsupplemented water)

Section 69, ‘to take unsupplemented water’—

omit.

27 Amendment of s 71 (Water licences to take unsupplemented water)

Section 71(b) to (d)—

omit, insert—

- (b) the per-second rate for the licence;
- (c) the maximum rate for the licence;
- (d) the volumetric limit for the licence.

28 Replacement of ss 73 and 74

Sections 73 and 74—

omit, insert—

73 Per-second rates for water licences to take unsupplemented water

- (1) The per-second rate for a water licence to take unsupplemented water is—
 - (a) if the licence states a per-second rate—the stated rate; or
 - (b) if the licence does not state a per-second rate but the works for taking water under the licence include a pump—
 - (i) for a pump of a size mentioned in schedule 8, column 1—the rate stated in schedule 8, column 2 for the pump size; or
 - (ii) for a pump of another size—the rate decided by the chief executive having regard to the rates stated for similar pump sizes in schedule 8, column 2; or
 - (c) otherwise—the per-second rate decided by the chief executive having regard to—
 - (i) the type of licence; and

- (ii) an estimate or measurement of the per-second rate at which water can be taken under the licence.
- (2) However, for subsection (1)(b), if the licence holder satisfies the chief executive that the per-second rate at which water can be taken is different from the per-second rate determined under that subsection, the per-second 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 any works for taking water under the licence;
 - (c) the irrigation or water distribution system related to the works during a period, of not more than 10 years, immediately before the commencement of this plan;
 - (d) the efficiency of the water use mentioned in paragraph (c).

74 Maximum rates for water licences to take unsupplemented water

- (1) The maximum rate for a water licence to take unsupplemented water is—
 - (a) if the licence states the volume of water that may be taken in a day—the stated volume; or
 - (b) if the licence does not state a volume but the works for taking water under the licence include a pump—
 - (i) for a pump of a size mentioned in schedule 8, column 1—the maximum rate stated in schedule 8, column 3 for the pump size; or

-
- (ii) for a pump of another size—the maximum rate decided by the chief executive having regard to the maximum rates stated for similar pump sizes in schedule 8, column 3; or
 - (c) otherwise—the maximum rate decided by the chief executive having regard to—
 - (i) the type of licence; and
 - (ii) an estimate or measurement of the maximum rate at which water can be taken under the licence.
 - (2) However, for subsection (1)(b), if the licence holder satisfies the chief executive that the water taking capacity of the pump is different from the maximum rate determined under that subsection, the maximum rate is the volume decided by the chief executive having regard to the following—
 - (a) the conditions under which the water may be taken under the licence;
 - (b) the water taking capacity of any works for taking water under the licence;
 - (c) the irrigation or water distribution system related to the works during a period, of not more than 10 years, immediately before the commencement of this plan;
 - (d) the efficiency of the water use mentioned in paragraph (c).
 - (3) The chief executive must ensure the maximum rate for a water licence is not more than the total volume that could be taken in a day at the per-second rate for the licence.

29 Amendment of section 75 (Annual volumetric limits for taking unsupplemented water)

- (1) Section 75, heading—

[s 30]

omit, insert—

75 Volumetric limits for water licences to take unsupplemented water

- (2) Section 75, ‘annual volumetric’—

omit, insert—

volumetric

30 Omission of s 78 (Conditions giving effect to rules)

Section 78—

omit.

31 Amendment of s 79 (Limitation on taking overland flow water—Act, s 20(2))

- (1) Section 79, heading, ‘s 20(2)’—

omit, insert—

s 101

- (2) Section 79, before subsection (1)—

insert—

(1AA) This section prescribes limits, for section 101(1)(b) of the Act, on an authorisation for a person to take overland flow water under that section.

- (3) Section 79(1AA) to (2)—

renumber as section 79(1) to (3).

32 Insertion of new pt 5, div 8, sdiv 1, hdg

Part 5, division 8, before section 79—

insert—

Subdivision 1 Preliminary

33 Amendment of s 80 (Taking water using particular existing overland flow works authorised)

Section 80(1), ‘79(1)(a) to (e)’—

omit, insert—

79(2)(a) to (e)

34 Insertion of new pt 5, div 8, sdiv 2, hdg

After section 80—

insert—

Subdivision 2 Water licences

35 Insertion of new s 80A

Part 5, division 8—

insert—

80A Deciding application to amend water licence by removing water storage condition

- (1) This section applies in relation to an application to amend a water licence (the *existing licence*) by removing a water storage condition of the licence.
- (2) If the chief executive grants the application, the chief executive must grant to the applicant a water licence (the *separate licence*) to take overland flow water.
- (3) The separate licence—
 - (a) must authorise the taking of overland flow water only from the location at which water was taken or interfered with under the existing licence; and
 - (b) must state the purpose for which water may be taken under the separate licence, which must be either—
 - (i) rural; or

[s 36]

- (ii) any; and
- (c) must state at least 1 of the following for the separate licence—
 - (i) the maximum rate;
 - (ii) the maximum volume of water to be stored in existing overland flow works used to take overland flow water under the licence;
 - (iii) the volumetric limit;
 - (iv) the mean annual volume; and
- (d) may state conditions under which overland flow water may be taken under the separate licence.

36 Replacement of s 81 (Granting or amending water licences under the resource operations plan)

Section 81—

omit, insert—

81 Definition for subdivision

In this subdivision—

authority means an authority to continue to use existing overland flow works under section 80(3).

81A Purpose of subdivision

This subdivision—

- (a) states, for section 116 of the Act, a process for the allocation of overland flow water under a water licence to replace an authority; and
- (b) states a process for amending a water licence mentioned in paragraph (a).

81B Notice of proposed grant or amendment

- (1) Before granting or amending a water licence, the chief executive must give the holder of the authority or the licence notice of the proposed grant or amendment.
- (2) The notice must—
 - (a) state the chief executive proposes to—
 - (i) grant a water licence to take overland flow water using the holder's existing overland flow works; or
 - (ii) if the holder has been granted a licence mentioned in subparagraph (i)—amend the licence; and
 - (b) require the holder to—
 - (i) clearly describe the overland flow works; and
 - (ii) give the chief executive information about the pattern of water use from the works based on the requirements and purpose for which the water is, or is to be, used.
- (3) The notice may require the holder to give the chief executive—
 - (a) if the notice is for a proposed grant of a water licence—a report about the taking of overland flow water under the authority to be replaced; and
 - (b) other information the chief executive considers relevant.
- (4) For subsection (3)(a), the report must—
 - (a) accurately describe—
 - (i) the operation of the existing overland flow works; and

[s 36]

- (ii) the capacity of the works to take overland flow water; and
 - (b) if required by the chief executive in the notice—be verified as accurate, and signed, by a registered professional engineer.
- (5) In this section—
registered professional engineer see the *Professional Engineers Act 2002*, schedule 2.

81C Decision about grant or amendment

In deciding whether to grant or amend the water licence, the chief executive—

- (a) must consider any report or other information given to the chief executive under section 81B; and
- (b) may consider other matters the chief executive considers relevant.

81D Content, conditions and effect of water licence

- (1) If the water licence is granted or amended, the licence—
 - (a) must state the purpose for which water may be taken under the licence, which must be either—
 - (i) rural; or
 - (ii) any; and
 - (b) must state at least 1 of the following for the licence—
 - (i) the maximum rate for the licence;
 - (ii) the maximum volume of water to be stored in existing overland flow works used to take overland flow water under the licence;

- (iii) the volumetric limit for the licence;
 - (iv) the mean annual volume for the licence; and
 - (c) may state conditions under which overland flow water may be taken under the licence.
- (2) If a water licence is granted under this subdivision, the authority it replaces stops having effect.

37 Amendment of s 83 (Monitoring and reporting requirements)

Section 83(1)—

omit, insert—

- (1) To help the Minister assess the effectiveness of the management strategies for achieving the outcomes mentioned in part 3, the water management protocol must state the monitoring requirements for water and natural ecosystems for this plan.

38 Replacement of pt 7 (Implementing and amending this plan)

Part 7—

omit, insert—

Part 7 Amending this plan

87 Amendments of a type not requiring public consultation—Act, s 51

For section 51(2)(a) of the Act, the following types of amendment to this plan do not require public consultation on a draft of the plan—

- (a) an amendment or addition of—

[s 39]

- (i) an environmental flow objective, if the amendment or addition achieves an equivalent or improved ecological outcome without adversely affecting the water allocation security objectives or the outcomes under part 3; or
 - (ii) a node; or
 - (iii) a priority group; or
 - (iv) a water allocation group; or
 - (v) a water allocation security objective, if the amendment or addition does not adversely affect existing water allocations, environmental flow objectives or the outcomes under part 3; or
 - (vi) a water management area;
- (b) an amendment of the capacity mentioned in section 79(2)(b);
 - (c) an amendment to subdivide a subcatchment area.

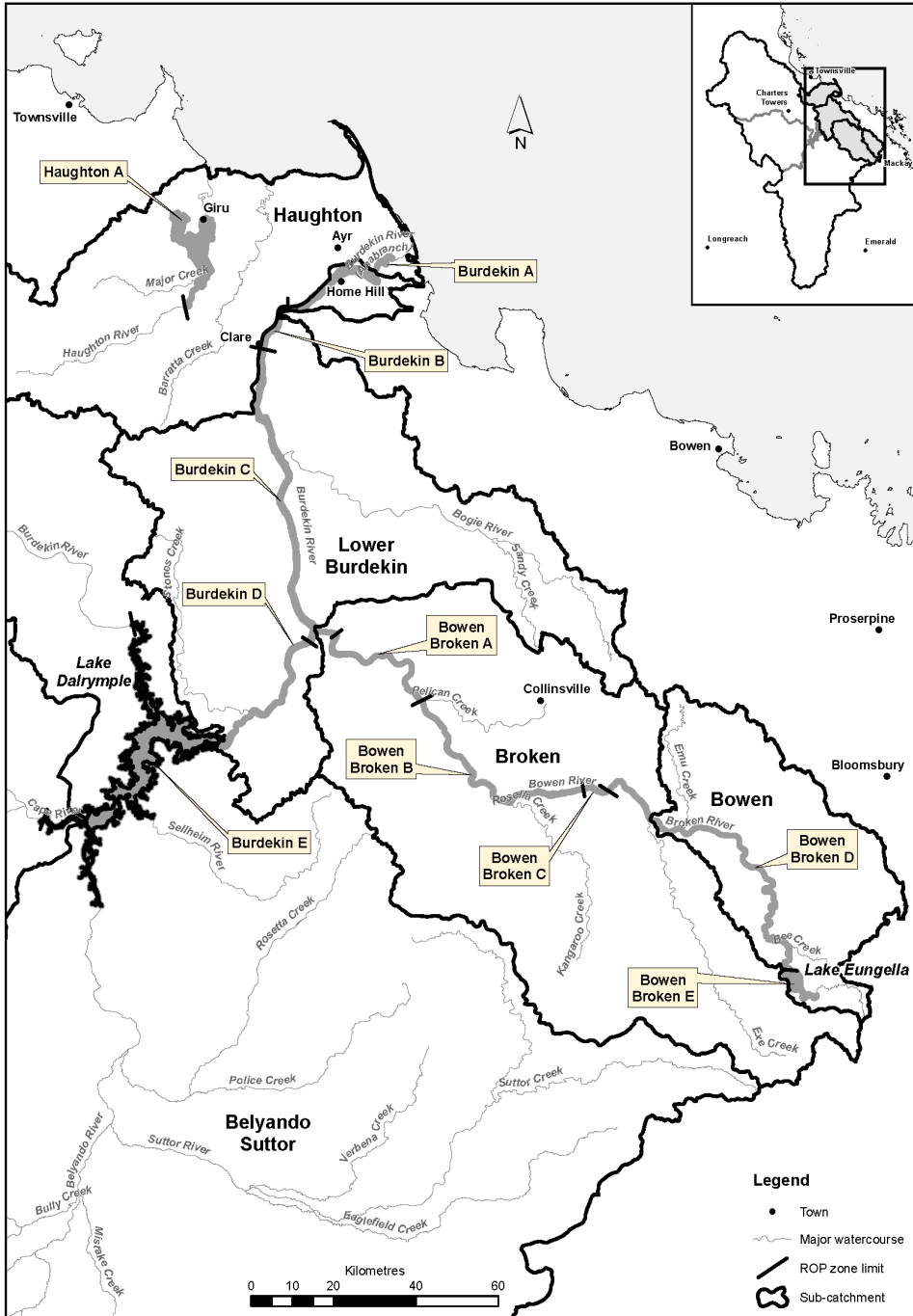
39 Insertion of new sch 2A

After schedule 2—

insert—

**Schedule 2A Water management
area zones**

section 6A



40 Amendment of sch 8 (Rates and pump sizes)

- (1) Schedule 8, authorising section—

omit, insert—

sections 27(2)(b), 65, 66, 73 and 74

- (2) Schedule 8, table, column 2, heading, ‘Maximum’—

omit, insert—

Per-second

- (3) Schedule 8, table, column 3, heading, ‘Daily volumetric limit’—

omit, insert—

Maximum rate

41 Amendment of sch 10 (Dictionary)

- (1) Schedule 10, definitions *annual volumetric limit, Bowen Broken Water Supply Scheme, Burdekin Haughton Water Supply Scheme, daily volumetric limit, operator of infrastructure for interfering with water, resource operations plan* and *SunWater reserve*—

omit.

- (2) Schedule 10—

insert—

authority, for part 5, division 8, subdivision 2, see section 81.

Bowen Broken Water Supply Scheme means the scheme for the supply of water under the resource operations licence for the Bowen Broken Water Supply Scheme.

Burdekin Haughton Water Supply Scheme means the scheme for the supply of water under the resource operations licence for the Burdekin Haughton Water Supply Scheme.

coordinated project means a coordinated project

under the *State Development and Public Works Organisation Act 1971*.

existing overland flow works see section 80(4).

maximum rate, for a water licence, means the maximum volume of water, in megalitres, that may be taken under the licence during a day.

per-second rate, for a water entitlement, means the maximum volume of water, in litres, that may be taken under the entitlement each second.

project of regional significance means a project the chief executive, having regard to the following, considers to be significant for a region in the plan area—

- (a) the outcomes stated in part 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) another matter the chief executive considers relevant.

State purpose means—

- (a) a coordinated project; or
- (b) a project of regional significance; or
- (c) town water supply purposes.

volumetric limit, for a water licence, means the maximum volume of water, in megalitres, that may be taken under the licence during a water year.

water management area zone see section 6A(1).

water management protocol means the water management protocol to implement this plan.

water storage condition, of a water licence, means a condition requiring water taken under the

[s 41]

licence to be stored in works used to take overland
flow water.

ENDNOTES

- 1 Made by the Governor in Council on 2 February 2017.
- 2 Notified on the Queensland legislation website on 3 February 2017.
- 3 The administering agency is the Department of Natural Resources and Mines.

© State of Queensland 2017