



Queensland

Water Act 2000

Water Resource (Mary Basin) Plan 2006

Current as at 28 July 2006

Information about this reprint

This plan is reprinted as at 28 July 2006.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to reorder definitions consistent with current drafting practice (s 30).

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

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Queensland

Water Resource (Mary Basin) Plan 2006

Contents

		Page
Part 1	Preliminary	
1	Short title	7
2	Purposes of plan	7
3	Definitions	7
Part 2	Plan area and water to which plan applies	
4	Plan area	8
5	Cooloola Sandmass subartesian area	8
6	Subcatchment areas	8
7	Information about areas	8
8	Nodes	8
9	Water to which plan applies	9
Part 3	Outcomes for sustainable management of water	
10	Outcomes for water in the plan area	9
11	General outcomes for surface water in the plan area	9
12	General outcomes for subartesian water in the Cooloola Sandmass subartesian area	10
13	Ecological outcomes for particular parts of the plan area	11
Part 4	Performance indicators and objectives	
Division 1	Preliminary	
14	Application of pt 4	12
Division 2	Environmental flow objectives	
15	Performance indicators for environmental flow objectives	12
16	Environmental flow objectives	13
Division 3	Water allocation security objectives	
17	Performance indicators for water allocation security objectives ..	13
18	Water allocation security objectives	14

Part 5	Strategies for achieving outcomes (surface water)	
Division 1	Preliminary	
19	Strategies for surface water	14
Division 2	Decisions made under this plan	
20	Application of div 2	14
21	Decisions consistent with objectives	15
22	Assessing impact of decisions	15
23	Decisions not to increase amount of water taken.	15
24	Restriction on taking water from waterholes or lakes.	16
Division 3	General, strategic and town water supply reserves	
Subdivision 1	Preliminary	
25	Unallocated water held as general, strategic or town water supply reserve	17
26	Granting unallocated water.	17
27	Matters chief executive must consider	17
Subdivision 2	General reserve	
28	Application of sdiv 2	18
29	Granting unallocated water from the general reserve	18
Subdivision 3	Strategic reserve	
30	Application of sdiv 3	19
31	Limitation on volume of unallocated water granted	19
32	Granting unallocated water from the strategic reserve.	19
Subdivision 4	Town water supply reserve	
33	Application of sdiv 4	20
34	Granting unallocated water from the town water supply reserve under water licences	20
35	Granting unallocated water from the town water supply reserve for Wide Bay Water Corporation.	20
Division 4	Process for granting and amending interim resource operations licence	
Subdivision 1	Preliminary	
36	Process for Act, ss 176 and 184A	21
Subdivision 2	Interim resource operations licence for particular infrastructure	
37	Applying for, or to amend, interim resource operations licence	22
38	Additional information may be required	23
39	Matters chief executive must consider	24
40	Deciding application for, or to amend, interim resource operations licence	24

Subdivision 3	Amendment by chief executive	
41	Amending interim resource operations licence by chief executive—Act, s 184A.	24
42	Matters chief executive must consider	25
43	Deciding whether to amend interim resource operations licence.	26
Subdivision 4	Amendment on application by holder	
44	Amending interim resource operations licence on application by holder—Act, s 184A.	26
45	Additional information may be required	27
46	Matters chief executive must consider	27
47	Deciding application to amend interim resource operations licence	27
Subdivision 5	Granting interim water allocations	
48	Granting interim water allocations—Act, s 189	27
Division 5	Resource operations licences	
49	Water allocations to be managed under resource operations licences	29
50	Matters chief executive must consider	29
Division 6	Granting water entitlements	
51	Water entitlements to replace local government authorities.	30
52	Replacing water licences	30
Division 7	Converting authorisations to water allocations	
Subdivision 1	General	
53	Definition for div 7.	31
54	Application of div 7	31
55	Location for taking water	32
56	Purpose to be stated on water allocation	32
Subdivision 2	Water allocations to take supplemented water	
57	Elements of a water allocation to take supplemented water	32
58	Nominal volume for water allocations to take supplemented water	33
59	Priority groups for water allocations to take supplemented water	33
Subdivision 3	Water allocations to take unsupplemented water	
60	Elements of a water allocation to take unsupplemented water	33
61	Nominal volume for water allocations to take unsupplemented water	34
62	Annual volumetric limit for taking unsupplemented water	35
63	Maximum rates for taking unsupplemented water	36

64	Flow conditions for water allocations to take unsupplemented water	37
Division 8	Water licences to take unsupplemented water	
65	Amending water licences to take unsupplemented water	38
Division 9	Critical water supply strategy	
66	Critical water supply strategy	38
67	Water sharing and infrastructure operating rules	38
Division 10	Miscellaneous	
68	Releasing water through fish ways	39
Part 6	Strategies for achieving outcomes (subartesian water)	
69	Strategies for subartesian water	39
70	Limitation on taking or interfering with subartesian water—Act, s 20(6)	40
71	Restriction on granting water licences	40
72	Contents of water licence to take subartesian water	40
73	Decisions about taking subartesian water	41
74	Restriction on annual volumetric limit for taking subartesian water	41
75	Maximum rate for taking subartesian water	42
76	Licensing existing taking of subartesian water	42
77	Licensing existing taking of subartesian water for public amenity	43
78	Water licences for Cooloola Shire Council	43
79	Relationship with Integrated Planning Act 1997	44
Part 7	Strategies for achieving outcomes (general)	
80	Measuring devices	44
Part 8	Monitoring and reporting requirements	
81	Monitoring	45
82	Monitoring programs to be undertaken by resource operations licence holders	46
83	Resource operations licence holders to give reports	47
84	Monitoring programs undertaken by Cooloola Shire Council	48
85	Cooloola Shire Council to give reports	48
86	Minister's report on plan—Act, s 53	49
Part 9	Implementing and amending this plan	
87	Priorities for converting to, or granting, water allocations	50
88	Implementation schedule	50
89	Minor or stated amendment of plan—Act, s 57	51
90	Amending or replacing plan	52

Schedule 1	Plan area	53
Schedule 2	Cooloola Sandmass subartesian area	54
Schedule 3	Subcatchment areas	55
Schedule 4	Subcatchment area names	56
Schedule 5	Nodes	57
Schedule 6	Environmental flow objectives	58
Schedule 7	Water allocation security objectives	66
Schedule 8	Volumes for simulated mean annual diversions	70
Schedule 9	Rates and pump sizes	71
Schedule 10	Water licences to take subartesian water	72
Schedule 11	Priority areas	73
1	Priority area 1	73
2	Priority area 2	74
3	Priority area 3	75
Schedule 12	Dictionary	76
 Endnotes		
1	Index to endnotes	81
2	Date to which amendments incorporated	81
3	Key	81
4	Table of reprints	82
5	List of legislation	82

Water Resource (Mary Basin) Plan 2006

[reprinted as in force on 28 July 2006]

Part 1 Preliminary

1 Short title

This water resource plan may be cited as the *Water Resource (Mary Basin) Plan 2006*.

2 Purposes of plan

The purposes of this plan are—

- (a) for both surface and subartesian water, the following—
 - (i) to define the availability of water in the plan area;
 - (ii) to provide a framework for sustainably managing water and the taking of water;
 - (iii) to identify priorities and mechanisms for dealing with future water requirements;
 - (iv) to provide a framework for reversing, where practicable, degradation that has occurred in natural ecosystems; and
- (b) for surface water only—to provide a framework for establishing water allocations.

3 Definitions

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

Part 2 Plan area and water to which plan applies

4 Plan area

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

5 Cooloola Sandmass subartesian area

The Cooloola Sandmass subartesian area shown on the map in schedule 2 is a subartesian area for this plan.

6 Subcatchment areas

Each part of the plan area that is within a subcatchment area shown on the map in schedule 3, and named in schedule 4, is a subcatchment area for this plan.

7 Information about areas

- (1) The exact location of the plan area, subartesian area and subcatchment area boundaries is held in digital electronic form by the department.
- (2) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.

8 Nodes

- (1) A node mentioned in this plan is a place—
 - (a) on a watercourse in the plan area; and
 - (b) for which environmental flow objectives are set for performance indicators.
- (2) The location of each node is shown on the map in schedule 1 and described in schedule 5.
- (3) Each node is identified on the map by a number.

9 Water to which plan applies

- (1) This plan applies to the following water in the plan area—
 - (a) surface water;
 - (b) subartesian water in the Cooloola Sandmass subartesian area.
- (2) In subsection (1)—

surface water means the following—

 - (a) water in a watercourse or lake;
 - (b) water in springs not connected to—
 - (i) artesian water; or
 - (ii) subartesian water connected to artesian water.

Part 3 Outcomes for sustainable management of water**10 Outcomes for water in the plan area**

Water in the plan area is to be allocated and sustainably managed in a way that—

- (a) recognises the natural state of watercourses, lakes and springs has changed because of water infrastructure, flow supplementation and the taking of water; and
- (b) seeks to achieve a balance in the following outcomes—
 - (i) the general outcomes mentioned in sections 11 and 12;
 - (ii) the ecological outcomes for particular parts of the plan area mentioned in section 13.

11 General outcomes for surface water in the plan area

Each of the following is a general outcome for surface water in the plan area—

- (a) to provide for future water requirements, including the opportunity for additional water to be taken;
- (b) to provide for the continued use of all water entitlements and other authorisations;
- (c) to protect the probability of being able to obtain water under a water allocation;
- (d) to provide options for water users to take action to ensure their own security of supply;
- (e) to encourage the efficient use of water;
- (f) to ensure water supply for essential services;
- (g) to support natural ecosystems by minimising changes to natural flow regimes;
- (h) to maintain, as far as practicable, surface water and groundwater interactions;
- (i) to ensure a reliable and secure supply of water from the plan area during the time this plan is in force;
- (j) to allow cultural use of the plan area by the traditional owners of the area;
- (k) to provide consistency with the SEQ regional plan.

12 General outcomes for subartesian water in the Cooloola Sandmass subartesian area

- (1) Each of the following is a general outcome for subartesian water in the Cooloola Sandmass subartesian area—
 - (a) to encourage the efficient use of water;
 - (b) to maintain long-term water quality;
 - (c) to prevent seawater intrusion of the Cooloola Sandmass aquifer;
 - (d) to maintain subartesian water discharge to support wetlands and other groundwater-dependent ecosystems;
 - (e) to ensure reliable and secure water entitlements during the time this plan is in force;
 - (f) to allow cultural use of the plan area by the traditional owners of the area.

- (2) In subsection (1)—

subartesian water discharge means the part of surface water that comes from subartesian water seeping into watercourses, lakes, springs or wetlands.

13 Ecological outcomes for particular parts of the plan area

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

- (a) for the Noosa River, Mooloolah River and coastal streams north of Noosa River mouth—
 - (i) to minimise changes to river-forming processes; and
 - (ii) to minimise changes to a near-natural flow regime;
- (b) for the Mary River, upstream of the Mary River barrage pondage—
 - (i) to minimise changes to the low flow regime of the river; and
 - (ii) to minimise changes to the hydraulic habitat requirements of species such as the Mary River cod, the Mary River turtle and lungfish;
- (c) for Six Mile Creek—
 - (i) to minimise changes to the low flow regime of the creek; and
 - (ii) to minimise changes to the hydraulic habitat requirements of species such as the Mary River cod and lungfish;
- (d) for Tinana Creek, upstream of Tallegalla Weir—to minimise changes to the hydraulic habitat requirements of existing ecological assets in the area;
- (e) for Obi Obi Creek, in the Obi Obi Creek Gorge area—to minimise changes to the hydraulic habitat requirements of existing ecological assets in the area;
- (f) for the Burrum River—

- (i) in the Upper Burrum River above Lenthalls Dam—to minimise changes to the flooding regime at Wongi Waterholes; and
- (ii) in the Lower Burrum River system below Lenthalls Dam—to minimise changes to variability in the low flow regime of the river system to improve opportunities for fish passage.

Part 4 Performance indicators and objectives

Division 1 Preliminary

14 Application of pt 4

This part applies only to surface water.

Division 2 Environmental flow objectives

15 Performance indicators for environmental flow objectives

The performance indicators for the environmental flow objectives are—

- (a) for assessing periods of low flow, the following—
 - (i) daily flow less than 1ML;
 - (ii) 50% daily flow;
 - (iii) 90% daily flow;
 - (iv) low flow duration (10cm above cease-to-flow);
 - (v) low flow duration (30cm above cease-to-flow);
 - (vi) number of periods of no flow of at least 1 month but less than 3 months;

- (vii) number of periods of no flow of at least 3 months but less than 6 months;
- (viii) number of periods of no flow of at least 6 months but less than 9 months;
- (ix) number of periods of no flow of at least 9 months; and
- (b) for assessing periods of medium to high flow, the following—
 - (i) mean annual flow;
 - (ii) 1.5 year daily flow volume;
 - (iii) 5 year daily flow volume;
 - (iv) 20 year daily flow volume; and
- (c) for assessing seasonal flow patterns—
 - (i) annual proportional flow deviation; and
 - (ii) flow regime class.

16 Environmental flow objectives

The environmental flow objectives for this plan are stated in schedule 6.

Division 3 Water allocation security objectives

17 Performance indicators for water allocation security objectives

The performance indicators for the water allocation security objectives are—

- (a) for taking supplemented water in a water supply scheme—monthly supplemented water sharing index; and
- (b) for taking unsupplemented water in a subcatchment area for town water supply purposes—
 - (i) mean unsupplemented water sharing index; and

- (ii) 95% unsupplemented water sharing index; and
- (c) for taking unsupplemented water in a subcatchment area for any other purpose—mean unsupplemented water sharing index.

18 Water allocation security objectives

The water allocation security objectives for this plan are stated in schedule 7.

Part 5 Strategies for achieving outcomes (surface water)

Division 1 Preliminary

19 Strategies for surface water

This part—

- (a) applies only to surface water; and
- (b) states the strategies for achieving the outcomes mentioned in part 3.

Division 2 Decisions made under this plan

20 Application of div 2

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

- (a) about reinstating or replacing an expired water licence; or
- (b) to grant a water entitlement to a local government or a government agency for supply under operations that were in existence on the commencement of this plan.

21 Decisions consistent with objectives

Decisions 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 6; and
- (b) the water allocation security objectives stated in schedule 7.

22 Assessing impact of decisions

- (1) The IQQM computer program's simulation for the simulation period is used to assess consistency with the objectives.
- (2) If it is not practicable to use the IQQM computer program, another assessment method approved by the chief executive may be used.
- (3) 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.

23 Decisions not to increase amount of water taken

- (1) The chief executive must not make a decision that would increase the average volume of water available to be taken in the plan area.
- (2) Subsection (1) does not apply to—
 - (a) a decision about unallocated water made under section 26; or
 - (b) a decision about a water permit.
- (3) A decision mentioned in subsection (1) includes a decision about an application, in relation to taking water under an authorisation, made but not dealt with before the commencement of this plan.

24 Restriction on taking water from waterholes or lakes

- (1) The chief executive may grant a water licence, water permit or water allocation to take water from a waterhole or lake only if—
 - (a) the chief executive imposes a condition on the licence, permit or allocation about maintaining the cultural or environmental values of the waterhole or lake; or
 - (b) the chief executive is satisfied the taking of the water will not adversely affect the cultural and environmental values of the waterhole or lake.

Example for paragraph (a)—

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 the waterhole or lake naturally overflows

- (2) In making a decision under subsection (1), the chief executive must consider—
 - (a) the impact the proposed taking of the water may have on the following—
 - (i) water quality;
 - (ii) inundation of habitats;
 - (iii) the movement of fish and other aquatic species;
 - (iv) the natural movement of sediment;
 - (v) recreation and aesthetic values;
 - (vi) cultural values including, for example, cultural values of the traditional owners of the area; and
 - (b) whether the proposed taking is likely to have a direct adverse effect on groundwater flows.
- (3) A water allocation mentioned in subsection (1) does not include a water allocation converted from an authorisation under division 7.
- (4) Subsection (1) does not limit the restrictions that may be imposed on the taking of water from a waterhole or lake.
- (5) Subsection (2) does not limit the matters the chief executive may consider.

Division 3 General, strategic and town water supply reserves

Subdivision 1 Preliminary

25 Unallocated water held as general, strategic or town water supply reserve

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

26 Granting unallocated water

Unallocated water may be granted from the general, strategic or town water supply reserve under a process in the resource operations plan.

27 Matters chief executive must consider

- (1) In dealing with unallocated water, the chief executive must consider—
 - (a) the need for, and efficiency of, present and proposed uses of water including—
 - (i) the extent to which water is being taken under current authorisations; and
 - (ii) emerging requirements for additional water and the likely timeframe in which the additional water will be required; and
 - (iii) alternative water sources including, for example, recycled water and water savings from improvements in the efficiency of water use; and
 - (b) the availability of an alternative water supply for the purpose for which the water is required; and
 - (c) the impact the proposed taking of, or interfering with, the water may have on the following—
 - (i) water quality;
 - (ii) inundation of habitats;

- (iii) the movement of fish and other aquatic species;
 - (iv) the natural movement of sediment;
 - (v) recreation and aesthetic values;
 - (vi) cultural values, including, for example, cultural values of the traditional owners of the area; and
- (d) whether the proposed taking of, or interfering with, or the proposed use of, water is likely to—
- (i) have a direct adverse effect on groundwater; or
 - (ii) lead to degradation, including salinity, of land or downstream watercourses; and
- (e) if the process in the resource operations plan for granting unallocated water includes a public auction, public ballot or public tender—the price offered under the process.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

Subdivision 2 General reserve

28 Application of sdiv 2

This subdivision applies to unallocated water that is held as a general reserve.

29 Granting unallocated water from the general reserve

- (1) Unallocated water may be granted from the general reserve under a water allocation to take unsupplemented water.
- (2) The total of the nominal volumes for the water allocations granted for each of the following subcatchment areas must not be more than the volume stated—
- (a) for subcatchment area F (Pie and Calico creeks)—420ML;
 - (b) for subcatchment area H (Widgee Creek)—420ML;
 - (c) for subcatchment area I (Wide Bay Creek)—380ML;

- (d) for subcatchment area K (Myrtle Creek)—340ML;
 - (e) for subcatchment area M (Tinana Creek)—450ML.
- (3) Each water allocation must state, for the allocation, the following—
- (a) the nominal volume;
 - (b) the location from which water may be taken under the allocation;
 - (c) the purpose for which the water may be taken which must be ‘any’;
 - (d) the flow conditions under which the water may be taken;
 - (e) the maximum rate at which the water may be taken;
 - (f) the annual volumetric limit.
- (4) The flow conditions stated, for a water allocation, must provide for the protection of low flows in the watercourse.

Subdivision 3 Strategic reserve

30 Application of sdiv 3

This subdivision applies to unallocated water that is held as a strategic reserve.

31 Limitation on volume of unallocated water granted

Not more than 150000ML of unallocated water may be granted from the strategic reserve in any period of 12 months.

32 Granting unallocated water from the strategic reserve

Unallocated water may be granted or reserved from the strategic reserve only—

- (a) under a water licence for a project declared under the *State Development and Public Works Organisation Act 1971*, section 26, to be a significant project; or
- (b) for infrastructure identified in—

- (i) the SEQ regional plan or instruments that implement the plan; or
- (ii) a regional water security program.

Subdivision 4 Town water supply reserve

33 Application of sdiv 4

This subdivision applies to unallocated water that is held as a town water supply reserve.

34 Granting unallocated water from the town water supply reserve under water licences

Unallocated water may be granted from the town water supply reserve under the following—

- (a) a water licence for Noosa Shire Council to take an annual volumetric limit of up to 1500ML from Six Mile Creek;
- (b) a water licence for Maroochy Shire Council to take an annual volumetric limit of up to 130ML from the Mary River;
- (c) a water licence for Caloundra City Council to take an annual volumetric limit of up to 85ML from Obi Obi Creek.

35 Granting unallocated water from the town water supply reserve for Wide Bay Water Corporation

- (1) Unallocated water may be granted from the town water supply reserve under a water entitlement for Wide Bay Water Corporation (*the Corporation*) to take an annual volumetric limit of up to 3080ML from the Burrum River, if the chief executive is satisfied—
 - (a) construction of the alterations to Lenthalls Dam, identified in the Corporation's interim resource operations licence for the Wide Bay Water Supply

- Scheme, is substantially complete and the infrastructure, as altered, may be regarded as operational; and
- (b) the operation of the infrastructure, as altered, is or will be consistent with the objectives of this plan; and
 - (c) the Corporation has complied with the conditions of the licence in relation to the infrastructure.
- (2) The unallocated water that may be granted under subsection (1) is in addition to the 6300ML of interim water allocation—
- (a) identified in the Corporation's interim resource operations licence for the Wide Bay Water Supply Scheme; and
 - (b) to be granted to the Corporation on substantial completion of the alterations to Lenthalls Dam.
- (3) In this section—
- alterations*, to Lenthalls Dam, mean the raising of the dam wall by 2 metres.

Division 4 Process for granting and amending interim resource operations licence

Subdivision 1 Preliminary

36 Process for Act, ss 176 and 184A

- (1) This division—
- (a) states a process for granting or amending an interim resource operations licence to meet future water requirements; and
 - (b) applies only to the granting or amendment of an interim resource operations licence for infrastructure identified in either of the following, for which unallocated water is granted or reserved from the strategic reserve—
 - (i) the SEQ regional plan or instruments that implement the plan;
 - (ii) a regional water security program.

- (2) This division applies only until it is replaced by a process stated in the resource operations plan.

Subdivision 2 Interim resource operations licence for particular infrastructure

37 Applying for, or to amend, interim resource operations licence

- (1) This section applies to the proposed owner of infrastructure identified in either of the following—
- (a) the SEQ regional plan or instruments that implement the plan;
 - (b) a regional water security program.
- (2) The chief executive may give notice to the proposed owner that the proposed owner may apply to the chief executive for—
- (a) an interim resource operations licence to operate the infrastructure; or
 - (b) an amendment of an interim resource operations licence, already held by the proposed owner, to operate the infrastructure.
- (3) The application must—
- (a) be in the approved form; and
 - (b) include the following—
 - (i) details of the proposed infrastructure;
 - (ii) an assessment of the impact of constructing the infrastructure on—
 - (A) the supply of water managed under the interim resource operations licences for the water supply schemes; and
 - (B) existing water licences to take water from the areas of the water supply schemes; and
 - (C) the operating arrangements and supply requirements under the interim resource

- operations licences for the water supply schemes; and
- (D) other existing authorisations, other than water permits, that may be affected by the proposed infrastructure; and
- (iii) the applicant's proposal for minimising the impact assessed and mentioned in subparagraph (ii);
- (iv) proposed operating arrangements for the infrastructure;
- (v) the entities to whom the applicant proposes to supply water;
- (vi) the applicant's proposal about the total interim water allocation to be managed under the proposed interim resource operations licence or proposed amended interim resource operations licence;
- (vii) any other information the applicant considers will enable the chief executive to decide the application; and
- (c) be accompanied by the prescribed fee.
- (4) The chief executive may give a copy of the application to any entity the chief executive considers appropriate.
- (5) In this section—
- water supply schemes* means—
- (a) the Mary River Water Supply Scheme; and
- (b) the Wide Bay Water Supply Scheme; and
- (c) the Baroon Pocket Water Supply Scheme.

38 Additional information may be required

- (1) The chief executive may, by notice, require—
- (a) the applicant to give additional information about the application; or
- (b) any information included in the application, or any additional information required under paragraph (a), to be verified by statutory declaration.

- (2) If the applicant does not comply with the requirement within the reasonable time stated in the notice, the application lapses.

39 Matters chief executive must consider

- (1) For deciding the application, the chief executive must consider—
 - (a) the application and any additional information given about the application; and
 - (b) the public interest.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

40 Deciding application for, or to amend, interim resource operations licence

- (1) If the chief executive is satisfied the application should be approved, or approved in part, the chief executive must approve all or part of the application, with or without conditions.
- (2) If the chief executive grants or amends the interim resource operations licence, the chief executive must reserve, from the strategic reserve, unallocated water required for any proposed interim water allocations to which the approval applies.

Subdivision 3 Amendment by chief executive

41 Amending interim resource operations licence by chief executive—Act, s 184A

- (1) The chief executive may, at any time—
 - (a) amend an interim resource operations licence, granted or amended under section 40, to the extent the chief executive considers necessary to meet future water requirements; or
 - (b) amend any other interim resource operations licence, to the extent the chief executive considers necessary as a consequence of—

- (i) the granting or amendment of an interim resource operations licence under section 40; or
 - (ii) the amendment of an interim resource operations licence under section 47.
- (2) Before the chief executive acts under subsection (1), the chief executive must give the interim resource operations licence holder notice of the proposed amendment.
- (3) The notice must—
 - (a) state the following—
 - (i) a summary of the proposed amendment;
 - (ii) the reasons for the proposed amendment;
 - (iii) that written submissions may be made by the holder about the proposed amendment;
 - (iv) the day by which, the person to whom, and the place where, the submissions must be made; and
 - (b) include a copy of the proposed amendment.
- (4) The day stated must be at least 30 business days after the day the notice is given.

42 Matters chief executive must consider

- (1) In deciding whether to amend an interim resource operations licence, the chief executive must consider—
 - (a) the following—
 - (i) for an amendment mentioned in section 41(1)(a)—the original application under section 37 for, or to amend, the licence and any additional information given about the application;
 - (ii) for an amendment mentioned in section 41(1)(b)(i) as a consequence of the granting or amendment of an interim resource operations licence under section 40—the original application under section 37 for the granting or amendment and any additional information given about the application;

- (iii) for an amendment mentioned in section 41(1)(b)(ii) as a consequence of the amendment of an interim resource operations licence under section 47—the original application under section 44 for the amendment and any additional information given about the application; and
 - (b) any submissions made by the interim resource operations licence holder about the proposed amendment; and
 - (c) the public interest.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

43 Deciding whether to amend interim resource operations licence

After considering the matters mentioned in section 42 and any other matters the chief executive considers appropriate, the chief executive may amend the interim resource operations licence to the extent the chief executive considers appropriate.

Subdivision 4 Amendment on application by holder

44 Amending interim resource operations licence on application by holder—Act, s 184A

- (1) The holder of an interim resource operations licence, granted or amended under section 40, may apply to the chief executive to amend the licence.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) include a summary of the amendment required and the reasons for the amendment; and
 - (c) be accompanied by the prescribed fee.
- (3) The chief executive may give a copy of the application to any entity the chief executive considers appropriate.

45 Additional information may be required

- (1) The chief executive may, by notice, require—
 - (a) the applicant to give additional information about the application; or
 - (b) any information included in the application, or any additional information required under paragraph (a), to be verified by statutory declaration.
- (2) If the applicant does not comply with the requirement within the reasonable time stated in the notice, the application lapses.

46 Matters chief executive must consider

- (1) In deciding the application, the chief executive must consider—
 - (a) the application and any additional information given about the application; and
 - (b) the public interest.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

47 Deciding application to amend interim resource operations licence

If the chief executive is satisfied the application should be approved, or approved in part, the chief executive must approve all or part of the application, with or without conditions.

Subdivision 5 Granting interim water allocations**48 Granting interim water allocations—Act, s 189**

- (1) This section applies if, at the time an interim resource operations licence is amended under section 40, 43 or 47, the chief executive is satisfied—
 - (a) construction of the infrastructure to which the interim resource operations licence relates is substantially

- complete and the infrastructure may be regarded as operational; and
- (b) the operation of the infrastructure is, or will be, consistent with the objectives of this plan; and
 - (c) the interim resource operations licence holder has complied with the conditions of the licence in relation to the infrastructure.
- (2) The chief executive may require the interim resource operations licence holder to give the chief executive the following information—
- (a) the number of interim water allocations to which the interim resource operations licence is to relate;
 - (b) the volume of water that may be taken under each allocation;
 - (c) the purpose for which the water may be taken;
 - (d) the priority group to which each allocation is to belong;
 - (e) the water sharing rules that are to apply.
- (3) After considering the information mentioned in subsection (2), the chief executive may grant the interim water allocations to which the interim resource operations licence relates.
- (4) This section does not apply to the amendment of another interim resource operations licence under section 43 as a consequence of—
- (a) the granting or amendment of an interim resource operations licence under section 40; or
 - (b) the amendment of an interim resource operations licence under section 47.

Division 5 Resource operations licences

49 Water allocations to be managed under resource operations licences

Water allocations for each of the following water supply schemes are to be managed under the resource operations licence for the scheme—

- (a) Mary River Water Supply Scheme;
- (b) Wide Bay Water Supply Scheme;
- (c) Baroon Pocket Water Supply Scheme.

50 Matters chief executive must consider

- (1) In deciding the operating arrangements and supply requirements for water infrastructure and proposed infrastructure, the chief executive must consider—
 - (a) the impact of the infrastructure or proposed infrastructure's operation on the following—
 - (i) water quality;
 - (ii) instream water levels;
 - (iii) erosion of the bed and banks of watercourses;
 - (iv) riparian vegetation;
 - (v) the extent to which artificial variations in instream water levels and flows may adversely affect natural ecosystems;
 - (vi) recreation and aesthetic values;
 - (vii) cultural values, including, for example, cultural values of the traditional owners of the area; and
 - (b) the impact of the infrastructure or proposed infrastructure on the movement of fish and other aquatic species; and
 - (c) the impact of the transfer of water between watercourses; and

- (d) the likelihood of fish deaths caused by the operation of the infrastructure.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

Division 6 Granting water entitlements

51 Water entitlements to replace local government authorities

- (1) This section applies to authorities, continued under section 1037 of the Act, for the following local governments to take or interfere with water from the watercourses mentioned—
 - (a) Caloundra City Council—Obi Obi Creek, Mooloolah River and Addington Creek;
 - (b) Maroochy Shire Council—South Maroochy River, Rocky Creek and Mary River;
 - (c) Maryborough City Council—Tinana Creek;
 - (d) Tiaro Shire Council—Mary River;
 - (e) Cooloola Shire Council—Amamoor Creek, Kandanga Creek, Yabba Creek, Teewah Creek and Mary River;
 - (f) Noosa Shire Council—Mary River and Six Mile Creek.
- (2) Within 30 business days after the resource operations plan commences, the chief executive must replace the authorities with water entitlements for the continued taking of, or interfering with, the water.
- (3) The chief executive must impose conditions on the entitlements giving effect to any environmental management rules or water sharing rules included in the resource operations plan.

52 Replacing water licences

- (1) Within 60 business days after the commencement of this plan, the chief executive must, under section 212 of the Act, grant water licences (*new licences*) to Kilkivan Shire Council to

replace the Council's existing licences, 182103 and 182116 (the *current licences*).

- (2) Subject to subsection (3), the chief executive, in deciding the annual volumetric limits for, and the rate at which water may be taken under, the new licences, must have regard to—
 - (a) the conditions under which water may be taken under the current licences; and
 - (b) the capacity of existing works for taking water under the current licences and storing the water; and
 - (c) the annual volume of water required to efficiently meet the current water needs of the townships of Kilkivan and Goomeri; and
 - (d) the availability of an alternative water supply for the purpose.
- (3) The annual volumetric limits for the new licences must not be more than—
 - (a) for the licence to take water from Wide Bay Creek—300ML; and
 - (b) for the licence to take water from Kinbombi Creek—250ML.

Division 7 Converting authorisations to water allocations

Subdivision 1 General

53 Definition for div 7

In this division—

authorisation means an authorisation or authority mentioned in section 54.

54 Application of div 7

This division applies only to—

- (a) authorisations converted, under the resource operations plan, to water allocations; and
- (b) water allocations converted, under the resource operations plan, from authorisations; and
- (c) local government authorities replaced with water entitlements under section 51.

55 Location for taking water

The location for taking water stated on a water allocation must include the place at which water could have been taken under the authorisation.

56 Purpose to be stated on water allocation

The purpose stated on a water allocation must be—

- (a) if the purpose stated on the authorisation is ‘distribution loss’—‘distribution loss’; or
- (b) otherwise—‘any’.

Subdivision 2 Water allocations to take supplemented water

57 Elements of a water allocation to take supplemented water

A water allocation to take supplemented water must state the following—

- (a) the location from which water may be taken under the allocation;
- (b) the purpose for which the water may be taken under the allocation;
- (c) the nominal volume for the allocation;
- (d) the priority group to which the allocation belongs.

58 Nominal volume for water allocations to take supplemented water

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

59 Priority groups for water allocations to take supplemented water

In the Mary River, Wide Bay or Baroon Pocket Water Supply Scheme, a water allocation to take supplemented water belongs to—

- (a) for an authorisation identified by an interim resource operations licence as high priority—the high priority group; and
- (b) for other authorisations—the medium priority group.

Subdivision 3 Water allocations to take unsupplemented water**60 Elements of a water allocation to take unsupplemented water**

A water allocation to take unsupplemented water—

- (a) must state the following—
 - (i) the location from which water may be taken under the allocation;
 - (ii) the purpose for which the water may be taken under the allocation;
 - (iii) the nominal volume for the allocation;
 - (iv) the maximum rate at which water may be taken under the allocation;
 - (v) the annual volumetric limit for the allocation; and
- (b) may state—
 - (i) the flow conditions for the allocation; and

- (ii) any other elements of the allocation the chief executive considers appropriate.

61 Nominal volume for water allocations to take unsupplemented water

- (1) The nominal volume for a water allocation to take unsupplemented water is the volume decided by the chief executive.
- (2) In deciding the nominal volume, the chief executive—
 - (a) must consider, for each authorisation in a subcatchment area mentioned in schedule 8, column 1—
 - (i) the volume of water required to efficiently irrigate the area being irrigated under the authorisation; and
 - (ii) the water taking capacity of any works, in existence on the commencement of this plan, for taking water under the authorisation; and
 - (iii) the annual volumes of water estimated by the chief executive to have been taken under the authorisation during the period, of not more than 10 years, immediately before the commencement; and
 - (iv) the efficiency of the use of the water mentioned in subparagraph (iii); and
 - (v) the flow conditions under which water may be taken under the authorisation; and
 - (vi) the local availability of water; and
 - (b) must ensure—
 - (i) for all authorisations for town water supply purposes in a subcatchment area mentioned in schedule 8, column 1—the simulated mean annual diversion is not more than the volume stated in schedule 8, column 2, for the subcatchment area; and
 - (ii) for all authorisations in a subcatchment area mentioned in schedule 8, column 1 that,

immediately before the commencement, stated an area that may be irrigated—the simulated mean annual diversion is not more than the volume stated in schedule 8, column 3, for the subcatchment area; and

- (iii) for all other authorisations in a subcatchment area mentioned in schedule 8, column 1—the simulated mean annual diversion is not more than the volume stated in schedule 8, column 4, for the subcatchment area.

62 Annual volumetric limit for taking unsupplemented water

- (1) The annual volumetric limit for a water allocation to take unsupplemented water is—
 - (a) for an authorisation that states the volume of water that may be taken in a period of 12 months—the stated volume; and
 - (b) for an authorisation that states the area that may be irrigated—the volume decided by the chief executive having regard to—
 - (i) the volume of water required to efficiently irrigate the area; and
 - (ii) the water taking capacity of any works, in existence on the commencement of this plan, for taking water under the authorisation; and
 - (iii) the annual volumes of water estimated by the chief executive to have been taken under the authorisation during the period, of not more than 10 years, immediately before the commencement; and
 - (iv) the efficiency of the use of the water mentioned in subparagraph (iii); and
 - (v) the flow conditions under which water may be taken under the authorisation; and
 - (vi) the local availability of water; and

- (c) for any other authorisation—the volume decided by the chief executive having regard to—
 - (i) the conditions under which water may be taken under the authorisation; and
 - (ii) the water taking capacity of any works, in existence on the commencement, for taking water under the authorisation; and
 - (iii) the annual volumes of water estimated by the chief executive to have been taken under the authorisation during the period, of not more than 10 years, immediately before the commencement; and
 - (iv) the efficiency of the use of the water mentioned in subparagraph (iii).
- (2) Subsection (1)(b) and (c) do not limit the matters the chief executive may consider.

63 Maximum rates for taking unsupplemented water

- (1) The maximum rate at which unsupplemented water may be taken under a water allocation is—
 - (a) for an authorisation that does not state a maximum rate but for which a related development permit states a pump size mentioned in schedule 9, column 1—
 - (i) if the authorisation holder demonstrates that the actual rate at which water can be taken is different from the rate stated in schedule 9, column 2, for the pump size—the rate decided by the chief executive having regard to—
 - (A) the conditions under which water may be taken; and
 - (B) the water taking capacity of the pump to which the development permit relates (the *existing pump*) under normal operating conditions; and
 - (C) the irrigation or water distribution system related to the existing pump during the

- period of not more than 10 years immediately before the commencement of this plan; and
- (D) the efficiency of the water use mentioned in subsubparagraph (C); or
- (ii) otherwise—the rate stated in schedule 9, column 2, for the pump size; and
- (b) for an authorisation that does not state a maximum rate but for which a related development permit states a pump size other than a pump size mentioned in schedule 9, column 1—the rate decided by the chief executive having regard to the matters mentioned in paragraph (a)(i)(A) to (D); and
- (c) for an authorisation that states a maximum rate that is less than the rate stated in schedule 9, column 2, for the existing pump size mentioned in schedule 9, column 1—the rate stated on the authorisation; and
- (d) for any other authorisation—the rate decided by the chief executive having regard to—
- (i) the nature of the authorisation; and
- (ii) an estimate or measurement of the rate at which water is taken under the authorisation.
- (2) However, the rate decided by the chief executive under subsection (1)(a) or (d) must not be more than the rate stated in schedule 9, column 2, for the existing pump size mentioned in schedule 9, column 1.

64 Flow conditions for water allocations to take unsupplemented water

In deciding the flow conditions under which water may be taken under a water allocation to take unsupplemented water, the chief executive must have regard to the conditions stated on the relevant authorisation.

- (a) the water sharing and infrastructure operating rules that apply during periods of critical water supply; and
 - (b) details of the situations in which the rules are to apply.
- (2) In deciding the rules, the chief executive must consult with water service providers, infrastructure operators, water users and local governments in the plan area.
- (3) The monitoring and reporting requirements mentioned in the resource operations plan must be included in—
- (a) for requirements of water service providers—the water sharing rules; and
 - (b) for requirements of infrastructure operators—the infrastructure operating rules.

Division 10 Miscellaneous

68 Releasing water through fish ways

If water to which this part applies can be released from a dam or weir through fish ways, the environmental management rules in the resource operations plan must provide for the release.

Part 6 Strategies for achieving outcomes (subartesian water)

69 Strategies for subartesian water

This part—

- (a) applies only to subartesian water in the Cooloola Sandmass subartesian area; and
- (b) states the strategies for achieving the outcomes mentioned in part 3.

70 Limitation on taking or interfering with subartesian water—Act, s 20(6)

A person may not take or interfere with subartesian water in the Cooloola Sandmass subartesian area other than—

- (a) for stock or domestic purposes if the works used for taking or interfering with the subartesian water—
 - (i) were in existence immediately before the commencement of this plan; or
 - (ii) were installed at a time when the person did not have access to a reticulated town water supply; or
- (b) in accordance with a water licence.

71 Restriction on granting water licences

The chief executive must not grant a water licence to take or interfere with subartesian water in the Cooloola Sandmass subartesian area other than—

- (a) for town water supply purposes; or
- (b) for public amenity in the Cooloola section of the Great Sandy National Park; or
- (c) under section 76, 77 or 78.

72 Contents of water licence to take subartesian water

A water licence to take subartesian water—

- (a) must state—
 - (i) the purpose for which water taken under the licence may be used; and
 - (ii) the annual volumetric limit for the licence; and
- (b) may state—
 - (i) the maximum daily volume for the licence; and
 - (ii) the maximum rate at which water may be taken under the licence.

73 Decisions about taking subartesian water

- (1) In deciding an application for or about a water licence to take or interfere with subartesian water, the chief executive must have regard to—
 - (a) the availability of an alternative water supply for the purpose for which the water is required; and
 - (b) the efficiency of the proposed water use practices; and
 - (c) whether the proposed taking or interfering is likely to have a direct adverse effect on surface water flows; and
 - (d) the cumulative impact of taking or interfering with subartesian water on surface water flows and groundwater flows.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

74 Restriction on annual volumetric limit for taking subartesian water

- (1) In deciding the annual volumetric limit for a water licence, the chief executive must have regard to—
 - (a) the purpose for which the water is being taken; and
 - (b) the location of the works for taking the water; and
 - (c) the water taking capacity of the works; and
 - (d) for a licence granted under section 76—
 - (i) the annual volumetric limit mentioned in schedule 10, column 2, for the land mentioned in schedule 10, column 1 to which the licence applies; and
 - (ii) whether the continued taking is likely to lead to seawater intrusion of the Cooloola Sandmass aquifer; and
 - (iii) the impact the continued taking is likely to have on wetlands and other groundwater-dependent ecosystems in the plan area.
- (2) However, the chief executive must not grant a water licence with an annual volumetric limit of more than the volume

estimated by the chief executive to be required for the purpose.

75 Maximum rate for taking subartesian water

- (1) The maximum rate at which subartesian water may be taken under a water licence is the rate calculated under a process decided by the chief executive that would maintain groundwater levels above sea level.
- (2) The process may include, but is not limited to, assessing information obtained from—
 - (a) monitoring carried out by the applicant for the water licence; or
 - (b) the use of a computer program to simulate hydrologic events.

76 Licensing existing taking of subartesian water

- (1) Despite section 70(b), on the commencement of this plan, the owner of land mentioned in schedule 10, column 1, on which existing works for taking subartesian water are situated may continue using the works to take subartesian water.
- (2) Within 60 business days after the commencement, the chief executive must, under section 212 of the Act, grant a water licence to replace each authority under subsection (1).
- (3) A water licence mentioned in subsection (2) must be granted—
 - (a) for commercial purposes; and
 - (b) on the conditions stated, for the land, in schedule 10, column 3.
- (4) Subsection (1) does not apply—
 - (a) to works mentioned in section 70(a) for taking subartesian water only for stock or domestic purposes; or
 - (b) if the owner has never used the works to take subartesian water.

77 Licensing existing taking of subartesian water for public amenity

- (1) Despite section 70(b), on the commencement of this plan, the Environmental Protection Agency may continue using its works to take subartesian water for public amenity purposes.
- (2) Within 60 business days after the commencement, the chief executive must, under section 212 of the Act, grant a water licence to replace the authority under subsection (1).
- (3) A water licence mentioned in subsection (2) must—
 - (a) state an annual volumetric limit of 15ML; and
 - (b) be granted for public amenity purposes; and
 - (c) be granted on the following conditions—
 - (i) that the location from which water may be taken under the licence must be the location of the 3 existing subartesian works through which water is being taken;
 - (ii) that no more than 5ML of water be taken in any period of 12 months from each subartesian works.

78 Water licences for Cooloola Shire Council

- (1) This section applies to the Cooloola Shire Council's authority, continued under section 1037 of the Act, to take or interfere with water from Searys Creek and Camerons Creek.
- (2) Within 60 business days after the commencement of this plan, the chief executive must replace the authority with the following water licences to take a total annual volumetric limit of 1700ML for town water supply purposes—
 - (a) a water licence to take water from Searys Creek;
 - (b) a water licence to take water from Camerons Creek;
 - (c) a water licence to take subartesian water from the Cooloola Sandmass subartesian area.
- (3) Section 70(b) does not apply to the Cooloola Shire Council's taking of subartesian water from the Cooloola Sandmass subartesian area until the chief executive grants a water licence under subsection (2)(c).

- (4) The water licence to take subartesian water must state—
 - (a) a maximum daily volume, for the licence, of 6.9ML; and
 - (b) for each subartesian works to which the licence applies—the maximum rate at which water may be taken under the licence.
- (5) Water licences granted under this section—
 - (a) expire 5 years after the commencement; and
 - (b) must be replaced with a water entitlement to take an annual volumetric limit of 1700ML for town water supply purposes from the Cooloola Sandmass subartesian area.

79 Relationship with Integrated Planning Act 1997

- (1) Works for taking or interfering with subartesian water for a purpose other than stock or domestic purposes in the Cooloola Sandmass subartesian area are assessable development under the *Integrated Planning Act 1997*, schedule 8, part 1, table 4, item 3(c)(ii).
- (2) Works for taking subartesian water for stock or domestic purposes in the Cooloola Sandmass subartesian area are self-assessable development under the *Integrated Planning Act 1997*, schedule 8, part 2, table 4, item 1(b)(ii).

Part 7 Strategies for achieving outcomes (general)

80 Measuring devices

- (1) A measuring device must be used to measure the volume of water taken under a water entitlement—
 - (a) to take water from a watercourse, lake or spring; or
 - (b) to take unallocated water granted from the general, strategic or town water supply reserve; or

- (b) monitoring programs administered by the chief executive and relevant State agencies; and
- (c) other monitoring programs considered by the chief executive to be relevant to the matters mentioned in subsection (1).

82 Monitoring programs to be undertaken by resource operations licence holders

- (1) Each resource operations licence holder must develop and undertake monitoring programs, satisfactory to the chief executive, that include monitoring the matters mentioned in section 81 in the water supply scheme in which the holder manages water.
- (2) For subsection (1), the programs must include monitoring—
 - (a) water quantity including—
 - (i) the flow of water at gauging stations; and
 - (ii) the supply and taking of water; and
 - (iii) inflows of water to the dams and weirs mentioned in the holder's resource operations licence; and
 - (iv) the quantity of water released from the dams and weirs; and
 - (v) the level of water in the dams and weirs; and
 - (b) water quality including chemical, physical and biological measurements; and
 - (c) the operation of outlet works relating to the dams and weirs including, for example, multi-level offtakes; and
 - (d) the operation of fish ways; and
 - (e) the operation of devices to minimise the impact on natural ecosystems of the transfer of water between watercourses.
- (3) The monitoring programs mentioned in subsections (1) and (2) must assist in enabling the chief executive to assess the effectiveness of the strategies under parts 5, 6 and 7.

83 Resource operations licence holders to give reports

- (1) Each resource operations licence holder must give the chief executive a written report containing the following information—
 - (a) details of the information obtained by monitoring the matters mentioned in section 82;
 - (b) details of decisions made by the holder in managing water and water infrastructure, including, for example, decisions about the following—
 - (i) making water available to water users under the holder's usual procedures for managing water in a water supply scheme;
 - (ii) managing the flow of water;
 - (iii) restrictions on the taking or supply of water;
 - (iv) infrastructure modifications or installations;
 - (c) information about any non-compliance by the holder with the resource operations plan;
 - (d) details about remedial action taken by the holder—
 - (i) in relation to a requirement under the resource operations plan; or
 - (ii) in response to an event or thing affecting water quality;
 - (e) details of any emergency action taken by the holder that may affect the achievement of the outcomes under part 3.
- (2) A report about a matter mentioned in subsection (1)(a), (1)(b)(i) or (1)(b)(ii) must be given—
 - (a) for each financial year in which the holder manages water under this plan; and
 - (b) within 3 months after the end of the financial year to which the report relates.
- (3) A report about a matter mentioned in subsection (1)(b)(iii), (1)(b)(iv), (1)(c) or (1)(d) must be given within 5 business days after the matter happens.

- (4) A report about a matter mentioned in subsection (1)(e) must be given the next business day after the action is taken.
- (5) A report under this section must be given in a way that is consistent with the department's Water Monitoring Data Reports Standards, a copy of which is available on the department's website.

84 Monitoring programs undertaken by Cooloola Shire Council

- (1) The Cooloola Shire Council must develop and undertake a monitoring program satisfactory to the chief executive.
- (2) The program must include monitoring the impact of taking or interfering with subartesian water from the Cooloola Sandmass subartesian area, under the Council's water entitlement, on—
 - (a) seawater intrusion of subartesian water; and
 - (b) groundwater movement between shallow and deeper aquifers; and
 - (c) water quality; and
 - (d) water quantity including—
 - (i) the volume of water taken; and
 - (ii) the rate of taking; and
 - (iii) aquifer water levels.

85 Cooloola Shire Council to give reports

- (1) The Cooloola Shire Council must give the chief executive a written report containing the following information—
 - (a) details of the information obtained by monitoring the matters mentioned in section 84;
 - (b) an assessment of the impact of taking or interfering with subartesian water on the matters mentioned in section 84(2)(a) to (d).
- (2) The report must be given—

- (a) every alternate financial year in which the Council takes or interferes with subartesian water from the Cooloola Sandmass subartesian area, under the Council's water entitlement; and
- (b) for the period of 2 financial years; and
- (c) within 3 months after the end of the period to which the report relates.

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

- (1) The Minister's report on this plan must be prepared—
 - (a) for the first report—for the financial year in which the resource operations plan commences; and
 - (b) for subsequent reports—for each financial year this plan is in force; and
 - (c) for each report—within 6 months after the end of the financial year to which the report relates.
- (2) Each subsequent report must include, for the financial year to which the report relates, information about—
 - (a) the level of development of works for taking subartesian water in parts of the plan area other than the Cooloola Sandmass subartesian area; and
 - (b) any impact, on surface water flows, of taking water from subartesian works.
- (3) The report prepared 5 years after the commencement of the resource operations plan must include information on the level of development of works for taking overland flow water in the plan area.
- (4) If the Minister is satisfied about any of the matters mentioned in section 90, the report, in its assessment of the effectiveness of the implementation of this plan in achieving this plan's outcomes, must include a consideration of the matters.

Part 9 **Implementing and amending this plan**

87 **Priorities for converting to, or granting, water allocations**

Each area described in schedule 11 is a priority area for this plan for the conversion to, or granting of, water allocations.

88 **Implementation schedule**

- (1) This section states—
 - (a) the proposed arrangements for implementing this plan; and
 - (b) the priorities for the conversion to or granting of water allocations.
- (2) Within 2 years after the commencement of this plan, it is proposed to prepare a resource operations plan—
 - (a) to convert authorisations in priority area 1 to water allocations; and
 - (b) to deal with unallocated surface water available for future water requirements; and
 - (c) for water in priority area 1—to make environmental management rules, water sharing rules, water allocation change rules and seasonal water assignment rules; and
 - (d) to implement the monitoring requirements mentioned in part 8.
- (3) Within 4 years after the commencement, it is proposed to amend the resource operations plan—
 - (a) to include priority area 2; and
 - (b) to convert authorisations in priority area 2 to water allocations; and
 - (c) to make environmental management rules, water sharing rules, water allocation change rules and seasonal water assignment rules for water in priority area 2.

- (4) Within 5 years after the commencement, it is proposed to amend the resource operations plan to include a critical water supply strategy.
- (5) Within 6 years after the commencement, it is proposed to amend the resource operations plan—
 - (a) to include priority area 3; and
 - (b) to convert authorisations in priority area 3 to water allocations; and
 - (c) to make environmental management rules, water sharing rules, water allocation change rules and seasonal water assignment rules for water in priority area 3.
- (6) Subsections (2), (3), (4) and (5) do not limit the matters that may be included in the resource operations plan.

89 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 or addition of 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;
- (b) an amendment or addition of 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;
- (c) an amendment or addition of a priority area;
- (d) an amendment or addition of a node;
- (e) an amendment or addition of a priority group;
- (f) an amendment to subdivide a subcatchment area or amalgamate subcatchment areas;
- (g) an amendment to subdivide a volume, or amalgamate volumes, decided under section 61;

- (h) an amendment of the type of water entitlement that may be granted for town water supply purposes;
- (i) an amendment of the type of water entitlement that may be granted under section 52;
- (j) an amendment of the process in part 5, division 4, for granting or amending an interim resource operations licence;
- (k) an amendment or addition of a monitoring or reporting requirement under part 8.

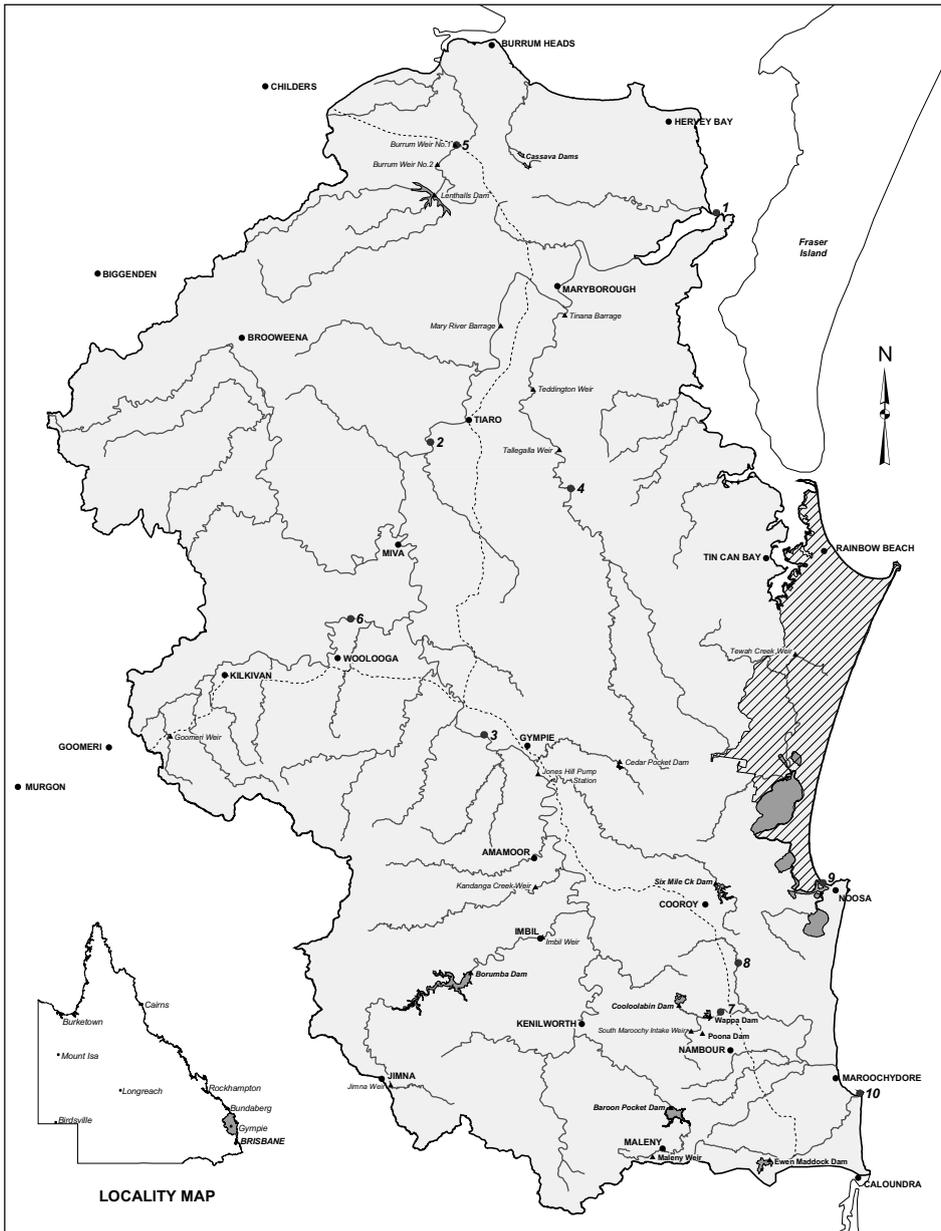
90 Amending or replacing plan

The Minister must consider amending this plan or preparing a new plan to replace this plan if the Minister is satisfied—

- (a) in relation to this plan's general outcomes under sections 11 and 12—
 - (i) water entitlements in the plan area are not sufficient to meet water needs sourced from the plan area having regard to—
 - (A) the extent to which water is being taken under the water entitlements; and
 - (B) the efficiency of present, and expected future, water use; and
 - (C) emerging requirements for additional water; and
 - (D) alternative water sources including, for example, recycled water and water savings from improvements in the efficiency of water use; and
 - (E) the likely timeframe in which additional water will be required; and
 - (ii) there are economically viable and ecologically sustainable uses for additional water; or
- (b) this plan's ecological outcomes under section 13 are not being achieved; or
- (c) this plan is inconsistent with the SEQ regional plan.

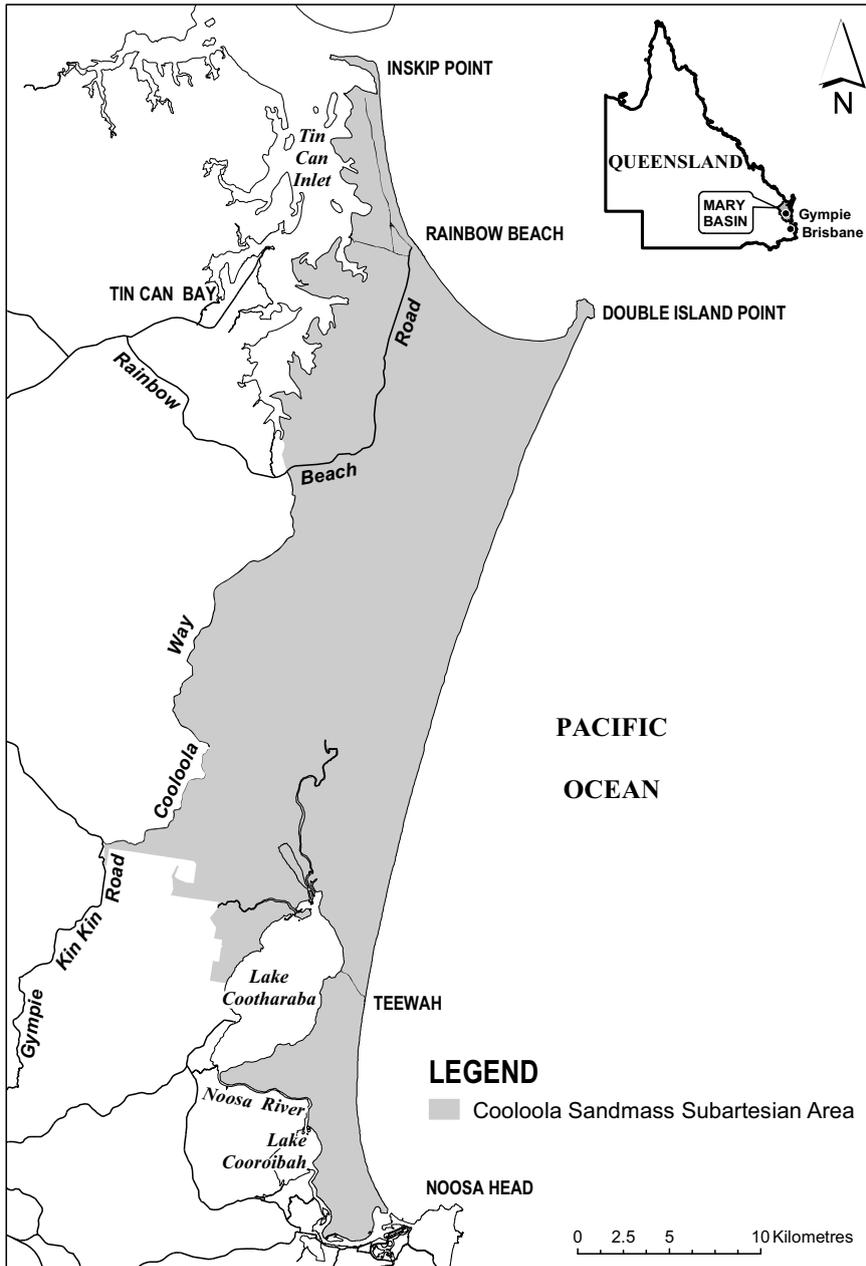
Schedule 1 Plan area

section 4



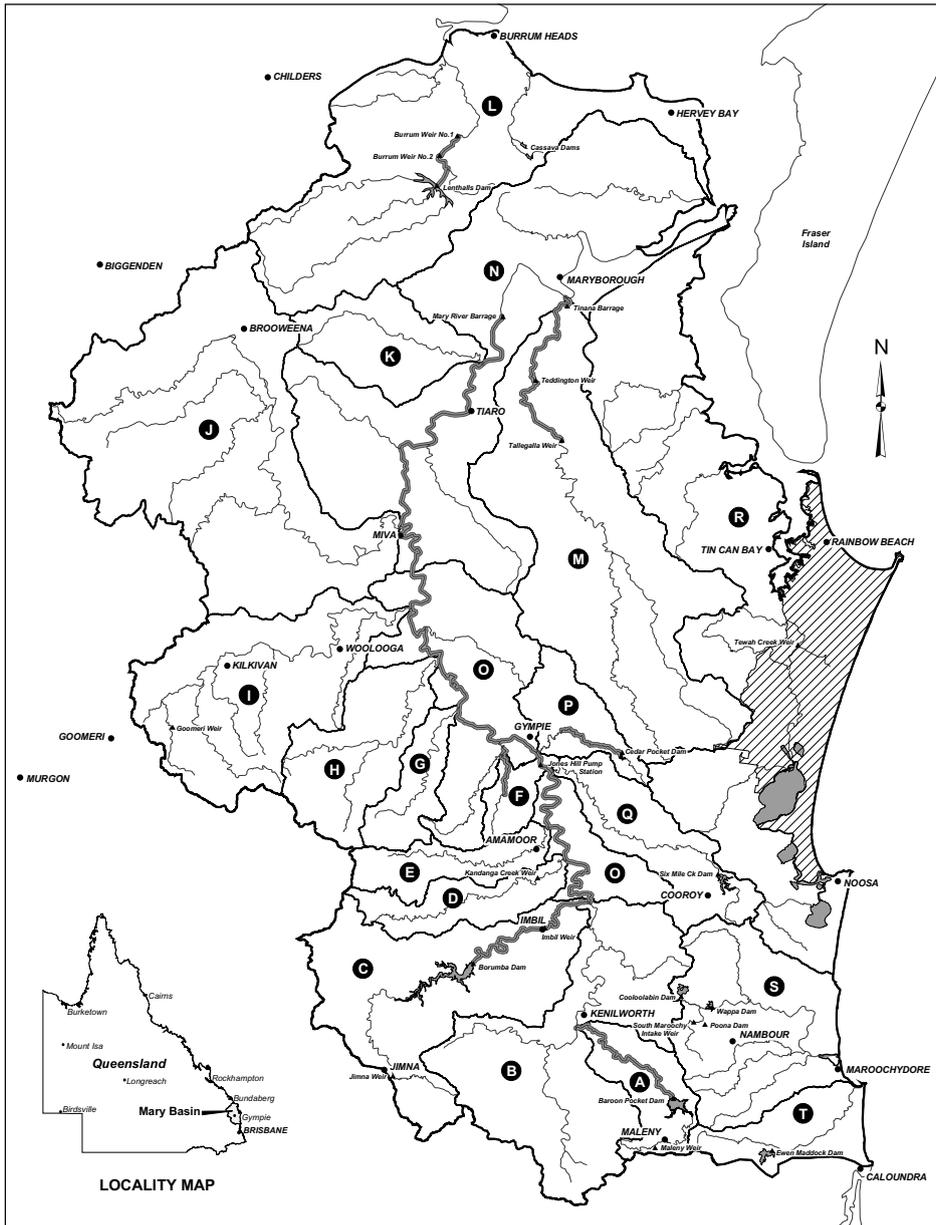
Schedule 2 Cooloola Sandmass subartesian area

section 5



Schedule 3 Subcatchment areas

section 6



Schedule 4 Subcatchment area names

section 6

Column 1	Column 2
Subcatchment area	Subcatchment area name
A	Obi Obi Creek
B	Upper Mary River
C	Yabba Creek
D	Kandanga Creek
E	Amamoor Creek
F	Pie and Calico Creeks
G	Glastonbury Creek
H	Widgee Creek
I	Wide Bay Creek
J	Munna Creek
K	Myrtle Creek
L	Burrum River
M	Tinana Creek
N	Lower Mary River
O	Mid Mary River including Eel Creek
P	Deep Creek
Q	Six Mile Creek
R	Noosa River and coastal streams north of the Noosa River
S	Maroochy River
T	Mooloolah River

Schedule 5 Nodes

section 8

Column 1	Column 2
Node	Location
1	Mary River at river mouth AMTD 0.0km
2	Mary River at Homepark AMTD 89km
3	Mary River at Fishermans Pocket AMTD 170.4km
4	Tinana Creek at Bauple East AMTD 50.1km
5	Burrum River at No.1 Weir AMTD 23.1km
6	Wide Bay Creek at Brooyar AMTD 12.9km
7	South Maroochy River at Yandina AMTD 30.3km
8	North Maroochy River at Eumundi AMTD 14.2km
9	Noosa River at river mouth AMTD 0.0km
10	Mooloolah River at river mouth AMTD 0.0km

Schedule 6 Environmental flow objectives

section 16

Part 1 Low flow objectives

- 1 At each node mentioned in table 1, column 1, the percentage of the total number of days in the simulation period on which the daily flow is less than 1ML be between the minimum and maximum percentages stated for the node in table 1, column 2.

Table 1

Column 1	Column 2
Node	Minimum-maximum percentage
1	0–31
2	0–19
3	0–18
4	2–19
5	32–68
6	2–27
7	2–28
8	2–37
9	0–9
10	2–31

- 2 At each node mentioned in table 2, column 1, other than node 9, minimise the extent to which the 50% daily flow stated in table 2, column 2, for a month for the node—
 - (a) is equalled or exceeded on fewer than 32% of the days in the month in the simulation period; and

Schedule 6 (continued)

- (b) is equalled or exceeded on more than 68% of the days in the month in the simulation period.
- 3 At node 9, minimise the extent to which the 50% daily flow stated in table 2, column 2 for a month for the node—
- (a) is equalled or exceeded on fewer than 41% of the days in the month in the simulation period; and
- (b) is equalled or exceeded on more than 59% of the days in the month in the simulation period.

Table 2

Column 1	Column 2					
Node	50% daily flow in megalitres					
	Jan	Feb	Mar	Apr	May	June
1	2274	3580	3788	2586	1726	1381
2	1166	2028	2238	1526	993	767
5	10	37	30	10	3	1
9	723	935	1028	1032	973	925
10	41	97	147	131	75	49

Column 1	Column 2					
Node	50% daily flow in megalitres					
	July	Aug	Sep	Oct	Nov	Dec
1	1081	680	505	485	592	1190
2	630	409	305	274	308	654
5	1	0	0	0	0	1
9	834	713	631	555	533	592
10	26	8	5	5	9	18

Schedule 6 (continued)

- 4 At each node mentioned in table 3, column 1, other than node 9, minimise the extent to which the 90% daily flow stated in table 3, column 2, for a month for the node is equalled or exceeded on fewer than 72% of the days in the month in the simulation period.
- 5 At node 9, minimise the extent to which the 90% daily flow stated in table 3, column 2 for a month for the node is equalled or exceeded on fewer than 81% of the days in the month in the simulation period.

Table 3

Column 1	Column 2					
Node	90% daily flow in megalitres					
	Jan	Feb	Mar	Apr	May	June
1	284	609	629	511	425	337
2	92	249	302	283	223	183
5	0	0	0	0	0	0
9	375	457	573	585	660	633
10	1	7	11	8	6	3

Column 1	Column 2					
Node	90% daily flow in megalitres					
	July	Aug	Sep	Oct	Nov	Dec
1	256	170	121	88	96	157
2	160	108	78	61	55	70
5	0	0	0	0	0	0
9	566	492	432	385	361	346
10	1	0	0	0	0	0

Schedule 6 (continued)

- 6 At each node mentioned in table 4, column 1, minimise the extent to which—
- (a) the low flow duration (10cm above cease-to-flow) in the simulation period is less than the minimum or more than the maximum percentage stated for the node in table 4, column 2; and
 - (b) the low flow duration (30cm above cease-to-flow) in the simulation period is less than the minimum or more than the maximum percentage stated for the node in table 4, column 3.

Table 4

Column 1	Column 2	Column 3
Node	Minimum-maximum percentage	Minimum-maximum percentage
3	80–98	62–98
4	77–98	36–72
6	63–98	6–42
7	69–98	10–46
8	24–60	2–36

- 7 At each node mentioned in table 5, column 1, minimise the extent to which—
- (a) the number of periods of no flow of at least 1 month but less than 3 months in the simulation period are fewer than the minimum or more than the maximum number stated for the node in table 5, column 2; and
 - (b) the number of periods of no flow of at least 3 months but less than 6 months in the simulation period are fewer than the minimum or more than the maximum number stated for the node in table 5, column 3; and
 - (c) the number of periods of no flow of at least 6 months but less than 9 months in the simulation period are fewer

Schedule 6 (continued)

than the minimum or more than the maximum number stated for the node in table 5, column 4; and

- (d) the number of periods of no flow of at least 9 months in the simulation period are fewer than the minimum or more than the maximum number stated for the node in table 5, column 5.

Table 5

Column 1	Column 2	Column 3	Column 4	Column 5
Node	Minimum–Maximum	Minimum–Maximum	Minimum–Maximum	Minimum–Maximum
1	0–30	0–1	0–1	0–0
2	0–13	0–5	0–0	0–0
3	0–18	0–3	0–0	0–0
4	0–97	0–49	0–10	0–1
5	48–153	1–101	1–46	0–2
6	8–147	3–75	0–31	0–16
7	2–168	0–86	0–46	0–13
8	5–96	0–27	0–1	0–0
9	0–0	0–0	0–0	0–0
10	8–35	0–5	0–0	0–0

Part 2**Medium to high flow objectives**

- 1 At each node mentioned in table 6, column 1, other than nodes 2 and 3, the mean annual flow, expressed as a percentage of the mean annual flow for the pre-development flow pattern, be at least the percentage stated for the node in table 6, column 2.

Schedule 6 (continued)

- 2 At nodes 2 and 3, minimise the extent to which the mean annual flow, expressed as a percentage of the mean annual flow for the pre-development flow pattern, is less than the percentage stated for the node in table 6, column 2.
- 3 At each node mentioned in table 6, column 1, other than nodes 1, 2 and 3, the 1.5 year daily flow volume, expressed as a percentage of the 1.5 year daily flow volume for the pre-development flow pattern, be at least the percentage stated for the node in table 6, column 3.
- 4 At nodes 1, 2 and 3, minimise the extent to which the 1.5 year daily flow volume, expressed as a percentage of the 1.5 year daily flow volume for the pre-development flow pattern, is less than the percentage stated for the node in table 6, column 3.
- 5 At each node mentioned in table 6, column 1, other than nodes 1, 2 and 3, the 5 year daily flow volume, expressed as a percentage of the 5 year daily flow volume for the pre-development flow pattern, be at least the percentage stated for the node in table 6, column 4.
- 6 At nodes 1, 2 and 3, minimise the extent to which the 5 year daily flow volume, expressed as a percentage of the 5 year daily flow volume for the pre-development flow pattern, is less than the percentage stated for the node in table 6, column 4.
- 7 At each node mentioned in table 6, column 1, other than nodes 1, 2 and 3, the 20 year daily flow volume, expressed as a percentage of the 20 year daily flow volume for the pre-development flow pattern, be at least the percentage stated for the node in table 6, column 5.
- 8 At nodes 1, 2 and 3, minimise the extent to which the 20 year daily flow volume, expressed as a percentage of the 20 year daily flow volume for the pre-development flow pattern, is less than the percentage stated for the node in table 6, column 5.

Schedule 6 (continued)

Table 6

Column 1	Column 2	Column 3	Column 4	Column 5
Node	Mean annual flow percentage	1.5 year daily flow volume percentage	5 year daily flow volume percentage	20 year daily flow volume percentage
1	85	83	89	69
2	79	72	69	69
3	70	42	69	69
4	94	95	99	99
5	85	74	93	94
6	88	92	98	99
7	70	72	90	95
8	95	98	98	99
9	99	99	99	99
10	90	95	98	99

Part 3 Seasonal flow objectives

- 1 At each node mentioned in table 7, column 1, other than nodes 1, 2 and 3, the annual proportional flow deviation be no greater than the annual proportional flow deviation stated for the node in table 7, column 2.
- 2 At nodes 1, 2 and 3, minimise the extent to which the annual proportional flow deviation is greater than the annual proportional flow deviation stated for the node in table 7, column 2.
- 3 At each node mentioned in table 7, column 1, the flow regime class be maintained as late summer flow regime class.

Schedule 6 (continued)

Table 7

Column 1	Column 2
Node	Annual proportional flow deviation
1	1.2
2	1.4
3	2.1
4	0.9
5	1.9
6	1.3
7	1.7
8	0.5
9	0.1
10	0.6

Schedule 7 Water allocation security objectives

section 18

Part 1 Supplemented water

- 1 For water allocations in a high priority group in a water supply scheme—
 - (a) the monthly supplemented water sharing index be at least 95%; and
 - (b) the extent to which it is less than 99% be minimised.
- 2 For water allocations in a medium priority group in the Lower Mary River Water Supply Scheme—
 - (a) the monthly supplemented water sharing index be at least 88%; and
 - (b) the extent to which it is less than 93% be minimised.
- 3 For water allocations in a medium priority group in the Mary Valley Water Supply Scheme—
 - (a) the monthly supplemented water sharing index be at least 80%; and
 - (b) the extent to which it is less than 85% be minimised.
- 4 For water allocations in a medium priority group in the Cedar Pocket Dam Water Supply Scheme—
 - (a) the monthly supplemented water sharing index be at least 92%; and
 - (b) the extent to which it is less than 97% be minimised.

Schedule 7 (continued)

Part 2 Unsupplemented water

- 1 For water allocations, converted from authorisations for town water supply purposes, for taking unsupplemented water in a subcatchment area mentioned in table 1, column 1—
 - (a) the mean unsupplemented water sharing index be at least the volume stated, for the subcatchment area, in table 1, column 2; and
 - (b) the 95% unsupplemented water sharing index be at least the percentage stated, for the subcatchment area, in table 1, column 3.

Table 1

Column 1	Column 2	Column 3
Subcatchment area	Mean unsupplemented water sharing index—volume in megalitres	95% unsupplemented water sharing index—percentage
B	338	70
D	59	100
E	32	100
I	525	81

- 2 For water allocations, converted from authorisations that stated an area that may be irrigated, for taking unsupplemented water in a subcatchment area mentioned in table 2, column 1, the mean unsupplemented water sharing index be at least the volume stated, for the subcatchment area, in table 2, column 2.

Schedule 7 (continued)

Table 2

Column 1	Column 2
Subcatchment area	Mean unsupplemented water sharing index— volume in megalitres
A	3918
B	10428
C	423
D	2044
E	2329
F	1820
G	1663
H	3190
I	5583
J	982
K	890
L	549
M	5579
N	1336
O	4794
P	2130
Q	2212
R	1247
S	4109
T	268

- 3 For all other water allocations for taking unsupplemented water in a subcatchment area mentioned in table 3, column 1, the mean unsupplemented water sharing index be at least the

Schedule 7 (continued)

volume stated, for the subcatchment area, in table 3, column 2.

Table 3

Column 1	Column 2
Subcatchment area	Mean unsupplemented water sharing index— volume in megalitres
A	43
B	2000
C	—
D	78
E	—
F	51
G	215
H	—
I	175
J	907
K	1155
L	126
M	932
N	1142
O	112
P	48
Q	25
R	73
S	149
T	—

Schedule 8 Volumes for simulated mean annual diversions

section 61

Column 1	Column 2	Column 3	Column 4
Subcatchment area	Volume in megalitres	Volume in megalitres	Volume in megalitres
A	—	3918	43
B	338	10428	2000
C	—	423	—
D	59	2044	78
E	32	2329	—
F	—	1820	51
G	—	1663	215
H	—	3190	—
I	525	5583	175
J	—	982	907
K	—	890	1155
L	—	549	126
M	—	5579	932
N	—	1336	1142
O	—	4794	112
P	—	2130	48
Q	—	2212	25
R	—	1247	73
S	—	4109	149
T	—	268	—

Schedule 9 Rates and pump sizes

section 63

Column 1	Column 2
Pump size (mm)	Rate (litres/second)
32	8
40	12
50	25.5
65	46.3
80	64.8
100	94.9
125	115.7
150	149.3
200	219.9
250	299.8
300	347.2

Schedule 10 Water licences to take subartesian water

sections 74 and 76

Column 1	Column 2	Column 3
Lot on plan	Annual volumetric limit in megalitres	Licence conditions
Lot 1 on SP128396	10	—
Lot 2 on RB9696	10	—
Lot 17 on MCH5109	10	4 subartesian works
Lot 7 on RP902661	2.5	—
Lot 32 on MCH4399	10	—
Lot 38 on MCH838804	2.5	—
Lot 2 on RP135678	10	3 subartesian works
Lot 0 on BUP103375	2.5	—
Lot 0 on SP102811	2.5	—
Lot 3 on MCH843668	10	—
Lot 4 on CP887197	2.5	—
Lot 37 on SP101780	10	—
Lot 1 on MCH842069	10	—

Schedule 11 Priority areas

section 87

1 Priority area 1

Priority area 1 is the area of—

- (a) the Mary River Water Supply Scheme which consists of—
 - (i) the Lower Mary River Water Supply Scheme consisting of—
 - (A) Mary River Barrage on the Mary River between AMTD 59.3km and AMTD 85km; and
 - (B) Tinana Barrage (including the ponded area) on Tinana Creek at AMTD 1.6km; and
 - (C) Tinana Creek from AMTD 15.8km to AMTD 37.4km; and
 - (D) Minni Minni Creek between the Owanyilla Diversion Channel outlet and the confluence with Tinana Creek; and
 - (ii) the Mary Valley Water Supply Scheme consisting of—
 - (A) Borumba Dam (including the ponded area) on Yabba Creek at AMTD 31.1km; and
 - (B) Imbil Weir (including the ponded area) on Yabba Creek at AMTD 10.9km; and
 - (C) Yabba Creek from AMTD 0.0km to AMTD 48.3km; and
 - (D) the Mary River from AMTD 85km to AMTD 226.7km; and
 - (E) Pie, Calico and McIntosh creeks between the supplementation point and the confluence with the Mary River; and

Schedule 11 (continued)

- (iii) Cedar Pocket Dam Water Supply Scheme consisting of—
 - (A) Cedar Pocket Dam (including the ponded area) on Deep Creek at AMTD 25.2km; and
 - (B) Deep Creek from AMTD 10.2km to AMTD 25.2km; and
- (b) the Wide Bay Water Supply Scheme which consists of—
 - (i) Lenthalls Dam (including the ponded area) on the Burrum River at AMTD 34.2km; and
 - (ii) Burrum Weir No.1 (including the ponded area) on the Burrum River at AMTD 23.3km; and
 - (iii) Burrum weir No.2 (including the ponded area) on the Burrum River at 28.2km; and
- (c) Tinana Creek from Tallegalla Weir (including the ponded area) at AMTD 37.5km to the ponded area of Teddington Weir; and
- (d) the Baroon Pocket Water Supply Scheme which consists of Baroon Pocket Dam (including the ponded area) on Obi Obi Creek at AMTD 26.5km.

2 Priority area 2

Priority area 2 consists of—

- (a) the Upper Mary River (subcatchment area B); and
- (b) Wide Bay Creek (subcatchment area I); and
- (c) Widgee Creek (subcatchment area H); and
- (d) the unsupplemented parts of Pie, Calico and McIntosh creeks (subcatchment area F); and
- (e) Eel Creek (part of subcatchment area O); and
- (f) the unsupplemented parts of Tinana Creek (subcatchment area M).

Schedule 11 (continued)

3 Priority area 3

Priority area 3 consists of—

- (a) North and South Maroochy rivers (subcatchment area S); and
- (b) Myrtle Creek (subcatchment area K); and
- (c) Obi Obi Creek (subcatchment area A); and
- (d) Six Mile Creek (subcatchment area Q).

Schedule 12 Dictionary

section 3

1.5 year daily flow volume means the daily flow that has a 67% probability of being reached at least once a year.

5 year daily flow volume means the daily flow that has a 20% probability of being reached at least once a year.

20 year daily flow volume means the daily flow that has a 5% probability of being reached at least once a year.

50% daily flow, for a month, means the flow, in megalitres, that is equalled or exceeded on 50% of days in the month in the simulation period.

90% daily flow, for a month, means the flow, in megalitres, that is equalled or exceeded on 90% of days in the month in the simulation period.

95% unsupplemented water sharing index, for a group of authorisations, means the total volume of water simulated to have been taken annually under the authorisations in at least 95% of years in the simulation period, if the authorisations were in existence for the whole of the simulation period, expressed as a percentage of the simulated mean annual diversion for the authorisations.

adopted middle thread distance means the distance in kilometres, measured along the middle of a watercourse, that a specific point in the watercourse is from—

- (a) the watercourse's mouth; or
- (b) if the watercourse is not a main watercourse—the watercourse's confluence with its main watercourse.

AMTD means adopted middle thread distance.

annual proportional flow deviation means the statistical measure of changes to flow season and volume in the simulation period calculated using the formula for annual proportional flow deviation described in Technical Report 5

Schedule 12 (continued)

of 'Fitzroy Basin Water Allocation and Management Planning Technical Reports' published by the department.

Note—

Copies of the reports are available for inspection on the department's website.

annual variability, for a flow at a point in a watercourse, means the amount of change in the flow that happens between years.

annual volumetric limit, for a water entitlement, means the maximum volume of water that may be taken under the water entitlement in a water year.

authorisation means a licence, permit, interim water allocation or other authority to take water given under the Act or the repealed Act, other than a permit for stock or domestic purposes.

Cooloola Sandmass subartesian area see section 5.

critical water supply strategy see section 66.

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

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.

ecological assets include a species, a group of species, a biological function, an ecosystem and a place of natural value.

event duration, for a flow at a point in a watercourse, means the period of time when the discharge is greater than or less than the level necessary for a particular ecological process to happen.

flow regime means the entire range of flows at a point in a watercourse including variations in the watercourse height, discharge, seasonality, annual variability and event duration.

flow regime class means the measure of flow regime seasonality worked out using the method stated in Haines, A.T., Finlayson, B.L. and McMahan, T.A., 'A global classification of river regimes. Applied Geography, 1988'.

Schedule 12 (continued)

groundwater means water from an underground source.

hydraulic habitat requirements, of an ecological asset, are the hydraulic or physical attributes of the flow regime that are—

- (a) required for a particular biological process or response to happen in relation to the asset; or
- (b) necessary to maintain the long-term biological integrity of the asset.

infrastructure operating rules means, for infrastructure to which the resource operations plan applies, the infrastructure operating rules included in the resource operations plan.

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

late summer flow regime class see the Pioneer Valley Water Resource Plan Environmental Flow Report, December 2001.

Editor's note—

A copy of the report may be inspected at the department's head office, Brisbane or on the department's website.

low flow duration (10cm above cease-to-flow), for a watercourse, means the percentage of the total number of days in the simulation period that the watercourse's daily flow is at least 10cm above the cease-to-flow level in the watercourse.

low flow duration (30cm above cease-to-flow), for a watercourse, means the percentage of the total number of days in the simulation period that the watercourse's daily flow is at least 30cm above the cease-to-flow level in the watercourse.

low flow regime, for a watercourse, means the minimum flows that provide a continuous flow through the watercourse.

maximum daily volume, for a water entitlement, means the maximum volume of water that may be taken under the entitlement in a day.

Schedule 12 (continued)

mean annual flow means the total volume of flow in the simulation period divided by the number of years in the simulation period.

mean unsupplemented water sharing index, for a group of water allocations, means the average total volume of water simulated to have been taken annually under the allocations in the simulation period, if the allocations were in existence for the whole of the simulation period.

monthly supplemented water sharing index, for water allocations to take supplemented water in a water supply scheme, means the percentage of months in the simulation period in which the allocations are fully supplied.

node see section 8.

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

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

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

priority area see section 87.

related development permit, for an authorisation, means the development permit for the works for taking water under the authorisation.

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

seasonality, for a flow at a point in a watercourse, means the time of year when the flow happens.

SEQ regional plan see the *Integrated Planning Act 1997*, section 2.5A.10.

simulated mean annual diversion, for water allocations in a subcatchment area, means the total volume of water simulated to have been taken under the allocations, if the allocations

Schedule 12 (continued)

were in existence for the whole of the simulation period, divided by the number of years in the simulation period.

simulation period means the period from 1890 to 1999.

subartesian works means—

- (a) a subartesian bore; and
- (b) pumping and other equipment to take water from the bore.

subcatchment area see section 6.

supplementation point, for a watercourse, means the most upstream point on the watercourse at which the natural flow of water in the watercourse is supplemented by water from a dam or weir.

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 9.

this plan means this water resource plan.

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

unsupplemented water means water that is not supplemented water.

water supply scheme means a water supply scheme described in schedule 11.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	81
3 Key	81
4 Table of reprints	82
5 List of legislation	82

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Water Resource (Mary Basin) Plan 2006 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	28 July 2006	

5 List of legislation

Water Resource (Mary Basin) Plan 2006 SL No. 192

approved by the Governor in Council on 27 July 2006

notfd gaz 28 July 2006 pp 1480–2

commenced on date of notification

exp 1 September 2016 (see SIA s 54)

Note—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) An explanatory note was prepared