Queensland

Water Act 2000

Water Plan (Cooper Creek) 2011

Current as at 2 September 2017

Queensland

Water Plan (Cooper Creek) 2011

Contents

Water Plan (Cooper Creek) 2011

Chapter 1 Preliminary

1 Short title

This water plan may be cited as the *Water Plan (Cooper Creek) 2011*.

2 Purposes of plan

The following are the purposes of this plan—

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

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

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

(d) to regulate the taking of overland flow water.

3 Definitions

The dictionary in schedule 9 defines particular words used in this plan.

Chapter 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 Subcatchment areas

Each part of the plan area that is within a subcatchment area shown on the map in schedule 1 is a subcatchment area for this plan.

6 Information about areas

(1) The exact location of the boundaries of the plan area and subcatchment areas 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.

7 Nodes

(1) A node mentioned in this plan is a place on a watercourse in the plan area.

(2) The location of each node is shown on the map in schedule 1 and described in schedule 2.

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

8 Water to which plan applies

This plan applies to the following water in the plan area—

(a) water in a watercourse or lake;

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

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

9 Declaration about watercourse—Act, s 1006(2)

(1) Groundwater that is hydraulically linked to water in a watercourse, lake or spring is declared to be water in the watercourse.

(2) An owner of land may take hydraulically linked groundwater under the land for stock or domestic purposes.

Chapter 3 Outcomes for sustainable management of water

10 Outcomes for water in plan area

Water is to be allocated and sustainably managed in a way that seeks to achieve a balance in the following outcomes—

(a) the general outcomes mentioned in section 11;

(b) the ecological outcomes mentioned in section 12;

(c) the social and economic outcomes mentioned in section 13.

11 General outcomes for water in plan area

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

(a) to manage water in a way consistent with relevant national and international obligations and agreements, particularly the Lake Eyre Basin Intergovermental Agreement;

(b) to manage hydraulically linked groundwater and surface water as a single resource;

(c) to manage water in a way that minimises impact on the duration, magnitude, frequency and seasonality of natural flow regimes;

(d) to support water-related cultural values in the plan area, including the values of the traditional owners of the plan area;

(e) to account for the modelled impacts of climate change on water availability, including the effects of increased duration of low flow periods and no flow periods, and the effect of increased evaporation rates from waterholes.

12 Ecological outcomes for water in plan area

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

(a) to the extent possible, to maintain the ecological integrity and natural function of in-stream, riparian, wetland and floodplain ecosystems by minimising changes to natural flow regimes, both in the plan area and downstream of the plan area in the South Australian part of the Cooper Creek catchment;

(b) to maintain lateral and longitudinal connectivity between waterholes by minimising the impacts on flow patterns resulting from new authorisations granted for the plan area;

(c) to maintain the variability and seasonality of water flow patterns, including the frequency and duration of high flows, no flows and low flows, by minimising the

impacts of water extractions due to new authorisations granted for the plan area;

(d) to minimise the impact on pool and waterhole habitats of drawdown due to water extractions allowed under new authorisations granted for the plan area.

13 Social and economic outcomes for water in plan area

Each of the following is a social or economic outcome for water in the plan area—

(a) to make water available to sustain current levels of, and to support growth in, economic activity in the plan area;

(b) to make water available for urban and industrial uses in the plan area;

(c) to provide for the continued use of all existing surface water entitlements and other authorisations in the plan area, including water for stock or domestic purposes;

(d) to protect existing entitlements from the effects of new authorisations;

(e) to make water available for projects of State or regional significance in the plan area.

Chapter 4 Strategies for achieving outcomes

Part 1 Preliminary

14 Decisions about taking water

(1) The chief executive is not to make a decision, about the allocation or management of water in the plan area, that would

increase the average volume of water allowed to be taken in the plan area.

(2) 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.

(3) Subsection (1) does not apply to a decision about—

(a) a water permit; or

(b) reinstating or replacing an expired authorisation; or

(c) taking overland flow water under section 38; or

(d) unallocated water; or

(e) a water licence mentioned in section 20.

Part 2 Unallocated water

16 Establishing unallocated water reserves

(1) This plan makes the following volumes of unallocated water available—

(a) for a non-irrigation purpose—an Indigenous reserve of 200ML for helping local Aboriginal people achieve their economic and social aspirations;

(b) for a non-irrigation purpose—a general reserve of 200ML;

(c) for a project of State or regional significance—a strategic reserve of 1,300ML;

(d) for a community purpose or to a local government for town water supply purposes—a town and community water reserve of 500ML.

(2) The volumes mentioned in subsection (1) are nominal entitlements.

(3) Unallocated water may be taken from—

(a) a watercourse, lake or spring; or

(b) overland flow.

(4) A volume of water granted from the Indigenous reserve—

(a) if the volume of water is granted for a project—

(i) is to be granted for the life of the project; and

(ii) returns to the Indigenous reserve on the completion of the project; or

(b) otherwise—returns to the Indigenous reserve when the water is no longer needed.

(5) A volume of water granted from the strategic reserve for a project of State or regional significance—

(a) must be granted only for the life of the project; and

(b) returns to the strategic reserve on the completion of the project.

17 Projects that may be considered to be of regional significance

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

(a) the outcomes mentioned in chapter 3;

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

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

(d) any other relevant consideration.

(2) However, the chief executive may not consider a project for irrigation to be a project of regional significance.

19 Process for dealing with unallocated water

(1) The resource operations plan includes the process for dealing with unallocated water in the plan area.

(2) In preparing and implementing the process, the chief executive is to consider the following—

(a) the purpose for which the water is required;

(b) the efficiency of existing and proposed water use practices;

(c) the extent to which water is being taken under existing authorisations in the plan area;

(d) the availability of an alternative water supply for the purpose for which the water is required;

(e) the impact the proposed taking of, or interfering with, the water may have on the following—

(i) the ecological values of the catchment;

(ii) water quality;

(iii) access to water under existing entitlements;

(iv) stock or domestic supplies;

(v) the drawdown levels in waterholes;

(vi) the natural movement of sediment;

(vii) low flows;

(viii) waterholes and wetlands;

(ix) connections between waterholes, particularly at times of low flow;

(x) the floodplain downstream of the proposed taking or interfering;

(xi) inundation of habitats;

(xii) the movement of fish and other aquatic species;

(xiii) recreation and aesthetic values;

(xiv) cultural values, including, for example, cultural values of local Aboriginal communities;

(xv) the connection with groundwater;

(f) the imposition of flow conditions, on water entitlements to take, or interfere with, water, to protect low flows and other ecologically significant flows;

(g) for an application by a local government for town water supply purposes—the necessity of completing a planning study demonstrating the need for water.

Part 3 Granting water entitlements other than entitlements to unallocated water

20 Water licences to replace authorities

(1) The chief executive may, under section 212 of the Act, grant a water licence to take or interfere with water that could have been taken or interfered with under—

(a) an authority continued under the Act and in existence on 11 July 2008; or

(b) an authority issued under section 4 of the repealed *Water Act 1926–1983*; or

(c) any historic permission, either formal or implicit, given to the State or local government to take or interfere with water.

(2) A water licence mentioned in subsection (1)(c) may be granted only to the State or a local government.

(3) In deciding the nominal entitlement of water that may be taken under the water licence to take water, the chief executive must consider the matters mentioned in section 30.

(4) In deciding the maximum rate for taking water under the water licence to take water, the chief executive must consider the matters mentioned in section 28.

(5) In deciding the daily volumetric limit under the water licence to take water, the chief executive must consider the matters mentioned in section 29.

(6) The owner of existing works associated with an authority or permission mentioned in subsection (1)(a), (b) or (c) may continue to use the works to take water until the chief executive grants a water licence to the owner under subsection (1).

21 Granting of water permits

(1) This section applies to an application for the granting of a water permit to take water from a waterhole or lake.

(1A) If a person applies for a water permit to take water from a waterhole or lake mentioned in schedule 5, section 1, the person must provide the chief executive with information about the total volume and current water level of the waterhole or lake.

(2) In deciding the application for a water permit, the chief executive must consider the following—

(a) the purpose for which the water is required;

(b) the total volume and current level of the waterhole or lake;

(c) the extent to which water is being taken from the waterhole or lake by existing authorisations;

(d) the availability of an alternative water supply for the purpose for which the water is required;

(e) the impact the proposed taking of, or interfering with, the water may have on—

(i) the drawdown level of the waterhole or lake; and

(ii) the ecological values of the waterhole or lake; and

(iii) any cultural values associated with the waterhole or lake, including, for example, cultural values of local Aboriginal communities.

Part 4 Water licences to take water from watercourse, lake or spring

Division 1 Application of part

22 Application of pt 4

This part applies to a water licence to take water from a watercourse, lake or spring.

Division 2 Form of water licence to take water

23 Elements of a water licence to take water

(1) A water licence to take water must state the following—

(a) the purpose for which water may be taken under the licence;

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

(c) the daily volumetric limit for the licence;

(d) the nominal entitlement for the licence;

(e) the conditions, if any, for the licence, including flow conditions and conditions about storing water taken under the licence.

(2) The chief executive is to amend any existing water licences, other than existing water licences with a purpose of stock or domestic, to include the elements mentioned in subsection (1)(a) to (e).

(3) The chief executive is to amend any existing water licences with a purpose of stock or domestic to include the elements mentioned in subsection (1)(a) and (d).

24 Restrictions on taking water from waterholes or lakes

(1) This section applies if the chief executive makes a decision about granting a water licence, other than a decision about—

(a) reinstating or replacing an expired authorisation; or

(b) granting a licence in accordance with section 20; or

(c) granting a licence for stock or domestic purposes if the taking of water for that purpose started before 11 July 2008.

(2) When making a decision about the conditions that will apply to a water licence to take water from a waterhole or lake, the chief executive must consider the impact that the taking of water may have on the following—

(a) the ecological values of the waterhole or lake;

(b) any cultural values associated with the waterhole or lake.

(3) If the proposed taking of water is from a waterhole or lake listed in schedule 5, section 1, the chief executive must impose a condition on the water licence prohibiting the taking of water from below the natural cease-to-flow level of the waterhole or lake.

(4) Subsection (5) applies if a water licence, other than a water licence for the purpose of stock or domestic, proposes to take water from a waterhole or lake, other than a waterhole or lake listed in schedule 5, section 1.

(5) The chief executive must impose a condition on the water licence prohibiting the taking of water from the waterhole or lake when the level of the waterhole or lake is lower than 0.5m below the natural cease-to-flow level of the waterhole or lake.

(6) Subsection (5) does not apply to a water licence proposing to take water from a waterhole listed in schedule 6, section 1 that has been augmented by dams or weirs.

Division 3 Criteria for amending water licences to achieve plan outcomes

25 Definitions for div 3

In this division—

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

existing water licence means a water licence in force immediately before the commencement of this plan.

26 Amending the purpose stated on water licence held by Commonwealth Environmental Water Holder

(1) If a water licence held by the Commonwealth Environmental Water Holder does not state a purpose, the chief executive is to amend the water licence to state a purpose of 'environment'.

(2) If a water licence held by the Commonwealth Environmental Water Holder states a purpose other than 'environment', the chief executive is to amend the water licence to state a purpose of 'environment'.

27 Restrictions on amending water licences

A water licence must not be amended to change the purpose—

(a) from environment to another purpose; or

(b) to irrigation.

28 Maximum rate for taking water

The maximum rate at which water may be taken under an amended water licence is—

(a) for an existing water licence that states a rate for taking water—the stated rate; or

(b) for an existing water licence, or related development permit, that states a pump size, other than for an axial flow pump—the rate, in litres per second, decided by the chief executive having regard to the information about pump sizes and rates in schedule 8, columns 1 and 2; or

(c) for an existing water licence, or related development permit, that states a pump size, for an axial flow pump—the rate, in litres per second, decided by the chief executive having regard to the information about pump sizes and rates in schedule 8, columns 1 and 4; or

(d) for an existing water licence that states both a rate and a pump size—the stated rate; or

(e) for another existing water licence—the rate, in litres per second, decided by the chief executive having regard to the conditions under which water may be taken under the water licence.

29 Daily volumetric limit for taking water

(1) The daily volumetric limit for an amended water licence to take water is—

(a) for an existing water licence that states a volume of water that may be taken in a day—the stated volume; or

(b) for an existing water licence that does not state a daily volume, but states a maximum rate expressed in litres per second—the volume, expressed in megalitres, calculated by multiplying the stated maximum rate by 0.0864; or

(c) for an existing water licence, or related development permit, that states a pump size, other than for an axial flow pump—the volume decided by the chief executive having regard to the information about pump sizes and rates in schedule 8, columns 1 and 3; or

(d) for an existing water licence, or related development permit, that states a pump size, for an axial flow pump—the volume decided by the chief executive

having regard to the information about pump sizes and rates in schedule 8, columns 1 and 5; or

(e) for an existing water licence that states both a volume of water that may be taken in a day and a pump size—the stated volume; or

(f) for an existing water licence that states both a maximum rate expressed in litres per second and a pump size—the volume, expressed in megalitres, calculated by multiplying the stated maximum rate by 0.0864; or

(g) for another existing water licence—the volume, in megalitres per day, decided by the chief executive having regard to the conditions under which water may be taken under the existing water licence.

(2) The chief executive must ensure the daily volumetric limit for an amended water licence is not more than the total volume that could be taken in a day at the maximum rate decided for the existing water licence under section 28.

30 Nominal entitlements for taking water

(1) The nominal entitlement for an amended water licence to take water is—

(a) for an existing water licence that states the volume of water that may be taken in a period of 12 months—the stated volume; or

(b) for an existing water licence with the purpose of irrigation that states an area that may be irrigated—the volume in megalitres calculated by multiplying the area in hectares by 16; or

(c) for another existing water licence—the volume decided by the chief executive having regard to the following—

(i) the maximum rate of take for taking water under the existing water licence determined under section 28;

(ii) the conditions under which water may be taken under the existing water licence determined under section 31;

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

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

(2) Subsection (1)(b) does not apply if an existing water licence states a volume of water that may be taken in a period of 12 months and an area that may be irrigated.

(3) If an existing water licence states a volume of water that may be taken in a period of 12 months and an area that may be irrigated, then the nominal entitlement is the volume of water that may be taken in a period of 12 months as stated on the existing water licence.

31 Conditions for water licences

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

(a) the terms or conditions stated on the existing water licence; and

(b) any existing water sharing arrangements that relate to the existing water licence.

Example of existing water sharing arrangements—

local management rules for water restrictions

(2) Subsection (3) applies if—

(a) the existing water licence is for water harvesting; and

(b) the water that could have been taken by water harvesting could have been stored in storage that is works that allow the taking of overland flow water.

(3) The chief executive is to impose a condition on the existing water licence to ensure there is no increase in the volume of overland flow water the storage may take.

32 Storing water taken under a water licence

(1) For an amended water licence with the stated purpose of irrigation, the chief executive is to impose a condition prohibiting the storage of water taken for that purpose (a ***'no store' condition***).

(2) However, a 'no store' condition must not apply to a balancing storage.

(3) When deciding the balancing storage, the chief executive must have regard to the volume of water reasonably necessary for the efficient operation of irrigation infrastructure and the nominal entitlement of the existing water licence, provided—

(a) for a balancing storage in existence at the commencement of this plan—the volume does not exceed the greater of the following—

(i) the capacity of the existing storage used to store the irrigation water component at the commencement of this plan;

(ii) 30ML; or

(b) for a balancing storage constructed after the commencement of this plan—

(i) the storage volume does not exceed 30ML; and

(ii) the storage does not take overland flow water.

(4) An amended water licence with a 'no store' condition is not to be amended to remove the condition.

(5) In this section—

balancing storage means the storage of a maximum volume of water decided by the chief executive under subsection (3).

irrigation infrastructure means water infrastructure or other works for the supply of water or the storage and distribution of water for the irrigation of crops or pastures.

Part 5 Interference with water in watercourse, lake or spring

33 Application of pt 5

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

34 Limitations on interference with water

(1) The application may be granted only if the purpose of the interference or increase is—

(a) to store water to be taken under an authorisation for stock or domestic purposes; or

(b) to store water to be taken under an authorisation for the purpose of town water supply; or

(c) to provide a pumping pool.

(2) However, the application is not to be granted if—

(a) the granting of the application would cause an increase in the total licensed in-stream water storage capacity for a subcatchment mentioned in schedule 3, column 1 of more than the volume stated in schedule 3, column 2 opposite the subcatchment; or

(b) for an in-stream water storage for purposes other than town water supply—the maximum capacity of the storage is more than 200ML; or

(c) the works are to be located on a watercourse mentioned in schedule 4.

(3) Subsection (2)(c) does not apply to an application for an interference by impounding water for the purpose of accessing water under a water entitlement with its purpose stated as town water supply.

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

(a) for impounding water to allow the taking of water under a water authorisation—

(i) existing water supplies on the property to which the application relates, including existing weirs, groundwater and works taking overland flow water; and

(ii) the availability of water at the proposed site; and

(b) the impact the proposed interference or increase in interference may have on the following—

(i) in-stream water levels;

(ii) the natural movement of sediment;

(iii) the bed and banks of the watercourse or lake;

(iv) riparian vegetation;

(v) habitats for native plants and animals;

(vi) the movement of fish and other aquatic species;

(vii) the cultural and ecological values of watercourses, waterholes, lakes or springs.

(5) Subsections (2) and (4) do not apply if the application is for an in-stream water storage development in existence immediately before 1 May 1998.

35 Interference with water for the provision of a pumping pool

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

(2) The proposed storage capacity of the pumping pool must not be greater than the capacity required to enable the pump to function properly while minimising the impact the proposed interference may have on the following—

(a) in-stream water levels;

(b) a matter mentioned in section 34(4)(b).

(3) In deciding the application, the chief executive must also consider if there is an alternative method available for providing for the operation of the pump that would have a lesser impact on any of the matters mentioned in subsection (2).

Example—

a pump well constructed in bed sand

Part 6 Regulating overland flow water

36 Limitation on taking overland flow water—Act, s 20(2)

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

(2) A person may only take overland flow water—

(a) for stock or domestic purposes; or

(b) for another purpose, other than irrigation, if the works for taking the overland flow water have a capacity of not more than 10ML; or

(c) under a water licence granted from unallocated water; or

(d) of a volume of not more than the amount necessary to satisfy the requirements of—

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

(ii) a development permit for carrying out an environmentally relevant activity, other than a

mining or petroleum activity, under the *Environmental Protection Act 1994*; or

(e) that is contaminated agricultural runoff water; or

(f) under section 37.

37 Use of existing or reconfigured works to take overland flow water authorised

(1) This section applies to the owner of land on which either of the following is situated—

(a) existing overland flow works;

(b) overland flow works that—

(i) are a reconfiguration of existing overland flow works; and

(ii) do not increase the average annual volume of overland flow water able to be taken above the average annual volume taken using the existing overland flow works.

(2) The owner may continue to use the works mentioned in subsection (1) to take overland flow water for 1 year after the commencement of this section (the ***automatic period***).

(3) If the owner gives the chief executive notice of the overland flow works, in the approved form, and any further information required by the chief executive about the works within the automatic period, the owner may continue to use the overland flow works to take overland flow water after the automatic period.

(4) Subsection (2) does not authorise the owner to increase the average annual volume of overland flow water that may be taken using the overland flow works.

38 Granting water licences for using existing works or reconfiguration of existing works

(1) This section applies if—

(a) an owner of land has complied with section 37 to continue taking overland flow water using overland flow works; and

(b) the chief executive is satisfied there has been, or may be, an increase, in the average annual volume of overland flow water taken using the overland flow works, above the average annual volume that could have been taken under the operating arrangements in place immediately before the commencement of this plan.

(2) The chief executive may—

(a) under section 212 of the Act, grant a water licence to replace the authorisation under section 37; and

(b) impose a condition on the licence to ensure the average annual volume of overland flow water that may be taken using the overland flow works is not more than the average annual volume that could have been taken under the operating arrangements in place immediately before the commencement of this plan.

39 Interim arrangements for taking overland flow water

(1) This section applies until the resource operations plan is approved.

(2) New works for taking overland flow water in the plan area must not be physically started, and works that are completed or partly completed must not be raised, enlarged or deepened, unless the works are—

(a) for stock or domestic purposes; or

(b) for another purpose, other than irrigation, if the works have a capacity of not more than 10ML; or

(c) of a volume less than or equal to the amount necessary to satisfy the requirements of—

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

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

(d) for contaminated agricultural runoff water; or

(e) under section 37.

(3) An application, under section 206 of the Act, for a water licence to take overland flow water must not be granted unless the works to which the application relates are for—

(a) the purpose of town and community water supply; or

(b) a project of State or regional significance.

Chapter 5 Monitoring requirements

42 Monitoring requirements

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

(2) Subsection (1) does not limit the monitoring requirements the chief executive may impose for this plan.

Chapter 6 Implementing and amending this plan

44 Implementing this plan

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

(2) Within 1 year after the commencement of this plan, it is proposed to prepare a resource operations plan—

(a) to establish a process to deal with unallocated water available for future water requirements in the plan area; and

(b) to establish mechanisms for water to be purchased by the Commonwealth Environmental Water Holder; and

(c) to establish the following for water licences on Longreach Waterhole—

(i) water licence transfer rules and relocation zones;

(ii) seasonal water assignment rules; and

(d) to establish a process for granting or amending water licences to take overland flow water; and

(e) to implement the monitoring requirements mentioned in section 42.

45 Amendment of plan—Act, s 56(4)(b)

The following types of amendment may be made to this plan under section 56(4)(b) of the Act—

(a) the addition or removal of a watercourse from schedule 4;

(b) the addition or removal of a waterhole or lake from schedule 5;

(c) the addition or removal of a waterhole from schedule 6.

46 Minor or stated amendment of plan—Act, s 57(b)

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

(a) an amendment or addition of a node;

(b) an amendment to subdivide a subcatchment area;

(c) an amendment or addition of a monitoring requirement mentioned in section 42.

47 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 that—

(a) water entitlements in the plan area are not sufficient to meet needs for water sourced from the plan area having regard to—

(i) the extent to which water is being taken under the water entitlements; and

(ii) the efficiency of present, and expected future, water use; and

(iii) emerging requirements for additional water; and

(iv) water savings that may be made from improvements in the efficiency of water use, or the use of water from other sources, including, for example, recycled water; and

(v) the likely time frame in which additional water will be required; or

(b) there are economically viable and ecologically sustainable uses for additional water; or

(c) this plan's general outcomes under section 11, ecological outcomes under section 12 or social and economic outcomes under section 13 are not being achieved.

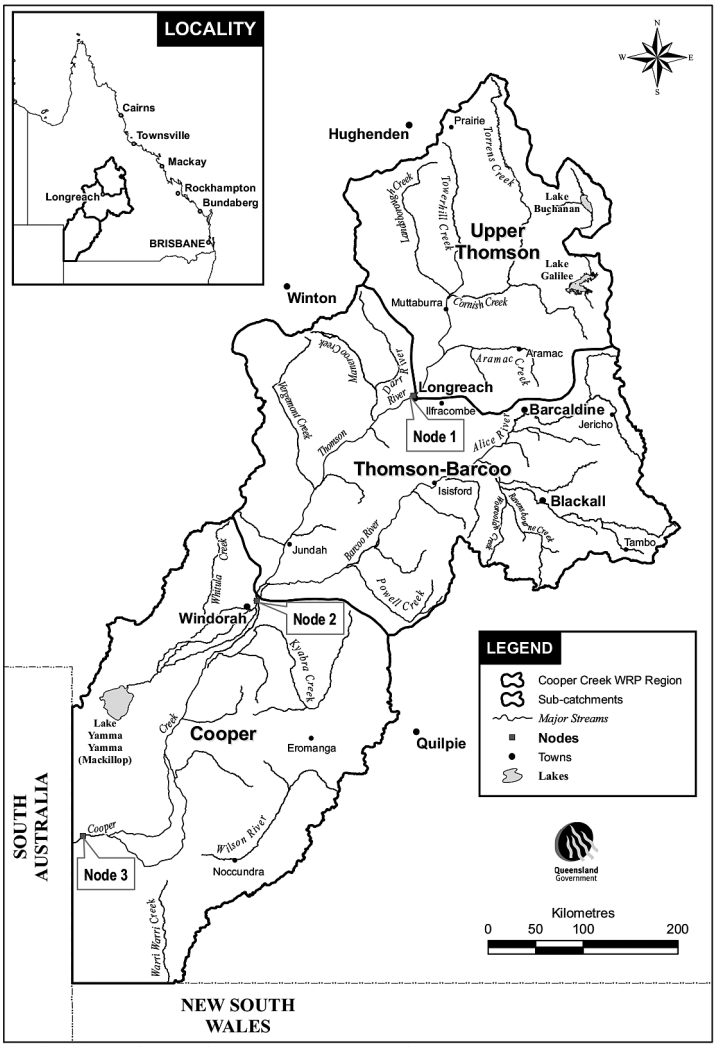
Chapter 7 Repeal

48 Repeal

The Water Resource (Cooper Creek) Plan 2000, SL No. 27 is repealed.

Schedule 1 Plan area and subcatchment areas

sections 4, 5 and 7



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Schedule 2 Nodes

section 7

Column 1	Column 2	Column 3	Column 4
Node number	**Location**	**Coordinates**	**AMTD**
1	Thomson River at Longreach gauge	23º25' S, 144º14' E	AMTD 855.5km
2	Old Currareva Waterhole gauge	25º22' S, 142º45' E	AMTD 508.6km
3	Cooper Creek at Nappa Merrie gauge	27º36' S, 141º6' E	AMTD 17.7km

Schedule 3 Allowable total increase for in-stream water storage capacity for subcatchments

section 34(2)(a)

Column 1	Column 2
Subcatchment	**Allowable increase (ML)**
Cooper Creek	380
Thomson–Barcoo	1,625
Upper Thomson	1,870

Schedule 4 Protected watercourses

section 34(2)(c)

1 List of protected watercourses

Watercourse	Subcatchment
Alice River	Upper Thomson
Aramac Creek	Upper Thomson
Barcoo River	Thomson–Barcoo
Cooper Creek	Cooper
Cornish Creek	Upper Thomson
Darr River and Maneroo Creek	Thomson–Barcoo
Kyabra Creek	Cooper
Landsborough Creek	Upper Thomson
Powell Creek	Thomson–Barcoo
Ravensbourne Creek	Thomson–Barcoo
Thomson River	Upper Thomson/ Thomson–Barcoo
Torrens Creek	Upper Thomson
Towerhill Creek	Upper Thomson
Vergemont Creek	Thomson–Barcoo
Wilson River	Cooper
Wooroolah Creek	Thomson–Barcoo

2 Map of protected watercourses

The location of a protected watercourse mentioned in section 1 is shown in schedule 7.

Editor's note—

The exact location of a protected watercourse mentioned in this schedule can be confirmed by contacting the Department of Natural Resources and Mines.

Schedule 5 Protected waterholes and lakes

section 21(1A), 24(3) and 24(4)

1 List of protected waterholes and lakes

Waterhole or lake	Subcatchment
Arning Waterhole	Cooper
Baryulah Waterhole	Cooper
Big Tooley Wooley Waterhole	Cooper
Bogaller Waterhole	Cooper
Boomerang Waterhole	Thomson-Barcoo
Burleway Waterhole	Cooper
Caukingburra Swamp	Upper Thomson
Curlew Waterhole	Cooper
Currareva Waterhole	Cooper
Currawonga Waterhole	Cooper
Eulbertie Waterhole	Cooper
Eulotean Waterhole	Cooper
Gallina Waterhole	Cooper
Kyabra Waterhole	Cooper
Lake Buchanan	Upper Thomson
Lake Cuddapan	Cooper
Lake Dunn	Upper Thomson
Lake Galilee	Upper Thomson
Lake Yamma Yamma	Cooper

Waterhole or lake	Subcatchment
Little Tooley Wooley Waterhole	Cooper
Lower Thylungra Waterhole	Cooper
Maapoo Waterhole	Cooper
Meringhina Waterhole	Cooper
Mitchell Swamp	Cooper
Murken Waterhole	Cooper
Naccowlah Waterhole	Cooper
Nappapethera Waterhole	Cooper
Nockabooka Waterhole	Cooper
Nockanoora Waterhole	Cooper
Owwirree Waterhole	Cooper
Pelican Waterhole	Lower Thomson
Springfield (Bayrowah) Waterhole	Cooper
Tabbareah Waterhole	Cooper
Tanbar Waterhole	Cooper
Tookabarnoo Waterhole	Cooper
Whitula Waterhole	Cooper
Wombunderry Waterhole	Cooper

2 Map of protected waterholes and lakes

The location of a protected waterhole or lake mentioned in section 1 is shown in schedule 7.

Editor's note—

The exact location of a protected waterhole or lake mentioned in this schedule can be confirmed by contacting the Department of Natural Resources and Mines.

Schedule 6 Augmented waterholes

section 24(6)

1 List of augmented waterholes

Waterhole	Subcatchment
Isisford Town Weir, Isisford	Lower Barcoo
Jericho Town Weirs, Jericho	Alice
Lloyd Jones Weir, Barcaldine	Alice
Longreach Town Weirs (including Fairmount, Goodberry Hills and Bimbah), Longreach	Upper Thomson
Oma Waterhole, Isisford	Lower Barcoo
Stonehenge Weir, Stonehenge	Lower Thomson

2 Map of augmented waterholes

The location of an augmented waterhole mentioned in section 1 is shown in schedule 7.

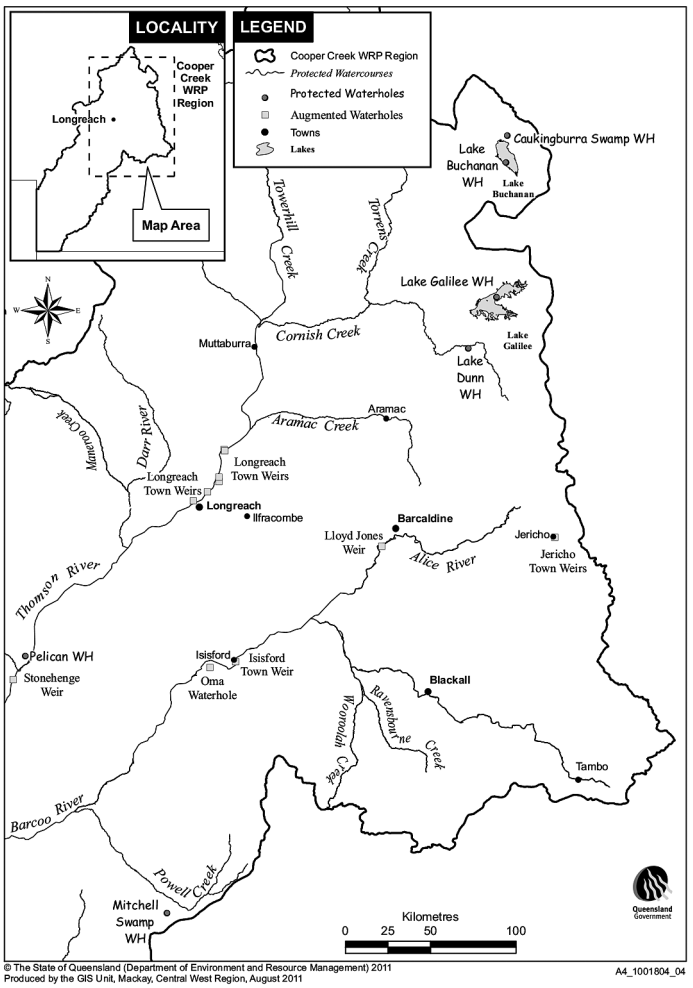
Editor's note—

The exact location of an augmented waterhole mentioned in this schedule can be confirmed by contacting the Department of Natural Resources and Mines.

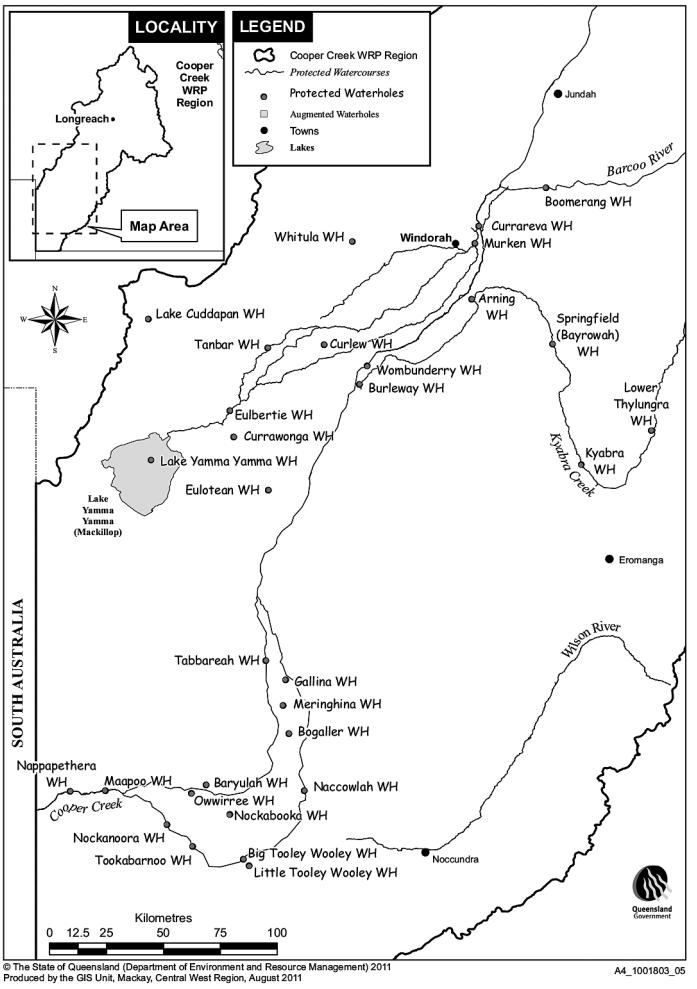
Schedule 7 Map of protected watercourses, waterholes and lakes and augmented waterholes

schedules 4, 5 and 6

1 Map of protected watercourses, waterholes and lakes and augmented waterholes in northern part of plan area



2 Map of protected watercourses, waterholes and lakes and augmented waterholes in southern part of plan area



Schedule 8 Rates and pump sizes

section 28(b), 28(c), 29(1)(c) and 29(1)(d)

Column 1	Column 2	Column 3	Column 4	Column 5
Pump size (mm)	**Maximum rate (l/sec) for a centrifugal pump**	**Daily volumetric limit (ML/day)**	**Maximum rate (l/sec) for an axial flow pump**	**Daily volumetric limit (ML/day) for axial flow pump**
32	7	0.5		
40	14	1		
50	31	2.2		
65	54	3.9		
80	78	5.6		
100	101	7.3		
125	101	7.3		
150	168	12.1		
200	217	15.6		
250	300	21.6		
300	360	25.9		
350	481	34.6		
375 to 400	600	43.2		
500	660	47.5	972	70
600 to 610	1,200	86.4	1,667	120
660	1,667	120		
700 to 720	2,083	150	2,778	200

Column 1	Column 2	Column 3	Column 4	Column 5
Pump size (mm)	**Maximum rate (l/sec) for a centrifugal pump**	**Daily volumetric limit (ML/day)**	**Maximum rate (l/sec) for an axial flow pump**	**Daily volumetric limit (ML/day) for axial flow pump**
750 to 770	2,500	180	3,056	220
780 to 810	2,778	200	3,264	235

Schedule 9 Dictionary

section 3

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

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

(b) otherwise—the watercourse's mouth.

amended water licence, for chapter 4, part 4, division 3, see section 25.

AMTD means adopted middle thread distance.

augmented waterhole means the ponded area of a significant dam or weir, or a waterhole that has been enhanced by a dam or weir.

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.

average annual volume means a volume of water expressed as a long-term modelled average over a period of climatic record.

average recurrence interval means the long-term average number of years between the occurrence of a flood as great as, or greater than, a selected event.

Example—

Floods with a discharge as great as, or greater than, the 20-year average recurrence interval flood event will occur on average once every 20 years.

average volume, of water allowed to be taken under an authorisation, means the total volume of water simulated to have been taken under the authorisation during the simulation

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

Commonwealth Environmental Water Holder means the Commonwealth Environmental Water Holder established under the *Water Act 2007* (Cwlth), section 104.

community purpose means use by local Aboriginal people for non-commercial purposes, including cultural and traditional uses.

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

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

existing overland flow works means works that allow the taking of overland flow water and were—

(a) in existence on 22 April 2004; or

(b) started, but not completed by 22 April 2004 and—

(i) if a variation to a moratorium notice was granted for the works under section 27 of the Act—have been, or are being, completed in accordance with the moratorium notice, as varied; or

(ii) if subparagraph (i) does not apply—were completed by 22 October 2004; or

(c) for works to which the moratorium notice mentioned in the *Water Act 2000*, section 26(1) does not apply—started before the commencement of this plan.

existing water licence, for chapter 4, part 4, division 3, see section 25.

groundwater means underground water to which the *Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017* does not apply.

high flows means a flood with an average recurrence interval of 5 years.

hydraulically linked, in relation to groundwater, means there is a direct connection between the groundwater and surface water to the extent that—

(a) if an aquifer is full and surface water is removed, groundwater begins, within approximately 1 day, to flow to the surface, replacing the surface water removed; and

(b) if an aquifer is not full, surface water begins, within approximately 1 day, to seep into the aquifer causing the water level in the aquifer to rise.

in-stream water storage means a dam or weir under the Act.

irrigation does not include irrigating a garden cultivated for local community use and not for the sale, barter or exchange of goods produced in the garden.

low channel daily flow means flows in a channel estimated for each node using channel cross-sections or stream gauge rating curves.

low flows means the number of days flow is less than the low channel daily flow during the period of simulation.

maximum rate for taking water, for a water entitlement, means the maximum rate, in litres per second, at which water may be taken under the entitlement.

natural cease-to-flow level means the water level below which a waterhole no longer spills water downstream.

node see section 7.

nominal entitlement see the *Water Regulation 2016*, section 28.

non-irrigation means any purpose other than irrigation or water harvesting for the end use of irrigation.

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

project of regional significance means a project the chief executive considers, under section 17, to be a project of regional significance for the plan area.

project of State significance means a project declared under the *State Development and Public Works Organisation Act 1971* to be a significant project.

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

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

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

Note—

See the Act, section 1266.

simulation period means the period from 1 January 1890 to 30 June 2008.

started, for existing overland flow works, means—

(a) construction of the works had physically begun or, if construction had not physically begun, a contract had been entered into to begin construction; and

(b) an independently verifiable construction program existed for progressive construction towards completion of the works; and

(c) detailed design plans existed showing, among other things, the extent of the works; and

(d) if a permit under the repealed *Local Government Act 1993*, section 940, was required for the works—the permit had been issued; and

(e) if a development permit was required for the works—the permit had been given.

waterhole means a part of a watercourse that contains water after the watercourse ceases to flow, other than a part of a

watercourse that is within the storage area of a dam on the watercourse.

water year means the 12-month period from 1 July to 30 June.

works that allow the taking of overland flow water includes—

(a) storages, sumps, drains, embankments, channels and pumps for taking, or that can be used for taking, overland flow water; and

(b) storages that are connected to the works mentioned in paragraph (a); and

(c) works that make, or that can be used to make, the original connection between the storages mentioned in paragraph (b) and the works mentioned in paragraph (a).