

Distribution Operations Licence

Water Act 2000

Name of licence

Proserpine River water supply scheme – Kelsey Creek Distribution Operations Licence

Holder

Kelsey Creek Water Co-operative Limited

Water plan

The licence relates to the Water Resource (Whitsunday) Plan 2010.

Water infrastructure

The water infrastructure to which the licence relates is detailed in attachment 1.

Authority to interfere with the flow of water

The licence holder is authorised to interfere with the flow of water to the extent necessary to distribute water using the infrastructure to which the licence relates.

Authority to use watercourses to distribute water

The licence holder is authorised to use the part of—

- (a) La-di-da Creek from AMTD 1.2km, the outlet works of the Kelsey Creek Water Co-operative channel, to AMTD 0.0km, its junction with Kelsey Creek;
- (b) Kelsey Creek from AMTD 3.1km, its junction with La-di-da Creek, to AMTD 0.0km, its junction with Lethe Brook; and
- (c) Lethe Brook from AMTD 33.4km, its junction with Kelsey Creek, to AMTD 17.5km, the limit of the Kelsey Creek Water Co-operative's authority area.

Conditions

1. Requirement for operations manual

- 1.1. The licence holder must operate in accordance with an approved operations manual.
- 1.2. The approved operations manual must include seasonal water assignment rules.

2. Metering

- 2.1. The licence holder must meter, in accordance with the standards approved by the chief executive, the taking of water under all water allocations and seasonal water assignments to which the licence holder distributes water.

3. Monitoring and reporting requirements

- 3.1. The licence holder must carry out and report on the monitoring requirements as set out in attachment 2.
- 3.2. The licence holder must provide any monitoring data required under condition 3.1 to the chief executive within a stated time upon request.

- 3.3. The licence holder must ensure that the monitoring, including the measurement, collection, analysis and storage of data, is consistent with the Water Monitoring Data Collection Standards¹.
- 3.4. The licence holder must ensure that the transfer of data and reporting are consistent with the Water Monitoring Data Reporting Standards¹.

4. Other conditions

- 4.1. The operating and supply arrangements, and the monitoring required under this licence, do not apply in situations where implementing the rules or meeting the requirements would be unsafe to a person or persons. In these circumstances, the licence holder must comply with the reporting requirements for operational or emergency prescribed in attachment 2.
- 4.2. The licence holder may, submit an interim program in accordance with attachment 3 to the chief executive for approval.
- 4.3. Where there is conflict between requirements of this licence and an approved program, the program prevails for the time it is in place.

Commencement of licence

The licence took effect on 12 December 2011.

Granted on 12 December 2011

Amended under section 1259 of the *Water Act 2000* on 6 January 2022.

SIGNED

John Ritchie
Acting Executive Director, Water Policy

¹ The Water Monitoring Data Collection Standards can be accessed online at: www.business.qld.gov.au.

Attachment 1 Infrastructure details for Proserpine Water Supply Scheme

Table 1 – Kelsey Creek gauging station weir — AMTD 2.1 km

| Description of water infrastructure | |
|-------------------------------------|------|
| Storage capacity | 2 ML |
| Discharge capacity | N/A |

Table 2 – Lethe Brook gauging station weir – AMTD 26.7 km

| Description of water infrastructure | |
|-------------------------------------|------|
| Storage capacity | 2 ML |
| Discharge capacity | N/A |

Table 3 – Kelsey Creek Water Co-operative channel

| Description of water infrastructure | |
|---|------------|
| Outlet to channel at Peter Faust Dam | 207 ML/day |
| Channel outlet to La-di-da Creek AMTD 1.2km | 207 ML/day |

Attachment 2 Licence holder monitoring and reporting

Part 1 Monitoring requirements

Division 1 Water quantity

1 Water taken by water users

The licence holder must record the total volume of water, including distribution loss water, taken by each water user for each zone as follows—

- (a) the total volume of water taken each quarter;
- (b) the total volume of water entitled to be taken at any time; and
- (c) the basis for determining the total volume of water entitled to be taken at any time.

2 Seasonal water assignment of a water allocation

The licence holder that gives consent to a seasonal water assignment must record details of seasonal water assignment arrangements, including—

- (a) the name of the assignee volume and location of water that has been seasonally assigned by the assignor;
- (b) the name of the assignor, volume and location of water that has been seasonally assigned to an assignee; and
- (c) the effective date of the seasonal water assignment.

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

3 Fish stranding

The licence holder must record and assess reported instances of fish stranding in watercourses and ponded areas associated with the operation of the infrastructure listed in attachment 1 to determine if any instance is associated with the operation of that infrastructure.

Division 3 Data transfer

4 Transfer of data

- (1) The licence holder must, when requested by the resource operations licence holder, transfer all data measured, collected and recorded to the resource operations licence holder of the Proserpine River water supply scheme—
 - (a) That is reasonably required for the resource operations licence holder to comply with the rules and requirements of the licence; and
 - (b) Within 15 business days of a request being made, or another timeframe if agreed to by the licence holder.
- (2) For subsection (1), data measured, collected and recorded includes data about—

- (a) water taken by water users;
- (b) water diversions;
- (c) seasonal water assignment of water allocations; and
- (d) fish stranding.

Part 2 Reporting requirements

5 Reporting requirements

The licence holder must provide—

- (a) operational; or
- (b) emergency reports.

6 Operational reporting

The licence holder must—

- (a) notify the chief executive within one business day of becoming aware of any of the following operational incidents—
 - (i) non-compliance by the licence holder with the conditions of this licence; and
 - (ii) instances of fish stranding or bank slumping within supplemented watercourses of the Proserpine River water supply scheme;
- (b) provide to the chief executive within five business days of notification of the occurrence of any of the operational incidents, a report which includes details of—
 - (i) the incident;
 - (ii) conditions under which the incident occurred; and
 - (iii) any responses or activities carried out as a result of the incident.

7 Emergency reporting

Where the licence holder cannot comply with the rules and requirements of this licence as a result of an emergency, the licence holder must—

- (a) notify other scheme licence holders upon discovery of an emergency;
- (b) notify the chief executive upon discovery of the emergency; and
- (c) provide a report to the chief executive including—
 - (i) details of the emergency;
 - (ii) conditions under which the emergency occurred;
 - (iii) any responses or activities carried out as a result of the emergency; and
 - (iv) any rules and requirements specified in this licence that the licence holder is unable to comply with due to the emergency.

Attachment 3 Interim programs

1 Submission of interim program

The licence holder may, submit an interim program to the chief executive for approval, where—

- (a) an emergency or operational incident results in an inability to comply with the rules or requirements of this licence. The interim program must include a timetable and methods to be used; or
- (b) the submitted program relates to the Water Monitoring Data Collection Standards, the program must include the accuracy methods to be used.

2 Requirement for additional information

The chief executive, in considering any submitted program, may request additional information.

3 Approving an interim program

- (1) The chief executive, in considering an interim program, may either
 - (a) approve the program with or without conditions;
 - (b) amend and approve the amended program; or
 - (c) require the licence holder to submit a revised program.
- (2) Within 10 business days of making a decision under subsection (1), the chief executive must notify the licence holder of the decision.

4 Implementing and publishing an interim program

Following approval of an interim program by the chief executive, the licence holder must—

- (a) implement and operate in accordance with, the approved program; and
- (b) make public details of the approved program.

5 Relationship between interim program and licence

- (1) Where there is a conflict between the provisions of this licence and the provisions of an approved interim program, the approved interim program prevails for the time that the approved program is in place.
- (2) Where an interim program has been submitted under attachment 3, section 1, but not dealt with under attachment 3, section 3, the licence holder may operate under the current interim program, despite the conditions of this licence, until a decision is made under attachment 3, section 3.

Attachment 4 Glossary

| Term | Definition |
|-----------------------------|---|
| AHD | The Australian Height Datum (AHD) adopted by the National Mapping Council of Australia for referencing a level or height back to a standard base level. |
| AMTD | Adopted Middle Thread Distance (AMTD) is the distance in kilometres (km) that a specific point in the watercourse is from the watercourse's mouth or junction with the main watercourse and is measured along the middle of a watercourse. |
| Assignee | The person or entity to whom an interest or right to water is being transferred (e.g. seasonally assigned). |
| Assignor | The person or entity that transfers an interest or right to water to an assignee (e.g. a seasonal assignment). |
| Discharge | The rate at which a volume of water passes a point in a stream or pipeline per unit of time. This could be measured in litres per second (L/s), cubic metres per second (m ³ /s or cumecs) or in megalitres per day (ML/day). |
| Elevation (EL) | The elevation of a geographic location is its height above a fixed reference point, often the mean sea level. |
| Emergency | An occurrence that, by nature of its severity, extent or timing might be regarded as an emergency (for example contamination of water supply, structural damage to infrastructure or a danger to human health). |
| Fish stranding | When fish are stranded or left out of the water on the bed or banks of a watercourse, on infrastructure such as spillways and causeways or left isolated in small and/or shallow pools, from which they cannot return to deeper water. This also applies to other aquatic species such as platypus, turtles and any rare or threatened species. |
| Location | For a water allocation, location means the zone from which water under the water allocation can be taken. |
| Megalitre (ML) | One million litres. |
| Ponded area | Area of inundation at full supply level of a storage. |
| Other Scheme licence holder | For this licence, the term 'other scheme licence holder' means— a) the resource operations licence holder for the Proserpine River water supply scheme; and b) the distribution operations licence holder within the Proserpine River water supply scheme for Six Mile Creek Irrigators Co-operative Limited. |
| Water user | The holder of a valid water entitlement associated with this licence. |
| Zone | A geographic location defined by a reach of a watercourse. Zones define the location of a water allocation and operational arrangements under this licence. Zones are defined in the Water Resource (Whitsunday) Plan 2010. |