

## **Provisions of the Pioneer Valley Resource Operations Plan taken to be included in the *Water Plan (Pioneer Valley) 2002* –ss. 1259 and 1264 of the *Water Act 2000*.**

**Note:** This document includes a number of provisions that were previously located in the Pioneer Valley Resource Operations Plan. In accordance with section 1259(2)(e) of the *Water Act 2000*<sup>1</sup>, the provisions contained in this document, including any associated attachments, are to be read as being provisions of the *Water Plan (Pioneer Valley) 2002* (the *Water Plan*). Despite not currently being located in the *Water Plan*, these provisions carry the same authority and are subject to the same legislative requirements as the provisions contained in the *Water Plan*. The provisions contained in this document have retained the same section numbering as that contained in the superseded Pioneer Valley Resource Operations Plan 2005. However, the section numbering will change when incorporated into the water plan by the Office of Queensland Parliamentary Counsel.

For clarity, cross references to sections in the *Water Act 2000*, *Water Regulation 2016*, *Water Plan (Pioneer Valley) 2002* and *Pioneer Valley Resource Operations Plan* have been updated. Furthermore, cross references to sections in the new planning instruments, which came into effect on 6 December 2016, have also been updated.

<sup>1</sup> On 6 December 2016, amendments to the *Water Act 2000*, made by the *Water Reform and Other Legislation Amendment Act 2014*, came into effect.

This publication has been compiled by Water Policy, Department of Natural Resources, Mines and Energy.

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## Table of contents

<b>Chapter 1</b>	<b>Preliminary</b> .....	<b>1</b>
5A	Water management areas and sub-areas .....	1
6	Zones .....	1
<b>Chapter 2A</b>	<b>Dealing with water licence applications</b> .....	<b>2</b>
31	Scope of chapter 2A.....	2
32	Water licence applications to which this chapter applies .....	2
33	Applications to be refused.....	2
34	Applications not to be accepted .....	2
35	Application to increase the maximum rate of take .....	3
36	Application to interfere related to unallocated water .....	3
37	Other applications to interfere with water by impounding the flow of water .....	3
38	Application to change location where water may be taken.....	4
<b>Attachment 1</b>	<b>Plan area, Pioneer River water management area and surface water zones</b> . 5	
<b>Attachment 1A</b>	<b>Groundwater zones</b> .....	<b>12</b>

# Chapter 1 Preliminary

## 5A Water management areas and sub-areas

- (1) Each of the following water management areas as shown on map 1 in attachment 1 and map 1 in attachment 1A is a water management area for this plan—
  - (a) Pioneer River Water Management Area
  - (b) Pioneer Groundwater Management Area.
- (2) Each groundwater sub-area shown on map 1 in attachment 1A is a groundwater sub-area for this plan.

## 6 Zones

- (1) Each of the zones shown on the maps in attachment 1 is a resource operations plan zone ('zone') for this plan.
- (2) Each zone mentioned in subsection (1) includes—
  - (a) each part of a watercourse, lake or spring that lies within the zone; and
  - (b) those sections of tributaries where there is access to flow or pondage from a watercourse or lake within the zone; and
  - (c) the aquifer under land in the watercourse area that is within the zone.
- (3) Each zone shown on maps 2 to 18 in attachment 1A is a resource operations plan groundwater zone for this plan.

## Chapter 2A Dealing with water licence applications

### 31 Scope of chapter 2A

This chapter states the process for dealing with an application for a water licence—

- (a) to take or interfere with water from a watercourse, lake or spring; or
- (b) to take underground water.

### 32 Water licence applications to which this chapter applies

(1) This chapter applies to each application for a water licence made under either section 107 or 120 of the *Water Act 2000* if granting the application would have one or more of the following effects on water to which this plan applies—

- (a) increase the amount of water that may be taken;
- (b) change the location from which water may be taken;
- (c) increase the maximum rate at which the water may be taken;
- (d) increase the daily volumetric limit for taking water;
- (e) change the flow conditions under which the water may be taken; or
- (f) increase or change the interference with the water.

(2) This chapter applies even if the application was made before 1 July 2015.

(3) This chapter does not apply to an application—

- (a) made under the following provisions of the—
  - (i) *Water Act 2000*—
    - (A) section 120 – amalgamating water licences;
    - (B) section 120 – subdividing a water licence; or
  - (ii) *Water Regulation 2016*—
    - (A) section 42—effect of disposal of part of land to which a water licence to take water attaches or
- (b) made in accordance with Chapter 2 of the Pioneer Valley Water Management Protocol.

### 33 Applications to be refused

The chief executive must refuse applications accepted but not dealt with immediately before 1 July 2015, to which this chapter applies.

### 34 Applications not to be accepted

The chief executive must not accept an application to which this chapter applies unless this chapter explicitly provides for granting the application.

### **35 Application to increase the maximum rate of take**

- (1) This section applies to an application to amend an existing water licence to take water from a watercourse, lake or spring, to increase the maximum rate of take of water.
- (2) The chief executive must accept and deal with the application if there is a development permit, including a deemed development permit, associated with the existing water licence and—
  - (a) the maximum rate of take specified on the existing water licence is less than the rate stated in schedule 7 of the Water Plan (Pioneer Valley) 2002, for a pump of the size and type authorised under the development permit; or
  - (b) where schedule 7 of the Water Plan (Pioneer Valley) 2002 does not apply, the works associated with an existing development permit have the capacity to take water at a rate greater than the maximum rate of take specified on the existing water licence.
- (3) The chief executive may grant the application only if the maximum rate of take proposed, does not exceed—
  - (a) that detailed in schedule 7 of the Water Plan (Pioneer Valley) 2002, for a pump of the size and type authorised under the existing development permit; or
  - (b) the maximum rate at which the works associated with an existing development permit are capable of taking water.
- (4) If the chief executive grants an application to which this section relates and the existing licence states a daily volumetric limit, the chief executive may amend the daily volumetric limit to a volume equal to the new maximum rate of take in litres per second, multiplied by 86400 rounded up to the nearest 0.1 ML.

### **36 Application to interfere related to unallocated water**

- (1) This section applies to an application to interfere with water where the proposed interference is related to the granting of unallocated water under the process mentioned in Chapter 2 of the Pioneer Valley Water Management Protocol.
- (2) The chief executive may grant the application, if the interference is not greater than is necessary for the purpose of taking the unallocated water.

### **37 Other applications to interfere with water by impounding the flow of water**

- (1) This section applies to an application for a water licence to interfere by impounding the flow of water other than an application referred to in section 36.
- (2) The chief executive may grant the application if—
  - (a) the purpose of the proposed interference is to—
    - (i) store water for stock or domestic supplies;
    - (ii) provide a pumping pool to enable the taking of water under a water entitlement; or
    - (iii) store water for purposes not associated with the taking of water under a water entitlement; and
  - (b) the proposed storage capacity is not greater than—

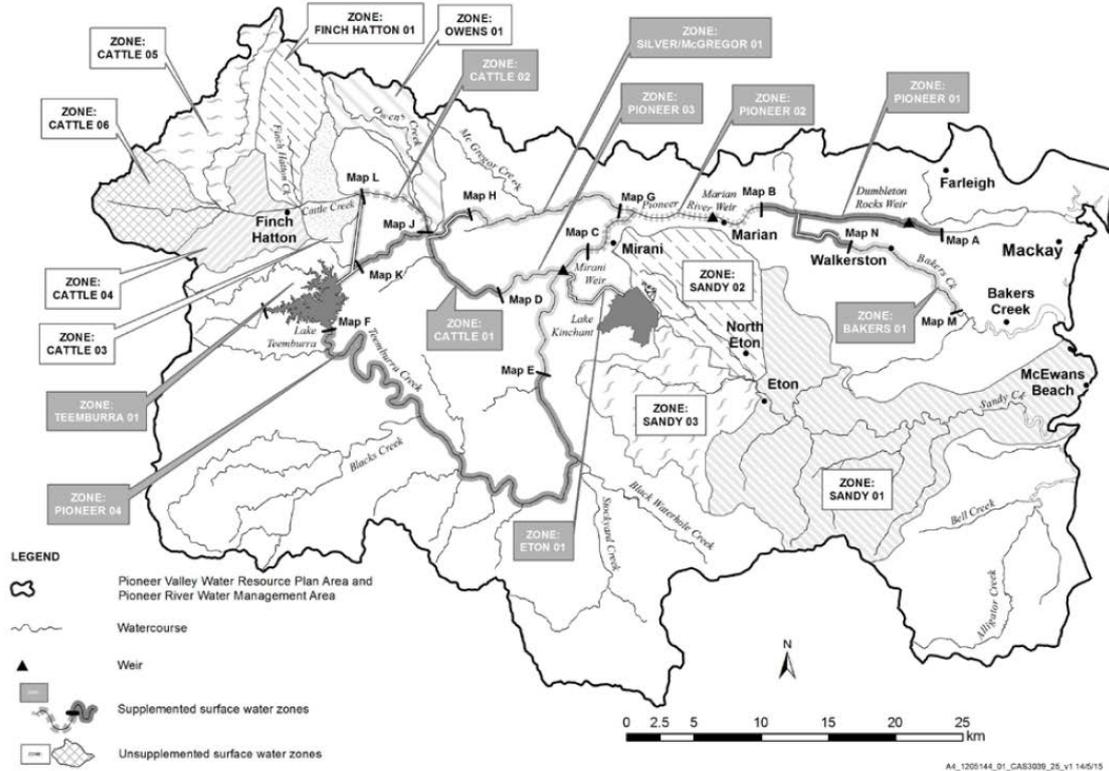
- (i) 20 ML to store water for stock and domestic purposes;
- (ii) 2 ML to provide a pumping pool; or
- (iii) 20 ML for purposes not associated with the take of water under a water entitlement.

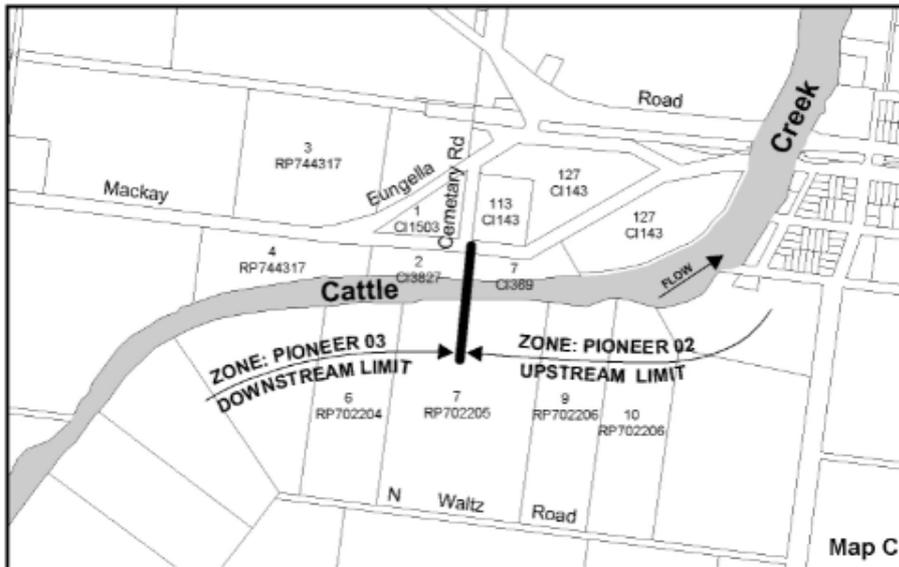
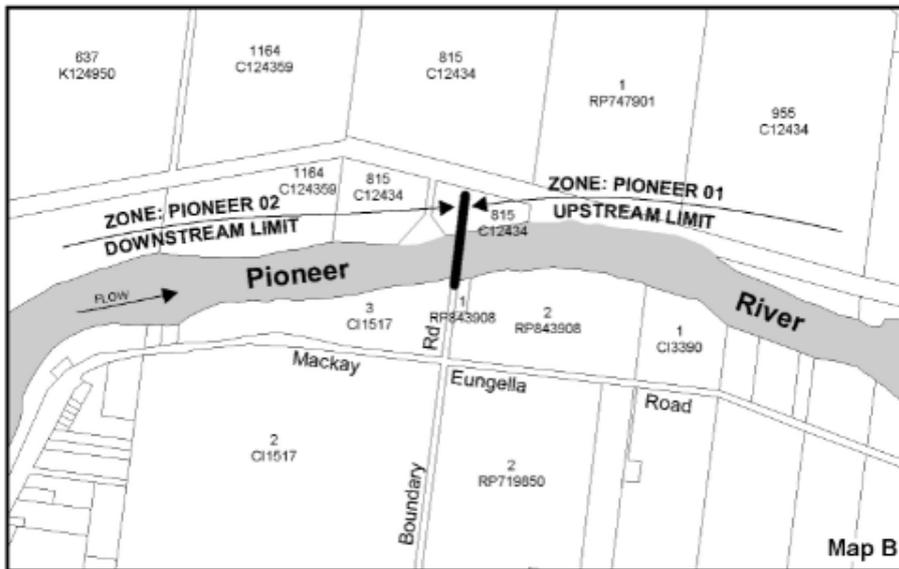
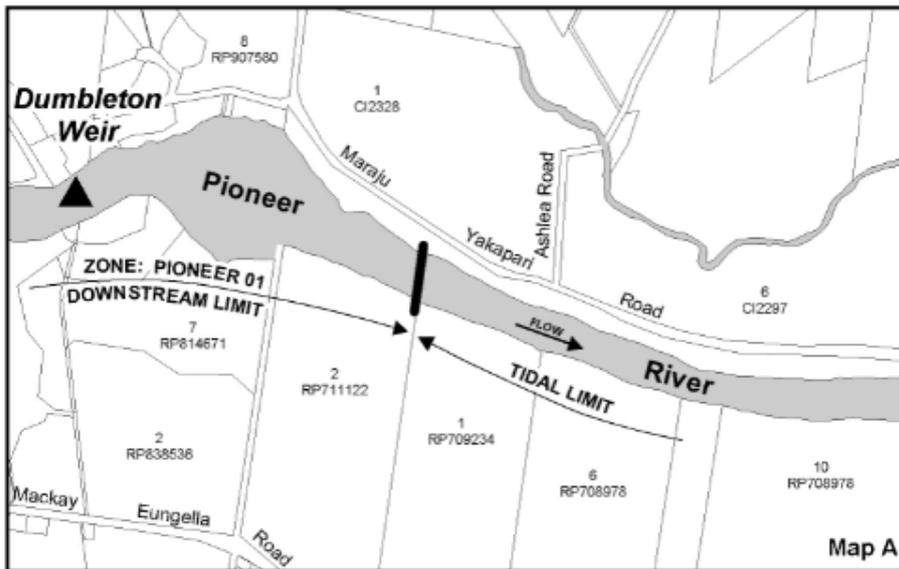
### **38 Application to change location where water may be taken**

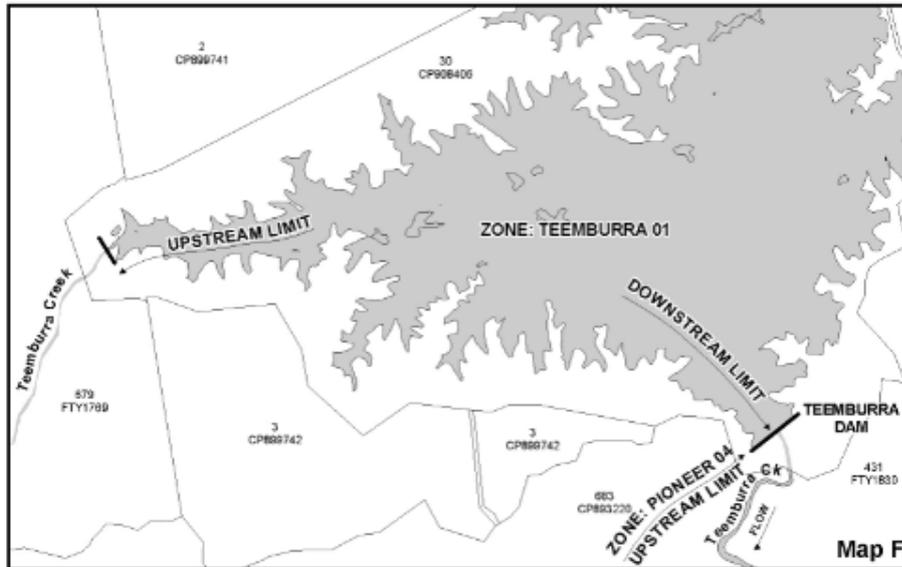
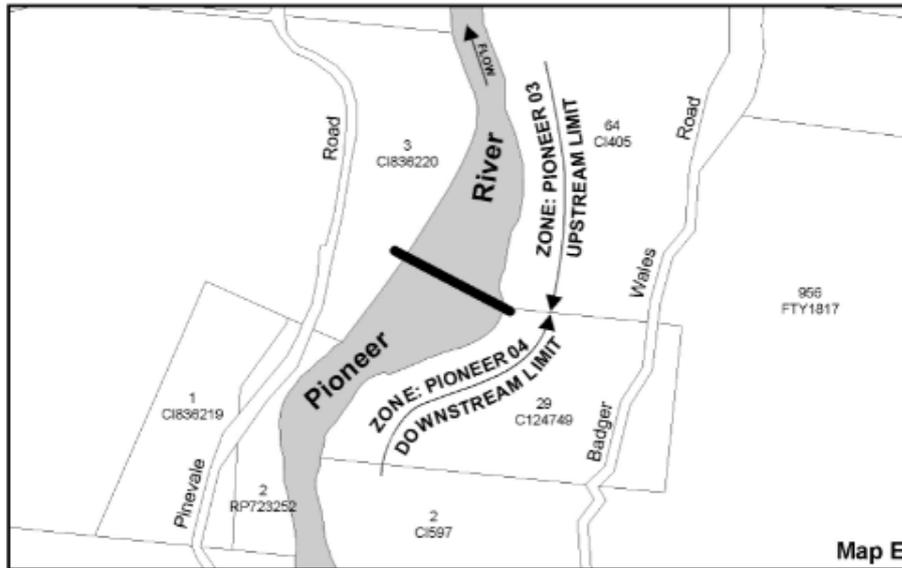
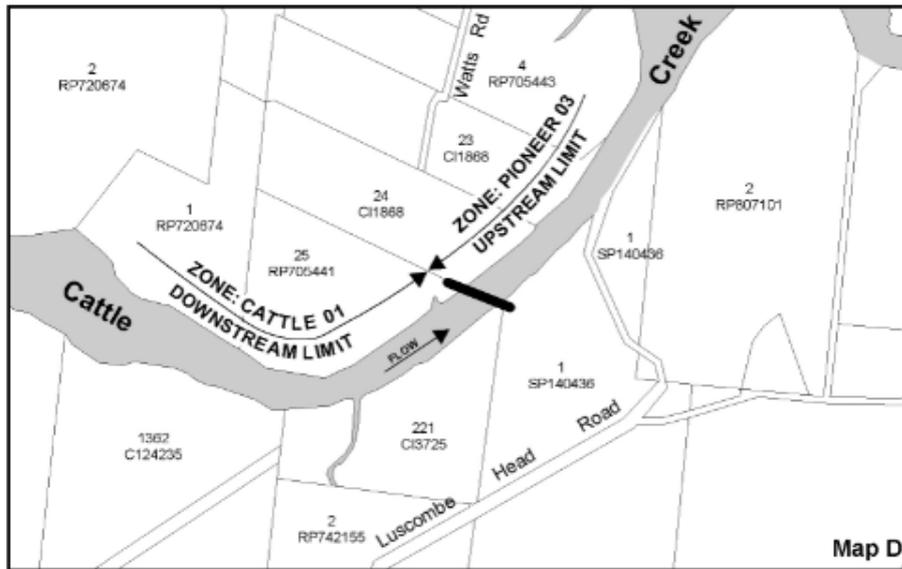
- (1) For an application to amend a water licence to change the land parcel(s) where water may be taken, the chief executive may grant the application only if—
  - (a) the water licence is to take water from a watercourse, lake or spring; or
  - (b) for a water licence to take underground water— the licence states a location (zone) of 1, 2, 3, 17A or 17B; and
  - (c) for a water licence that states a location (zone) a land parcel where water is to be taken is partly or wholly within the zone.
- (2) Subsection (1) does not apply for an application to amend a water licence to change a location (zone).

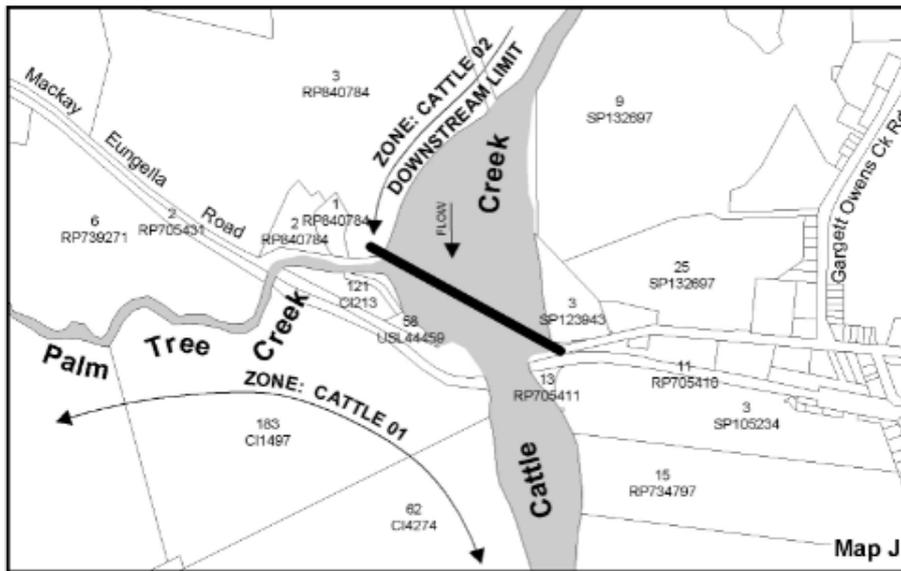
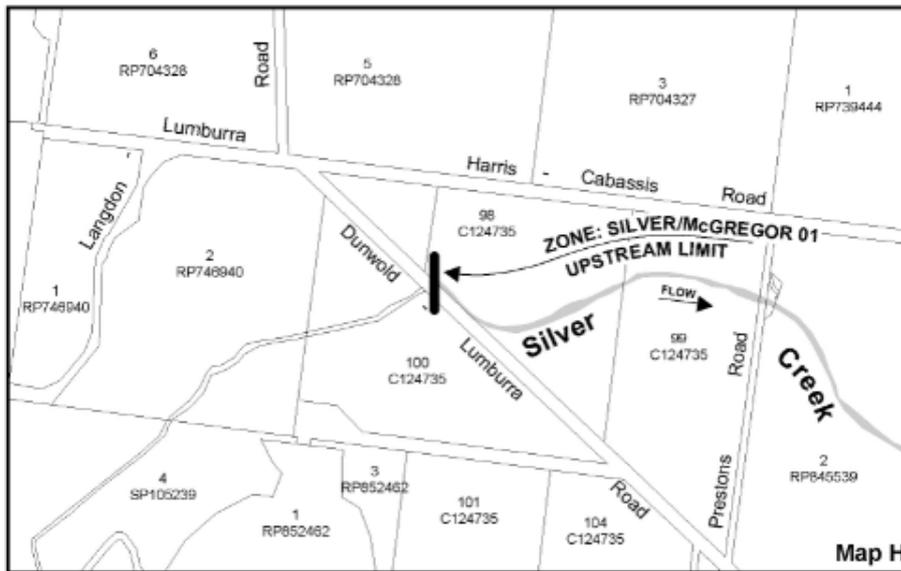
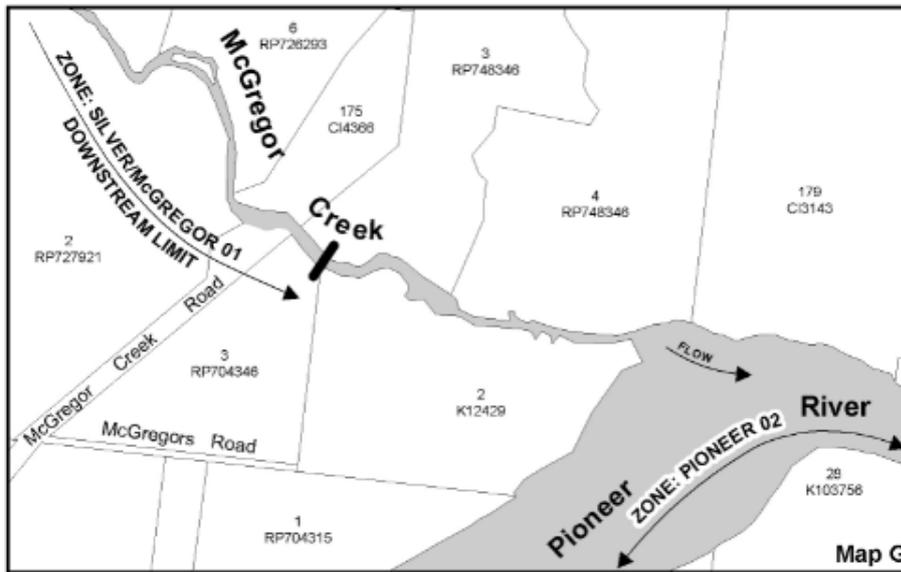
# Attachment 1 Plan area, Pioneer River water management area and surface water zones

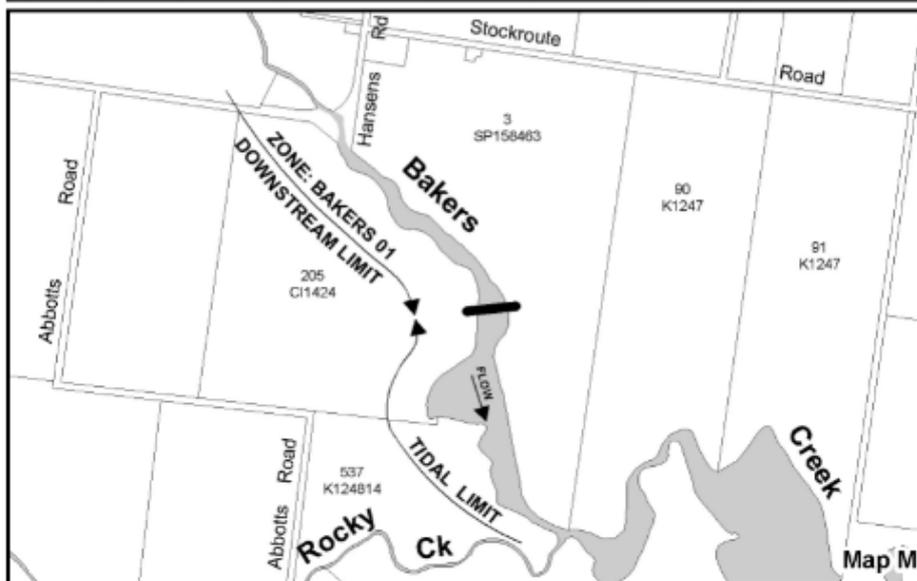
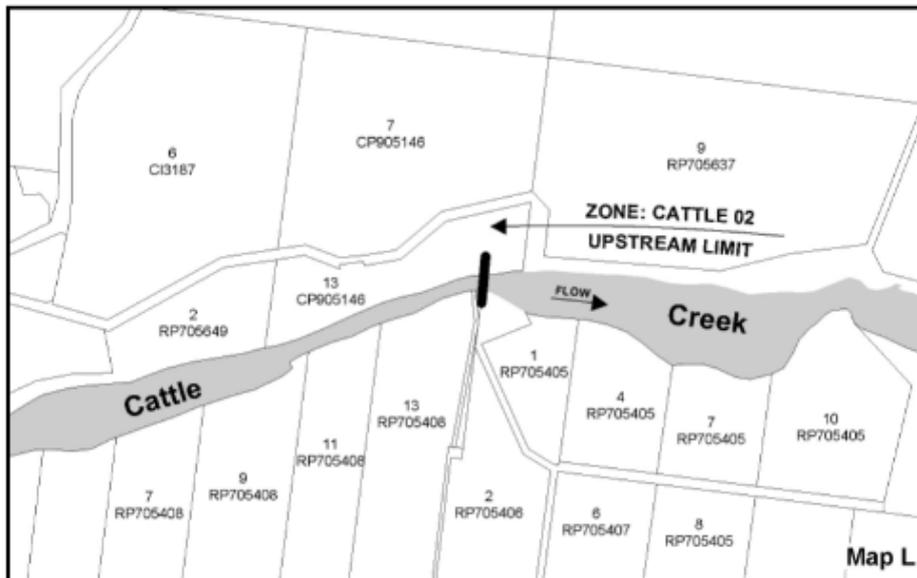
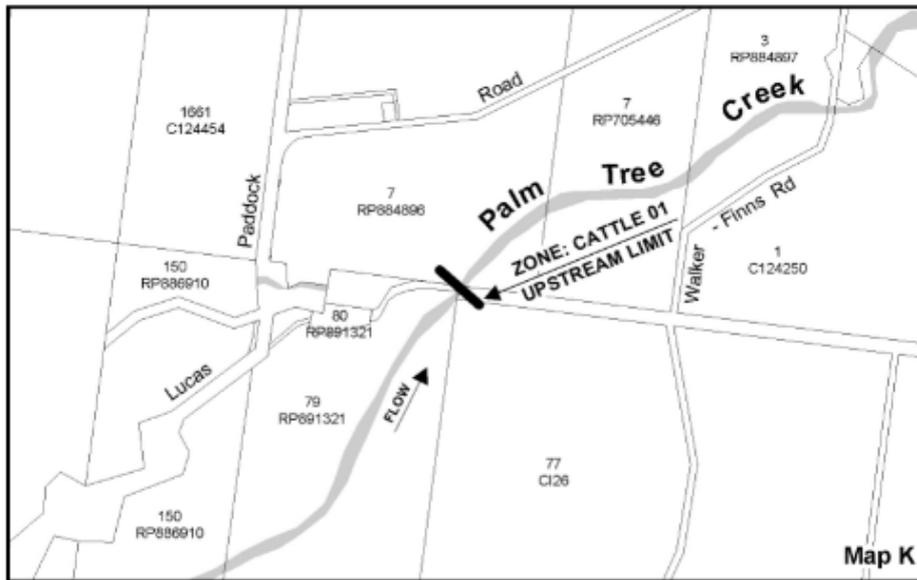
Map 1 Resource operations plan surface water zone — key map sections 4, 5A and 6

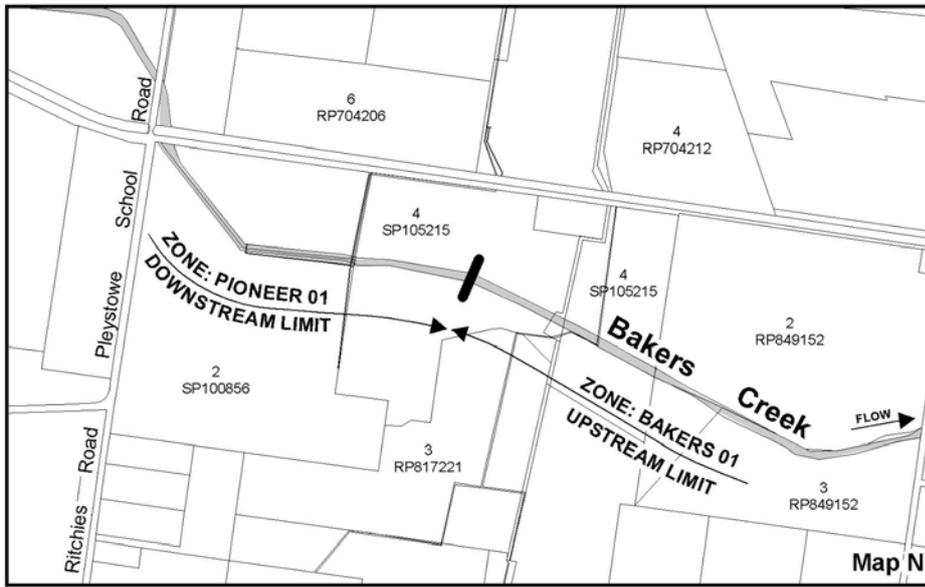




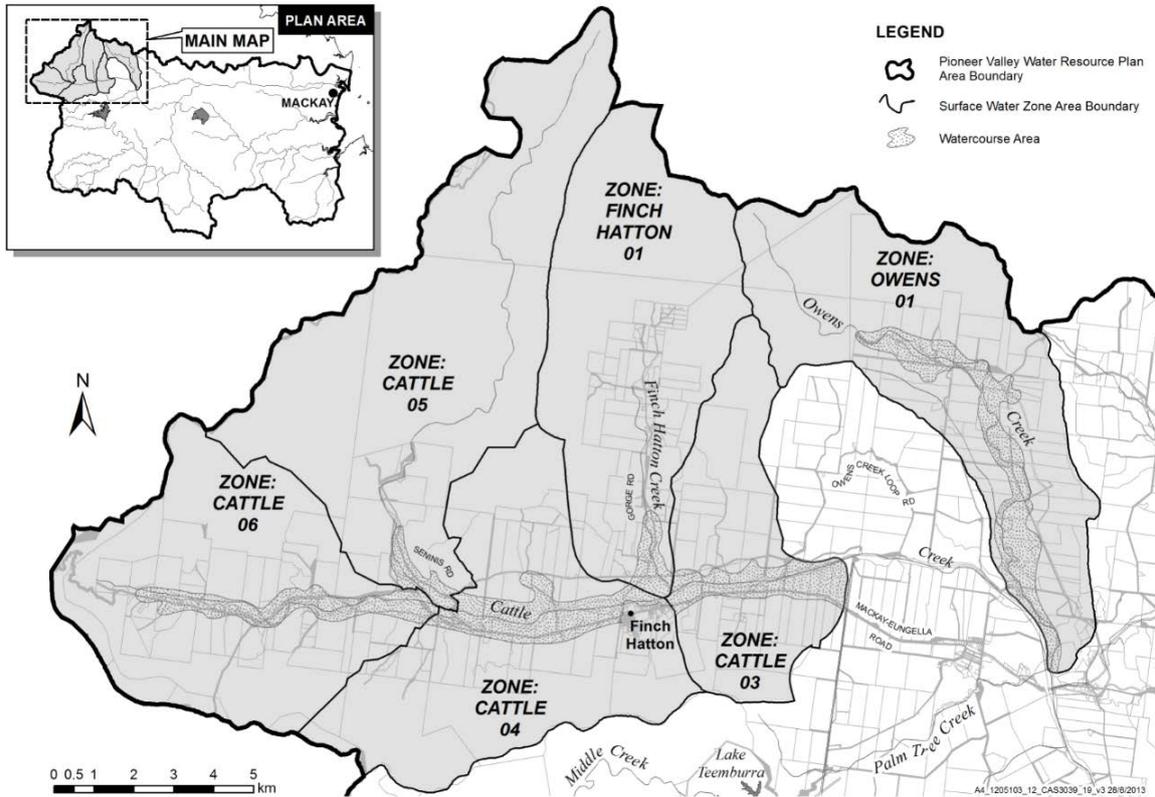




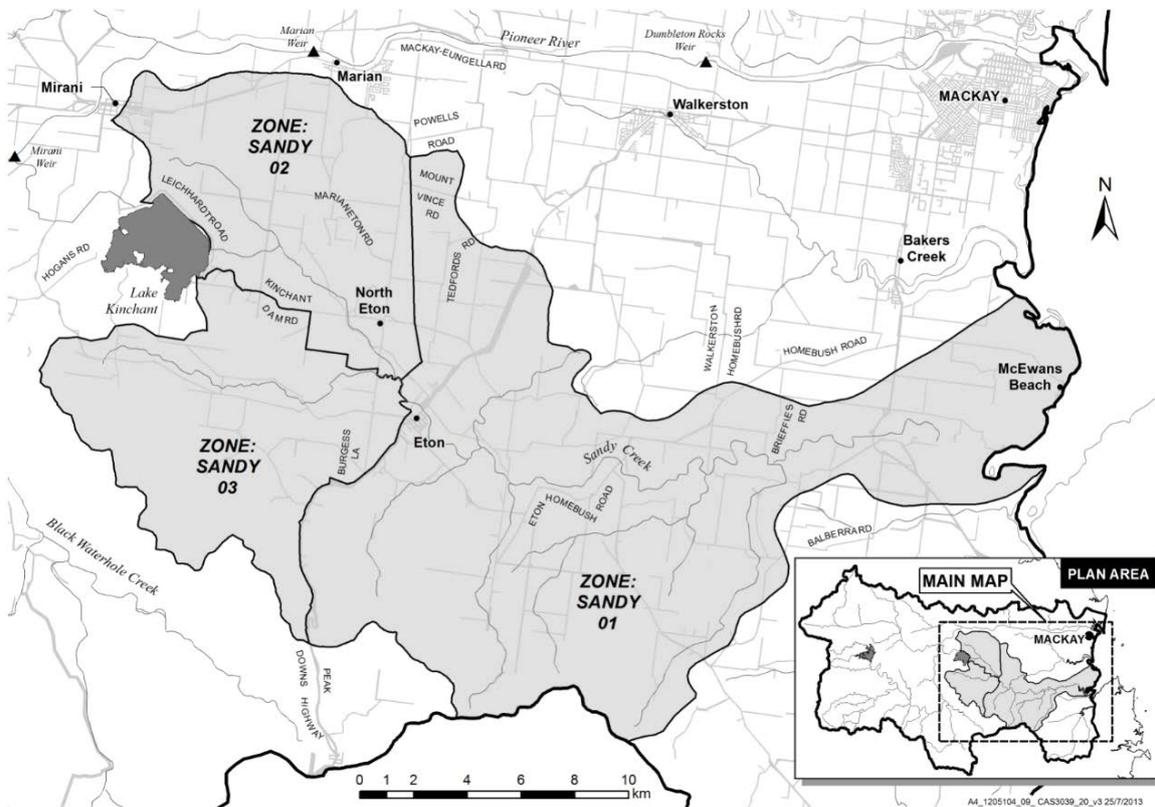




Map 2 Surface water zones—Cattle Creek



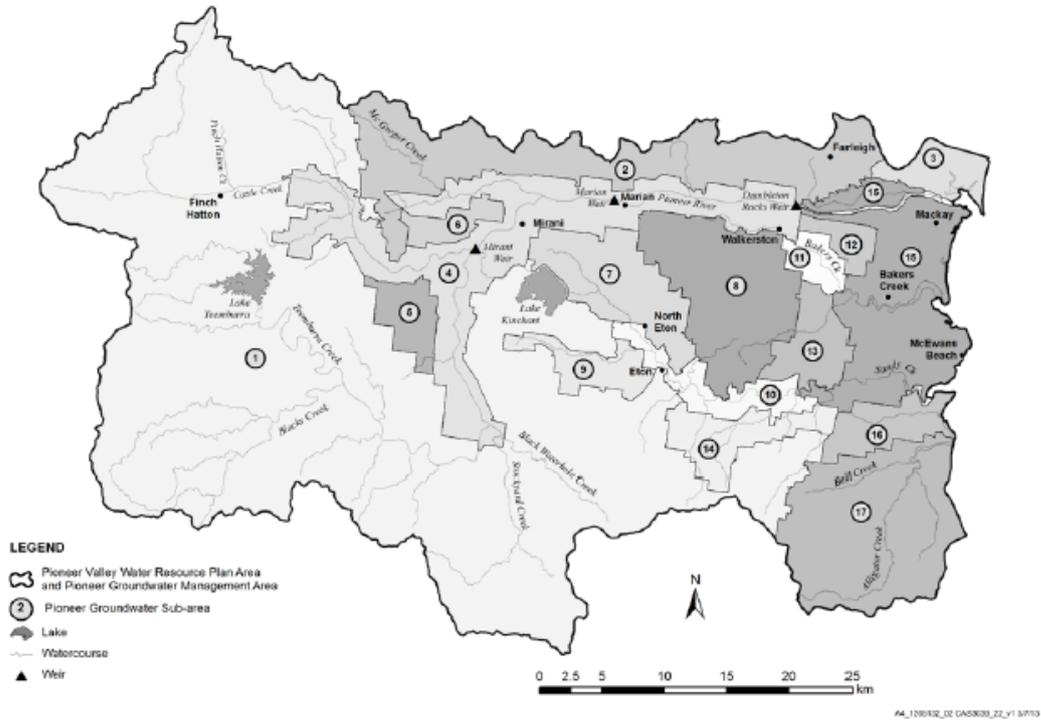
Map 3 Surface water zones—Sandy Creek



# Attachment 1A Groundwater zones

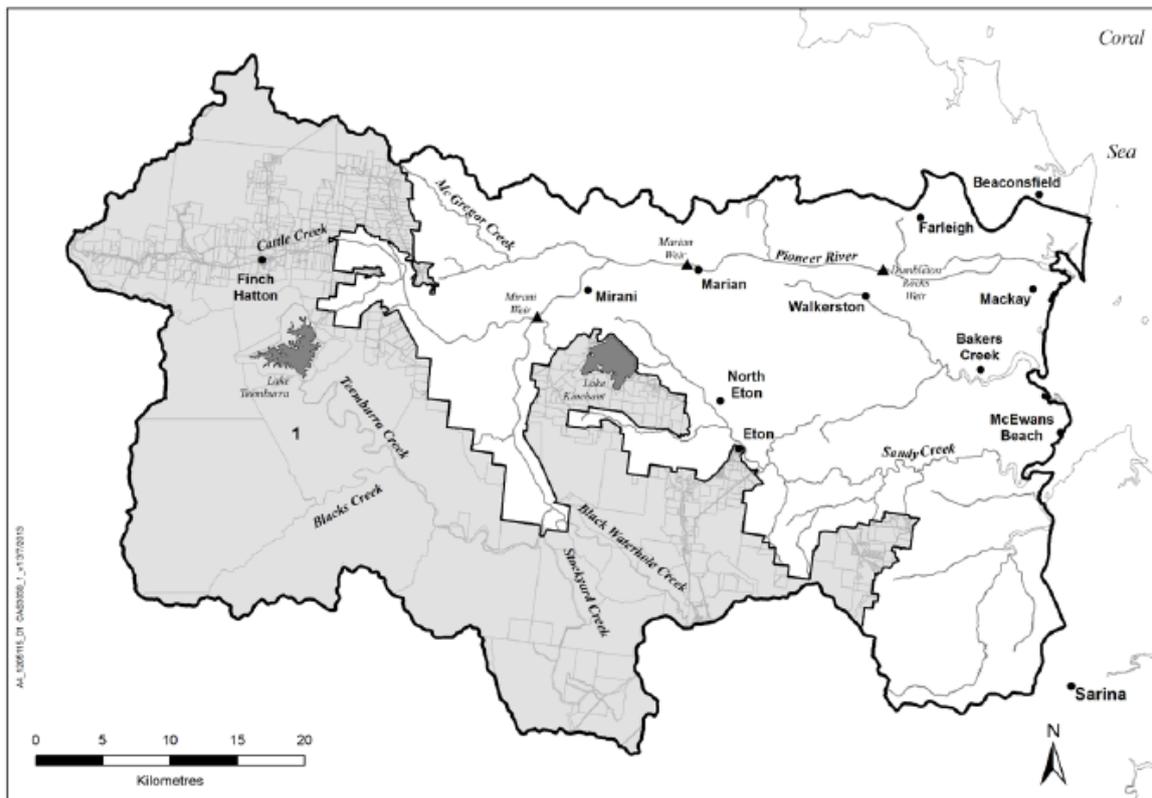
Map 1 Pioneer groundwater management area and sub areas

section 6



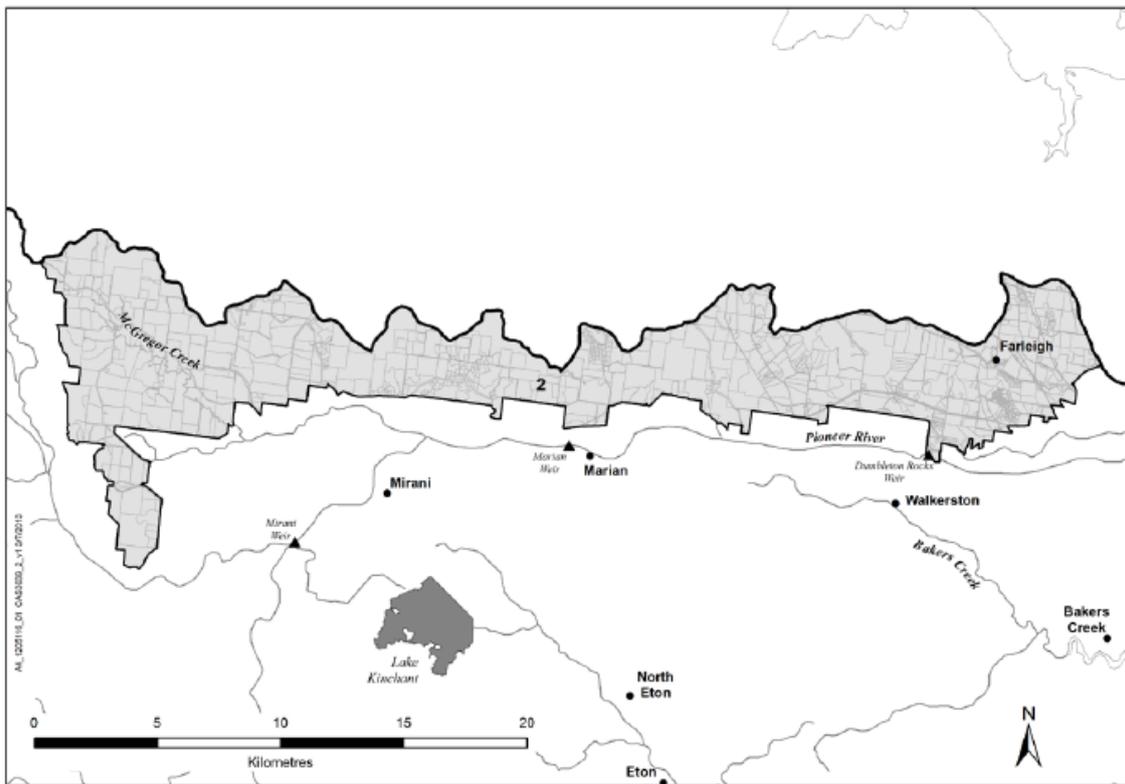
Map 2 Sub Area 1 (Cattle Creek) - Groundwater zone 1

section 6



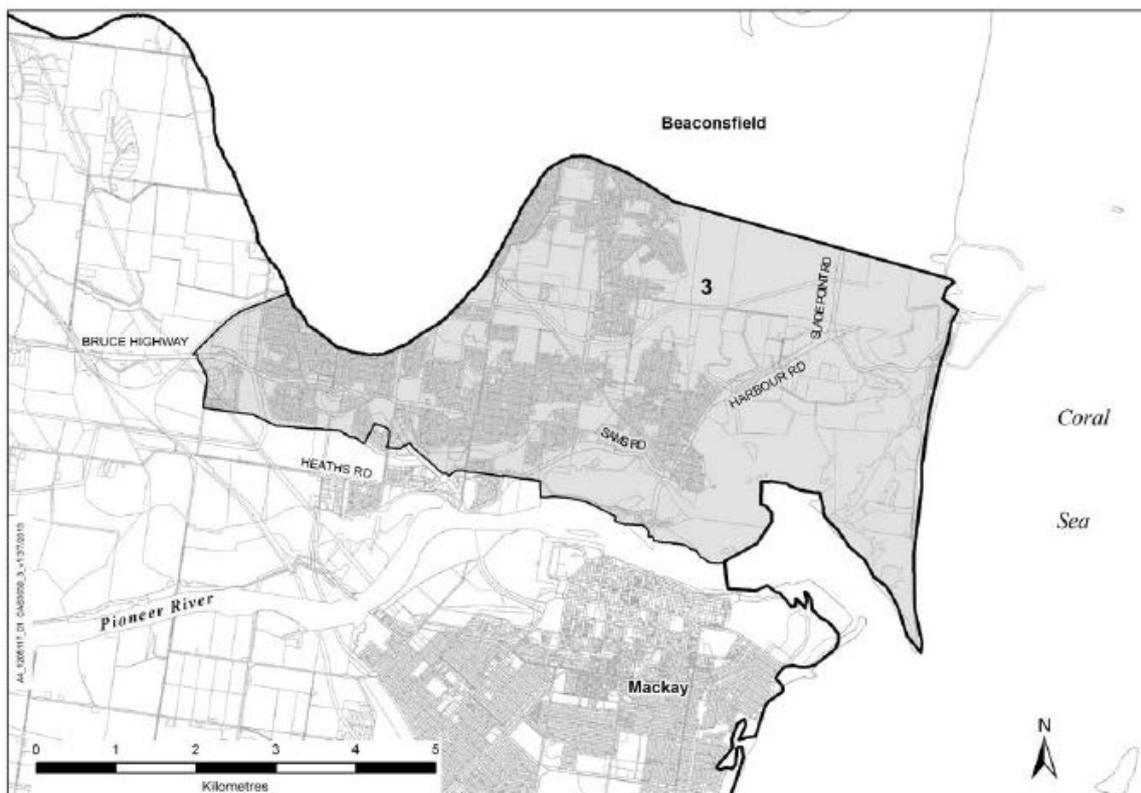
Map 3 Sub Area 2 (Pioneer North) - Groundwater zone 2

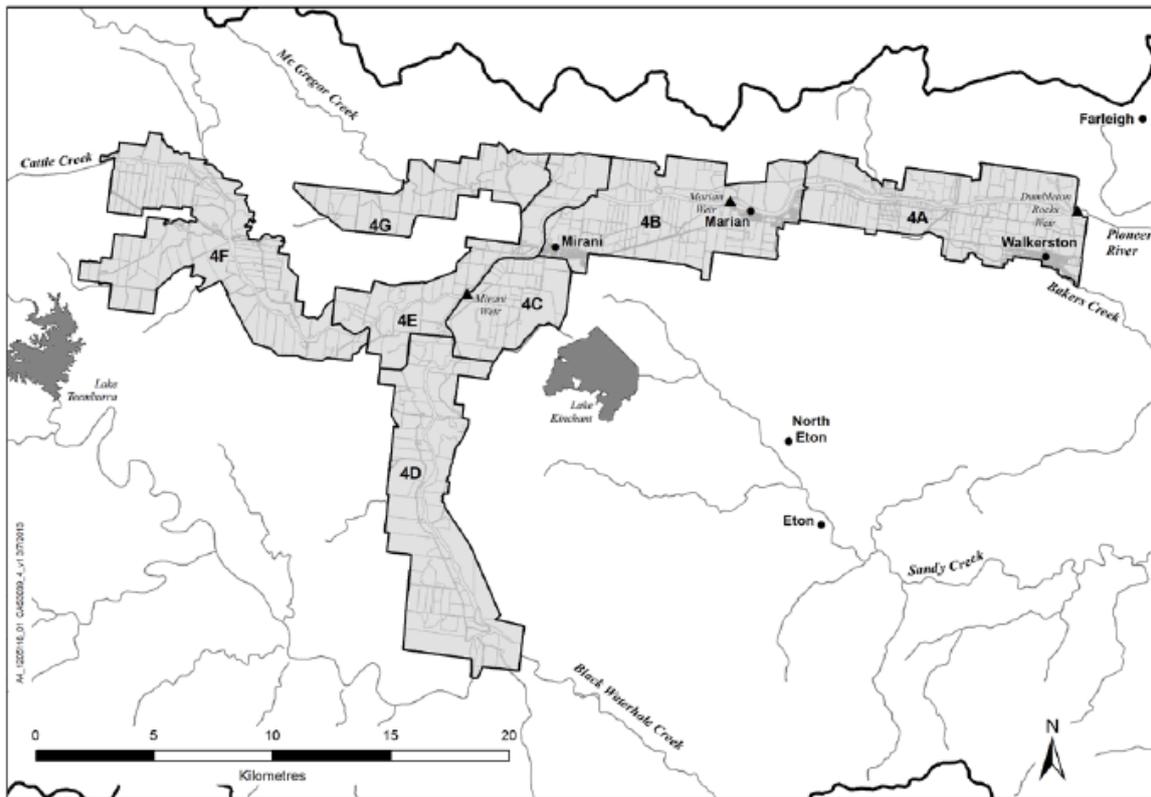
section 6

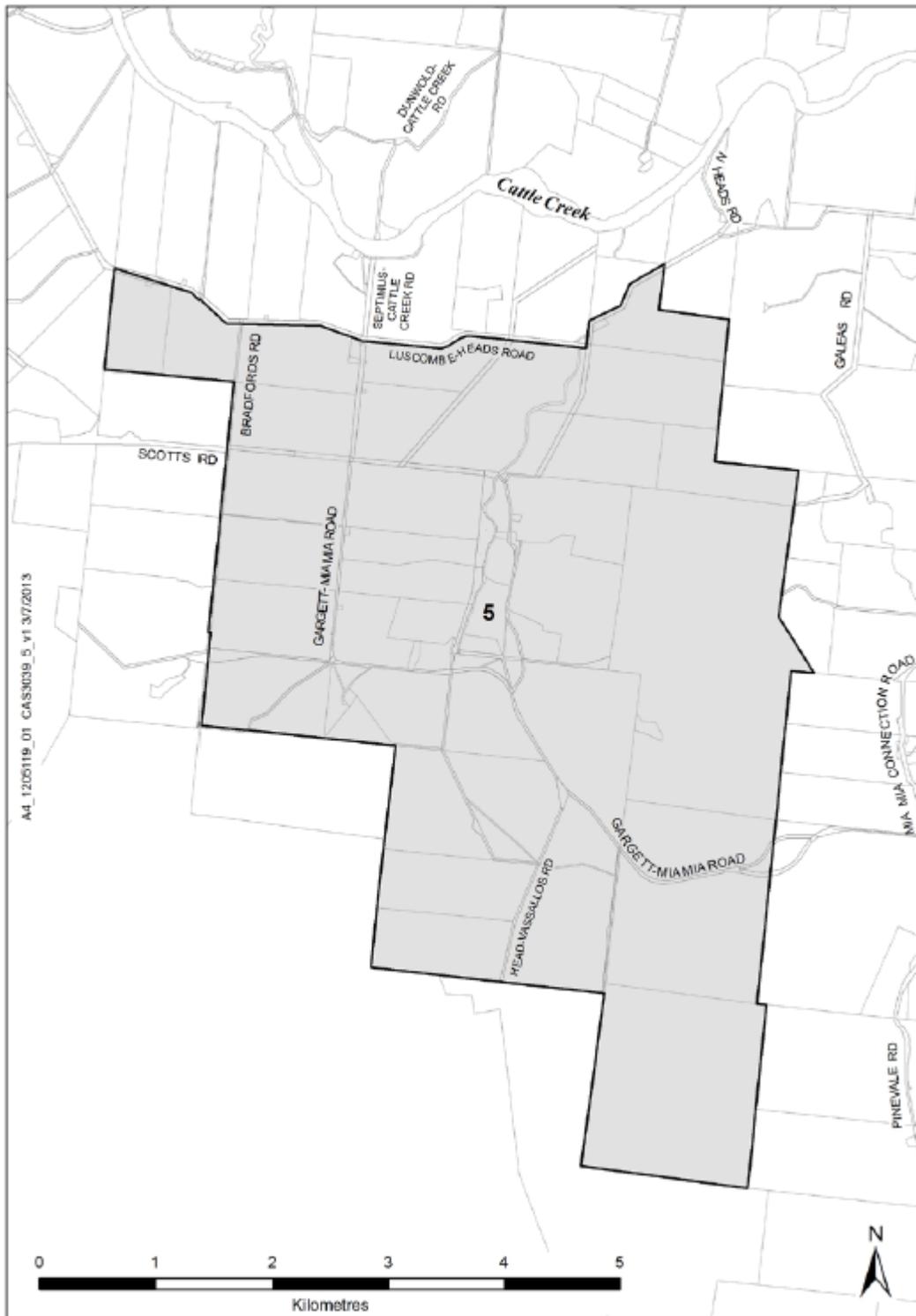


Map 4 Groundwater zone 3 (Pioneer North-East)

section 6

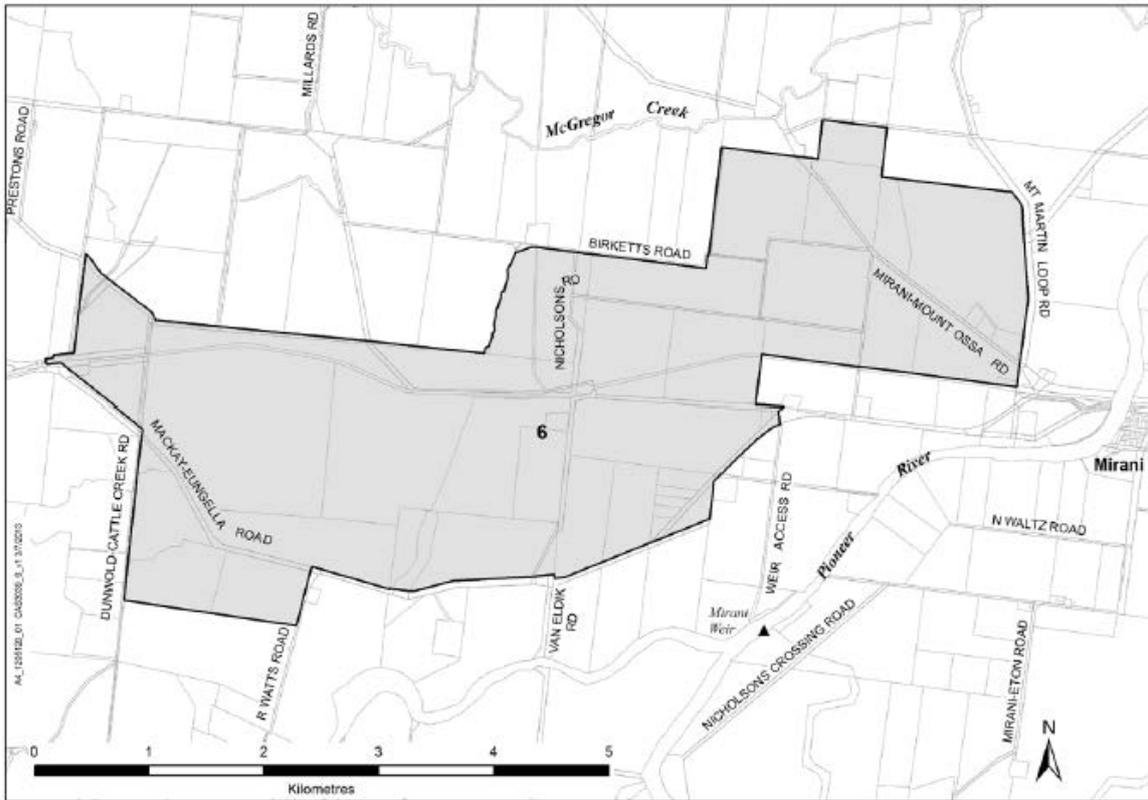






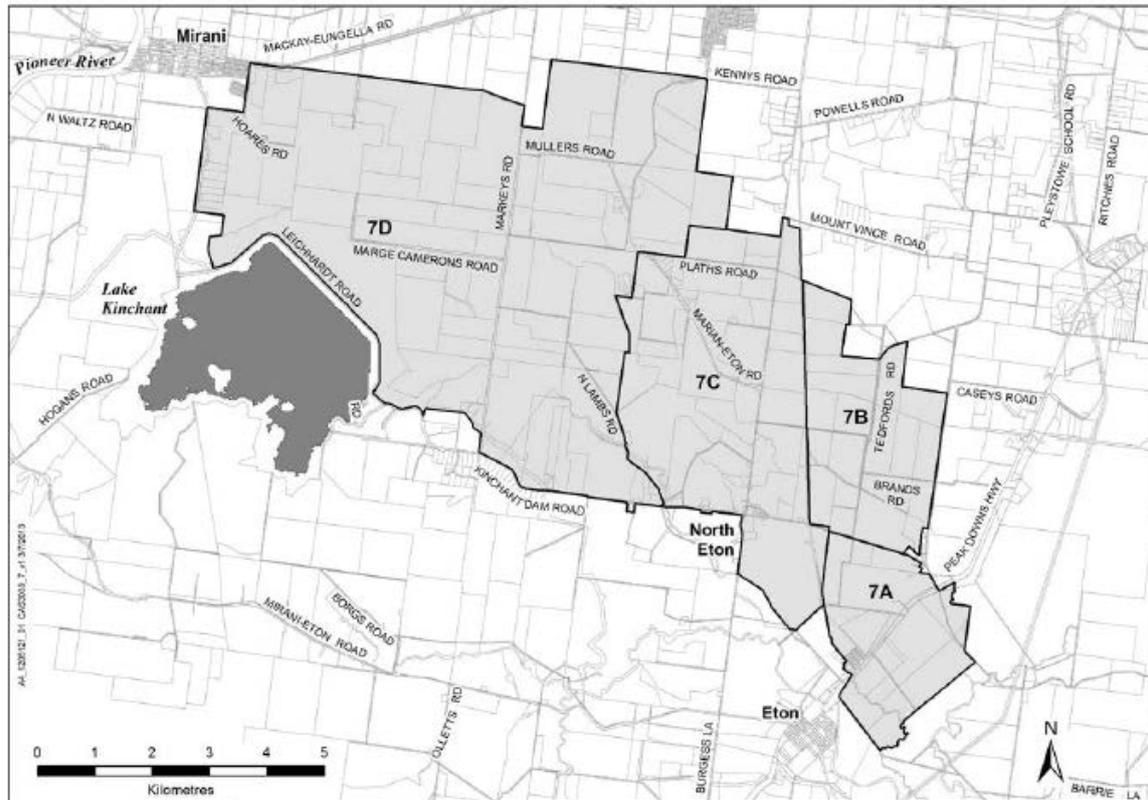
Map 7 Groundwater zone 6 (McGregor Creek)

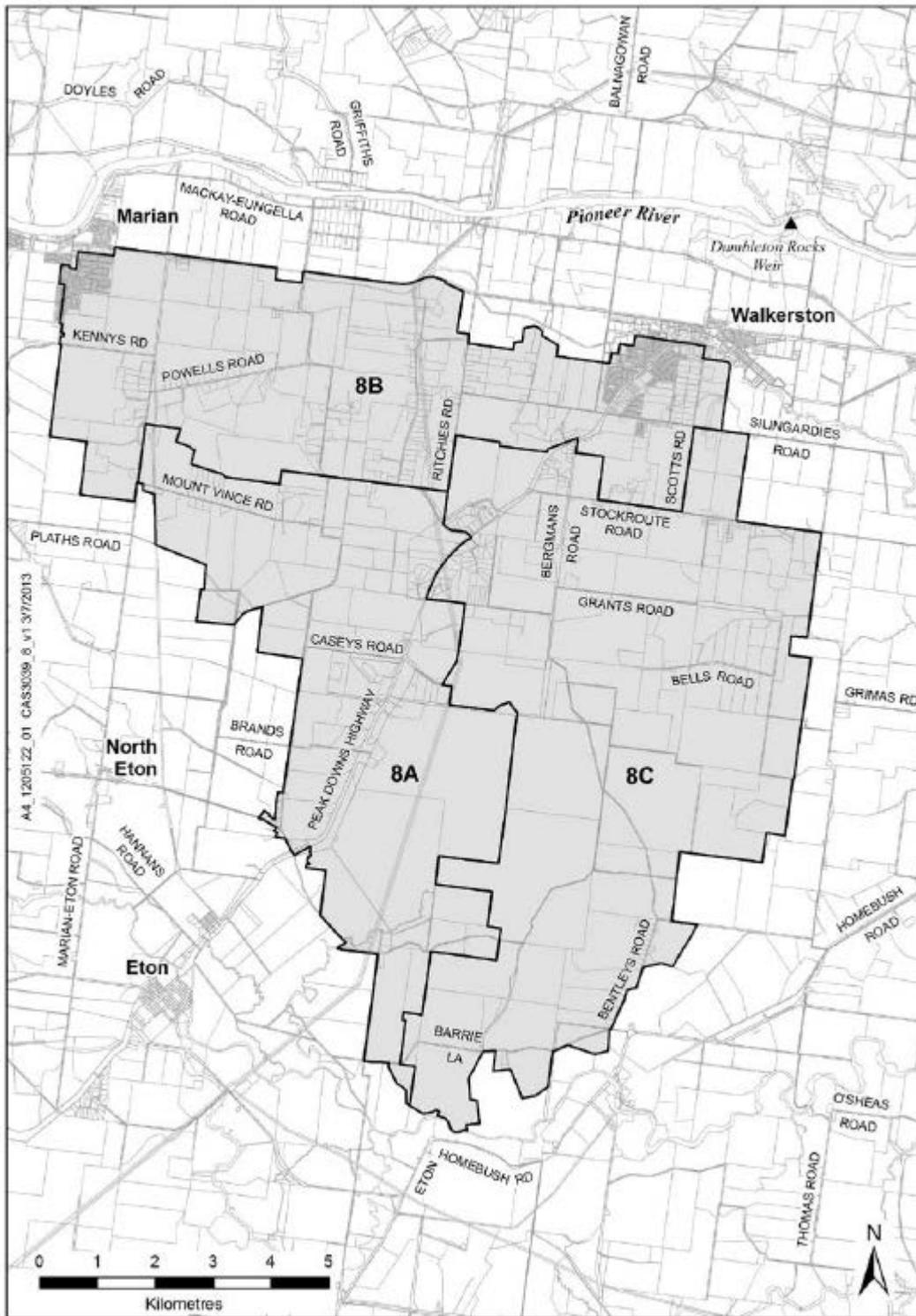
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Map 8 Groundwater zones 7A, 7B, 7C and 7D (Eton-Kinchant)

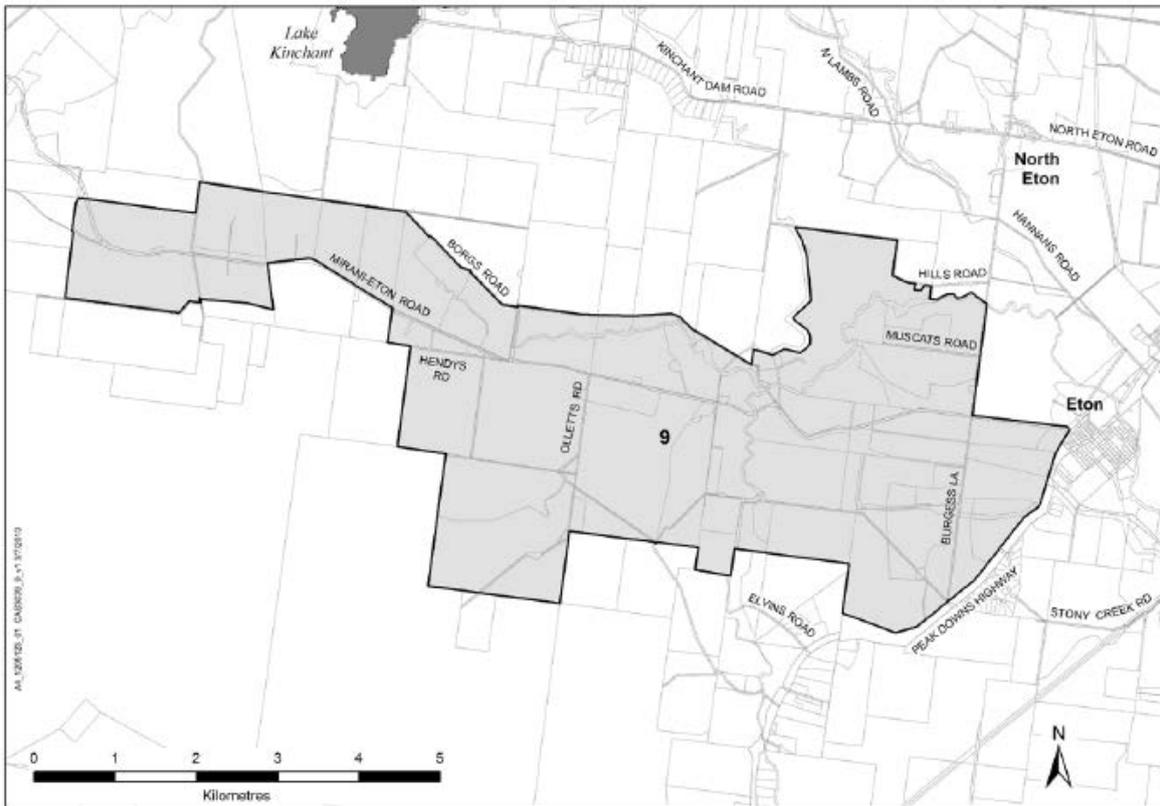
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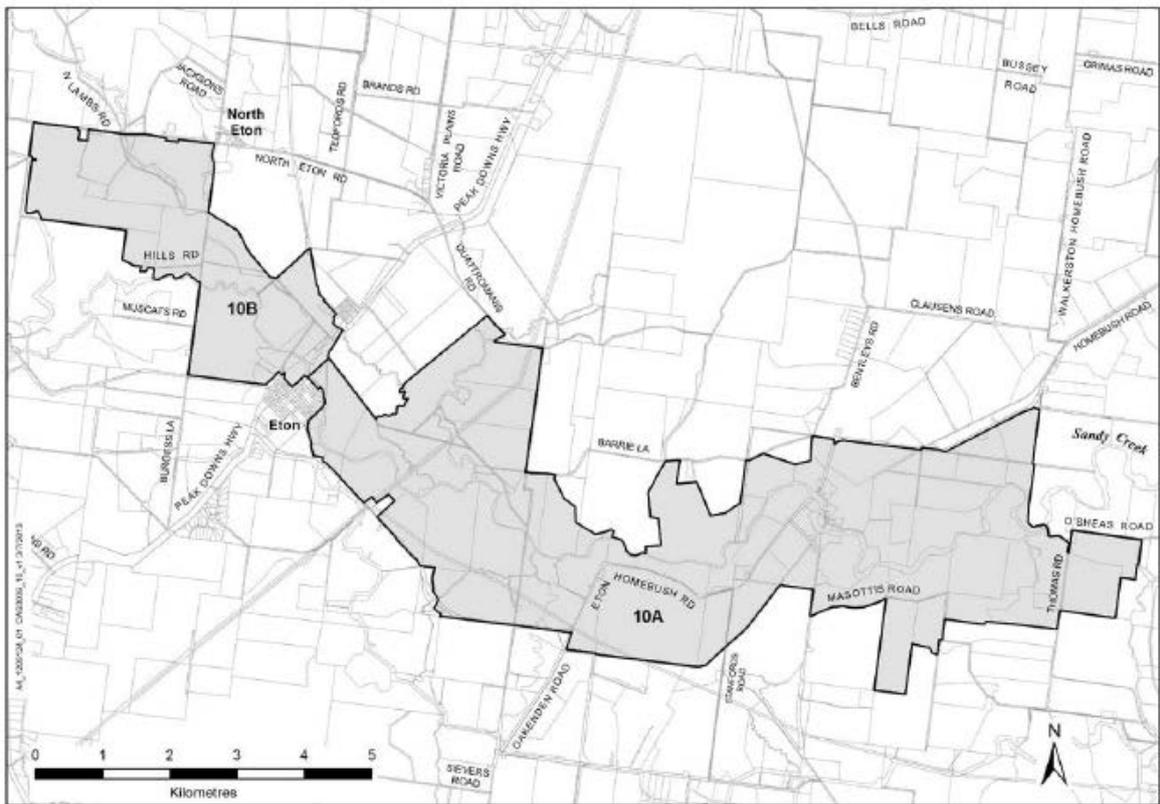
Map 10 Groundwater zone 9 (South Sandy Creek)

section 6



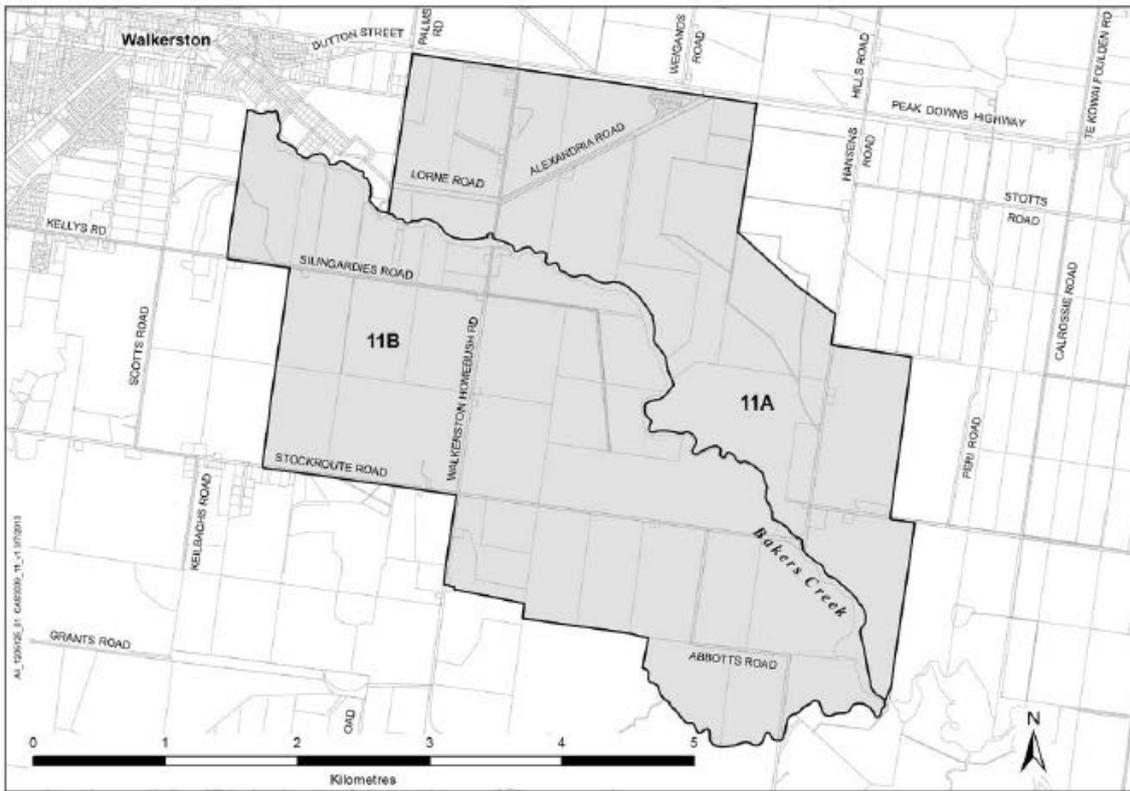
Map 11 Groundwater zones 10A and 10B (Sandy Creek)

section 6



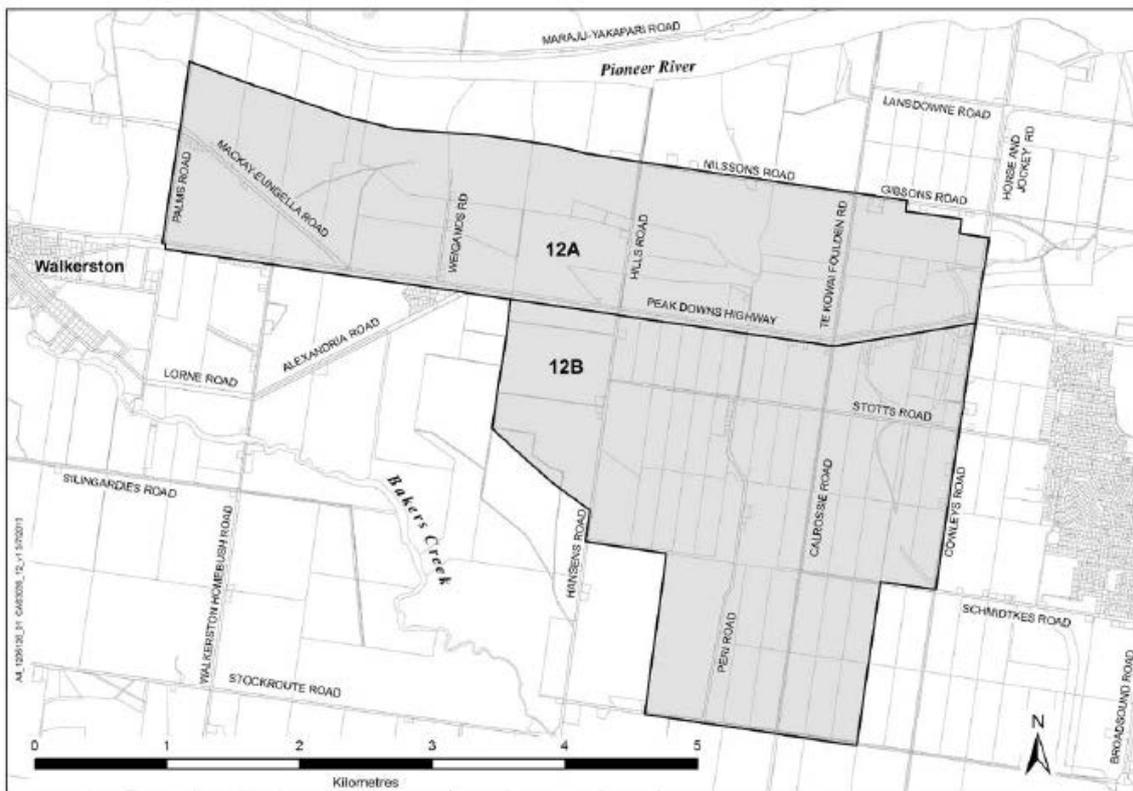
Map 12 Groundwater zones 11A and 11B (Bakers Creek)

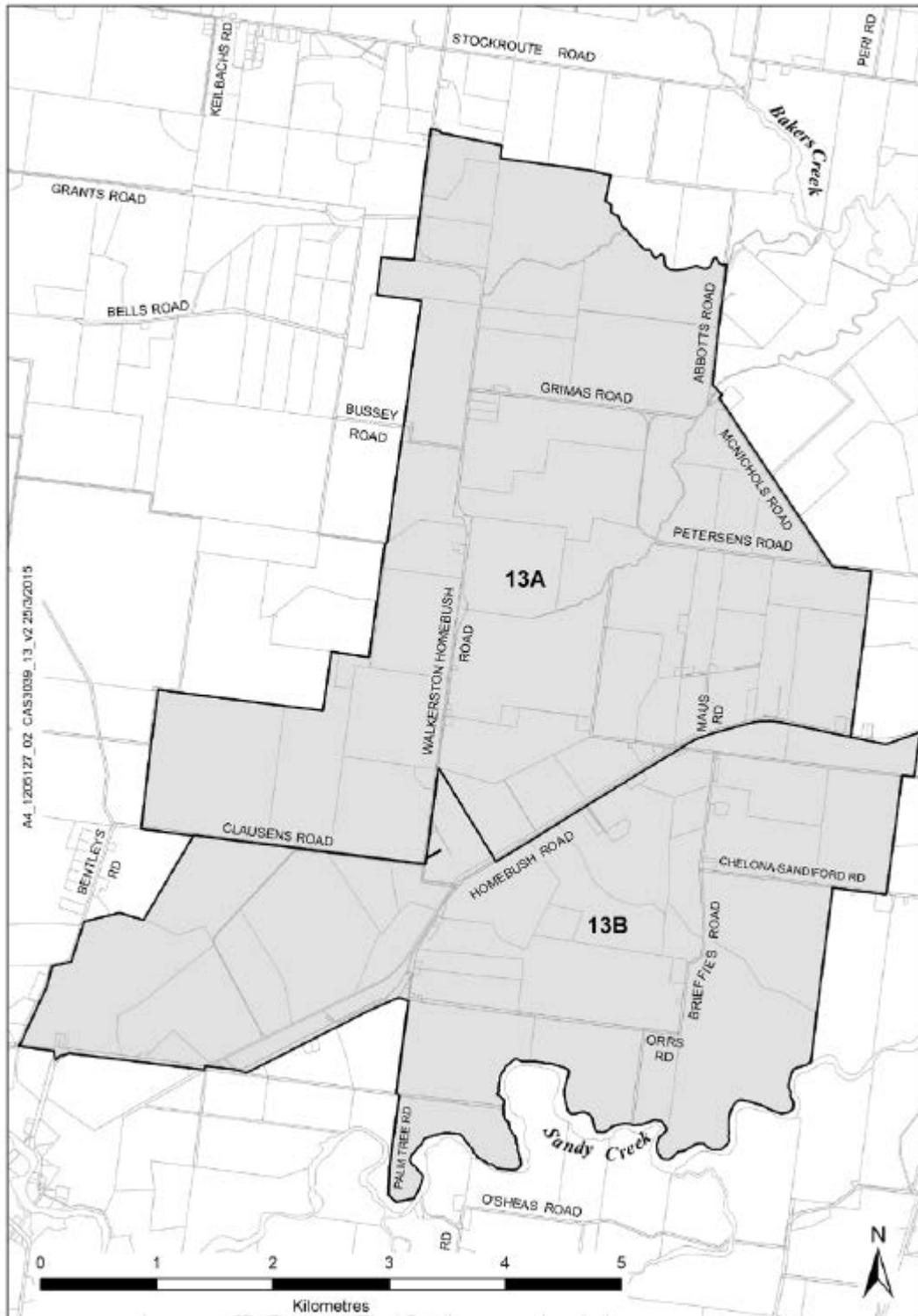
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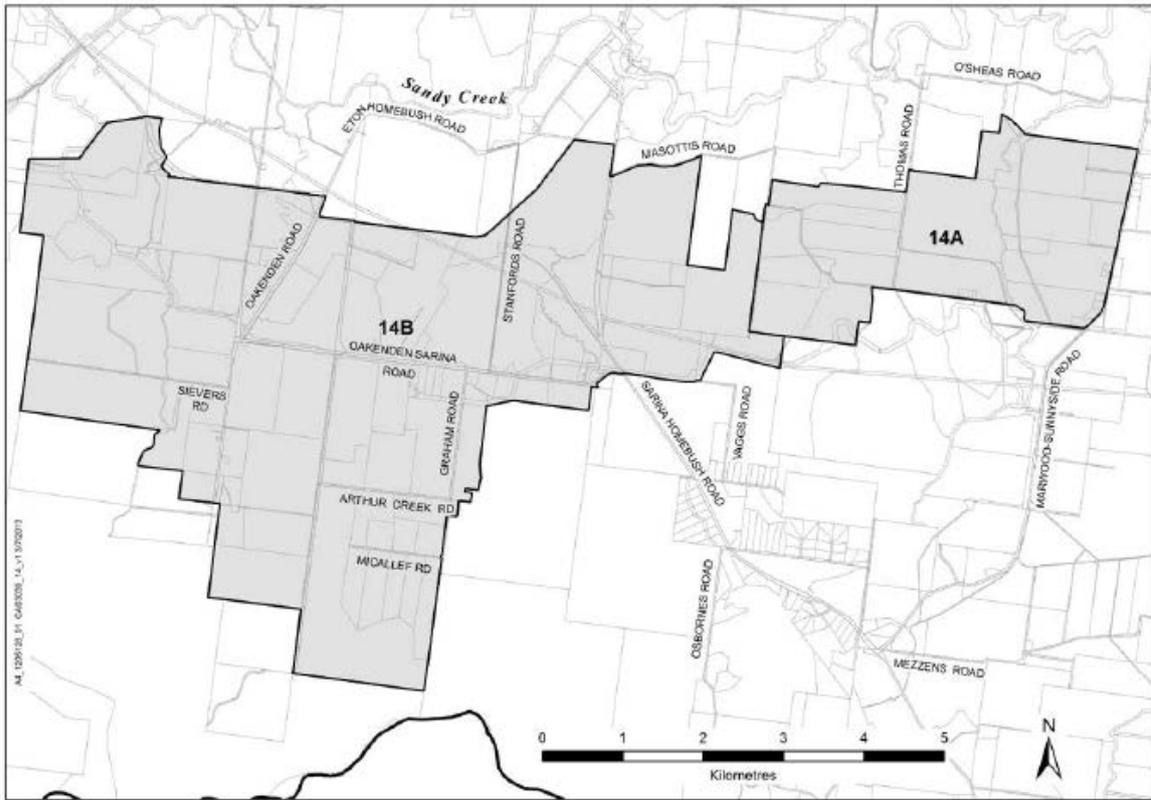


Map 13 Groundwater zones 12A and 12B (Coastal North)

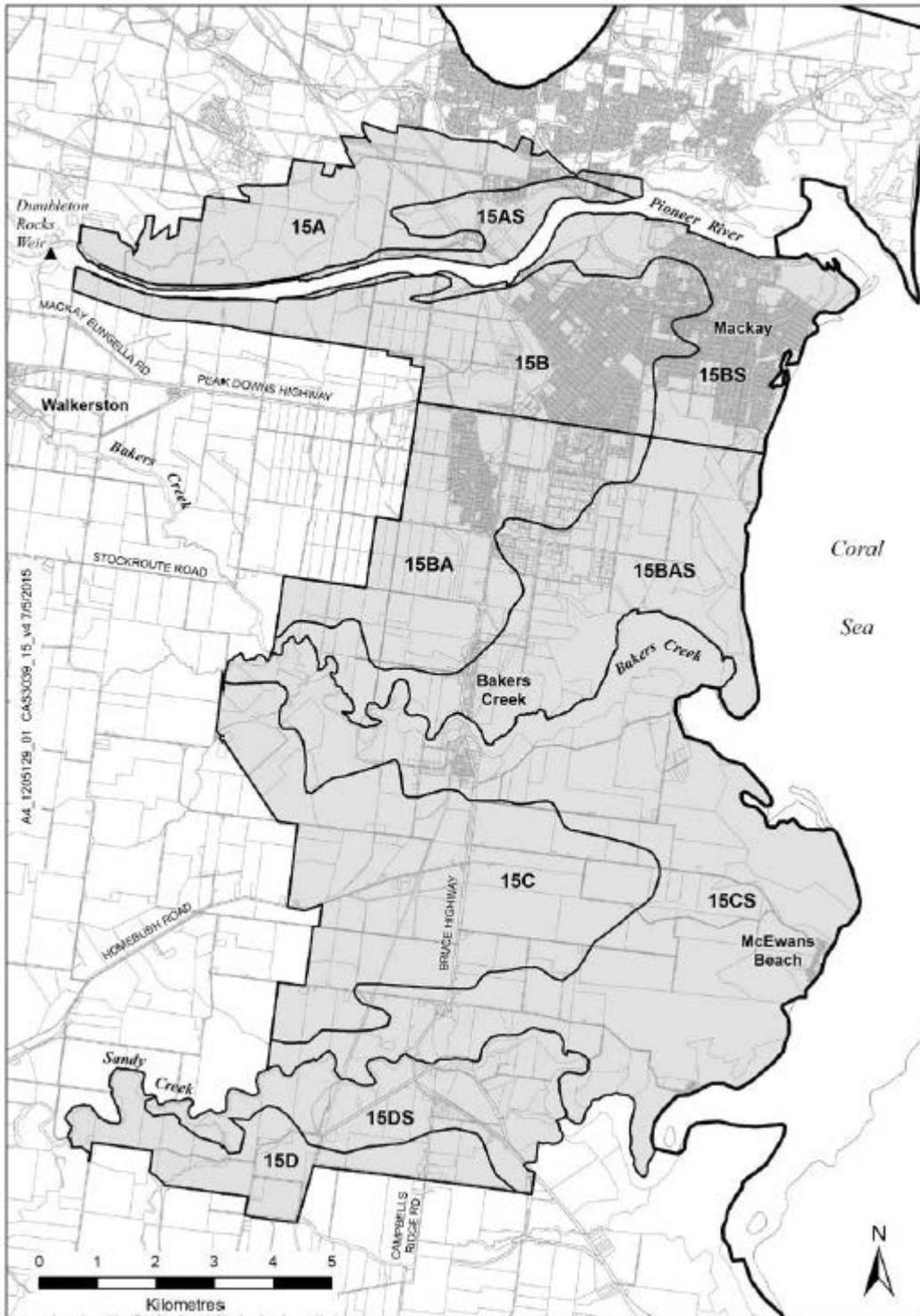
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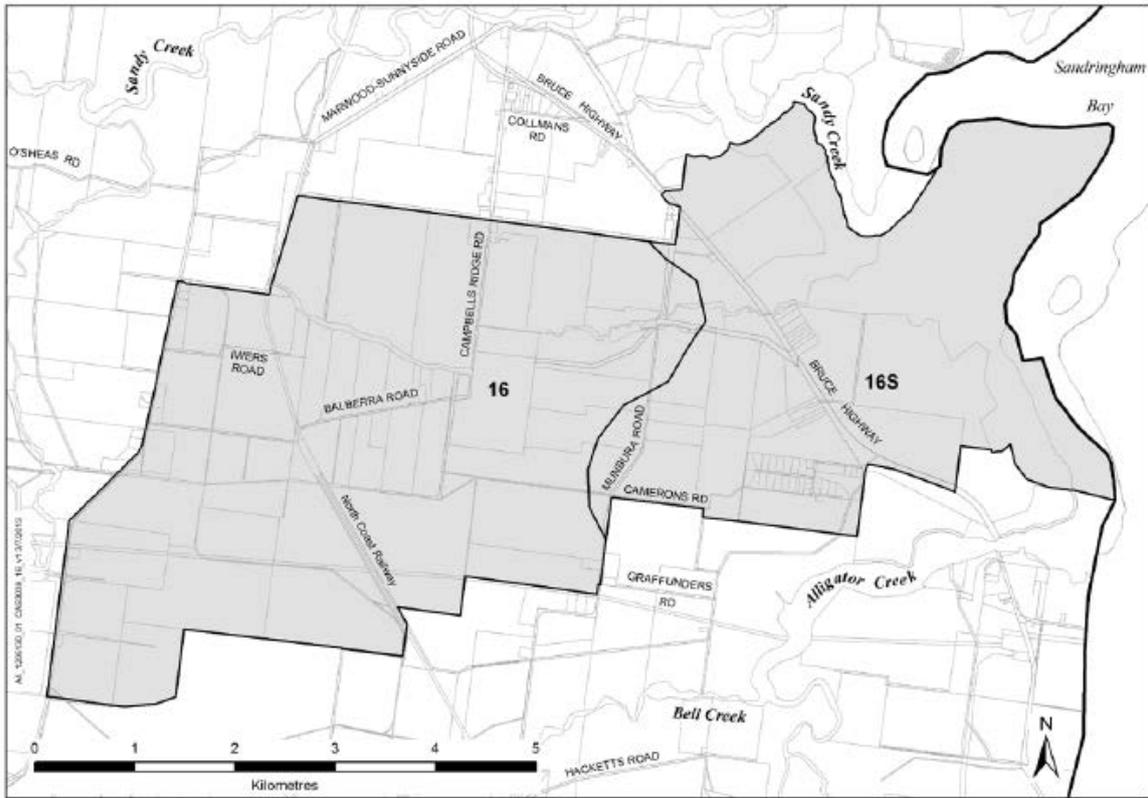


Map 16 Groundwater zones 15A, 15AS, 15B, 15BS, 15BA, 15BAS, 15C, 15CS, 15D and 15DS (Coastal Main) section 6



Map 17 Groundwater zone 16 and 16S (Sandringham Creek)

section 6



Map 18 Groundwater zones 17A, 17B and 17S (Alligator Creek)

section 6

