

Provisions of the Boyne River Basin Resource Operations Plan 2013 taken to be included in the Water Plan (Boyne River Basin) 2013 – Act ss. 1259 and 1264

Note: This document includes a number of provisions that were previously located in the Boyne River Basin Resource Operations Plan 2013. In accordance with section 1259(1)(e) of the *Water Act 2000*¹ the provisions contained in this document, including any associated attachments, are to be read as being provisions of the Water Plan (Boyne River Basin) 2013. This means that, 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.

For further information on the new water planning instruments that are now in effect see:

¹ 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 of Policy and Program Support, Department of Natural Resources and Mines.

© State of Queensland, 2016

The Queensland Government supports and encourages the dissemination and exchange of its information. The copyright in this publication is licensed under a Creative Commons Attribution 3.0 Australia (CC BY) licence.

Under this licence you are free, without having to seek our permission, to use this publication in accordance with the licence terms.



You must keep intact the copyright notice and attribute the State of Queensland as the source of the publication.

Note: Some content in this publication may have different licence terms as indicated.

For more information on this licence, visit <http://creativecommons.org/licenses/by/3.0/au/deed.en>

The information contained herein is subject to change without notice. The Queensland Government shall not be liable for technical or other errors or omissions contained herein. The reader/user accepts all risks and responsibility for losses, damages, costs and other consequences resulting directly or indirectly from using this information.



Contents

Chapter 1	Preliminary.....	4
27	Water management area	4
28	Water Supply Scheme area	4
29	Water plan zone	4
Chapter 6	Dealing with water licence applications	5
76	Water licence applications to which this chapter applies	5
77	Applications to be refused	5
78	Applications to increase the daily volumetric limit	5
79	Applications to change location where water may be taken	6



Chapter 1 Preliminary

27 Water management area

Subcatchment area A is a water management area for this plan

28 Water Supply Scheme area

The area shown on the map in attachment 3 of this document is the Awoonga Water Supply Scheme.

29 Water plan zone

- (1) The zone shown on the map in attachment 3 of this document is the water plan zone (zone) for this catchment.
- (2) The zone 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

Chapter 6 Dealing with water licence applications

76 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 to be a location contiguous to the current location;
 - (c) Increase the daily volumetric limit for taking water;
 - (d) Change the conditions under which the water may be taken; or
 - (e) Increase the interference with the water.
- (2) This chapter applies even if the application was made before the commencement of this plan.
- (3) This chapter does not apply to –
 - (a) An application made under the following provisions of the *Water Act 2000*
 - (i) Section 125 – reinstating an expired water licence;
 - (ii) Section 130 – amalgamating water licences;
 - (iii) Section 130 – subdividing a water licence; and
 - (b) An application to interfere with, or increase the interference with, water in a watercourse, lake or spring by impounding flow of water made in accordance with chapter 5, part 3 of the Water Plan (Boyne River Basin) 2013; and
 - (c) An application made in accordance with chapter 1 and 2 of the Boyne River Basin Water Management Protocol 2016.

77 Applications to be refused

The chief executive must refuse an application to which this chapter applies, unless this chapter explicitly provides for granting the application.

78 Applications to increase the daily volumetric limit

- (1) For an application to amend a water licence to increase the daily volumetric limit, the chief executive may grant the application only if there is an existing development permit associated with the water licence and –
 - (a) The daily volumetric limit specified on the existing water licence is less than –
 - (i) If there is an existing development permit associated with the water licence that states a pump size mentioned in schedule 2, column 1 of the Water Plan (Boyne River Basin) 2013 – the daily volumetric limit stated in schedule 2, column 2 of the Water Plan (Boyne River Basin) 2013; or
 - (ii) If there is an existing development permit associated with the water licence that states a pump size other than a pump size mentioned in schedule 2, column 1 of the Water Plan (Boyne River Basin) 2013—the daily volumetric limit decided by the chief executive having regard to the limits stated for similar pump sizes in schedule 2, column 2 of the Water Plan (Boyne River Basin) 2013; and

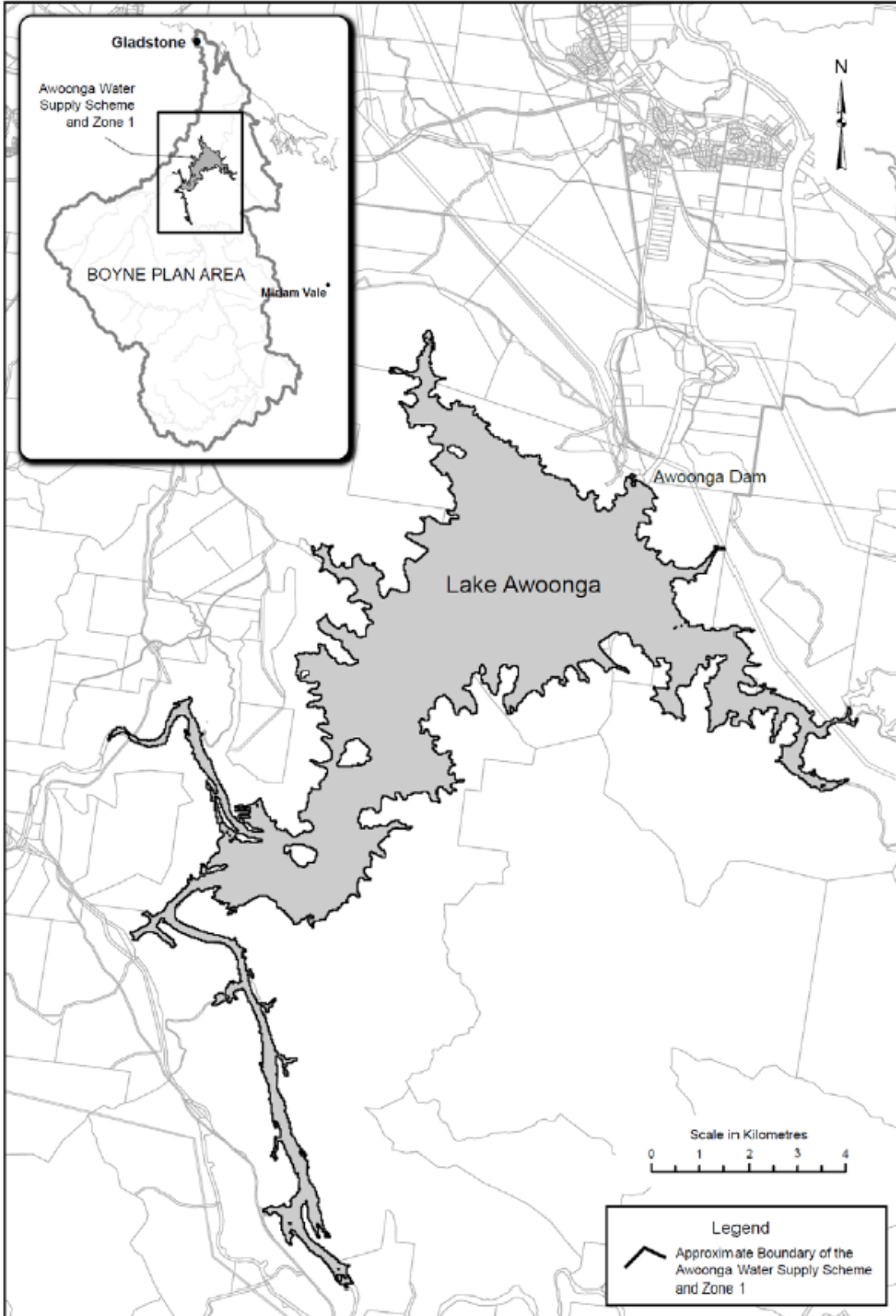
- 
- (b) Where schedule 2 of the Water Plan (Boyne River Basin) 2013 does not apply—the works authorised by an existing development permit associated with the water licence have the capacity to take water at a rate greater than the daily volumetric limit specified on the existing water licence.
- (2) The chief executive must refuse the application if the daily volumetric limit applied for exceeds –
- (a) If there is an existing development permit associated with the water licence that states a pump size mentioned in schedule 2, column 1 of the Water Plan (Boyne River Basin) 2013—the daily volumetric limit stated in schedule 2, column 2 of the Water Plan (Boyne River Basin) 2013; or
 - (b) If there is an existing development permit associated with the water licence that states a pump size other than a pump size mentioned in schedule 2, column 1 of the Water Plan (Boyne River Basin) 2013—the daily volumetric limit decided by the chief executive having regard to the limits stated for similar pump sizes in schedule 2, column 2 of the Water Plan (Boyne River Basin) 2013; or
 - (c) The maximum volume the works authorised by an existing development permit associated with the water licence are capable of taking in a day at the maximum rate decided.

79 Applications to change location where water may be taken

- (1) This section applies to an application to amend the location from which water may be taken under a water licence if the change would result in the new location being a parcel of land contiguous to the existing location.
- (2) The chief executive may grant the application.

Attachment 3 Awoonga Water Supply Scheme and Zone 1

sections 7 and 9



19 October 2012 - A4 508579 - CAS 1283-3