

Calliope River Basin

Water Management Protocol

December 2016

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Chapter 1 General

1 Short title

This water management protocol may be cited as the Calliope River Basin Water Management Protocol 2016¹.

2 Commencement of the water management protocol

This protocol commences on the 6 December 2016.

3 Purpose of protocol

This protocol implements the Water Plan (Calliope River Basin) 2006.

4 Area to which this protocol applies

This protocol applies to the plan area for the Water Plan (Calliope River Basin) 2006 as shown in attachment 1.

5 Water to which this protocol applies

This protocol applies to the management of the following water in the plan area—

- (a) water in a watercourse, lake or spring; and
- (b) overland flow water.

6 Information about areas

- (1) The location of the boundaries of the plan area 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 boundaries².

7 to 10 Section numbers not used

¹ To allow for future amendments to this protocol, some section numbers have been deliberately left blank. This will facilitate any protocol amendments that may occur without the need for the whole protocol to be renumbered.

² The boundaries held in digital electronic form may be inspected at any of the department's offices.

Chapter 2 Unallocated water

Part 1 Preliminary

11 Definitions for this chapter

For this chapter—

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

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

12 Scope of chapter 2

This chapter states the process for making available and dealing with unallocated water mentioned part 4, division 4 of the Water Plan (Calliope River Basin) 2006.

13 Record of volume of unallocated water

- (1) The chief executive must keep a record of the volume of unallocated water available.
- (2) This record must be updated after the completion of a release process.

Part 2 Unallocated water reserves

14 Scope of part 2

This part states the availability of unallocated water identified as one of the following types of reserves—

- (a) general reserve; or
- (b) strategic reserve.

15 Availability of the general reserve

- (1) Unallocated water held as general reserve may be made available for all purposes.
- (2) The volume of the general reserve available is shown in table 1.

16 Availability of the strategic reserve

- (1) Unallocated water held as strategic reserve may be made available for town water supplies.
- (2) The volume of the strategic reserve available is shown in table 1.

Table 1 – Unallocated water reserves

Reserve	Annual volumetric limit (ML)
General	5000
Strategic	500
Total	5500

Part 3 Process for dealing with unallocated water

17 Scope of part 3

This part states the application, assessment and grant process for the unallocated water reserves.

18 Application for a water licence from the general reserve

- (1) The chief executive may publish a public notice inviting interested parties to apply for unallocated water from the general reserve.
- (2) The public notice must state, but not limited to—
 - (a) the location where water is being made available;
 - (b) the annual volumetric limit of water that is being made available for granting;
 - (c) the process for making an application, including any price for the water that is being made available;
 - (d) a date by when an application must be received; and
 - (e) any application fee that may apply.
- (3) An application for a water licence in response to an invitation under subsection (1) must—
 - (a) be made on the approved form;
 - (b) state a proposed purpose, location and annual volumetric limit;
 - (c) be accompanied by any application fee; and
 - (d) provide any other information required under the notice.
- (4) At any time the chief executive may cease the application process for unallocated water from the general reserve and advise applicants.

19 Application for a water licence from the strategic reserve

- (1) An application for unallocated water from the strategic reserve may be made by a local government within the plan area to the chief executive at any time.
- (2) The application must—
 - (a) be made on the approved form;
 - (b) state a proposed purpose, location and annual volumetric limit;
 - (c) be accompanied by any application fee; and
 - (d) provide any other information required by the chief executive.

20 Assessing an application for a water licence

- (1) In assessing an application for a water licence, the chief executive must consider the following—
 - (a) the application and any additional information obtained;
 - (b) the availability of unallocated water in the plan area;
 - (c) the consistency of the application with section 21 of the Water Plan (Calliope River Basin) 2006 and this protocol;
- (2) Despite subsection (1), an application to take water from the dam known as Lake Callemondah on Auckland Creek must only be from the strategic reserve.
- (3) In addition to those matters specified in subsection (1), when assessing an application for a water licence to take overland flow water, the chief executive may only approve an application if the granting of the proposed licence were to result in the total volume of overland flow water capable of being stored within a catchment at any one time being less than 25 per cent of the median annual flow determined by the chief executive for—
 - (a) the local catchment from which the take of overland flow water is proposed; or
 - (b) any subsequent catchment downstream of the proposed location of take.
- (4) At any time during the assessment, the chief executive may require additional information from the applicant in relation to the assessment within a stipulated time frame.
- (5) If the applicant fails, without a reasonable justification, to provide information requested within a stipulated time then the application lapses.
- (6) If the application fails to meet the criteria listed in subsections (1), (2) or (3) the chief executive must refuse the application and give the applicant a notice stating the decision.

21 Water licences for taking water from a watercourse, lake or spring

A water licence to take water from a watercourse, lake or spring must state the following—

- (a) the purpose for which water may be taken under the licence, which must be one of the following—
 - (i) agriculture; or
 - (ii) town water supply; or
 - (iii) any.
- (b) the maximum instantaneous rate of take;
- (c) the daily volumetric limit;
- (d) the annual volumetric limit; and
- (e) conditions for the licence, including flow conditions.

22 Determining terms and conditions for a water licence to take water from a watercourse, lake or spring

- (1) When determining the terms and conditions that may be specified on a water licence for the take of water from a watercourse, lake or spring, the chief executive must consider—
 - (a) the information supplied by the applicant; and
 - (b) the matters specified in section 21 of the Water Plan (Calliope River Basin) 2006.

- (2) The maximum instantaneous rate of take in litres per second for a licence must be determined by multiplying the annual volumetric limit in megalitres by a rate factor no greater than that for the catchment area of the proposed location listed in column 3 of table 2 in attachment 2.
- (3) The daily volumetric limit (in megalitres) for a licence must be determined by multiplying the annual volumetric limit in megalitres by a daily volumetric rate factor no greater than that for the catchment area of the proposed location listed in column 4 of table 2 in attachment 2.
- (4) Flow conditions for the licence must—
 - (a) include a passing flow no less than that shown in column 2 of table 2 in attachment 2 for the catchment area to the proposed location;
 - (b) limit the extent to which an authorised in-stream storage may be drawn down below its full supply level.
- (5) Despite subsection 4(a), in determining the flow conditions for a licence to take water from the dam known as Lake Callemondah on Auckland Creek, the chief executive may specify a different flow condition after considering matters in subsection 1.
- (6) Despite subsections (2), (3) and (4), the chief executive may specify a higher maximum instantaneous rate and daily volumetric limit if—
 - (a) the applicant provides a submission that deals, to the satisfaction of the chief executive, with the matters listed in section 21 of the Water Plan (Calliope River Basin) 2006; and
 - (b) the passing flow for the licence is greater than the passing flow determined under subsection (4)(a).
- (7) Subsections (1) and (6) do not limit the matters the chief executive may consider.

23 Water licences for taking overland flow

- (1) A water licence to take overland flow water must state a purpose for which water may be taken under the licence, which must be one of the following—
 - (a) agriculture; or
 - (b) town water supply; or
 - (c) any.
- (2) A water licence to take overland flow water may state the following terms and conditions—
 - (a) the maximum stored volume;
 - (b) the maximum instantaneous rate of take;
 - (c) the daily volumetric limit;
 - (d) the annual volumetric limit;
 - (e) for the taking of overland flow water with unrestricted rate of take—a flow condition to bypass water downstream of the point of take at times when overland flow water could be taken; and
 - (f) for the taking of overland flow water with a restricted rate of take—a flow condition that water may only be taken when the flow exceeds a designated flow or water trigger level.

24 Determining terms and conditions for a water licence to take overland flow water

- (1) When determining the terms and conditions that may be specified on a water licence for the take of overland flow water, the chief executive must consider—

- (a) the information supplied by the applicant;
 - (b) the matters specified in section 21 of the Water Plan (Calliope River Basin) 2006; and
 - (c) the capacity of any proposed works to take and store water.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

25 Advice to an applicant of proposed water licence

- (1) The chief executive must advise the applicant of a proposed water licence including—
 - (a) any proposed terms and conditions decided under section 31 to 34;
 - (b) the date by which written acceptance of the proposed licence must be received;
 - (c) monies payable for granting of the proposed water licence; and
 - (d) the date by which monies payable must be received.
- (2) Where written acceptance of the proposed licence has not been provided in accordance with 1(b) and monies payable have not been received in accordance with 1(c) and 1(d), the application lapses.

26 Decision to grant a water licence

Where written acceptance and payment of the proposed water licence has been received in accordance with section 25, the licence must be granted and section 116 of the *Water Act 2000* applies.

27 to 30 Section numbers not used

Chapter 3 Performance assessment

31 Water monitoring

- (1) The chief executive must measure or collect and keep publicly available, records of—
 - (a) water quantity and flows; and
 - (b) water use.
- (2) The chief executive must collect and record publicly available information on—
 - (a) future consumptive demands for water; and
 - (b) water use efficiency.
- (3) The chief executive may use information collected to support water resource assessment and reporting.
- (4) For this section—
water use means actual consumption of water.

32 Ecological performance monitoring and assessment

- (1) The ecological performance monitoring and assessment program will provide the basis for the chief executive to collect and record information on—
 - (a) ecological assets that are linked to the ecological outcomes of the Water Plan (Calliope River Basin) 2006; and
 - (b) the critical water requirements of ecological assets, including the provision of these requirements under the protocol.
- (2) For this section—
ecological asset can be a species, group of species, a biological function or particular ecosystem or place of value for which water is critical.

33 Assessment and reporting

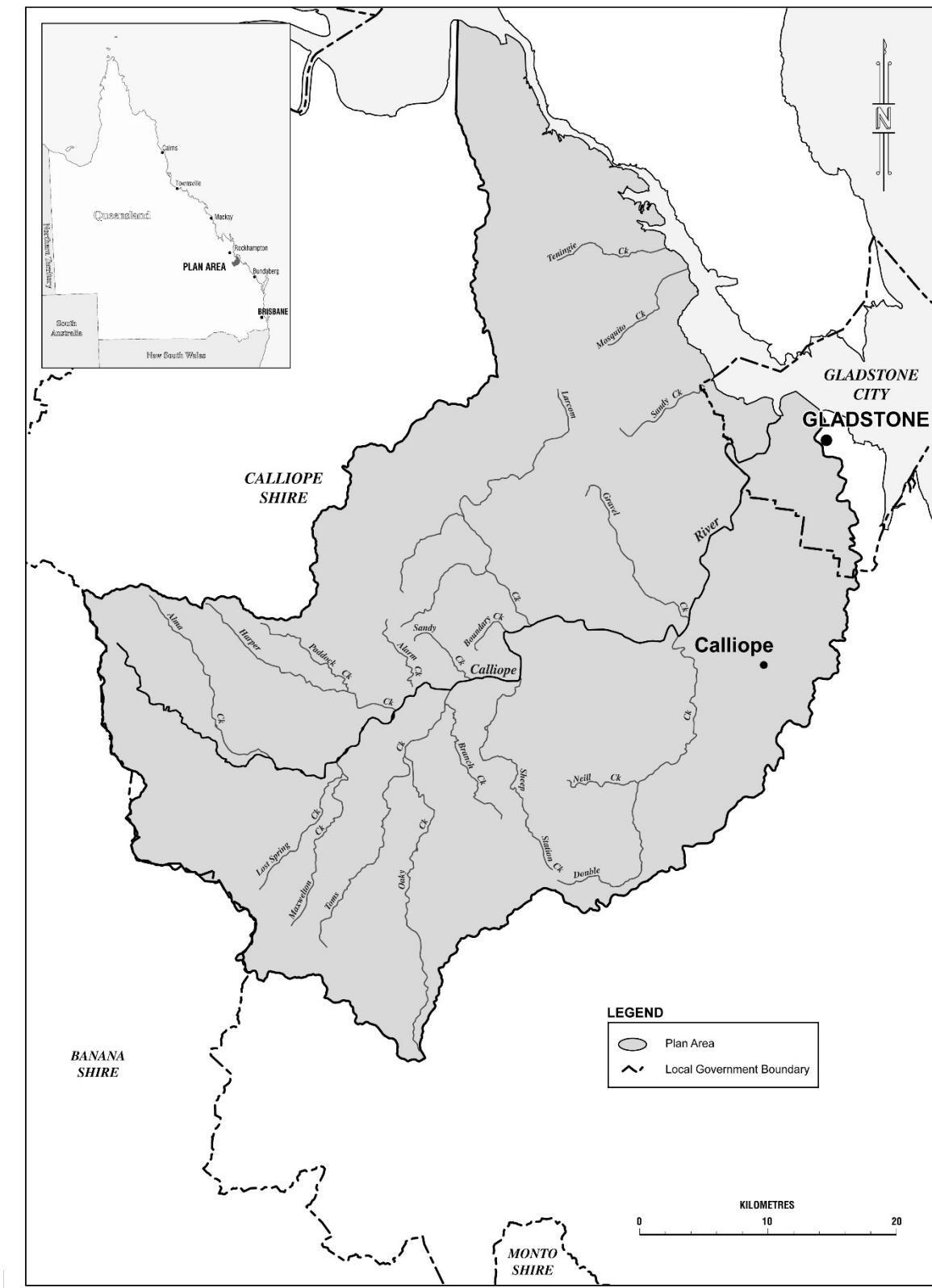
The chief executive must make ongoing assessments of whether the trends in the data measured, collected and recorded under this chapter indicate that outcomes specified in the Water Plan (Calliope River Basin) 2006 are being achieved.

34 Links to other monitoring programs

Information collected as part of other monitoring and assessment programs in the catchment may be used to help with the assessment of the ecological outcomes detailed in the Water Plan (Calliope River Basin) 2006.

Attachment 1 Calliope River Basin Water Plan area

section 4



Attachment 2 Passing flow and rate factors

Table 2 – Passing flows and rate factors

Column 1	Column 2	Column 3	Column 4
Catchment area (km ²)	Passing flow (ML/day)	Instantaneous rate factor	Daily volumetric limit rate factor
0–10	5	1.75418	0.1262
11–20	10	1.50398	0.1082
21–50	15	1.33579	0.0961
51–100	25	1.19957	0.0863
101–150	35	1.11756	0.0804
151–500	70	0.95771	0.0689
501–750	100	0.89238	0.0642
751–1000	130	0.85068	0.0612
1001–1500	165	0.80898	0.0582
1501–2000	210	0.77284	0.0556