

Moreton

Draft Water Management Protocol Amendment

August 2019

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How to read this document

The scope of this targeted amendment to the Moreton Water Management Protocol is to—

- For the Central Lockyer Valley Water Supply Scheme—
 - propose trading zones and water allocation change rules for groundwater and surface water allocations to support a flexible water market
 - specify a process for existing Morton Vale Pipeline water users to be granted an entitlement to replace their existing water use agreements and supply contracts with Seqwater
- state an unallocated water reserve for particular subcatchments to enable the release of water for specific purposes.
- state considerations for the chief executive for releasing unallocated water from a general or strategic reserve.

This draft water management protocol amendment (this document) contains both provisions which have not been changed as part of the amendment, and provisions which have. This is for ease of reading the protocol in its entirety.

To assist interested parties in identifying which aspects of this document that are being amended, each chapter heading contains a call-out box which briefly summarises which parts of the chapter have been changed as part of this amendment. This does not include changes to formatting or section numbering as a result of the proposed amendments.

The department is seeking submissions only on those aspects of this document which are within the scope of the amendment.

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Chapter 1 Preliminary

There have been minor amendments to this chapter to specify that groundwater is also managed under this water management protocol for the Central Lockyer Valley Water Supply Scheme

1 Short title

- (1) This water management protocol may be cited as the Moreton Water Management Protocol.
- (2) Reference in this document to 'this protocol' means the Moreton Water Management Protocol.

2 Commencement of the water management protocol and amendment

- (1) This protocol commenced on 6 December 2016.
- (2) This amendment to the protocol commences on the first business day after its approval by the chief executive.

3 Purpose of protocol

This protocol implements parts of the Water Plan (Moreton) 2007.

4 Area to which this protocol applies

This protocol applies to the area defined in schedule 1 of the Water Plan (Moreton) 2007.

5 Water to which this protocol applies

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

- (a) water in a watercourse or lake; and
- (b) water in springs not connected to groundwater; and
- (c) groundwater managed under a resource operations licence for the Central Lockyer Valley Water Supply Scheme.

6 Information about areas

- (1) The location of the boundaries of the plan area, water supply schemes, water management areas and zones are 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 boundaries¹.

7 Notifying the resource operations licence holder

- (1) The chief executive may determine that the resource operations licence holder for the Cressbrook Creek Water Supply Scheme is required to make releases from Cressbrook Dam or Perseverance Dam.
- (2) The chief executive must notify the resource operations licence holder—
 - (a) within 5 business days of being satisfied that a release is required; and
 - (b) when a release is no longer required.

¹ The boundaries held in digital electronic form may be inspected at any of the department's offices.

Chapter 2 Unallocated water

8 Scope of chapter 2

This chapter states the process for making available and dealing with unallocated water mentioned in part 5 division 3 of the Water Plan (Moreton) 2007.

Part 1 Unallocated water reserve type and volume

9 Scope of part 1

This part relates to section 25 of the Water Plan (Moreton) 2007.

10 Record of volume of unallocated water

The chief executive may keep a register of the volume of unallocated water available.

11 Volumes of unallocated water held in general or strategic reserve

At commencement of this amendment the total volume held in the general or strategic reserve for each subcatchment of the Water Plan (Moreton) 2007 are mentioned in table 1.

Table 1 – Unallocated water reserve volumes

Reserve	Volumetric limit (ML) by subcatchment/s area	
	5	8
General or strategic		100

This new chapter details the considerations for the chief executive in releasing unallocated water under a process stated in the water plan.

This chapter also states the volume of unallocated water held in reserve for particular subcatchments.

Part 2 Releasing unallocated water from the general or strategic reserve

12 Scope of part 2

This part relates to section 26B of the Water Plan (Moreton) 2007 and provides additional considerations for making unallocated water available from the general or strategic reserve .

13 Considerations for making unallocated water available from the general or strategic reserve

- (1) In preparing and implementing a process to release unallocated water from the general or strategic reserve, the chief executive must 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 existing water users in the plan area;
 - (f) the impact the proposed taking of, or interfering with, the water may have on the following—
 - (i) water quality;
 - (ii) estuarine areas;

- (iii) inundation of habitats;
 - (iv) the movement of fish and other aquatic species;
 - (v) the natural movement of sediment;
 - (vi) recreation and aesthetic values;
 - (vii) cultural values, including, for example, cultural values of the traditional owners of the area; and
- (g) whether the proposed taking or interfering with, or the proposed use of, the water is likely to—
- (i) have an adverse effect on groundwater flows; or
 - (ii) lead to degradation of land or downstream watercourses.

Subsection (1) does not limit the matters the chief executive may consider.

Part 3 Limitations on water entitlement to be released

14 Specification of unallocated water product

Unallocated water will only be made available as a water licence in subcatchment areas 5 and 8.

Chapter 3 Water allocation dealing rules—supplemented water allocations

Due to the insertion of a new chapter 2 this chapter is now chapter to 3.

New divisions 4 and 5 have been added to this chapter to deal with water allocation change rules permitted and prohibited under this chapter.

15 Scope of chapter 3—Act, s. 158

- (1) This chapter provides the water allocation dealing rules for water allocations managed under a resource operations licence within the Water Plan (Moreton) 2007 area.
- (2) Water allocation dealing rules that apply to specific water supply schemes are stated in part 2, divisions 1, 2, 3, 4 and 5 of this chapter.

16 Definition for this chapter

For this chapter—

total nominal volume in a zone is the total nominal volume of all water allocations of the same priority group for—

- (a) the zone; and
- (b) a certificate issued under section 159 of the *Water Act 2000*.

Part 1 Water allocation dealings—general

17 Permitted subdivisions and amalgamations

- (1) Subdivision of a water allocation is permitted where—
 - (a) the sum of the nominal volumes of the new water allocations is equal to the nominal volume of the water allocation that is being subdivided;
 - (b) the location and priority group of the new water allocations are the same as that of the water allocation that is being subdivided; and
 - (c) for a Morton Vale Pipeline zone water allocation, held by the resource operations licence holder, to which section 39 of the Water Plan (Moreton) 2007 applies, if the subdivision relates to an existing water use agreement or supply contract with a water user upon commencement of this protocol, the subdivision—
 - (i) results in water allocations with nominal volumes equal to—
 - (A) the volume stated on an existing water use agreement between the resource holder and water user; or
 - (B) the volume stated on an existing supply contract between the resource operations licence holder and water user; and
 - (C) the volume stated on a water allocation held by the resource operations licence holder; and
 - (ii) results in any water allocation created in accordance with (i) (A) or (B) being transferred to the water user stated in (i) (A) or (B).
- (2) Amalgamation of water allocations is permitted where—
 - (a) the nominal volume of the new water allocation is equal to the sum of the nominal volumes of the water allocations that are being amalgamated; and

- (b) the location and priority group of the water allocations that are being amalgamated are the same.

18 Assessed changes

- (1) The holder of a water allocation that states the purpose as 'distribution loss' may apply to the chief executive, under section 159 of the *Water Act 2000*, to change the purpose of the water allocation to 'any'.
- (2) The water allocation holder must provide information with the application detailing—
 - (a) that there is sufficient volume held under remaining water allocations to provide for distribution losses within the system;
 - (b) that the proposed change meets the Water Plan (Moreton) 2007 objectives; and
 - (c) any other matters the chief executive considers appropriate.
- (3) This section does not apply to a change permitted under section 30.

19 Application for changes not specified as permitted or prohibited

An application for a change to a water allocation that is not specified as permitted or prohibited in this chapter may be made in accordance with part 5, division 3, subdivision 4 of the *Water Regulation 2016*.

Part 2 Water allocation dealing rules

Division 1 Water allocation dealings—Central Brisbane River and Stanley River water supply schemes

20 Scope of division 1

This division states water allocation dealing rules for water allocations managed under the resource operations licences for—

- (a) the Central Brisbane River Water Supply Scheme; and
- (b) the Stanley River Water Supply Scheme.

21 Permitted changes

The following changes to a water allocation are permitted—

- (a) a change to the location for the taking of water under a water allocation if the change would not result in a total nominal volume in a zone that is greater than the maximum volume as stated in table 2;
- (b) a change to the priority group of a water allocation from high priority to medium priority—
 - (i) where the nominal volume, in megalitres, is calculated by dividing the nominal volume of the water allocation that belongs to the high priority group, by the conversion factor of 1.0; and
 - (ii) provided the total nominal volume does not exceed the maximum total nominal volume for the zone stated in table 2.

Table 2 – Limits of total nominal volume in a zone

Zone	High priority group water allocations—total nominal volumes	Medium priority group water allocations—total nominal volumes
	Maximum volume (ML)	Maximum volume (ML)
Brisbane Zone	279 000	96
Mid-Brisbane Zone		7 376
Somerset Zone	5 000	—

22 Prohibited changes

A change to the location of a water allocation is prohibited if the change would result in a total nominal volume in a zone that exceeds the maximum total nominal volume for the zone for a priority group stated in table 2.

Division 2 Water allocation dealings—Warrill Valley Water Supply Scheme

23 Scope of division 2

This division states water allocation dealing rules for water allocations managed under the resource operations licence for the Warrill Valley Water Supply Scheme.

24 Permitted changes

A change to the location for the taking of water under a water allocation is permitted if the change would not result in a total nominal volume in a zone that is greater than the maximum volume as stated in table 3.

Table 3 – Limits of total nominal volume in a zone

Zone	High priority group water allocations--total nominal volumes	Medium priority group water allocations—total nominal volumes
	Maximum volume (ML)	Maximum volume (ML)
Warrill Zone A	1760	3442
Warrill Zone B	50	2932
Warrill Zone C	250	10 984
Warrill Zone D	14	7331
Warrill Zone E	376	1466
Warrill Zone F	3876	1466

25 Prohibited changes

A change to the location of a water allocation is prohibited if the change would result in a total nominal volume in a zone that exceeds the maximum total nominal volume for the zone for a priority group stated in table 3.

Division 3 Water allocation dealings—Lower Lockyer Valley Water Supply Scheme

26 Scope of division 3

This division states water allocation dealing rules for water allocations managed under the resource operations licence for the Lower Lockyer Valley Water Supply Scheme.

27 Permitted changes

A change to the location for the taking of water under a water allocation is permitted if the change would not result in a total nominal volume in a zone that is greater than the maximum volume or less than the minimum volume within that zone as stated in table 4.

Table 4 – Limits of total nominal volume in a zone

Zone	Medium priority group water allocations—total nominal volume	
	Minimum (ML)	Maximum (ML)
Lower Lockyer Zone A	2652	3313
Lower Lockyer Zone B	536	886
Lower Lockyer Zone C	2185	2793
Lower Lockyer Zone D	3352	3792
Lower Lockyer Zone E	2421	3175

Division 4 Water allocation dealings—Central Lockyer Valley Water Supply Scheme (surface water)

28 Scope of division 4

This division states water allocation dealing rules for surface water allocations managed under the resource operations licence for the Central Lockyer Valley Water Supply Scheme.

Subdivision 1 Permitted changes

29 Change to priority group

A change to the priority group is permitted if—

- (a) the change is from high priority to medium priority B; and
- (b) the location stated on the water allocation is the Morton Vale Pipeline zone; and
- (c) the change would not result in a total nominal volume in a zone that is greater than the maximum volume for each priority group in table 5.

30 Change to purpose

A change to the purpose from “distribution loss” to “any” is permitted if the holder of the allocation has also applied to change the priority group in accordance with section 29.

31 Change to a location

A change to the location for the taking of water under a water allocation is permitted only if—

- (a) the change would not result in a total nominal volume in a zone that is greater than the maximum allowable nominal volume for each priority group stated in table 5; and

- (b) the change is within a zone.

Table 5 – Limits of total nominal volume in a zone

Zone	Maximum allowable nominal volume (ML)		
	High priority group	Medium priority B group	Medium priority C group
Central Lockyer Surface Water Zone 1	0		1 963
Central Lockyer Surface Water Zone 2	0		2 094
Central Lockyer Surface Water Zone 3	0		1 168
Central Lockyer Surface Water Zone 4	0		6
Central Lockyer Surface Water Zone 5	0		73
Morton Vale Pipeline zone	184	3 691	0

Subdivision 2 Prohibited changes

32 Prohibited changes

A change to a water allocation is prohibited unless explicitly permitted under–

- (a) this division; or
- (b) part 1.

Division 5 Water allocation dealings—Central Lockyer Valley Water Supply Scheme (groundwater)

33 Scope of division 5

This division states water allocation dealing rules for groundwater allocations managed under the resource operations licence for the Central Lockyer Valley Water Supply Scheme.

Subdivision 1 Permitted changes

34 Change to a location

A change to the location for the taking of water under a medium priority A water allocation is permitted only if the change would not result in a total nominal volume in a zone that is greater than the maximum volume stated in table 6.

Table 6 – Limits of total nominal volume in a zone

Zone	Maximum allowable nominal volume (ML) for Medium priority A group
Central Lockyer Groundwater Zone 2	772
Central Lockyer Groundwater Zone 3a	1 229
Central Lockyer Groundwater Zone 5	927
Central Lockyer Groundwater Zone 6	2 096
Central Lockyer Groundwater Zone 8	2 392
Central Lockyer Groundwater Zone 9	1 769

Subdivision 2 Prohibited changes

35 Prohibited changes

A change to a water allocation is prohibited unless explicitly permitted under–

- (a) this division; or
- (b) part 1.

Chapter 4 Warrill Valley Water Management Area

No changes have been made to this chapter.

36 Scope of chapter 4

This chapter sets out process for making announced periods for water licences with a purpose of water harvesting located within the Warrill Valley Water Management Area as detailed in attachment 1.

37 Announced period

- (1) The chief executive must develop and make available a procedure for determining the start and finish of an announced period.
- (2) In determining the start and finish of an announced period, the chief executive must have regard to information provided by the resource operations licence holder about—
 - (a) when flows exceed operational and user requirements of the Warrill Valley Water Supply Scheme; and
 - (b) the expected duration of flow events.
- (3) For this section—

announced period means the period of time, as determined and announced by the chief executive, when water may be taken in a water year under the authority of a water allocation.

Chapter 5 Performance assessment

No changes have been made to this section.

38 Water monitoring

- (1) The chief executive must measure or collect and keep publicly available, records of—
- (a) water quantity;
 - (b) water taken;
 - (c) nominal volume of water permanently traded and seasonally assigned;
 - (d) the number of permanent trades and seasonal assignments; and
 - (e) prices for water permanently traded.

The chief executive may use information collected to support water resource assessment and reporting.

39 Natural ecosystems monitoring

The chief executive must collect and keep publicly available information on ecological assets that are linked to the ecological outcomes of the Water Plan (Moreton) 2007.

40 Assessment

The chief executive must make ongoing assessments of whether the trends in the data measured, collected and recorded as required by this chapter indicate that the outcomes specified in the Water Plan (Moreton) 2007 are being achieved.

Attachment 1 Warrill Valley Water Management Area

