Condamine and Balonne

Water Management Protocol

February 2019
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(Revision 1)
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Chapter 1  Preliminary

1  Short title

This water management protocol may be cited as the Condamine and Balonne water management protocol 2019.

2  Commencement

   (1) The following provisions commence on 1 July 2019—

      (a) chapter 11; and

      (b) chapter 12, part 1.

   (2) The remaining provisions commence on the first business day after this water management protocol is made and is available on the department’s website.

3  Purpose

This protocol implements parts of the Water Plan (Condamine and Balonne) 2019.

4  Interpretation of words

The dictionary in attachment 1 defines particular words used in this protocol.

5  Area to which protocol applies

This protocol applies to the plan area for the Water Plan (Condamine and Balonne) 2019 as shown in schedule 1 of the Water Plan (Condamine and Balonne) 2019.

6  Water to which protocol applies

This protocol applies to surface water and underground water in the plan area.

7  Water supply schemes and zones

   (1) All water supply schemes in the Water Plan (Condamine and Balonne) 2019 area are shown in the map in attachment 2.

   (2) Each water supply scheme shown in maps in attachments 3 to 6 is a water supply scheme for the Water Plan (Condamine and Balonne) 2019 and for the purposes of water allocation dealing rules in this plan.
8 Water management areas and zones

(1) Each water management area shown in the map in attachment 7 is a water management area for the Water Plan (Condamine and Balonne) 2019.

(2) Each water management area, water management area zone and underground water zone shown in the maps in attachments 7 to 18 is a water management area, water management area zone or underground water zone for the Water Plan (Condamine and Balonne) 2019.

(3) Each water management area zone and underground water zone shown in maps in attachments 8 to 18 is also for the purposes of water sharing rules, water allocation dealing rules and seasonal water assignment rules in this plan.

(4) Each water management area or zone includes—
   (a) for surface water—
      (i) each part of a watercourse, lake or spring that lies within the water management area or zone; and
      (ii) those sections of tributaries where there is access to flow or pondage from a watercourse or lake within the water management area or zone.
   (b) for underground water—the boundaries of the underground water sub-areas, cadastre and boundaries of the underground water zones.

9 Water allocation groups and flow thresholds

(1) Each water allocation group for unsupplemented surface water stated in attachment 19 is a water allocation group as stated in the Water Plan (Condamine and Balonne) 2019.

(2) Attachment 19 states the applicable flow condition for each water allocation group.
Chapter 2 Unallocated water

10 Application of this chapter

This chapter states the volumes of unallocated water reserved for stated purposes or stated locations mentioned in section 41 of the Water Plan (Condamine and Balonne) Plan 2019.

11 Availability of reserves

(1) Unallocated water held as a reserve of underground water is reserved for the following purposes—

(a) helping an Aboriginal community achieve its economic and social aspirations; and

(b) any.

(2) The volume and location of unallocated water held as a reserve of underground water is detailed in attachment 20, table 1.
Chapter 3  Supplemented water allocations – water allocation dealing rules

12 Application of this chapter

(1) For section 158(2) of the Act, this chapter states the water allocation dealing rules that apply to supplemented water allocations managed under the resource operations licences for the—

(a) Upper Condamine water supply scheme;

(b) Chinchilla Weir water supply scheme;

(c) Maranoa River water supply scheme; and

(d) St George water supply scheme.

(2) The process for making an application for a water allocation dealing is prescribed in the Water Regulation 2016, part 5, division 3.

Division 1  Permitted water allocation dealings

14 Application of this division

For section 158(4) of the Act, this division states the type of water allocation dealings that are permitted under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(a).

15 Subdivisions and amalgamations – Upper Condamine, Chinchilla Weir and Maranoa River water supply schemes

(1) A subdivision of a water allocation is permitted if—

(a) the total of the nominal volumes of the resulting water allocations is the same as the nominal volume of the water allocation being subdivided; and

(b) the nominal volumes of the resulting water allocations are expressed as whole numbers, unless the water allocation being subdivided has a nominal volume that is not a whole number; and

(c) each resulting water allocation states the same terms and conditions as the water allocation being subdivided. The terms and conditions are—

(i) purpose,

(ii) location; and

(iii) priority group.
(2) An amalgamation of two or more water allocations into a single water allocation is permitted if—

(a) the nominal volume of the resulting water allocation equals the total of the nominal volumes of the water allocations being amalgamated; and

(b) the water allocations being amalgamated have the same terms and conditions. They are—

(i) purpose,

(ii) location; and

(iii) priority group.

16 Subdivisions and amalgamations – St George water supply scheme

(1) A subdivision of a water allocation is permitted if—

(a) the total of the nominal volumes of the resulting water allocations is the same as the nominal volume of the water allocation being subdivided; and

(b) the nominal volumes of the resulting water allocations are expressed as whole numbers, unless the water allocation being subdivided has a nominal volume that is not a whole number; and

(c) each resulting water allocation states the same terms and conditions as the water allocation being subdivided. They are—

(i) purpose,

(ii) nominal location,

(iii) location; and

(iv) priority group.

(2) An amalgamation of two or more water allocations into a single water allocation is permitted if—

(a) the nominal volume of the resulting water allocation equals the total of the nominal volumes of the water allocations being amalgamated; and

(b) the water allocations being amalgamated have the same terms and conditions. They are—

(i) purpose,

(ii) nominal location,

(iii) location; and

(iv) priority group.
17 Location (water supply scheme zone)

(1) A change to the location for the taking of water under the authority of a water allocation is permitted if the change would not result in a total nominal volume in a water supply scheme zone that exceeds the maximum nominal volume or is less than the minimal volumes in—

(a) for the Upper Condamine water supply scheme—table 1;
(b) for the Chinchilla Weir water supply scheme—table 2; and
(c) for the St George water supply scheme—table 3.

(2) Despite subsection (1)(c), the minimum volumes do not apply to a water allocation with a nominal location of water supply scheme zone LBS-03 if its nominal volume on 26 March 2010 was less than or equal to 25 megalitres.

(3) For this section—

**total nominal volume in a water supply scheme zone** means the sum of the nominal volumes of all water allocations in the same priority group—

(a) located in the water supply scheme zone; and

(b) for which a relevant certificate for a dealing has been issued under section 159 of the Act.

*Table 1 – Limits of total nominal volume in a water supply scheme zone for water allocations in the Upper Condamine water supply scheme*

<table>
<thead>
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<th>Priority group</th>
<th>Maximum</th>
<th>Minimum</th>
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Table 2 – Limits of total nominal volume in a water supply scheme zone for water allocations in the Chinchilla Weir water supply scheme

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Table 3 – Limits of total nominal volume in a water supply scheme zone for water allocations in the St George water supply scheme

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18  Purpose—St George water supply scheme

A change to the purpose of a water allocation managed under the resource operations licence for the St George water supply scheme is permitted where the change results in a purpose of—

(a) ‘any’;

(b) ‘distribution loss’; or

(c) ‘urban’.

Division 2  Prohibited water allocation dealings

19  Application of this division

For section 158(4)(a) of the Act, this division states the type of water allocation dealings that are prohibited under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(c).
20 Subdivisions and amalgamations—Upper Condamine, Chinchilla Weir and Maranoa River water supply schemes

(1) A subdivision of a water allocation in the Upper Condamine, Chinchilla Weir or Maranoa River water supply schemes is prohibited if the subdivision is not in accordance with section 15(1).

(2) An amalgamation of two or more water allocations in the Upper Condamine, Chinchilla Weir or Maranoa River water supply schemes is prohibited if the amalgamation is not in accordance with section 15(2).

21 Subdivisions and amalgamations—St George water supply scheme

(1) A subdivision of a water allocation in the St George water supply scheme is prohibited if the subdivision is not in accordance with section 16(1).

(2) An amalgamation of two or more water allocations in the St George water supply scheme is prohibited if the amalgamation is not in accordance with section 16(2).

22 Location (water supply scheme zone)

A change to the location for the taking of water under the authority of a water allocation is prohibited if it is not permitted under section 17.

23 Priority group

A change to the priority group of a water allocation is prohibited if the change is to a priority group that is not specified as—

(a) for the Upper Condamine water supply scheme—

   (i) high class A priority;
   (ii) high class B priority;
   (iii) risk class A priority;
   (iv) risk class B priority; or
   (v) medium priority.

(b) for the Chinchilla Weir water supply scheme—

   (i) high priority; or
   (ii) medium priority.

(c) for the Maranoa River water supply scheme—medium priority.

(d) for the St George water supply scheme—

   (i) high priority; or
   (ii) medium priority.
24 Nominal location—St George water supply scheme

A change to the nominal location for a water allocation is prohibited.

Division 3 Other dealings

25 Application for a change to a water allocation not specified as permitted or prohibited

An application for a water allocation dealing that is not specified as permitted or prohibited may be made in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.
Chapter 4  Unsupplemented water allocations – Upper Condamine water management area

26  Application of this chapter

This chapter applies to all unsupplemented water allocations in the Upper Condamine water management area and deals with—

(a) water sharing rules;
(b) data collection rules;
(c) water allocation dealing rules; and
(d) seasonal water assignment rules.

27  Upper Condamine water management area zone group

For this chapter the following water management area zones (zones) form the Upper Condamine water management area zone group (zone group)—

(a) UCU-03;
(b) UCU-04;
(c) UCU-05;
(d) UCU-06;
(e) UCU-07;
(f) UCU-08; and
(g) UCU-09.

Part 1  Water sharing rules

28  Water allocations with associated storage condition or conjunctive storage condition

(1) This section applies to water allocations which state a condition that—

(a) the take of water under the allocation is limited by associated storage works; or

(b) water taken under the allocation is stored conjunctively with overland flow water taken under another authority.

(2) Water taken under the authority of the water allocation must not—

(a) exceed the annual volumetric limit stated on the water allocation in any water year; and

(b) be stored in any works other than in the storages referred to by the relevant condition on the water allocation.
29 Water allocations with multiyear account water sharing rule

(1) This section applies to water allocations that state a condition that the take of water under the water allocation is managed under a multiyear account water sharing rule.

(2) The chief executive must establish a volumetric account for each water allocation.

(3) The volumetric account limit for a water allocation is equal to the volumetric limit of the water allocation multiplied by two.

(4) The minimum volume of water that may be held in an account is zero megalitres.

(5) At the start of the water year the chief executive must credit the volumetric account with the lesser of—

   (a) the difference between the volumetric account limit and the closing account balance at the end of the water year; and

   (b) the volumetric limit.

(6) Water taken under the authority of the water allocation must be deducted from the volumetric account.

30 Announced period—Upper Condamine zone group

(1) This section applies to water allocations that—

   (a) are located in the Upper Condamine water management area zone group; and

   (b) state a flow condition of 'the taking of water in accordance with the flow condition on this water allocation must be by announcement'.

(2) Water must not be taken under a water allocation except during an announced period.

(3) The chief executive must notify holders of water allocations of—

   (a) the start and end of an announced period;

   (b) the water allocations that the announcement relates to; and

   (c) any rules relating to the taking of water during the announced period.

(4) In deciding the start, end and rules under which the holder of a water allocation may take water, the chief executive must ensure any decision made under this section has regard to the requirement for a passing flow of 86 ML/day at the end of each water management area zone.
(5) In deciding the start, end and rules under which a holder of a water allocation may take water, the chief executive must have regard to—

(a) information about flows including flows in the Condamine River at the following locations—

(i) Tummaville gauging station on the Condamine River (GS 422323A) AMTD 974.1 km;

(ii) Yarramalong gauging station on the Condamine River (GS 422353A) AMTD 967.0 km;

(iii) Lemon Tree gauging station on the Condamine River (GS 422349A) AMTD 943.4 km; and

(iv) Cecil Plains gauging station on the Condamine River (GS 422316A) AMTD 891.1 km;

(b) the taking of water under water allocations to which this section applies including the cumulative rate of take for water allocations that state the same flow condition; and

(c) any management guidelines applying to water allocations to which this section applies.

31 Announced period—Upper Condamine zone UCU-11

(1) This section applies to water allocations that—

(a) are located in zone UCU-11 of the Upper Condamine water management area; and

(b) state a flow condition of 'by announcement'.

(2) Water must not be taken under a water allocation except during an announced period.

(3) The chief executive must notify holders of water allocations of—

(a) the start and end of an announced period;

(b) the water allocations that the announcement relates to; and

(c) any rules relating to the taking of water during the announced period.

(4) The chief executive may decide an announced period applies to all or part of water management area zone UCU-11.
(5) In deciding the start, end and rules under which the holder of a water allocation may take water, the chief executive must have regard to—

(a) information about flows including flows in the Condamine River North Branch at the following locations—

(i) Melrose Weir on the Condamine River North Branch AMTD 50.0 km;
(ii) Yarramalong diversion pipeline outlet AMTD 97.0 km;
(iii) Pampas gauging station on the Condamine River North Branch (GS 422347B) AMTD 88.0 km; and
(iv) Lone Pine gauging station on the Condamine River North Branch (GS 422345A) AMTD 47.6 km; and

(b) the provisions of any management guidelines that apply to the water allocations to which this section applies.

Part 2     Data collection rules

32 Water allocation holder data collection and transfer

(1) The water allocation holder or any seasonal water assignee must record the volume of water taken and meter readings, time and date at the—

(a) start of taking water; and
(b) end of taking water.

(2) The water allocation holder or any seasonal water assignee must transfer the data recorded under subsection (1) to the chief executive—

(a) within five business days following an event for water taken under the authority of a water allocation with flow conditions; or
(b) within five business days of the end of the quarter for water taken under the authority of a water allocation with a ‘Nil’ passing flow condition.

(3) The chief executive must advise the resource operations licence holder of the meter readings for water allocations subject to an announced period provided under subsection (2) and the approved volume of unsupplemented water taken within ten business days of the conclusion of each announced period.

33 Water allocation holder notification of change to storage

(1) The water allocation holder must notify the chief executive, in writing, within 20 business days of completion of a new storage or any change to an existing storage, that is used to store water taken under the authority of a water allocation.

(2) Subsection (1) does not apply to activities associated with maintenance of a storage that do not increase the volume of water that could be stored.
Part 3  Water allocation dealing rules

34 Application of this part

(1) For section 158(2) of the Act, this part states the water allocation dealing rules that apply to unsupplemented water allocations in the Upper Condamine water management area.

(2) The process for making an application for a water allocation dealing is prescribed in the Water Regulation 2016, part 5, division 3.

Division 1  Permitted water allocation dealings

35 Application of this division

For section 158(4)(a) of the Act, this part states the type of water allocation dealings that are permitted under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(a).

36 Subdivisions or amalgamations

(1) A subdivision of a water allocation is permitted if—

(a) the water allocation being subdivided does not state an associated storage condition;

(b) the total of the nominal volumes of the resulting water allocations is the same as the nominal volume of the water allocation being subdivided;

(c) the nominal volumes of the resulting water allocations are expressed as whole numbers, unless the water allocation being subdivided has a nominal volume that is not a whole number;

(d) the maximum rate of take and the volumetric limit of the water allocation being subdivided are subdivided in the same proportion as the nominal volume of each resulting water allocation; and

(e) each resulting water allocation states the same terms and conditions as the water allocation being subdivided. They are—

(i) purpose,

(ii) location;

(iii) water allocation group;

(iv) flow conditions; and

(v) any other conditions.
(2) An amalgamation of two or more water allocations into a single water allocation is permitted if—

(a) for each water allocation being amalgamated—

(i) the ratio between the nominal volume of the water allocation and the rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each other water allocation being amalgamated and rate of take and volumetric limit of that other water allocation; and

(ii) the terms and conditions are the same. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions;

(E) any other conditions; and

(b) the amalgamation results in a water allocation—

(i) for which the ratio between the nominal volume of the water allocation and rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each water allocation being amalgamated and rate of take and volumetric limit of that water allocation; and

(ii) that has the same terms and conditions as the water allocations being amalgamated. They are—

(A) purpose,

(B) location,

(C) water allocation group,

(D) flow conditions; and

(E) any other conditions.

Division 2 Prohibited water allocation dealings

37 Application of this division

For section 158(4)(c) of the Act, this division states the type of water allocation dealings that are prohibited under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(c).

38 Subdivisions or amalgamations

(1) Subdivision of a water allocation is prohibited if the subdivision is not in accordance with section 36(1).

(2) Amalgamation of two or more water allocations is prohibited if the amalgamation is not in accordance with section 36(2).
39 Location

(1) A change to the location of a water allocation is prohibited if the resulting location does not include a zone and a place.

(2) A change to the location of a water allocation is prohibited if the water allocation states—

(a) a conjunctive storage condition;

(b) an associated storage condition; or

(c) a ‘Nil’ passing flow condition.

40 Removing a multiyear account water sharing rule condition

A change to a water allocation is prohibited if the change is to remove a condition that the take of water under the water allocation is managed under a multiyear account water sharing rule.

41 Adding or changing associated storage condition

A change to a water allocation is prohibited if the change is to—

(a) add a condition limiting take by associated storage;

(b) change a condition limiting take by associated storage where the change would result in a change to—

(i) the volumetric limit stated on the water allocation; or

(ii) the associated storages stated on the water allocation if the chief executive is satisfied the change would result in—

(A) more storage capacity than the existing associated storages; and

(B) the associated storages not being located on the administrative plan associated with the water allocation;

(c) change the administrative plan that describes the works footprint for the water allocation other than necessary to comply with a change that is not prohibited under subsection (b)(ii)).

42 Water source

(1) A change to a water allocation that would allow water to be physically taken other than from a watercourse according to section 5 of the Act is prohibited.

(2) Subsection (1) applies to a change to the elements of a water allocation.
Division 3  Assessed water allocation dealings

43  Application of this division

(1) For section 158(4)(b) of the Act, this division states the types of water allocation dealings that must be assessed against stated criteria under the water allocation dealing rules in this protocol.

(2) The division states, for the Water Regulation 2016, section 67(2)(b), the criteria for assessment for a dealing that must be assessed under this protocol.

Note—

For deciding a water allocation dealing under this division, see the Water Regulation 2016, sections 67 and 68.

44  Assessing applications for particular dealings

(1) The following are applications for particular water allocation dealings that must be assessed under this protocol—

(a) change to remove a ‘no store’ condition from a water allocation;

(b) change to remove an associated storage condition from a water allocation;

(c) change to remove a conjunctive storage condition from a water allocation; and

(d) change to the location of a water allocation, where the water allocation being changed states a zone and place.

(2) For subsection (1)(a), the chief executive must approve the application, with or without conditions if the chief executive is satisfied that it is consistent with the general assessment criteria in section 45 and the specific assessment criteria in section 46.

(3) For subsections (1) (b) to (d), the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the relevant specific assessment criteria mentioned in the following sections—

(a) for a change to remove an associated storage condition from a water allocation—section 47;

(b) for a change to remove a conjunctive storage condition from a water allocation—section 48; and

(c) for a change to the location of a water allocation, where the water allocation being changed states a zone and place—section 49.

(4) The application is to be made in accordance with section 63 of the Water Regulation 2016.

(5) There is no requirement to publish a notice of the application if it is made in accordance with this protocol.

(6) If the chief executive is satisfied there will be considerable expense in investigating the application, the applicant must pay the reasonable costs incurred by the chief executive in investigating the application in accordance with part 5, division 2, subdivision 2, section 66, of the Water Regulation 2016.
(7) If the chief executive is not satisfied that the criteria have been met, the chief executive must refuse the application.

(8) Within 10 business days of deciding to approve or refuse an application for a particular water allocation dealing, the chief executive must give written notice of the decision to the applicant.

(9) Despite subsections (4) to (7), the criteria and process for applications mentioned in subsection (1) (a) must be in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.

45 General assessment criteria

The following are general assessment criteria for the purpose of assessing an application for a dealing mentioned in section 44(1)(a)—

(a) the change meets the objectives of the Water Plan (Condamine and Balonne) 2019;

(b) the change will not significantly adversely affect water entitlement holders, resource operations licence holders or natural ecosystems;

(c) there is no change to the nominal volume of the water allocation; and

(d) the change does not result in an increase in the share of water available to be taken under the water allocation.

46 Removing a ‘no store’ condition

If the chief executive decides to approve an application to change a water allocation by removing a condition that states water taken under the authority of this water allocation cannot be stored (a ‘no store’ condition), the chief executive must include a passing flow condition other than ‘Nil’ on the water allocation.

47 Removing an associated storage condition

If the chief executive decides to approve an application to change a water allocation by removing a condition stating that the take of water is limited by associated storage, the chief executive must—

(a) include a condition on the water allocation stating that water taken under the authority of the water allocation is managed under a multiyear account water sharing rule; and

(b) change the volumetric limit stated on the water allocation to ensure that the average annual volume of water that may be taken does not exceed the nominal volume stated on the water allocation.

48 Removing a conjunctive storage condition

The chief executive must not approve an application to change a water allocation by removing a condition that water taken is stored conjunctively with overland flow, if the chief executive has not made a decision under the Act regarding the granting or amending of a water licence for taking the overland flow water stored conjunctively with water taken under the water allocation, in accordance with the Water Plan (Condamine and Balonne) 2019.

49 Location

The chief executive must not approve an application to change the location of a water allocation, where the water allocation states a zone and place, if the change will result in a change to the zone stated on the water allocation.
Division 1  Other water allocation dealings

50  Application for a change to a water allocation not specified as permitted, prohibited or assessed

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

Part 4  Seasonal water assignment rules

51  Water allocations with multiyear account water sharing rule condition

The chief executive must only approve an application for seasonal water assignment of a water allocation with a multiyear account water sharing rule condition if—

(a) the seasonal water assignment is for the remainder of the water year;

(b) the location for the take of the water that is the subject of the seasonal water assignment is the same as the location for the water allocation being seasonally assigned;

(c) the flow condition under which water may be taken under seasonal water assignment is the same as the flow condition for the water allocation being seasonally assigned;

(d) the volume of water being seasonally assigned is equal to or less than the volume of water available in the volumetric account for the water allocation; and

(e) the maximum rate of take under the seasonal water assignment is in the same proportion as the share of the volume being assigned relative to the unused volume in the volumetric account.
Chapter 5  Unsupplemented water allocations – Condamine and Balonne water management area

52 Application of this chapter
This chapter applies to all unsupplemented water allocations in the Condamine and Balonne water management area and deals with—
(a) water sharing rules;
(b) accounting and data collection rules;
(c) water allocation dealing rules; and
(d) seasonal water assignment rules.

53 Charleys Creek water management area zone group
For this chapter the following water management area zones form the Charleys Creek zone group—
(a) CBU-10;
(b) CBU-11;
(c) CBU-12;
(d) CBU-13;
(e) CBU-14;
(f) CBU-15;
(g) CBU-16;
(h) CBU-17;
(i) CBU-18.

Part 1  Water sharing rules

54 Water allocations limited by an associated storage or conjunctive storage conditions
(1) This section applies to water allocations which state a condition that—
(a) the take of water under the authority of the water allocation is limited by associated storage works; or
(b) water taken under the authority of the water allocation is stored conjunctively with overland flow water taken under another authority.

(2) Water taken under the authority of the water allocation must not—
(a) exceed the annual volumetric limit stated on the water allocation in any water year; and
(b) be stored in any works other than in the storages referred to by the relevant condition on the water allocation.
55 Water allocations with a multiyear account water sharing rule condition

(1) This section applies to water allocations that state a condition that the take of water under the authority of the water allocation is managed under a multiyear account water sharing rule.

(2) The chief executive must establish a volumetric account for each water allocation.

(3) The volumetric account limit for a water allocation is equal to the volumetric limit stated on the water allocation multiplied by two.

(4) The minimum volume of water that may be held in the volumetric account is zero megalitres.

(5) At the start of the water year the chief executive must credit the volumetric account with the lesser of—

(a) the difference between the volumetric account limit and the closing account balance at the end of the water year; and

(b) the volumetric limit.

(6) Water taken under the authority of the water allocation must be deducted from the volumetric account.

Part 2 Data collection rules

56 Water allocation holder data collection and transfer

(1) The water allocation holder or any seasonal water assignee must record meter readings, time and date at the—

(a) start of taking water; and

(b) end of taking water.

(2) The water allocation holder or any seasonal water assignee must transfer the data recorded under subsection (1) to the chief executive—

(a) within five business days following an event for water taken under the authority of a water allocation with flow conditions; or

(b) within five business days of the end of the quarter for water taken under the authority of a water allocation with a ‘Nil’ passing flow condition.

57 Water allocation holder notification of change to storage

(1) The water allocation holder must notify the chief executive, in writing, within 20 business days of completion of a new storage or any change to an existing storage, that is used to store water taken under the authority of a water allocation.

(2) Subsection (1) does not apply to activities associated with maintenance of a storage that do not increase the volume of water that could be stored.
Part 3  Water allocation dealing rules

58 Application of this part

(1) For section 158(2) of the Act, this part states the water allocation dealing rules that apply to unsupplemented water allocations in the Condamine and Balonne water management area.

(2) The process for making an application for a water allocation dealing is prescribed in the Water Regulation 2016, part 5, division 3.

Division 1  Permitted water allocation dealings

59 Application of this division

For section 158(4)(a) of the Act, this part states the type of water allocation dealings that are permitted under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(a).

60 Subdivisions or amalgamations

(1) A subdivision of a water allocation is permitted if—

(a) the water allocation being subdivided does not state an associated storage condition;

(b) the total of the nominal volumes of the resulting water allocations is the same as the nominal volume of the water allocation being subdivided;

(c) the nominal volumes of the resulting water allocations are expressed as whole numbers, unless the water allocation being subdivided has a nominal volume that is not a whole number;

(d) the maximum rate of take and the volumetric limit of the water allocation being subdivided is subdivided in the same proportion as the nominal volume of each resulting water allocation; and

(e) each resulting water allocation states the same terms and conditions as the water allocation being subdivided. They are—

   (i) purpose;

   (ii) location;

   (iii) water allocation group;

   (iv) flow conditions; and

   (v) any other conditions.
(2) An amalgamation of two or more water allocations into a single water allocation is permitted if—

(a) for each water allocation being amalgamated—

(i) the ratio between the nominal volume of the water allocation and the rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each other water allocation being amalgamated and rate of take and volumetric limit of that other water allocation; and

(ii) the terms and conditions are the same. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions; and

(E) any other conditions; and

(b) the amalgamation results in a water allocation—

(i) for which the ratio of the nominal volume of the water allocation and rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each water allocation being amalgamated and rate of take and volumetric limit of that water allocation; and

(ii) that has the same terms and conditions as the water allocations being amalgamated. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions; and

(E) any other conditions.

Division 2 Prohibited water allocation dealings

61 Application of this division

For section 158(4)(c) of the Act, this division states the type of water allocation dealings that are prohibited under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(c).

62 Subdivisions and amalgamations

Subdivision of a water allocation is prohibited if the subdivision is not in accordance with section 60(1).
63 **Removing multiyear account water sharing rule condition**

A change to a water allocation to remove a multiyear account water sharing rule condition is prohibited.

64 **Adding or changing associated storage condition**

A change to a water allocation is prohibited if the change is to—

(a) add a condition limiting take by associated storage;

(b) change a condition limiting take by associated storage where the change would result in a change to—

(i) the volumetric limit stated on the water allocation; or

(ii) the associated storages stated on the water allocation if the chief executive is satisfied the change would result in—

(A) more storage capacity than the existing associated storages; and

(B) the associated storages not being located on the administrative plan associated with the water allocation;

(c) change the administrative plan that describes the works footprint for the water allocation other than necessary to comply with a change that is not prohibited under subsection (b)(ii).

65 **Location**

(1) A change to the location of a water allocation that has a location which includes a zone and a place is prohibited if the change does not include a zone and a place.

(2) A change to the location of a water allocation is prohibited if the water allocation states—

(a) a conjunctive storage condition;

(b) an associated storage condition; or

(c) a 'Nil' passing flow condition.

66 **Water source**

(1) A change to a water allocation that would allow water to be physically taken other than from a watercourse according to section 5 of the Act is prohibited.

(2) Subsection (1) applies to a change to the elements of a water allocation.
Division 3 Assessed water allocation dealings

67 Application of this division

(1) For section 158(4)(b) of the Act, this division states the types of water allocation dealings that must be assessed against stated criteria under the water allocation dealing rules in this protocol.

(2) The division states, for the Water Regulation 2016, section 67(2)(b), the criteria for assessment for a dealing that must be assessed under this protocol.

Note—

For deciding a water allocation dealing under this division, see the Water Regulation 2016, sections 67 and 68.

68 Assessing applications for particular dealings

(1) The following are applications for particular water allocation dealings that must be assessed under this protocol—

(a) change to remove a ‘no store’ condition from a water allocation;
(b) change to remove an associated storage condition from a water allocation;
(c) change to remove a conjunctive storage condition from a water allocation;
(d) change to remove a ‘no store’ condition from a water allocation located in the Charley’s Creek zone group;
(e) change to a ‘Nil’ passing flow condition on a water allocation located in the Charley’s Creek zone group; and
(f) change to the location of a water allocation with a visible passing flow condition located in the Charley’s Creek zone group.

(2) For assessing any application made under subsection (1)(a) the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the general assessment criteria in section 69 and specific assessment criteria in section 70.
(3) For subsections (1) (b) to (f), the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the relevant specific assessment criteria mentioned in the following sections—

(a) for a change to remove an associated storage condition from a water allocation—section 71;

(b) for a change to remove a conjunctive storage condition from a water allocation—section 72;

(c) for a change to remove a ‘no store’ condition from a water allocation located in the Charley’s Creek zone group—section 73;

(d) for a change to a ‘Nil’ passing flow condition on a water allocation located in the Charley’s Creek zone group—section 74; and

(e) for a change to location of a water allocation with a visible passing flow condition located in the Charley’s Creek zone group—section 75.

(4) The application is to be made in accordance with section 63 of the Water Regulation 2016.

(5) There is no requirement to publish a notice of the application if it is made in accordance with this protocol.

(6) If the chief executive is satisfied there will be considerable expense in investigating the application, the applicant must pay the reasonable costs incurred by the chief executive in investigating the application in accordance with part 5, division 2, subdivision 2, section 66, of the Water Regulation 2016.

(7) If the chief executive is not satisfied that the criteria have been met, the chief executive must refuse the application.

(8) Within 10 business days of deciding to approve or refuse an application for a particular water allocation dealing, the chief executive must give written notice of the decision to the applicant.

(9) Despite subsections (4) to (8), the criteria and process for applications mentioned in subsection (1) (a), must be in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.

69 General assessment criteria

The following are general assessment criteria for the purpose of assessing an application for a dealing mentioned in section 68(1)(a)—

(a) the change meets the objectives of the Water Plan (Condamine and Balonne) 2019;

(b) the change will not significantly adversely affect water entitlement holders, resource operations licence holders or natural ecosystems;

(c) there is no change to the nominal volume of the water allocation; and

(d) the change does not result in an increase in the share of water available to be taken under the water allocation.
70 Removing a ‘no store’ condition

If the chief executive decides to approve an application to change a water allocation to remove a condition that states water taken under the authority of the water allocation cannot be stored, the chief executive must include a passing flow condition of no less than 86 ML/day on the water allocation.

71 Removing an associated storage condition

If the chief executive decides to approve an application to change a water allocation by removing a condition stating that the take of water is limited by associated storage, the chief executive must—

(a) include a condition on the water allocation stating that water taken under the authority of the water allocation is managed under a multiyear accounting water sharing rule; and

(b) change the volumetric limit stated on the water allocation to ensure that the average annual volume of water that may be taken does not exceed the nominal volume stated on the water allocation.

72 Removing a conjunctive storage condition

The chief executive must not approve an application to change a water allocation by removing a condition that water taken is stored conjunctively with overland flow if the chief executive has not made a decision under the Act regarding the granting or amending of a water licence for taking the overland flow water stored conjunctively with the water allocation, in accordance with the Water Plan (Condamine and Balonne) 2019.

73 Removing a ‘no store’ condition for a water allocation located in Charleys Creek zone group

(1) This section applies to water allocations that—

(a) are located in the Charleys Creek zone group; and

(b) have a condition that states water taken under the authority of this water allocation cannot be stored (a ‘no store’ condition).

(2) If the chief executive decides to approve an application to remove the ‘no store’ condition the chief executive must include a passing flow condition on the water allocation of 86 ML/day past the point of take.

74 Change a ‘Nil’ passing flow condition on a water allocation located in Charley’s Creek zone group

(1) This section applies to water allocations that—

(a) are located in the Charleys Creek zone group; and

(b) have a ‘Nil’ passing flow condition.

(2) The chief executive must approve an application to make a change to a ‘Nil’ passing flow condition if the change is to state a condition on the water allocation requiring that water can only be taken from a waterhole or weir when there is a visible flow passing downstream of the waterhole or weir control.
75 Location – water allocations with a visible passing flow condition located in Charley’s Creek zone group

(1) This section applies to water allocations that—
   (a) are located in the Charleys Creek zone group; and
   (b) have a visible passing flow condition.

(2) The chief executive must not approve an application to change the location for the taking of water under the authority of a water allocation with a visible passing flow condition if the change will result in a change to the zone stated on the water allocation.

(3) If the chief executive decides to approve the application, the chief executive must also ensure the place component of the location for taking water under the water allocation is limited to an area no larger than the ponded area of the waterhole or weir from which the water will be taken.

Division 4 Other water allocation dealings

76 Application for a change to a water allocation not specified as permitted, prohibited or assessed

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

Part 4 Seasonal water assignment rules

77 Water allocations with multiyear account water sharing rule condition

The chief executive must only approve an application for seasonal water assignment of a water allocation with a multiyear account water sharing rule condition if—

(a) the seasonal water assignment is for the remainder of the water year;

(b) the location for the take of the water that is the subject of the seasonal water assignment is the same as the location for the water allocation being seasonally assigned;

(c) the flow conditions under which water may be taken under seasonal water assignment is the same as the flow condition for the water allocation being seasonally assigned;

(d) the volume of water being seasonally assigned is equal to or less than the volume of water available in the volumetric account for the water allocation; and

(e) the maximum rate of take under the seasonal water assignment is in the same proportion as the share of the volume being assigned relative to the unused volume in the volumetric account.
Chapter 6  Unsupplemented water entitlements – Lower Balonne water management area

78 Application of this chapter

(1) This chapter applies to the following water entitlements in the Lower Balonne water management area—

(a) water allocations to take unsupplemented water; and
(b) water licences to take overland flow water which are subject to an announced period.

(2) This chapter deals with—

(a) water sharing rules;
(b) data collection rules;
(c) water allocation dealing rules; and
(d) seasonal water assignment rules.

Part 1  Water sharing rules

79 Announced periods for waterharvesting entitlements with flow conditions

(1) This section applies to a water entitlement that states a flow condition.

(2) Water must not be taken under the authority of a waterharvesting entitlement except during an announced period.

(3) The chief executive must notify holders of waterharvesting entitlements of—

(a) the start and end of an announced period;
(b) the waterharvesting entitlements that the announcement relates to; and
(c) any rules relating to the taking of water during the announced period.

(4) In deciding the start, duration and rules under which a holder of a waterharvesting entitlement may take water, the chief executive must have regard to—

(a) information about flows in the Balonne River at St George Weir;
(b) other information about flows in the Lower Balonne water management area;
(c) all authorisations to take water in the Lower Balonne water management area;
(d) the water allocation(s) held by the Commonwealth Environmental Water Holder at the downstream extent of water management area zone CBU-09 in the Condamine and Balonne water management area;
(e) the provisions of any management guidelines that apply to the waterharvesting entitlements to which this section applies; and
(f) the flow event management rules detailed in chapter 9.
80 Maximum volume of water taken during announced periods

The maximum volume of water that may be taken under the authority of a waterharvesting entitlement during an announced period must not exceed a volume that is in proportion to—

(a) the duration of the announced period notified under section 79; and

(b) the rate of take specified on the waterharvesting entitlement.

81 Waterharvesting entitlement with an instantaneous volumetric limit water sharing rule condition

(1) This section applies to a waterharvesting entitlement that states a condition requiring the entitlement to be managed under an instantaneous volumetric limit water sharing rule.

(2) The instantaneous volumetric limit is the maximum volume that may be stored at any time on the parcels of land shown on the administrative plan specified on the waterharvesting entitlement.

(3) The holder of a waterharvesting entitlement must not take water under the entitlement if a volume of water equivalent to the volumetric limit for the entitlement is stored on the parcels of land shown on the administrative plan specified on the waterharvesting entitlement at any time.

82 Waterharvesting entitlement with a multiyear account water sharing rule condition

(1) This section applies to waterharvesting entitlements that state a condition that the take of water under the entitlement is managed under a multiyear account water sharing rule.

(2) The chief executive must establish a volumetric account for each waterharvesting entitlement.

(3) The volumetric account limit for a waterharvesting entitlement is equal to the volumetric limit of the entitlement multiplied by two.

(4) The minimum volume of water that may be held in a volumetric account is zero megalitres.

(5) At the start of the water year the chief executive must credit the volumetric account with the lesser of—

(a) the difference between the volumetric account limit and the closing account balance at the end of the water year; and

(b) the volumetric limit.

(6) Water taken under the entitlement must be deducted from the volumetric account.

83 Water allocation with an annual volumetric limit water sharing rule condition

(1) This section applies to water allocations that have a condition stating that the take of water under the allocation is managed under an annual volumetric limit water sharing rule.

(2) The annual volumetric limit is the maximum volume of water in megalitres that may be taken under a water allocation in a water year.
Part 2   Data collection rules

84 Waterharvesting entitlement holder data collection and transfer

(1) For water taken under a waterharvesting entitlement in the Lower Balonne water management area and not diverted by the distribution operations licence holder, waterharvesting entitlement holders must collect and record, for each announced period, details of—

(a) the date, time and meter reading at the start and end of taking water;

(b) the total volumes of the water taken under the authority of overland flow water licences and the volumes taken under the authority of water allocations to take unsupplemented water;

(c) the volume of water stored in any storage associated with the waterharvesting entitlement at the start and the end of the announced period.

(2) The waterharvesting entitlement holder must transfer the data collected under subsection (1) to the chief executive within five business days of the end of each announced period.

85 Water allocation holder notification of change to storage

(1) The water allocation holder must notify the chief executive, in writing, within 20 business days of completion of a new storage or any change to an existing storage, that is used to store water taken under the authority of a water allocation.

(2) Subsection (1) does not apply to activities associated with maintenance of a storage that do not increase the volume of water that could be stored.

Part 2   Water allocation dealing rules

86 Application of this part

(1) For section 158(2) of the Act, this part states the water allocation dealing rules that apply to unsupplemented water allocations in the Lower Balonne water management area.

(2) The process for making an application for a water allocation dealing is prescribed in the Water Regulation 2016, part 5, division 3.

Division 1   Permitted water allocation dealings

87 Application of this division

For section 158(4)(a) of the Act, this part states the type of water allocation dealings that are permitted under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(a).
88 Subdivisions or amalgamations

(1) A subdivision of a water allocation is permitted if—

(a) the water allocation being subdivided does not state an instantaneous volumetric limit water sharing rule condition;

(b) the total of the nominal volumes of the resulting water allocations is the same as the nominal volume of the water allocation being subdivided;

(c) the nominal volumes of the resulting water allocations are expressed as whole numbers, unless the water allocation being subdivided has a nominal volume that is not a whole number;

(d) the maximum rate of take and the volumetric limit of the water allocation being subdivided is subdivided in the same proportion as the nominal volume of each resulting water allocation; and

(e) each resulting water allocation states the same terms and conditions as the water allocation being subdivided. They are—

(i) purpose;

(ii) location;

(iii) water allocation group;

(iv) flow conditions; and

(v) any other conditions.

(2) Despite subsection (1)(e)(iv), if the water allocation has more than one passing flow condition, the maximum rate of take for each flow condition must be divided in the same proportion as the nominal volume.

(3) An amalgamation of two or more water allocations into a single water allocation is permitted if—

(a) for each water allocation being amalgamated –

(i) the ratio between the nominal volume of the water allocation and the rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each other water allocation being amalgamated and rate of take and volumetric limit of that other water allocation; and

(ii) the terms and conditions are the same. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions; and

(E) any other conditions; and
(b) the amalgamation results in a water allocation—

(i) for which the ratio between the nominal volume of the water allocation and rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each water allocation being amalgamated and rate of take and volumetric limit of that water allocation; and

(ii) that has the same terms and conditions as the water allocations being amalgamated. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions; and

(E) any other conditions.

Division 2  Prohibited water allocation dealings

89 Application of this division

For section 158(4)(c) of the Act, this division states the type of water allocation dealings that are prohibited under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(c).

90 Subdivisions

Subdivision of a water allocation is prohibited if the subdivision is not in accordance with section 88(1) or section 95.

91 Location

(1) A change of location of a water allocation to the following water management area zones is prohibited if the change does not include stating a place on the resulting water allocation—

(a) LBU-02;

(b) LBU-03;

(c) LBU-04;

(d) LBU-05;

(e) LBU-06;

(f) LBU-07;

(g) LBU-08;

(h) LBU-10.

(2) A change to the location of a water allocation to water management area zone LBU-09 is prohibited.
(3) A change to the location of a water allocation from any other water management area into the Lower Balonne water management area or from the Lower Balonne water management area into any other water management area is prohibited.

(4) A change to the location of a water allocation is prohibited if the water allocation states a condition that water taken under the allocation is managed under an instantaneous volumetric limit water sharing rule.

92 Removing annual volumetric limit water sharing rule condition

(1) This section applies to a water allocation that has a condition that states water taken under the authority of the water allocation is managed under an annual volumetric limit water sharing rule.

(2) A change to the water allocation is prohibited where the change is to—
   (a) remove the condition under subsection (1); or
   (b) add a multiyear account water sharing rule condition.

93 Water source

(1) A change to a water allocation that would allow water to be physically taken other than from a watercourse according to section 5 of the Act is prohibited.

(2) Subsection (1) applies to a change to the elements of a water allocation.

Division 3 Assessed water allocation dealings

94 Application of this division

(1) For section 158(4)(b) of the Act, this division states the types of water allocation dealings that must be assessed against stated criteria under the water allocation dealing rules in this protocol.

(2) The division states, for the Water Regulation 2016, section 67(2)(b), the criteria for assessment for a dealing that must be assessed under this protocol.

Note—

For deciding a water allocation dealing under this division, see the Water Regulation 2016, sections 67 and 68.
Assessing applications for particular dealings

(1) The following are applications for particular water allocation dealings that must be assessed under this protocol—

(a) subdivision of a water allocation managed under a multiyear accounting water sharing rule where:
   (i) the water allocation states more than one maximum rate of take and flow condition; and
   (ii) the maximum rate of take and the volumetric limit of the water allocation being subdivided are not being subdivided in the same proportion as the nominal volume;

(b) change to remove an instantaneous volumetric limit water sharing rule condition from a water allocation;

(c) change to remove a multiyear accounting water sharing rule condition from a water allocation; and

(d) change to the location of a water allocation, where the water allocation being changed states a zone and place.

(2) For subsection (1) (a) the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the general assessment criteria in section 96 and specific assessment criteria in section 97.

(3) For subsections (1) (b) to (d), the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the specific assessment criteria mentioned in the following sections—

(a) for a change to remove an instantaneous volumetric limit water sharing rule condition from a water allocation—section 98;

(b) for a change to remove a multiyear accounting water sharing rule condition from a water allocation—section 99; and

(c) for a change to the location of a water allocation, where the water allocation being changed states a zone and place—section 100.

(4) The application is to be made in accordance with section 63 of the Water Regulation 2016.

(5) There is no requirement to publish a notice of the application if it is made in accordance with this protocol.

(6) If the chief executive is satisfied there will be considerable expense in investigating the application, the applicant must pay the reasonable costs incurred by the chief executive in investigating the application in accordance with part 5, division 2, subdivision 2, section 66, of the Water Regulation 2016.

(7) If the chief executive is not satisfied that the criteria have been met, the chief executive must refuse the application.

(8) Within 10 business days of deciding to approve or refuse an application for a particular water allocation dealing, the chief executive must give written notice of the decision to the applicant.
96 General assessment criteria

The following are general assessment criteria for the purpose of assessing an application for a dealing mentioned in section 95(1)(a)—

(a) the change meets the objectives of the Water Plan (Condamine and Balonne) 2019;

(b) the change will not significantly adversely affect water entitlement holders, resource operations licence holders or natural ecosystems; and

(c) the change does not result in an increase in the share of water available to be taken under the water allocation.

97 Subdivision

If the chief executive decides to approve an application to subdivide a water allocation managed under a multiyear accounting water sharing rule, where that water allocation states more than one maximum rate of take and passing flow condition, and the maximum rate of take and flow conditions are not being subdivided in proportion to the nominal volume, the chief executive must—

(a) ensure each passing flow condition authorised by the water allocation being subdivided is authorised under only one new water allocation;

(b) change the volumetric limit on each new water allocation to ensure that the average annual volume available to be taken under each passing flow condition authorised by the water allocation being subdivided is maintained; and

(c) ensure the total of the nominal volumes of the resulting water allocations is the same as the nominal volume of the water allocation being subdivided.

98 Removing an instantaneous volumetric limit water sharing rule condition

If the chief executive decides to approve an application to change a water allocation by removing a condition from a water allocation that states that water taken under the water allocation is managed under an instantaneous volumetric limit water sharing rule, the chief executive must—

(a) change the water allocation to state a volumetric limit that ensures that the average annual volume of water that may be taken does not exceed the nominal volume stated on the water allocation; and

(b) change the water allocation to include a condition stating that the water taken under the authority of the allocation is managed under a multiyear account water sharing rule.
99 Removing a multiyear account water sharing rule condition

If the chief executive decides to approve an application to change a water allocation by removing a condition from a water allocation that states that water taken under the water allocation is managed under a multiyear account water sharing rule, the chief executive must —

(a) change the water allocation to state a volumetric limit that ensures that the average annual volume of water that may be taken does not exceed the nominal volume stated on the water allocation, having regard to any other entitlement associated with the storages detailed on the administrative plan; and

(b) change the water allocation to include conditions stating that—

(i) water taken under the authority of the allocation is managed under an instantaneous volumetric limit water sharing rule;

(ii) water taken under its authority must only be stored on the parcels of land shown on an administrative plan; and

(iii) water may not be taken under its authority unless an approved measuring device is installed to allow measurement of the volume of water stored on the land shown on the administrative plan.

100 Location

The chief executive must not approve an application to change the location of a water allocation with a location that includes a zone and a place, if the change will result in a change to the water management area zone stated on the water allocation.

Division 4 Other water allocation dealings

101 Application for a change to a water allocation not specified as permitted, prohibited or assessed

An application for a water allocation dealing that is not specified as permitted, prohibited or assessed under this protocol may be made in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.
Part 3  Seasonal water assignment rules

102 Same location

(1) The chief executive must only approve the seasonal assignment of a water allocation managed under a multiyear account water sharing rule for the remainder of the water year if—

(a) the location where water may be taken under the seasonal water assignment is the same as the location for the water allocation that is being seasonally assigned;

(b) the flow condition for water taken under seasonal water assignment is the same as the flow condition for the water allocation that is being seasonally assigned;

(c) the volume of water being seasonally assigned is equal to or less than the volume of water available in the volumetric account for the water allocation; and

(d) the maximum rate of take for the seasonal water assignment is in the same proportion as the share of the volume being assigned relative to the unused volume in the volumetric account.

(2) Despite subsection (1)(b), the seasonal water assignment notice must include a condition that the rates of take for all passing flows stated on the water allocation that is being seasonally assigned are in the same proportion as the volume being assigned relative to the unused volume in the volumetric account.

(3) Where water to be assigned under the seasonal water assignment would require supply to be authorised under a distribution operations licence, the chief executive may only approve the seasonal water assignment if all of the following apply—

(a) both the assignee and the assignor have water allocations supplied under the distribution operations licence;

(b) the water allocation being assigned is supplied under the distribution operations licence; and

(c) the application for the seasonal water assignment is accompanied by consent from the distribution operations licence holder.
For an individual announced period

The chief executive must only approve the seasonal assignment of a water allocation managed under a multiyear account water sharing rule for an individual announced period as determined under section 79 if—

(a) the location for the take of the water that is the subject of the seasonal water assignment is the same as the location for the water allocation being seasonally assigned;

(b) the flow condition under which water may be taken under the seasonal water assignment is the same as the flow condition for the water allocation being seasonally assigned;

(c) the seasonal water assignment notice states a condition specifying the individual announced period from which take of water is authorised under the assignment;

(d) the seasonal water assignment notice states an expiry date consistent with the end of the individual announced period from which take of water is authorised under the announcement;

(e) the volume of water being seasonally assigned is equal to or less than the volume of water available in the volumetric account for the water allocation;

(f) the maximum volume that may be taken under the seasonal water assignment is no greater than the volume available to be taken under the water allocation being seasonally assigned during the specified announced period;

(g) despite subsection (b), the seasonal water assignment notice states a condition that the rates of take for all passing flows stated on the water allocation that is being seasonally assigned are in the same proportion as the volume for each passing flow being seasonally assigned relative to the volume made available for each passing flow during the announced period for the water allocation being seasonally assigned;

(h) the water account of the water allocation being seasonally assigned is debited by the maximum volume that may be taken under the seasonal water assignment; and

(i) the holder of the distribution operations licence consents to the arrangement where the water allocation to which the seasonal water assignment relates is distributed by a distribution operations licence holder or the seasonal water assignment would require distribution at any point by the holder of a distribution operations licence.
Part 4 Other rules

104 Relocation of water taken under the authority of a water allocation

(1) Water taken under the authority of a water allocation in water management area zone LBU-01 may be relocated from E J Beardmore Dam to the Thuraggi Watercourse provided—

(a) the chief executive has granted a permit under the Act to take the relocated water;

(b) the relocation occurs outside an announced period;

(c) only the ponded area of E J Beardmore Dam and the Thuraggi Watercourse are used to relocate the water; and

(d) the resource operations licence holder for the St George water supply scheme and the distribution operations licence holder for the St George Channel Scheme consent to the activity.

(2) Water taken under the authority of a water allocation in water management area zone LBU-01 may be relocated from Jack Taylor Weir through the St George pump station provided—

(a) the chief executive has granted a permit under the Act to take the relocated water;

(b) the relocation occurs outside an announced period;

(c) only the ponded area of Jack Taylor Weir is used to relocate the water; and

(d) the resource operations licence holder for the St George water supply scheme and the distribution operations licence holder for the St George Channel Scheme consent to the activity.
Chapter 7  Unsupplemented water allocations – Condamine and Balonne Tributaries water management area

105 Application of this chapter

This chapter applies to all unsupplemented surface water allocations in the Condamine and Balonne Tributaries water management area and deals with—

(a) water sharing rules;
(b) data collection rules;
(c) water allocation dealing rules; and
(d) seasonal water assignment rules.

Part 1  Water sharing rules

106 Water allocations limited by an associated storage or conjunctive storage conditions

(1) This section applies to water allocations which state a condition that—

(a) the take of water under the authority of the water allocation is limited by associated storage works; or

(b) water taken under the authority of the water allocation is stored conjunctively with overland flow water taken under another authority.

(2) Water taken under the authority of the water allocation must not—

(a) exceed the annual volumetric limit stated on the water allocation in any water year; and

(b) be stored in any works other than in the storages referred to by the relevant condition on the water allocation.

107 Water allocations with a multiyear account water sharing rule condition

(1) This section applies to water allocations that state a condition that the take of water under the authority of the water allocation is managed under a multiyear account water sharing rule.

(2) The chief executive must establish a volumetric account for each water allocation.

(3) The volumetric account limit for a water allocation is equal to the volumetric limit stated on the water allocation multiplied by two.

(4) The minimum volume of water that may be held in the volumetric account is zero megalitres.

(5) At the start of the water year the chief executive must credit the volumetric account with the lesser of—

(a) the difference between the volumetric account limit and the closing account balance at the end of the water year; and

(b) the volumetric limit.

(6) Water taken under the authority of the water allocation must be deducted from the volumetric account.
Part 2  Data collection rules

108 Water allocation holder data collection and transfer

(1) The water allocation holder or any seasonal water assignee must record meter readings, time and date at the—

(a) start of taking water; and

(b) end of taking water.

(2) The water allocation holder or any seasonal water assignee must transfer the data recorded under subsection (1) to the chief executive—

(a) within five business days following the event for water taken under the authority of a water allocation with flow conditions; or

(b) within five business days of the end of the quarter for water taken under the authority of a water allocation with a ‘Nil’ passing flow condition.

109 Water allocation holder notification of change to storage

(1) The water allocation holder must notify the chief executive, in writing, within 20 business days of completion of a new storage or any change to an existing storage, that is used to store water taken under the authority of a water allocation.

(2) Subsection (1) does not apply to activities associated with maintenance of a storage that do not increase the volume of water that could be stored.

Part 3  Water allocation dealing rules

110 Application of this part

(1) For section 158(2) of the Act, this part states the water allocation dealing rules that apply to unsupplemented water allocations in the Condamine and Balonne Tributaries water management area.

(2) The process for making an application for a water allocation dealing is prescribed in the Water Regulation 2016, part 5, division 3.

Division 1  Permitted water allocation dealings

111 Application of this division

For section 158(4)(a) of the Act, this part states the type of water allocation dealings that are permitted under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(a).
112 Subdivisions or amalgamations

(1) A subdivision of a water allocation is permitted if—

(a) the water allocation being subdivided does not state an associated storage condition;

(b) the total of the nominal volumes of the resulting water allocations is the same as the
nominal volume of the water allocation being subdivided;

(c) the nominal volumes of the resulting water allocations are expressed as whole numbers,
unless the water allocation being subdivided has a nominal volume that is not a whole
number;

(d) the maximum rate of take and the volumetric limit of the water allocation being
subdivided is subdivided in the same proportion as the nominal volume of each resulting
water allocation; and

(e) each resulting water allocation states the same terms and conditions as the water
allocation being subdivided. They are—

(i) purpose;

(ii) location;

(iii) water allocation group;

(iv) flow conditions; and

(v) any other conditions.

(2) An amalgamation of two or more water allocations into a single water allocation is permitted
if—

(a) for each water allocation being amalgamated –

(i) the ratio between the nominal volume of the water allocation and the rate of take
and volumetric limit of the water allocation is the same as the ratio between the
nominal volume of each other water allocation being amalgamated and rate of
take and volumetric limit of that other water allocation; and

(ii) the terms and conditions are the same. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions; and

(E) any other conditions; and
(b) the amalgamation results in a water allocation—

(i) for which the ratio between the nominal volume of the water allocation and rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each water allocation being amalgamated and rate of take and volumetric limit of that water allocation; and

(ii) that has the same terms and conditions as the water allocations being amalgamated. They are—

(A) purpose;
(B) location;
(C) water allocation group;
(D) flow conditions; and
(E) any other conditions.

Division 2  Prohibited water allocation dealings

113 Application of this division

For section 158(4)(c) of the Act, this division states the type of water allocation dealings that are prohibited under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(c).

114 Subdivisions or amalgamations

(1) Subdivision of a water allocation is prohibited if the subdivision is not in accordance with section 112(1).

(2) Amalgamation of two or more water allocations is prohibited if the amalgamation is not in accordance with section 112(2).

115 Location

(1) A change to the location of a water allocation is prohibited if the change does not include a location that states a zone and a place.

(2) A change to the location of a water allocation is prohibited if the water allocation states—

(a) a conjunctive storage condition;
(b) an associated storage condition; or
(c) a ‘Nil’ passing flow condition.

116 Removing multiyear account water sharing rule condition

A change to a water allocation to remove a multiyear account water sharing rule condition is prohibited.
117 Adding or changing associated storage condition

A change to a water allocation is prohibited if the change is to—

(a) add a condition limiting take by associated storage;

(b) change a condition limiting take by associated storage where the change would result in a change to—

(i) the volumetric limit stated on the water allocation; or

(ii) the associated storages stated on the water allocation if the chief executive is satisfied the change would result in—

(A) more storage capacity than the existing associated storages; and

(B) the associated storages not being located on the administrative plan associated with the water allocation;

(c) change the administrative plan that describes the works footprint for the water allocation other than necessary to comply with a change that is not prohibited under subsection (b)(ii).

118 Water source

(1) A change to a water allocation that would allow water to be physically taken other than from a watercourse according to section 5 of the Act is prohibited.

(2) Subsection (1) applies to a change to the elements of a water allocation.

Division 3 Assessed water allocation dealings

119 Application of this division

(1) For section 158(4)(b) of the Act, this division states the types of water allocation dealings that must be assessed against stated criteria under the water allocation dealing rules in this protocol.

(2) The division states, for the Water Regulation 2016, section 67(2)(b), the criteria for assessment for a dealing that must be assessed under this protocol.

Note—

For deciding a water allocation dealing under this division, see the Water Regulation 2016, sections 67 and 68.
Assessing applications for particular dealings

(1) The following are applications for particular water allocation dealings that must be assessed under this protocol—

(a) change to a 'Nil' passing flow condition on a water allocation;

(b) change to remove a 'no store' condition from a water allocation;

(c) change to remove an associated storage condition from a water allocation; and

(d) change to remove a conjunctive storage condition from a water allocation.

(2) For subsections (1) (a) and (b), the chief executive must approve the application, with or without conditions if the chief executive is satisfied that it is consistent with the general assessment criteria in section 121 and, for subsection (1)(b), the specific assessment criteria in section 122.

(3) For subsections (1) (c) and (d), the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the relevant specific assessment criteria mentioned in the following sections—

(a) for a change to remove an associated storage condition from a water allocation—section 123; and

(b) for a change to remove a conjunctive storage condition from a water allocation—section 124.

(4) The application is to be made in accordance with section 63 of the Water Regulation 2016.

(5) There is no requirement to publish a notice of the application if it is made in accordance with this protocol.

(6) If the chief executive is satisfied there will be considerable expense in investigating the application the applicant must pay the reasonable costs incurred by the chief executive in investigating the application in accordance with part 5, division 2, subdivision 2, section 66, of the Water Regulation 2016.

(7) If the chief executive is not satisfied that the criteria have been met, the chief executive must refuse the application.

(8) Within 10 business days of deciding to approve or refuse an application for a particular water allocation dealing, the chief executive must give written notice of the decision to the applicant.

(9) Despite subsections (4) to (8), the criteria and process for applications mentioned in subsection (1) (a) and (b), must be in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.
121 General assessment criteria

The following are general assessment criteria for the purpose of assessing an application for a dealing mentioned in section 120(1)(a) and (b)—

(a) the change meets the objectives of the Water Plan (Condamine and Balonne) 2019;

(b) the change will not significantly adversely affect water entitlement holders, resource operations licence holders or natural ecosystems;

(c) there is no change to the nominal volume of the water allocation; and

(d) the change does not result in an increase in the share of water available to be taken under the water allocation.

122 Removing a ‘no store’ condition

If the chief executive decides to approve an application to change a water allocation by removing a condition that states water taken under the authority of this water allocation cannot be stored (a ‘no store’ condition), the chief executive must include a passing flow condition other than ‘Nil’ on the water allocation.

123 Removing an associated storage condition

If the chief executive decides to approve an application to change a water allocation by removing a condition stating that the take of water is limited by associated storage, the chief executive must—

(a) include a condition on the water allocation stating that water taken under the authority of the water allocation is managed under a multiyear accounting water sharing rule; and

(b) change the volumetric limit stated on the water allocation to ensure that the average annual volume of water that may be taken does not exceed the nominal volume stated on the water allocation.

124 Removing a conjunctive storage condition

The chief executive must not approve an application to change a water allocation by removing a condition that water taken is stored conjunctively with overland flow if the chief executive has not made a decision under the Act regarding the granting or amending of a water licence for taking the overland flow water stored conjunctively with the water allocation, in accordance with the Water Plan (Condamine and Balonne) 2019.

Division 4 Other water allocation dealings

125 Application for a change to a water allocation not specified as permitted, prohibited or assessed

An application for a water allocation dealing that is not specified as permitted, prohibited or assessed under the protocol may be made in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.
Part 5  Seasonal water assignment rules

126 Same location

The chief executive may only approve the seasonal assignment of a water allocation managed under a multiyear account water sharing rule if—

(a) the seasonal water assignment is for the remainder of the water year;

(b) the location where water may be taken under the seasonal water assignment is the same as the location for the water allocation that is being seasonally assigned;

(c) the flow condition for water taken under the seasonal water assignment is the same as the flow condition for the water allocation that is being seasonally assigned;

(d) the volume of water being seasonally assigned is equal to or less than the volume of water available in the volumetric account for the water allocation; and

(e) the maximum rate of take for the seasonal water assignment is in the same proportion as the share of the volume being assigned relative to the unused volume in the volumetric account.
Chapter 8  Unsupplemented water allocations – Gowrie and Oakey Creek water management area

127 Application of this chapter

This chapter applies to all unsupplemented water allocations in the Gowrie and Oakey Creek water management area and deals with—

(a) water sharing rules;

(b) data collection rules;

(c) water allocation dealing rules; and

(d) seasonal water assignments.

128 Water management area zone groups

For this chapter—

(a) The following water management area zones form the ‘Mainstream’ zone group of the Gowrie and Oakey Creek water management area—

   (i)  GOU-01;

   (ii) GOU-02;

   (iii) GOU-03; and

   (iv)  GOU-04.

(b) The following water management area zones form the ‘Tributary’ zone group of the Gowrie and Oakey Creek water management area—

   (i)  GOU-05;

   (ii) GOU-06;

   (iii) GOU-07;

   (iv)  GOU-08; and

   (v)   GOU-09.
Part 1  Water sharing rules

129 Water allocations limited by an associated storage or conjunctive storage conditions

(1) This section applies to water allocations which state a condition that—

(a) the take of water under the authority of the water allocation is limited by associated storage works; or

(b) water taken under the authority of the water allocation is stored conjunctively with overland flow water taken under another authority.

(2) Water taken under the authority of the water allocation must not—

(a) exceed the annual volumetric limit stated on the water allocation in any water year; and

(b) be stored in any works other than in the storages referred to by the relevant condition on the water allocation.

130 Water allocations with a multiyear account water sharing rule condition

(1) This section applies to water allocations that state a condition that the take of water under the authority of the water allocation is managed under a multiyear account water sharing rule.

(2) The chief executive must establish a volumetric account for each water allocation.

(3) The volumetric account limit for a water allocation is equal to the volumetric limit stated on the water allocation multiplied by two.

(4) The minimum volume of water that may be held in the volumetric account is zero megalitres.

(5) At the start of the water year the chief executive must credit the volumetric account with the lesser of—

(a) the difference between the volumetric account limit and the closing account balance at the end of the water year; and

(b) the volumetric limit.

(6) Water taken under the authority of the water allocation must be deducted from the volumetric account.
131 Annual limit

(1) This section applies—

(a) to water allocations in the following water allocation groups—

(i) GA1A,
(ii) GA1B,
(iii) GA1C,
(iv) GA2,
(v) GA3,
(vi) GA4,
(vii) GB1A,
(viii) GB1B,
(ix) GB1C,
(x) GB2,
(xi) GB3; and
(xii) GB4; and

(b) only while introduced water continues to be discharged into Gowrie Creek from the Wetalla Water Reclamation Facility.

(2) The chief executive must determine an annual limit that—

(a) sets the maximum volume to be taken under the authority of a water allocation in a water year; and

(b) is not less than 100 percent.

(3) The chief executive may revise the annual limit in accordance with any management guidelines.

132 Maximum volume available to be taken in a water year under the annual limit

(1) This section applies to a water allocation subject to the annual limit determined under section 131.

(2) The maximum volume of water taken in a water year under a water allocation must not exceed the volumetric limit multiplied by the annual limit determined under section 131.

133 Water allocations with an annual volumetric limit water sharing rule condition

(1) This section applies to water allocations which have a condition stating that the take of water under the water allocation is managed under an annual volumetric limit water sharing rule.

(2) Unless section 132 has effect for the water allocation, the maximum volume of water that may be taken under a water allocation in a water year is a volume no greater than the volumetric limit stated on the water allocation.
134 Announced period for a water allocation with a flow condition located in a ‘Mainstream’ zone group

(1) This section applies to water allocations in the ‘Mainstream’ zone group which state a flow condition either of ‘by announcement’ or ‘taking of water in accordance with the flow conditions on this water allocation must be by announcement’.

(2) Water must not be taken under a water allocation except during an announced period.

(3) The chief executive must notify holders of water allocations of—

(a) the start and end of an announced period;

(b) the water allocations that the announcement relates to; and

(c) any rules relating to the taking of water during the announced period.

(4) In deciding the start, end and rules under which a holder of a water allocation may take water, the chief executive must have regard to—

(a) information about flows including flows in Gowrie, Westbrook and Oakey creeks at the following locations—

(i) Cranley gauging station on Gowrie Creek (GS 422326A) AMTD 32.2 km;

(ii) New Oakey gauging station on Oakey Creek (GS 422360A) AMTD 77.6 km;

(iii) New Bowenville gauging station on Oakey Creek AMTD (GS 422361A) 37.1 km; and

(iv) Fairview gauging station on Oakey Creek (GS 422350A) AMTD 11.0 km;

(b) the provisions of any management guidelines that apply to the water allocations to which this chapter applies.

Part 2  Data collection rules

135 Water allocation holder data collection and transfer

(1) The water allocation holder or any seasonal water assignee must record meter readings, time and date at the—

(a) start of taking water; and

(b) end of taking water.

(2) The water allocation holder or seasonal water assignee belonging to—

(a) water allocation group WM1 in the ‘Mainstream’ zone group—must provide the details mentioned in subsection (1) to the chief executive within five business days of the end of the event; and

(b) any other water allocation group in the Gowrie and Oakey Creek water management area—must provide the details mentioned in subsection (1) to the chief executive within five business days of the end of the quarter.
136 Water allocation holder notification of change to storage

(1) The water allocation holder must notify the chief executive, in writing, within 20 business days of completion of a new storage or any change to an existing storage, that is used to store water taken under the authority of a water allocation.

(2) Subsection (1) does not apply to activities associated with maintenance of a storage that do not increase the volume of water that could be stored.

Part 3 Water allocation dealing rules

137 Application of this part

(1) For section 158(2) of the Act, this part states the water allocation dealing rules that apply to unsupplemented water allocations in the Condamine and Balonne Tributaries water management area.

(2) The process for making an application for a water allocation dealing is prescribed in the Water Regulation 2016, part 5, division 3.

Division 1 Permitted water allocation dealings

138 Application of this division

For section 158(4)(a) of the Act, this part states the type of water allocation dealings that are permitted under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(a).

139 Subdivisions or amalgamations

(1) A subdivision of a water allocation is permitted if—

(a) the water allocation being subdivided does not state an associated storage condition;

(b) the total of the nominal volumes of the resulting water allocations is the same as the nominal volume of the water allocation being subdivided;

(c) the nominal volumes of the resulting water allocations are expressed as whole numbers, unless the water allocation being subdivided has a nominal volume that is not a whole number;

(d) the maximum rate of take and the volumetric limit of the water allocation being subdivided are subdivided in the same proportion as the nominal volume of each resulting water allocation; and

(e) each resulting water allocation states the same terms and conditions as the water allocation being subdivided. They are—

(i) purpose;

(ii) location;

(iii) water allocation group;

(iv) flow conditions; and

(v) any other conditions.
(2) An amalgamation of two or more water allocations into a single water allocation is permitted if—

(a) for each water allocation being amalgamated—

(i) the ratio between the nominal volume of the water allocation and the rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each other water allocation being amalgamated and rate of take and volumetric limit of that other water allocation; and

(ii) the terms and conditions are the same. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions; and

(E) any other conditions; and

(b) the amalgamation results in a water allocation—

(i) for which the ratio between the nominal volume of the water allocation and rate of take and volumetric limit of the water allocation is the same as the ratio between the nominal volume of each water allocation being amalgamated and rate of take and volumetric limit of that water allocation; and

(ii) that has the same terms and conditions as the water allocations being amalgamated. They are—

(A) purpose;

(B) location;

(C) water allocation group;

(D) flow conditions; and

(E) any other conditions.

Division 2 Prohibited water allocation dealings

140 Application of this division

For section 158(4)(c) of the Act, this division states the type of water allocation dealings that are prohibited under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(c).

141 Subdivisions and amalgamations

(1) Subdivision of a water allocation is prohibited if the subdivision is not in accordance with section 139(1).

(2) Amalgamation of two or more water allocations is prohibited if the amalgamation is not in accordance with section 139(2).
142 Removing multiyear account water sharing rule condition

A change to a water allocation to remove a multiyear account water sharing rule condition is prohibited.

143 Adding or changing associated storage condition

A change to a water allocation is prohibited if the change is to—

(a) add a condition limiting take by associated storage;

(b) change a condition limiting take by associated storage where the change would result in a change to—

(i) the volumetric limit stated on the water allocation; or

(ii) the associated storages stated on the water allocation if the chief executive is satisfied the change would result in—

(A) more storage capacity than the existing associated storages; and

(B) the associated storages not being located on the administrative plan associated with the water allocation;

(c) change the administrative plan that describes the works footprint for the water allocation other than necessary to comply with a change that is not prohibited under subsection (b)(ii).

144 Removing annual volumetric limit water sharing rule condition

(1) This section applies to a water allocation that has a condition that states water taken under the authority of the water allocation is managed under an annual volumetric limit water sharing rule.

(2) A change to the water allocation is prohibited where the change is to—

(a) remove the condition under subsection (1); or

(b) add a multiyear account water sharing rule condition.

145 Location

(1) A change to the location of a water allocation from any other water management area into the Gowrie and Oakey Creek water management area is prohibited.

(2) A change to the location of a water allocation with an annual volumetric limit water sharing rule condition is prohibited if the change would result in the location being other than in—

(a) for a water allocation located in the ‘Mainstream’ zone group—the ‘Mainstream’ zone group; or

(b) for a water allocation located in the ‘Tributary’ zone group—the ‘Tributary’ zone group.

(3) A change to the location of a water allocation is prohibited if the water allocation states—

(a) a conjunctive storage condition; or

(b) an associated storage condition.
146 Water allocation group

A change to the water allocation group stated on a water allocation with an annual volumetric limit water sharing rule condition in the ‘Mainstream’ zone group is prohibited where the change is not in accordance with section 153.

147 Flow condition

(1) This section applies to a water allocation that has a condition referencing a passing flow at a gauging station.

(2) A change to the water allocation is prohibited where the change is to remove the condition, if the change does not include stating a flow condition on the water allocation referencing a passing flow at a gauging station operated and maintained by the department according to the standard documentation developed under the department’s ISO 9001:2015 accredited Quality Management System.

148 Water source

(1) A change to a water allocation that would allow water to be physically taken other than from a watercourse according to section 5 of the Act is prohibited.

(2) Subsection (1) applies to a change to the elements of a water allocation.

Division 3 Assessed water allocation dealings

149 Application of this division

(1) For section 158(4)(b) of the Act, this division states the types of water allocation dealings that must be assessed against stated criteria under the water allocation dealing rules in this protocol.

(2) The division states, for the Water Regulation 2016, section 67(2)(b), the criteria for assessment for a dealing that must be assessed under this protocol.

Note—

For deciding a water allocation dealing under this division, see the Water Regulation 2016, sections 67 and 68.
Assessing applications for particular dealings

1. The following are applications for particular water allocation dealings that must be assessed under this protocol—
   a. change to the location of a water allocation within the ‘Mainstream’ zone group, where the water allocation is in water allocation group WM1 and managed under a multiyear account water sharing rule;
   b. change to remove a ‘no store’ condition from a water allocation;
   c. change to the location of a water allocation located in the ‘Mainstream’ zone group;
   d. change to remove a place from the location stated on a water allocation located in the ‘Tributary’ zone group;
   e. change to remove an associated storage condition from a water allocation; and
   f. change to remove a conjunctive storage condition from a water allocation.

2. For subsections (1) (a) and (b), the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the general assessment criteria in section 151 and, for subsection (1)(b), the specific assessment criteria in section 152.

3. For assessing subsections (1) (c) to (f), the chief executive must approve the application, with or without conditions, if the chief executive is satisfied that it is consistent with the relevant specific criteria mentioned in the following sections—
   a. for a change to the location of a water allocation located in the ‘Mainstream’ zone group—section 153;
   b. for a change to remove a place from the location stated on a water allocation located in the ‘Tributary’ zone group—section 154;
   c. for a change to remove an associated storage condition from a water allocation—section 155; and
   d. for a change to remove a conjunctive storage condition from a water allocation—section 156.

4. The application is to be made in accordance with section 63 of the Water Regulation 2016.

5. There is no requirement to publish a notice of the application if it is made in accordance with this protocol.

6. If the chief executive is satisfied there will be considerable expense in investigating the application, the applicant must pay the reasonable costs incurred by the chief executive in investigating the application in accordance with part 5, division 2, subdivision 2, section 66, of the Water Regulation 2016.

7. If the chief executive is not satisfied that the criteria have been met, the chief executive must refuse the application.

8. Within 10 business days of deciding to approve or refuse an application for a particular water allocation dealing, the chief executive must give written notice of the decision to the applicant.
Despite subsections (4) to (8), the criteria and process for applications mentioned in subsection (1) (b), must be in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.

151 General assessment criteria

The following are general assessment criteria for the purpose of assessing an application for a dealing mentioned in section 150(1)(a) and (b)—

(a) the change meets the objectives of the Water Plan (Condamine and Balonne) 2019;
(b) the change will not significantly adversely affect water entitlement holders, resource operations licence holders or natural ecosystems;
(c) there is no change to the nominal volume of the water allocation; and
(d) the change will not result in an increase in the share of water available to be taken under the water allocation.

152 Removing ‘no store condition from a water allocation

If the chief executive decides to approve an application to change a water allocation by removing a condition that states water taken under the authority of this water allocation cannot be stored (a ‘no store’ condition), the chief executive must include a passing flow condition other than ‘Nil’ on the water allocation.

153 Location – water allocations located in a ‘Mainstream’ zone group

(1) This section applies to a water allocation in a water allocation group listed in column 1, table 4, located in the ‘Mainstream’ zone group.

(2) If the chief executive decides to approve an application to change the location of a water allocation located in a ‘Mainstream’ zone group to another zone it must be in accordance with table 4.

### Table 4 Water allocation group for ‘Mainstream’ zone group location changes

<table>
<thead>
<tr>
<th>Current water allocation group</th>
<th>Column 1</th>
<th>Column 2</th>
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<tbody>
<tr>
<td></td>
<td>GOU-01</td>
<td>GOU-02</td>
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<tr>
<td>GA1A, GA1B, GA1C</td>
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<td>GA2</td>
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<tr>
<td>GA2</td>
<td>GA1A</td>
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<td>GB1A, GB1B, GB1C</td>
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<tr>
<td>GB4</td>
<td>GB1A</td>
<td>GB2</td>
</tr>
</tbody>
</table>
154 Removing a place from the location stated on a water allocation located in the ‘Tributary’ zone group

(1) This section applies to a water allocation located in the ‘Tributary’ zone group with an annual volumetric limit water sharing rule condition.

(2) If the chief executive decides to approve an application to change a water allocation to remove a place from the location stated on the water allocation the chief executive must include a passing flow condition on the water allocation stating that water may only be taken if there is a visible passing flow immediately downstream of the point of take.

155 Removing an associated storage condition

If the chief executive decides to approve an application to change a water allocation by removing a condition stating that the take of water is limited by associated storage, the chief executive must—

(a) include a condition on the water allocation stating that water taken under the authority of the water allocation is managed under a multiyear accounting water sharing rule; and

(b) change the volumetric limit stated on the water allocation to ensure that the average annual volume of water that may be taken does not exceed the nominal volume stated on the water allocation; and

(c) change the water allocation to remove the place from the location stated on the water allocation.

156 Removing a conjunctive storage condition

The chief executive must not approve an application to change a water allocation by removing a condition that water taken is stored conjunctively with overland flow if the chief executive has not made a decision under the Act regarding the granting or amending of a water licence for taking the overland flow water stored conjunctively with the water allocation, in accordance with the Water Plan (Condamine and Balonne) 2019.

Division 4 Other water allocation dealings

157 Application for a change to a water allocation not specified as permitted, prohibited or assessed

An application for a water allocation dealing that is not specified as permitted, prohibited or assessed under the protocol may be made in accordance with part 5, division 3, subdivision 4, of the Water Regulation 2016.
Part 6  Seasonal water assignment rules

158 Water allocations managed under a multiyear account water sharing rule

The chief executive may only approve the seasonal assignment of a water allocation managed under a multiyear account water sharing rule if—

(a) the seasonal water assignment is for the remainder of the water year;

(b) the location where water may be taken under the seasonal water assignment is the same as the location for the water allocation that is being seasonally assigned;

(c) the flow condition for water taken under seasonal water assignment is the same as the flow condition for the water allocation that is being seasonally assigned;

(d) the volume of water being seasonally assigned is equal to or less than the volume of water available in the volumetric account for the water allocation; and

(e) the maximum rate of take for the seasonal water assignment is in the same proportion as the share of the volume being assigned relative to the unused volume in the volumetric account; and

(f) the seasonal water assignment is consistent with the provisions of any management guidelines.

159 Water allocations managed under an annual volumetric limit

(1) This section applies to a water allocation—

(a) managed under an annual volumetric limit water sharing rule; and

(b) which states a location that only includes a zone.

(2) The chief executive must only approve an application for seasonal assignment of the water allocation if—

(a) the seasonal water assignment is for the remainder of the water year;

(b) where the water allocation to be seasonally assigned is located in the ‘Mainstream’ zone group, the location where water may be taken under the seasonal assignment is a location within the ‘Mainstream’ zone group;

(c) where the water allocation to be seasonally assigned is located in the ‘Tributary’ zone group, the location where water may be taken under the seasonal water assignment is the same as the location for the water allocation that is being seasonally assigned;

(d) the flow condition for water taken under seasonal water assignment is the same as the flow condition for the water allocation that is being seasonally assigned;

(e) the volume of water being seasonally assigned is equal to or less than the volume of water available to be taken under the authority of the water allocation; and

(f) the maximum rate of take for the seasonal water assignment is in proportion to the share of the volume being assigned relative to the volume available under the authority of the water allocation.
Chapter 9   Flow event management rules – Lower Balonne water management area

160   Application of this chapter

This chapter specifies the flow event management rules for the Lower Balonne water management area as required under section 82 and in consideration of section 83 of the Water Plan (Condamine and Balonne) 2019.

161   Indicators of a flow through event

(1) For this chapter, a flow through event occurs if a flow passes all of the following points along the following watercourses within a three month period—

(a) junction of the Culgoa, Barwon and Darling rivers;
(b) Birrie River upstream of the junction of the Culgoa and Birrie rivers;
(c) Culgoa River upstream of the junction of the Culgoa and Birrie rivers;
(d) junction of the Bokhara River and Cato Creek; and
(e) Narran Park gauging station.

(2) A flow through event has finished once there is no visible flow at at least one of the points along the watercourses specified under subsection (1).

162   Likelihood of a flow through event

The chief executive must have regard to any management guidelines when determining the likelihood of a flow through event.

163   Managing bifurcation weirs

The chief executive must provide the Dumaresq-Barwon Border Rivers Commission with information about flows in the Lower Balonne water management area so the bifurcation weirs can be managed to maximise the likelihood of achieving a flow through event and in accordance with any agreement made between the state and New South Wales.

164   Maximum period for reductions under flow event management rules

Where more than one of the flow event management rules under this chapter are triggered at the same time, the maximum period for which the rate of take under waterharvesting entitlements may be reduced is the greater of the periods mentioned in the rules that apply in accordance with this chapter.
165 Limiting take under flow event management rules

(1) This section applies to water that is—

(a) passed by the resource operations licence holder for the St George water supply scheme for environmental, stock and domestic purposes; or

(b) released by the resource operations licence holder for the St George water supply scheme in accordance with sections 167 or 168(3); or

(c) not taken due to a reduction notified by the chief executive under sections 168(2), 169(2) and 170(3).

(2) A water entitlement holder must not take water to which this section applies, unless it is being taken under an authorisation for stock or domestic purposes.

Part 1 Managing low flow events

166 Passing or storing water for environmental, stock and domestic purposes

(1) The chief executive must direct the resource operations licence holder for the St George water supply scheme to pass inflows into E J Beardmore Dam up to 730 ML/day for environmental, stock and domestic purposes unless the chief executive determines that the inflows should be stored under subsection (2).

(2) The chief executive may direct the resource operations licence holder for the St George water supply scheme to store inflows up to 730 ML/day if—

(a) the water level in E J Beardmore Dam is—

(i) less than the full supply level; and

(ii) greater than the minimum operating level; and

(b) the chief executive determines that passing the water will not maximise the likelihood of a flow through event.

167 Releasing water stored for environmental, stock and domestic purposes

The chief executive must direct the resource operations licence holder to release water stored under section 166 if—

(a) an inflow occurs into E J Beardmore Dam; and

(b) more than 12 months has passed since the last flow through event has finished; and

(c) the chief executive determines that the release will maximise the likelihood of a flow through event.
168  Flow event management rules—managing low flows

(1) This section applies if—

(a) the chief executive has determined an announced period for waterharvesting entitlements under section 79;

(b) the chief executive has determined that any water released for environmental, stock and domestic purposes in accordance with section 167 is not likely to result in a flow through event; and

(c) more than 12 months has passed since the last flow through event finished.

(2) The chief executive must—

(a) notify each holder of a waterharvesting entitlement of a reduction to the daily rate of take for the entitlement to 90 percent of the daily rate of take stated on the entitlement—

(i) for each threshold for waterharvesting stated on the entitlement; and

(ii) for the period of the flow event up to a maximum of five days;

(b) notify operators of weirs downstream of the Jack Taylor Weir that are authorised to interfere with flow by impounding water—

(i) to reduce the volume of water impounded by the weir by passing a specified volume up to 10 percent of the volume that could have been impounded during the flow event; and

(ii) to make the release of water under the conditions specified by the chief executive; and

(c) provide information to the Dumaresq-Barwon Border Rivers Commission so the bifurcation weirs can be managed in accordance with section 163 to maximise the likelihood of a flow through event and in accordance with an agreement between the state and New South Wales.

(3) If the chief executive determines that the actions under section 163 and subsection (2) are not likely to result in a flow through event, the chief executive must direct the resource operations licence holder for the St George water supply scheme to release a specified volume of water up to 10 percent of the inflow that would otherwise have been stored for use under water allocations supplied by the St George water supply scheme, to maximise the likelihood of a flow through event.
Part 2    Managing medium flow events

169 Flow event management rules—managing medium flows

(1) This section applies if the chief executive has determined an announced period for waterharvesting entitlements under section 79 and either—

(a) more than two years have passed since a flow event with a peak flow of greater than or equal to 60 000 ML/day at St George gauging station; or

(b) more than three years have passed since a flow event with a peak flow of greater than or equal to 100 000 ML/day at St George gauging station.

(2) The chief executive must notify each holder of a waterharvesting entitlement of a reduction to the daily rate of take for the entitlement to 90 percent of the daily rate of take stated on the entitlement—

(a) for each threshold for waterharvesting stated on the entitlement; and

(b) for the period of the flow event up to a maximum of five days.

Part 3    Managing flow events to support Narran Lakes

170 Flow event management rules—managing flow events to support Narran Lakes

(1) This section applies if the chief executive has determined an announced period for waterharvesting entitlements under section 79.

(2) Subsection (3) applies when:

(a) the announced period includes any date within the period 1 March to 31 August; and

(b) the flow event includes a flow greater than or equal to 20 000 ML/day passing the St George gauging station.

(3) The chief executive must notify each holder of a waterharvesting entitlement of a reduction to the daily rate of take for the entitlement to 90 percent of the daily rate of take stated on the entitlement—

(a) for each threshold for waterharvesting stated on the entitlement; and

(b) for the period of the flow event up to a maximum of 10 days.
Part 4  
Accounting for reductions in take for flow event management

Division 1  
Recording reductions in take for unsupplemented water

171  Application of this division

This division applies to—
(a) unsupplemented surface water allocations; and
(b) regulated overland flow licences subject to an announced period.

172  Recording reduction in take of water harvesting under rules for flow event management

(1) The chief executive must keep a record of the volume of water not available to be taken as a result of reductions applying under the flow event management rules in sections 168(2), 169(2) and 170(3) under each water harvesting entitlement.

(2) For water harvesting entitlements managed under an instantaneous volumetric limit water sharing rule, the chief executive must not credit the record mentioned in subsection (1) with the volume of water referred to in subsection (1) if storages were full at the time of reductions.

(3) For water allocations managed under a multiyear account water sharing rule, the chief executive must not credit the record with the volume of water referred to in subsection (1) if the balance of the volumetric account at the time of reductions was zero.

(4) The chief executive may report on the total volume on record, any change in the total volume on record, and the average annual volume on record in the flow event report prepared under chapter 14.

(5) A water harvesting entitlement holder may request a copy of the record of the reduction for their entitlement.

Division 2  
Replacing reductions in take for supplemented water

173  Replacing supplemented water released under low flow event management rules

(1) This section applies if the resource operations licence holder has released a volume of water under subsection 168(3).

(2) Despite sections 166 and 167, the chief executive must direct the resource operations licence holder to replace the volume of water released under subsection 168(3).

(3) Subsection (2) applies until such time as the volume of the release under subsection 168(3) is replaced or a water harvesting event is announced.

(4) The volume of water replaced under subsection (2) must not exceed the volume of water released.
Part 5  Water exchange agreements for flow event management

174 Water exchange agreements for flow event management

(1) To achieve the purposes of flow event management, the chief executive may enter into a water exchange agreement with the holder of a water allocation in the St George water supply scheme to transfer water from an individual continuous share or the bulk share to the environmental, stock and domestic water account.

(2) The chief executive must obtain consent from the resource operations licence holder for the St George water supply scheme to—

(a) exchange water from an individual continuous share or the bulk share to the environmental, stock and domestic water account; and

(b) return the water exchanged under subsection (1).

(3) The chief executive must maintain a record of when the water exchanged under subsection (1) was returned to the water allocation holder.
Chapter 10 Surface water licences

175 Application of this chapter

This chapter applies to all surface water licences in the Water Plan (Condamine and Balonne) 2019 area.

Part 1 Water licence relocation rules

176 Water licence relocation rules

The relocation of a surface water licence is prohibited.

Part 2 Water licence for local government to interfere with flow by impounding

177 Water licence for local government to interfere with flow by impounding

   (1) This section applies if the chief executive accepts and approves an application for a water licence from a local government to interfere with the flow of water by impounding.

   (2) The water licence must contain conditions to the following effect—

       (a) if applicable, a passing flow having regard to the flow threshold condition specified on the related water allocation; and

       (b) a limit on the interference or increase in interference with the flow of water by impounding to the extent that the maximum volume of water that may be stored at full supply level is no greater than that necessary for the purpose having regard to—

           (i) the conditions of the related water allocation; and

           (ii) the local availability of water.
Chapter 11 Underground water allocations

178 Application of this chapter—

This chapter applies to all unsupplemented underground water allocations in the Water Plan (Condamine and Balonne) 2019 area and deals with—

(a) water sharing rules;
(b) data collection rules;
(c) water allocation dealings; and
(d) seasonal water assignments.

Part 1 Water sharing rules

179 Taking water under a water allocation

(1) Water may only be taken under the authority of a water allocation if the water allocation states a point where water can be taken.

(2) The volume of water taken under the authority of a water allocation in a water year must not exceed the starting account balance for the water allocation.

Division 1 Multiyear accounting rules

180 Establishing a multiyear account

(1) At the commencement of this part, the chief executive must, for each water allocation—

(a) establish a multiyear account; and

(b) set a multiyear account limit that is equal to the volumetric limit for the water allocation multiplied by—

(i) for a water allocation located in the Dalrymple Creek Alluvium or Oakey Creek Alluvium sub-areas—2.00; and

(ii) for a water allocation located in the Cunningham Alluvium sub-area—1.25.

(2) For this section—

multiyear account limit means the maximum volume permitted to be held in the account.

181 Setting a multiyear account volume

The chief executive must, for each water allocation, set a starting account volume determined in accordance with section 182 to take effect at the start of the new water year.
182 Determining a multiyear account balance

(1) The multiyear account balance for a water allocation, must be determined by the chief executive at the start of the new water year as follows—

(a) debit the volume of water taken during the water year from the starting account volume for the previous water year to find the remaining account volume;
(b) calculate the announced allocation in accordance with division 2;
(c) establish the starting account volume for the new water year, which is the lesser of—
   (i) the multiyear account limit established under section 180(1)(b); and
   (ii) the sum of—
      (A) the volume calculated by multiplying the water allocation volumetric limit by the announced allocation calculated under division 2; and
      (B) the remaining account volume.

(2) Despite subsection (1), for the start of the first water year after the commencement of this section, the chief executive must determine and set an initial account volume for each individual entitlement which is the lesser of—

(a) the multiyear account limit established under subsection 180(1)(b); and
(b) the sum of—
   (i) the volume calculated by multiplying the water allocation volumetric limit by the announced allocation calculated under division 2; and
   (ii) the remaining account volume available under water sharing rules applying prior to commencement of this section.

(3) For this section—

starting account volume means the volume credited to the water account at the beginning of the water year.

remaining account volume means the volume of water remaining in the water account at the end of the previous water year.

initial account volume means the volume credited to the water account on commencement of this division.
Division 2  Announced allocation rules

183 Announced allocation—water allocations with a purpose of ‘urban’ or ‘productive base’

(1) This section applies to a water allocation with a purpose of ‘urban’ or ‘productive base’.

(2) The announced allocation for a water allocation with a purpose of—

(a) ‘urban’ is 100%; and

(b) ‘productive base’ is 100%.

184 Announced allocation—water allocations with a purpose of ‘any’

(1) This section applies to a water allocation with a purpose of ‘any’.

(2) The chief executive must—

(a) calculate and set an announced allocation for each water allocation to take effect on the first day of each water year; and

(b) publish details of the announced allocation on the department's website at the commencement of the water year.

(3) The announced allocation must be the lesser of the values calculated in section 185 and section 186.

(4) The announced allocation set under subsection (2)(a) must—

(a) not be reduced during the water year;

(b) be in multiples of 5%;

(c) not be greater than 100%; and

(d) not be less than 0%.

185 Announced allocation—sustainable diversion limit

(1) For each underground water unit, the announced allocation for ensuring consistency with the sustainable diversion limit must be calculated as follows—

(a) where calculating the announced allocation for a water year starting in 2027 or before—

determine the announced allocation using the following formula—

\[
Announced \text{ allocation}_{SDL} = \frac{(\sum_{y=2019}^{y} SDL_y - \sum_{y=2019}^{y} use_{y, total})}{Entitlement_{total}} \times 100\%
\]

(b) where calculating the announced allocation for a water year starting in 2028 or after—

determine the announced allocation using the following formula—

\[
Announced \text{ allocation}_{SDL} = \frac{(\sum_{y=20y-10}^{y} SDL_y - \sum_{y=20y-10}^{y} use_{y, total})}{Entitlement_{total}} \times 100\%
\]

(2) Table 5 details parameters for calculating an announced allocation under this section.
Table 5 Parameters for calculating announced allocation

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDL</td>
<td>The sustainable diversion limit volume for the underground water unit as stated in the Basin Plan 2012 plus the volume of water remaining to be recovered by the Commonwealth water recovery program.</td>
</tr>
<tr>
<td>Y</td>
<td>Is the year in which the announcement is to be made.</td>
</tr>
<tr>
<td>𝑦</td>
<td>Is the accounting term (one water year).</td>
</tr>
<tr>
<td>𝑢𝑢𝑢𝑢𝑢𝑢𝑢𝑢,𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡</td>
<td>Is the total volume of water taken from the underground water unit in a water year under volumetric entitlements and general authorisations (excluding entitlements for the purpose of productive base held by the Commonwealth Environmental Water Holder).</td>
</tr>
<tr>
<td>∑𝑦=2019 𝑆𝑆𝑆𝑆𝑆𝑆𝐿𝐿</td>
<td>Is the sum of the available volume since commencement (2019) inclusive of the water year in which the announcement is to be made.</td>
</tr>
<tr>
<td>∑𝑦=2019 𝑢𝑢𝑢𝑢𝑢𝑢𝑢,𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡</td>
<td>Is the sum of the total volume taken since commencement (2019) inclusive of the water year before the announcement is to be made.</td>
</tr>
<tr>
<td>∑𝑦=2019−10 𝑆𝑆𝑆𝑆𝑆𝑆𝐿𝐿</td>
<td>Is the sum of the available volume for the ten water years ending in the water year for which the announcement is to be made (inclusive).</td>
</tr>
<tr>
<td>∑𝑦=2019−10 𝑢𝑢𝑢𝑢𝑢𝑢𝑢,𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡𝑡</td>
<td>Is the sum of the total volume taken for the nine water years ending in the water year before the announcement is to be made (inclusive).</td>
</tr>
<tr>
<td>Entitlementtotal</td>
<td>The total volume for all entitlements(^1) to take water from the underground water unit that are subject to annual announcements (announced allocations, announced entitlements or other limitations). This does not include the volumes associated with entitlements with purposes of either ‘urban’ or ‘productive base’. See table 6 for these volumes at plan commencement day.</td>
</tr>
</tbody>
</table>

Table 6 Volume of entitlement subject to annual announcements for underground water units

<table>
<thead>
<tr>
<th>Underground water unit</th>
<th>Code</th>
<th>Entitlement base volume at commencement day (ML)</th>
<th>Included Aquifers</th>
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<tr>
<td>Upper Condamine Alluvium</td>
<td>GS64b</td>
<td>33 182</td>
<td>Dalrymple Creek Alluvium</td>
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<tr>
<td>(Tributaries)</td>
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<td></td>
<td>Oakey Creek Alluvium</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Cunningham Alluvium</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Glengallan Creek Alluvium</td>
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<td></td>
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<td>Myall and North Myall Creek Alluvium</td>
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<td></td>
<td></td>
<td></td>
<td>Moola and Jimbour Creek Alluvium</td>
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<td></td>
<td></td>
<td></td>
<td>Upper Condamine River Alluvium</td>
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</table>
186 Announced allocation—resource availability

(1) The chief executive must determine the winter water level for each assessment site mentioned in table 7 prior to the commencement of the water year.

(2) The chief executive must determine an announced allocation representing the resource availability for each zone in each sub-area using decision tables 8 to 10 for the relevant sub-area, as follows—

(a) where the winter water level for the majority of assessment sites for a zone are above the levels stated in column 2 of the decision table—
   (i) the announced allocation for the zone is 80%; or
   (ii) an announced allocation of greater than 80% may be decided if the chief executive is satisfied the decision is supported by water users in the sub-area;

(b) where the winter water level for the majority of assessment sites for a zone is equal to or below the reference level stated in column 2 of the decision table and above the level stated in column 3 of the decision table—
   (i) the announced allocation for the zone is less than 80% and greater than 50%, and must be interpolated from the winter water level; or
   (ii) another announced allocation less than 80% and greater than 50% may be decided where the chief executive is satisfied the decision is supported by water users in the sub-area;

(c) where the winter water level for the majority of assessment sites for a zone is below the reference level stated in column 3 of the decision table the announcement is between 50% and 0%, and must be interpolated from the winter water level where—
   (i) the winter water level in column 4 represents a 0% announced allocation; and
   (ii) the winter water level in column 3 represents a 50% announced allocation.

(3) If an assessment site mentioned in table 7 cannot be used, the chief executive may use another representative assessment site or method of determining the winter water level.
<table>
<thead>
<tr>
<th>Assessment site</th>
<th>Sub-area</th>
<th>Zone</th>
<th>Bore registered number (RN)</th>
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**Table 7 Assessment sites for announced allocations**
Table 8  Announced allocation decision table—Oakey Creek Alluvium

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
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<tbody>
<tr>
<td>Zone</td>
<td>RN</td>
<td>UGW level (m AHD)</td>
<td>UGW level (m AHD)</td>
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</table>

Table 9  Announced allocation decision table—Dalrymple Creek Alluvium

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone</td>
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### Table 10  Announced allocation decision table—Cunningham Alluvium

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### Part 2  Data collection rules

**187 Water allocation holder data collection and transfer**

1. This section applies to underground water taken in the Upper Condamine Alluvium Tributaries under—
   1. metered water allocations; and
   2. seasonal water assignments of a water allocation.

2. The water allocation holder or assignee must—
   1. collect and record the meter reading at the end of the third quarter and the end of the water year; and
   2. transfer the data recorded under subsection (2)(a) to the chief executive at the end of the third quarter and the end of the water year.
Part 3 Water allocation dealing rules

188 Application of this part

(1) For section 158(2) of the Act, this part states the water allocation dealing rules that apply to water allocations to take underground water in the following sub-areas—

(a) Oakey Creek Alluvium;
(b) Dalrymple Creek Alluvium; and
(c) Cunningham Alluvium.

(2) The process for making an application for a water allocation dealing is prescribed in the Water Regulation 2016, part 5, division 3.

(3) For section 62(2)(a) of the Water Regulation 2016, where the water allocation dealing rules provide for an application to be approved with conditions requiring a change to a water allocation (a subsequent change), the application for the dealing and the subsequent change can be considered as one application.

Division 1 Permitted water allocation dealings

189 Application of this division

For section 158(4)(a) of the Act, this part states the type of water allocation dealings that are permitted under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(a).

190 Purpose

(1) A change to the purpose of a water allocation from ‘urban’ to ‘any’ is a permitted change.

(2) A change to the purpose of a water allocation to ‘productive base’ is a permitted change.

191 Subdivision

(1) A subdivision of a water allocation that meets the criteria in subsection (2) is a permitted change.

(2) The criteria for a permitted subdivision are—

(a) the new water allocations state the same water allocation group and zone as the water allocation that is being subdivided;

(b) any point of take stated on a new water allocation is a point of take that was stated on the water allocation being subdivided;

(c) the proportional relationship between the nominal volume and the volumetric limit of each new water allocation is the same as that of the water allocation being subdivided; and

(d) the sum of the volumetric limits of the new water allocations is equal to the volumetric limit of the water allocation being subdivided.
192 Change of location for a replacement water bore

A change to an authorised point of take due to the replacement of a water bore where the replacement water bore is located within 10m of the previous water bore is a permitted change.

Division 2 Prohibited water allocation dealings

193 Application of this division

For section 158(4)(a) of the Act, this division states the type of water allocation dealings that are prohibited under the water allocation dealing rules in this protocol.

Note—

For deciding a water allocation dealing under this division, see the Act, section 159(2)(c).

194 Purpose

A change to the purpose of a water allocation from ‘any’ to ‘urban’ is prohibited.

195 Location

(1) A change of location is prohibited if it would result in the water allocation being located in a different sub-area.

(2) A change of location is prohibited if the change would result in the maximum zone volumes detailed in table 11 being exceeded.

(3) For this section—

**zone volumes** includes volumes permanently and seasonally located in the zone.

Table 11 Maximum zone volumes

<table>
<thead>
<tr>
<th>Sub-area</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3 Entitlement at commencement (ML)</th>
<th>Column 4 Maximum zone volume (ML)</th>
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<td>4</td>
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<td>Dalrymple Creek Alluvium</td>
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<td>1067</td>
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<tr>
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<td>Cunningham Alluvium</td>
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<td>5</td>
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<td>900</td>
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</table>
Division 3  Assessed water allocation dealings

196  Application of this division

(1) For section 158(4)(b) of the Act, this division states the types of water allocation dealings that must be assessed against stated criteria under the water allocation dealing rules in this protocol.

(2) The division states, for the Water Regulation 2016, section 67(2)(b), the criteria for assessment for a dealing that must be assessed under this protocol.

Note—

For deciding a water allocation dealing under this division, see the Water Regulation 2016, sections 67 and 68.

197  Location

(1) This section applies to an application to change the location of a water allocation, other than a change mentioned in section 192 or section 195.

(2) The chief executive must assess the application according to the process detailed in chapter 13.

(3) The chief executive must refuse the application if the assessment indicates that approving the application would result in an unacceptable impact.

198  Amalgamation

(1) Amalgamation of two or more water allocations is an assessed change.

(2) The chief executive must refuse the application if the water allocations to be amalgamated do not—

(a) state the same zone location; and

(b) state the same water allocation group.

(3) The chief executive must assess the impact of the proposed amalgamation in accordance with chapter 13.

(4) The chief executive must refuse the application if the assessment indicates that approving the application would result in an unacceptable impact.

Division 4  Other Changes

199  Application for a change to a water allocation not specified as permitted, prohibited or assessed

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

200  Application of this part

For section 59(1) of the Water Regulation 2016, this part states the seasonal water assignment rules that apply to water allocations to take underground water in the following sub-areas—

(a) Oakey Creek Alluvium;
(b) Dalrymple Creek Alluvium; and
(c) Cunningham Alluvium.

201  Accepting an application for seasonal water assignment

The chief executive must not accept an application under section 58 of the Water Regulation 2016 if the proposed seasonal water assignment—

(a) is not for the remainder of the water year;
(b) is to another sub-area;
(c) would result in the maximum volume for a zone mentioned in table 11 being exceeded;
(d) is for a volume greater than the volume remaining in the multiyear account for the water allocation being seasonally assigned; or
(e) is not to a point of take.

202  Deciding an application for seasonal water assignment

(1) The chief executive must—

(a) approve the application if—

(i) the proposed seasonal water assignment is for 100ML or less; and
(ii) the volume of water seasonally assigned to a point of take over a period of three consecutive water years totals less than 200ML at the same location; or

(b) assess the application according to the process detailed in chapter 13 if—

(i) the proposed seasonal water assignment is greater than 100ML; or
(ii) the volume of water seasonally assigned to a point of take over a period of three consecutive water years totals more than 200ML at the same location.

(2) The chief executive must—

(a) if the assessment mentioned in subsection (1) indicates that approving the application would result in an unacceptable impact—refuse the application.

(b) if the assessment mentioned in subsection (1) indicates that approving the application would not result in an unacceptable impact—approve the application.
Chapter 12 Underground water licences

203 Application of this chapter

This chapter applies to underground water licences within the Water Plan (Condamine and Balonne) 2019 area and deals with—

(a) water sharing rules;
(b) data collection rules;
(c) water licence dealing rules; and
(d) seasonal water assignments.

Part 1 Water sharing rules

204 Scope

This part details water sharing rules applying to all underground water units.

205 Taking water under a water licence

(1) The volume of water taken under a water licence in a water year must not exceed—

(a) for a water licence that is subject to multiyear accounting—the starting account volume for the water year; and

(b) for another water licence—the nominal entitlement.

(2) For the Central Condamine Alluvium, water may only be taken under a water licence if the water licence includes a condition specifying the point(s) of take.

(3) For this section—

starting account volume means the volume credited to the water account at the beginning of the water year.

Division 1 Multiyear accounting rules

206 Application of this part

This part applies to water licences to take water from the following sub-areas—

(a) Central Condamine Alluvium;
(b) Jimbour Creek Alluvium;
(c) Upper Hodgson Creek Basalts; and
(d) Toowoomba City Basalts.
207 Establishing a multiyear account

At the commencement of this part, the chief executive must, for each water licence—

(a) establish a multiyear account; and

(b) set a multiyear account limit that is equal to the nominal entitlement for the water entitlement multiplied by—

(i) for a water licence located in the Central Condamine Alluvium or the Upper Hodgson Creek Basalts sub-areas—2.00; and

(ii) for a water licence located in the Jimbour Creek Alluvium or the Toowoomba City Basalts underground water sub-areas—1.00.

208 Setting a multiyear account balance

The chief executive must, for each water licence, set a starting account volume determined in accordance with section 209 to take effect at the start of the new water year.

209 Determining a multiyear account balance

(1) The multiyear account balance for a licence, must be determined by the chief executive at the start of the water year as follows—

(a) debit the volume of water taken during the water year from the starting account volume for the previous water year to find the remaining account volume;

(b) calculate the announced entitlement in accordance with division 2;

(c) establish the starting account volume for the new water year, which is the lesser of—

(i) the multiyear account limit established under section 207(b); or

(ii) the sum of—

(A) the volume calculated by multiplying the water licence nominal entitlement by the announced entitlement calculated under division 2; and

(B) the remaining account volume.

(2) Despite subsection (1), for the start of the first water year after the commencement of this section, the chief executive must determine and set an initial account volume for each individual entitlement which is the lesser of—

(a) the multiyear account limit established under section 207(b); or

(b) the sum of—

(i) the volume calculated by multiplying the water licence nominal entitlement by the announced entitlement calculated under division 2; and

(ii) the remaining account volume available under water sharing rules applying prior to commencement of this section.
(3) For this section—

**starting account volume** means the volume credited to the water account at the beginning of the water year.

**remaining account volume** means the volume of water remaining in the water account at the end of the water year.

**initial account volume** means the volume credited to the water account on commencement of this division.

**Division 2 Announced entitlement**

**210 Application of this part**

This part applies to water licences to take underground water from the following sub-areas—

(a) Central Condamine Alluvium;
(b) Upper Hodgson Creek Basalts;
(c) Jimbour Creek Alluvium; and
(d) Toowoomba City Basalts.

**211 Announced entitlement—water licences with a purpose of ‘urban’ or ‘productive base’**

(1) This section applies to a water licence with a purpose of ‘urban’ or ‘productive base’.

(2) The announced entitlement for a water licence with a purpose of—

(a) ‘urban’ is 100%; and
(b) ‘productive base’ is 100%.

**212 Announced entitlement—water licences with a purpose of ‘any’**

(1) This section applies to a water licence with a purpose of ‘any’.

(2) The chief executive must—

(a) determine an announced entitlement for each water licence as detailed in section 213;
(b) set an announced entitlement for each water licence to take effect on the first day of each water year; and
(c) publish details of the announced entitlement on the department's website at the commencement of the water year.

(3) The announced entitlement set under subsection (2)(b) must—

(a) not be reduced during the water year;
(b) be in multiples of 5%;
(c) not be greater than 100%; and
(d) not be less than 0%.
213 Determining the announced entitlement

The chief executive must determine the announced entitlement for a water licence with a purpose of 'any' as follows—

(a) for the Central Condamine Alluvium sub-area—the announced entitlement is the lesser of the announced entitlements calculated in sections 214 and 216; and

(b) for the Upper Hodgson Creek Basalts, the Jimbour Creek Alluvium and the Toowoomba City Basalts—the announced entitlement is the lesser of the announced entitlements calculated in section 215 and 216.

214 Announced entitlement for Central Condamine Alluvium sub-area—resource availability

(1) This section applies to water licences in the Central Condamine Alluvium sub-area.

(2) The chief executive must determine a winter water level for each assessment site mentioned in table 12 prior to the commencement of the water year.

(3) The chief executive must determine an announced entitlement representing the resource availability for each zone using decision table 12 as follows—

(a) where the average winter water level for the assessment sites for a zone is equal to or greater than the average of the worst winter water levels stated for the zone in column 4 of the decision table—the announced entitlement for the site is 100%; and

(b) where the average winter water level for the assessment sites for a zone is less than the average of the worst winter water levels stated for the zone in column 4—an announced entitlement of less than 100% will be determined by the chief executive having regard to the following—

(i) trends in underground water levels; and

(ii) water use.

(4) If an assessment site mentioned in table 12 cannot be used, the chief executive may use another representative assessment site or method of determining the underground water level.
<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
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<td>313.72</td>
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</table>
215 Announced entitlement for other sub-areas—resource availability

(1) This section applies to water entitlements in the following sub-areas—

(a) Upper Hodgson Creek;
(b) Jimbour Creek Alluvium; and
(c) Toowoomba City Basalts.

(2) The chief executive must determine the availability of underground water for each zone in each sub-area having consideration for the following—

(a) information on sustainable yield;
(b) trends in standing water level;
(c) history of water use; and
(d) total nominal entitlement of water licences to take water from each zone.

(3) Subsection (2) does not limit matters the chief executive may consider.

216 Announced entitlement—sustainable diversion limit

(1) For each underground water unit, the announced entitlement for ensuring consistency with the sustainable diversion limit must be calculated as follows—

(a) where calculating the announced entitlement for a water year starting in 2027 or before—

determine the announced entitlement using the following formula—

\[\text{Announced entitlement}_{SDL} = \left(\frac{\sum_{Y=2019}^{Y} SDL_Y - \sum_{Y=2019}^{Y} use_{y,total}}{\text{Entitlement}_{total}}\right) \times 100\%\]

(b) for the Central Condamine Alluvium sub-area—if the announced entitlement determined under subsection (1)(a) is less than 100%, an announced entitlement for each zone must be determined using the following formula—

\[\text{Announced entitlement}_{SDL} = \left(\frac{\sum_{Y=2019}^{Y} \left(\text{Entitlement}_{zone} \times SDL\right) - \sum_{Y=2019}^{Y} use_{y,zone}}{\text{Entitlement}_{zone}}\right) \times 100\%\]

(c) where calculating the announced entitlement for a water year starting in 2028 or after—

determine the announced entitlement using the following formula—

\[\text{Announced entitlement}_{SDL} = \left(\frac{\sum_{Y=Y-10}^{Y} SDL_Y - \sum_{Y=Y-10}^{Y} use_{y,zone}}{\text{Entitlement}_{total}}\right) \times 100\%\]

(2) for the Central Condamine Alluvium sub-area—if the announced entitlement determined under subsection (1)(c) is less than 100%, an announced entitlement for each zone must be determined using the following formula—

\[\text{Announced entitlement}_{SDL} = \left(\frac{\sum_{Y=Y-10}^{Y} \left(\text{Entitlement}_{zone} \times SDL\right) - \sum_{Y=Y-10}^{Y} use_{y,zone}}{\text{Entitlement}_{zone}}\right) \times 100\%\]

(3) Table 13 details parameters for calculating the announced entitlement under this section.
Table 13 Parameters for calculating announced entitlement

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDL</td>
<td>The sustainable diversion limit volume for the underground water unit as stated in the Basin Plan 2012.</td>
</tr>
<tr>
<td>Y</td>
<td>Is the year in which the announcement is to be made.</td>
</tr>
<tr>
<td>y</td>
<td>Is the accounting term (one water year).</td>
</tr>
<tr>
<td>use_y_total</td>
<td>Is the total volume of water taken from the underground water unit in a water year by volumetric entitlements and general authorisations (excluding entitlements for the purpose of productive base held by the Commonwealth Environmental Water Holder).</td>
</tr>
<tr>
<td>use_y_zone</td>
<td>Is the total volume of water taken from the underground water zone in a water year by volumetric entitlements and general authorisations (excluding entitlement held for the purpose of productive base held by the Commonwealth Environmental Water Holder).</td>
</tr>
<tr>
<td>∑_{y=2019} x</td>
<td>Is the sum of the values of x since commencement (2019) inclusive of the water year in which the announcement is to be made.</td>
</tr>
<tr>
<td>∑_{y=2019}^{y-1} x</td>
<td>Is the sum of the values of x since commencement (2019) inclusive of the water year before the announcement is to be made.</td>
</tr>
<tr>
<td>∑_{y=2009}^{y-10} x</td>
<td>Is the sum of the values of x for the ten water years ending in the water year for which the announcement is to be made (inclusive).</td>
</tr>
<tr>
<td>∑_{y=2009}^{y-10} x</td>
<td>Is the sum of the values of x for the nine water years ending in the water year before the announcement is to be made (inclusive).</td>
</tr>
<tr>
<td>Entitlement_total</td>
<td>The total volume for all entitlements(^2) to take water from the underground water unit that are subject to annual announcements (announced allocations, announced entitlements or other limitations). This does not include the volumes associated with entitlements with purposes of either ‘urban’ or ‘productive base’. See table 14 for these volumes at plan commencement day.</td>
</tr>
<tr>
<td>Entitlement_zone</td>
<td>The total volume for all entitlements(^2) to take water from the underground water zone. This does not include the volumes associated with entitlements with purposes of either ‘urban’ or ‘productive base’.</td>
</tr>
</tbody>
</table>

Table 14 Volume of entitlement subject to annual announcements for underground water units

<table>
<thead>
<tr>
<th>Underground water unit</th>
<th>Code</th>
<th>Entitlement_total volume (ML)</th>
<th>Included Aquifers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Condamine Alluvium (Central Condamine Alluvium)</td>
<td>GS64a</td>
<td>42 301</td>
<td>Central Condamine Alluvium</td>
</tr>
<tr>
<td>Upper Condamine Alluvium (Tributaries)</td>
<td>GS64b</td>
<td>33 182</td>
<td>Dalrymple Creek Alluvium, Oakey Creek Alluvium, Cunningham Alluvium, Glengallan Creek Alluvium, Myall and North Myall Creek Alluviums, Moola and Jimbour Creek Alluviums, Upper Condamine River Alluvium</td>
</tr>
<tr>
<td>Upper Condamine Basalts</td>
<td>GS65</td>
<td>55 674</td>
<td>Toowoomba City Basalts, Toowoomba North Basalts, Toowoomba South Basalts, Upper Hodgson Creek Basalts, Warwick Basalts, Nobby Basalts</td>
</tr>
</tbody>
</table>

\(^2\) This includes water allocations and water licences.
Part 2 Data collection rules

217 Water licence holder data collection and transfer

(1) This section applies to underground water taken under—
   (a) metered water licences; and
   (b) seasonal water assignments of a water licence.

(2) The water licence holder or any assignee must—
   (a) collect and record the meter reading at the end of the third quarter and the end of the
       water year; and
   (b) transfer the data recorded under subsection (2)(a) to the chief executive at the end of the
       third quarter and the end of the water year.

Part 3 Water licence dealing rules

Division 1 Relocation of a water licence

218 Application of this division

This division applies to an application to—
   (a) relocate all or part of a water licence to take water in the Central Condamine Alluvium
       sub-area; or
   (b) change a condition to change a point of take.

219 Accepting an application

The chief executive must not accept the application if—
   (a) the proposed relocation is to another sub-area;
   (b) the proposed relocation would result in the maximum volume for a zone mentioned in
       table 15 being exceeded.

Table 15 Maximum zone volumes

<table>
<thead>
<tr>
<th>Sub-area</th>
<th>Zone</th>
<th>Column 3 Entitlement at Commencement (ML)*</th>
<th>Column 4 Maximum zone volume (ML)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Condamine</td>
<td>1</td>
<td>5 153</td>
<td>5 153</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>24 867</td>
<td>24 867</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>8 751</td>
<td>8 751</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>7 161</td>
<td>7 161</td>
</tr>
<tr>
<td>Upper Hodgson Creek</td>
<td>1</td>
<td>2661</td>
<td>2900</td>
</tr>
<tr>
<td>Basalts</td>
<td>2</td>
<td>3093</td>
<td>3400</td>
</tr>
</tbody>
</table>

*Entitlement and maximum zone volumes for Central Condamine Alluvium excludes entitlement held by CEWH for the purpose of productive base. Volumes identified in columns 3 and 4 may vary subject to finalisation of the water recovery program.
220 Deciding an application to relocate a water licence

(1) If the chief executive accepts an application under section 219, the chief executive must assess the impact of taking water at the proposed location(s) under chapter 13.

(2) If the assessment indicates that approving the application would not result in an unacceptable impact, the chief executive may approve the application.

221 Approving an application to relocate a water licence

Where the chief executive approves the application, the chief executive must also amend the licence conditions that state the point(s) of take at which water may be taken.

222 Replacement water bores

(1) This section applies if the chief executive is satisfied that a water bore associated with a water licence has been replaced, and the replacement water bore is located within 10m of the previous water bore.

(2) The chief executive must amend the water licence to update the location of take in accordance with section 132(1)(a) of the Act.

Division 2 Seasonal water assignment

223 Application of this division

This division applies to an application for a seasonal water assignment of a water licence made under section 127 of the Act in the following sub-areas—

(a) Central Condamine Alluvium;
(b) Jimbour Creek Alluvium;
(c) Upper Hodgson Creek Basalts; and
(d) Toowoomba City Basalts.

224 Accepting an application

The chief executive must not accept an application under section 127 of the Act if the proposed seasonal water assignment—

(a) is not for the remainder of the water year;
(b) is to another sub-area;
(c) for the Central Condamine Alluvium sub-area and Upper Hodgson Creek Basalts sub-area—would result in the maximum volume for a zone mentioned in table 15 being exceeded;
(d) is for a volume greater than—for a sub-area mentioned in table 16, column 1—the volume specified in column 2; or
(e) is for a volume greater than the volume remaining in the multiyear account for the water licence being seasonally assigned.
Table 16  The maximum volume that can be seasonally assigned in a particular sub-area

<table>
<thead>
<tr>
<th>Sub-area</th>
<th>Column 2 Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jimbour Creek Alluvium</td>
<td>30 ML</td>
</tr>
<tr>
<td>Upper Hodgson Creek Basalts</td>
<td>150 ML</td>
</tr>
<tr>
<td>Toowoomba City Basalts</td>
<td>50 ML</td>
</tr>
</tbody>
</table>

225 Deciding an application for seasonal water assignment

In deciding an application accepted under section 224, the chief executive must—

(a) for an application relating to the Central Condamine Alluvium—

(i) approve the application if—

(A) the proposed seasonal water assignment is for 100ML or less; and

(B) the volume of water seasonally assigned to a point of take over a period of three consecutive water years totals less than 200ML at the same location; or

(ii) assess the application according to the process detailed in chapter 13 if—

(A) the proposed seasonal water assignment is greater than 100ML; or

(B) the volume of water seasonally assigned to a point of take over a period of three consecutive water years totals more than 200ML at the same location.

(b) if the assessment mentioned in subsection (a) would result in an unacceptable impact—refuse the application;

(c) if the assessment mentioned in subsection (a) would not result in an unacceptable impact—approve the application.

(d) for an application relating to Jimbour Creek Alluvium, Upper Hodgson Creek Basalts or Toowoomba City Basalts—approve the application.
Chapter 13 Underground water impact assessment

226 Application of this chapter

(1) This chapter applies if the chief executive is required to undertake an underground water impact assessment.

(2) This chapter details the process for—

(a) assessing impacts in relation to a change of location of a water allocation, the relocation of a water licence, an amalgamation or seasonal water assignment; and

(b) determining whether an impact is an unacceptable impact.

227 Impact assessment rules

The chief executive must calculate the potential drawdown impact associated with an application for a water allocation or water licence dealing or seasonal water assignment of a water allocation or water licence and determine whether approving an application would result in an unacceptable impact.

228 Calculation of potential drawdown impact

(1) The chief executive must keep a register of entitlements that state points of take as a location or condition.

(2) For each proposed registered point of take stated on the application, the potential drawdown impact on other registered points of take, other than the points currently stated on the entitlement being changed, must be calculated using the equation as follows—

\[ s' = \frac{QW(u)}{4\pi T} \]

(3) Table 18 details parameters for calculating the potential drawdown impact.

Table 18 Parameters for calculating potential drawdown impact.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>s'</td>
<td>s' is potential drawdown impact in metres.</td>
</tr>
</tbody>
</table>
| Q | Q is the combined pumping rate in m³/day for the proposed and current water entitlement/s or seasonal water assignment/s at a point of take which is determined as follows—

\[ Q = \frac{Vol^{ML} \times 1000}{t} \]

| Vol^{ML} | Vol^{ML} is the volume permitted to be taken in a year in megalitres as follows—

- for a water licence—‘Nominal entitlement’;
- for a water allocation—‘Volumetric limit’;
- for a seasonal water assignment—‘Maximum volume to be taken’. |
Determination of unacceptable impact

If any of the potential drawdown impacts determined in section 228 are greater than 0.5 metres at any registered point of take, other than the points currently stated on the entitlement being changed, the application would result in an **unacceptable impact.**
Chapter 14 Monitoring and reporting

230 Water monitoring

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

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

231 Flow event reporting for chapter 9

(1) This section applies to reporting associated with chapter 9 of this protocol.

(2) The chief executive must prepare a flow event report for public release within three months after the end of each flow event.

(3) This report may include—
   (a) spatial and temporal rainfall daily totals;
   (b) gauging station flow records;
   (c) volumes of water taken from the river;
   (d) volumes of water taken as overland flow;
   (e) reduction in take under the flow event management rules in sections 168(2), 169(2) or 170(3);
   (f) water transferred to the environmental, stock and domestic account under water exchange agreements;
   (g) environmental, stock and domestic water releases;
   (h) a water balance;
   (i) outcomes of the flow event;
   (j) the area of floodplain inundated;
   (k) recommendations for the management of future flow events; and
   (l) any other matters that the chief executive may wish to include.

232 Natural ecosystems monitoring

The chief executive must collect information on—

(a) ecological assets that are linked to the environmental outcomes of the Water Plan (Condamine and Balonne) 2019; and

(b) the critical water requirements of ecological assets in the plan area, including the provision of these requirements under the Water Plan (Condamine and Balonne) 2019.
233 Requirement to make and keep records of contaminated agricultural run-off taken

(1) This section applies to a person who takes overland flow water to which this plan applies if—
   (a) the water is contaminated agricultural run-off; and
   (b) the person takes the contaminated agricultural run-off to comply with an obligation on the
       person under the *Environmental Protection Act 1994*.

(2) The person must make a record of the following matters—
   (a) the source and purpose of the contaminant in the contaminated agricultural run-off;
   (b) how the contaminant was applied and the extent to which the application was consistent
       with guidelines, best management practices, standards, codes or product labels for the
       contaminant.

(3) The person must keep the record for 5 years.

Notes—

1 Under section 35 of the Act, the chief executive may give a person authorised to take water under
   the Act a notice requiring information about the water taken under the person’s authority.

2 Under section 760 of the Act, an authorised officer may require a person to make available for
   inspection a document relating to the taking of water.
## Attachment 1 Dictionary

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative plan</td>
<td>Administrative plan means a plan illustrating parcels of land or other features on the land, for instance the footprint of existing storage works. Water entitlements may refer to the administrative plan to display the land or other features rather than place lengthy text descriptions within the water entitlement's conditions. These plans are held electronically and may be changed subject to requirements in this plan.</td>
</tr>
<tr>
<td>Act</td>
<td>Unless stated otherwise, refers to the <em>Water Act 2000</em></td>
</tr>
<tr>
<td>AMTD</td>
<td>Means the adopted middle thread distance which is the distance in kilometres, measured along the middle of a watercourse, that a specific point in the watercourse is from the watercourse's mouth, the watercourse's junction with the main watercourse or the border between the State and New South Wales.</td>
</tr>
<tr>
<td>Announced allocation</td>
<td>For a water allocation means a number, expressed as a percentage, which is used to determine the maximum volume of water that may be taken in a water year under the authority of a water allocation.</td>
</tr>
<tr>
<td>Announced period</td>
<td>The period of time, as determined and announced by the chief executive, when water may be taken under the authority of a water allocation.</td>
</tr>
<tr>
<td>Announced entitlement</td>
<td>For this protocol the percentage used to determine the volume of water available to be taken in a water year under a water licence.</td>
</tr>
<tr>
<td>Assignee</td>
<td>The person or entity to whom an interest or right to water is being transferred (e.g. seasonally assigned).</td>
</tr>
</tbody>
</table>
| Associated storage condition| A condition stating the storage works linked to a water entitlement to the effect that—  
(a) for the Gowrie and Oakey Creek water management area—the take of water under the authority of the water allocation is limited by associated storage works that exist in the area shown on administrative plan X.  
(b) for all other water management areas—the take of water is limited by the associated storage works described by a works reference number and a works footprint illustrated on administrative plan X. |
<p>| Average annual volume       | Means the average volume of water available to be taken under a water entitlement annually, as modelled.                                                                                                                                                                                                                                      |
| Conjunctive storage condition| A condition on a water allocation to the effect that water taken under the water allocation is stored conjunctively with overland flow water taken under an authority in the existing storages on the parcels of land shown on an administrative plan or to the effect that water taken under the water allocation is stored conjunctively in the associated storage works with overland flow water taken under an authority. |
| department                  | Department of Natural Resources, Mines and Energy                                                                                                                                                                                                                                                                                             |
| Ecological assets           | Ecological assets can be a species, group of species, a biological function or particular ecosystem or place of value for which water is critical.                                                                                                                                                                                                  |
| Element                     | Has the meaning given in section 143 of the Act.                                                                                                                                                                                                                                                                                             |
| Introduced water            | For the purposes of chapter 8, introduced water means water that is discharged into Gowrie Creek from the Wetalla Water Reclamation Facility.                                                                                                                                                                                                  |
| Location                    | For a water allocation, means the zone or the zone and place from which water can be taken under the water authorisation. For a water licence, means the location of works from which water can be taken under the water licence.                                                                                                                                                |</p>
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management guideline</td>
<td>A document that specifies the details of operational arrangements for specified entitlements and/or a particular area.</td>
</tr>
<tr>
<td>Megalitre (ML)</td>
<td>One million litres</td>
</tr>
<tr>
<td>‘Nil’ passing flow condition</td>
<td>A flow condition of ‘Nil’ on a water allocation thus permitting water to be extracted at any time subject to availability and the conditions on the allocation and in the water management protocol.</td>
</tr>
<tr>
<td>‘No store’ condition</td>
<td>A condition stating that water taken under the authority of a water allocation must not be stored.</td>
</tr>
<tr>
<td>Nominal location</td>
<td>The nominal location is the location of a water entitlement at conversion to a water allocation, where this water allocation is managed under continuous share water sharing rules. The nominal location is used in the calculation of the continuous share percentage and continuous share volume associated with the water allocation.</td>
</tr>
<tr>
<td>Nominal volume</td>
<td>Means— (a) for a water allocation managed under a resource operations licence—the number used to calculate the allocation’s share of the water available to be taken by holders of water allocations in the same priority group; and (b) for a water allocation not managed under a resource operations licence—the number used to calculate the allocation’s share of the water available to be taken by holders of water allocations in all water allocation groups in a water plan area.</td>
</tr>
<tr>
<td>Passing flow</td>
<td>Means the flow in a watercourse as defined by either litres per second (L/s), cubic metres per second (cumecs or m³/s), or megalitres per day (ML/day), past a specified location.</td>
</tr>
<tr>
<td>Place</td>
<td>A location from which a water allocation is taken that is defined by an AMTD or a point of take.</td>
</tr>
<tr>
<td>Point of take</td>
<td>For a surface water or underground water entitlement is a GPS coordinate from which water may be taken. The point is identified by latitude and longitude.</td>
</tr>
<tr>
<td>Priority group</td>
<td>Has the meaning given in schedule 4 of the Act.</td>
</tr>
<tr>
<td>Productive base</td>
<td>A water entitlement with the purpose of ‘productive base’ is an entitlement held by the Commonwealth Environmental Water Holder that has been recovered from the consumptive entitlement pool. It is held to ensure the sustainable productive use and integrity of the aquifer.</td>
</tr>
<tr>
<td>Registered point of take</td>
<td>For underground water, is an authorised point of take, excluding those points of take used solely to take water for stock or domestic purposes.</td>
</tr>
<tr>
<td>Regulated overland flow</td>
<td>Means the rate of take of overland flow water can be adjusted to comply with announced periods for taking water and the reductions in the daily rate of take required under the flow event management rules.</td>
</tr>
<tr>
<td>Replacement water bore</td>
<td>Has the meaning given in schedule 19 of the Water Regulation 2016.</td>
</tr>
<tr>
<td>Supplemented water</td>
<td>Water supplied under an interim resource operations licence, resource operations licence or other authority to operate water infrastructure.</td>
</tr>
<tr>
<td>Unsupplemented water</td>
<td>Water that is not supplemented water.</td>
</tr>
<tr>
<td>Water allocation dealing rules</td>
<td>The rules included in the water management protocol that define how certain elements (attributes and conditions) or a priority group or water allocation group of a water allocation may be changed, for example, a change to the location.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Water allocation group</td>
<td>Has the meaning given in schedule 4 of the Act.</td>
</tr>
<tr>
<td>Water harvesting entitlement</td>
<td>For the Lower Balonne, means a water allocation with a flow condition for the take of unsupplemented water or a water licence for the take of overland flow water subject to an announced period.</td>
</tr>
<tr>
<td>Winter water level</td>
<td>Winter water level is the highest groundwater level measurement taken during the period starting 1 April and finishing 15 June.</td>
</tr>
<tr>
<td>Works footprint</td>
<td>Works footprint means an illustration that shows the approximate size and position of an on-farm water storage on an administrative plan.</td>
</tr>
</tbody>
</table>
Attachment 2  Supplemented surface water – water supply schemes and zones
Attachment 3  Supplemented surface water – Upper Condamine water supply scheme
Attachment 4  Supplemented surface water – Chinchilla Weir water supply scheme
Attachment 5  Supplemented surface water – Maranoa River water supply scheme
Attachment 6  Supplemented surface water – St George water supply scheme
Attachment 7  Unsupplemented surface water – water management areas
Attachment 8  Unsupplemented surface water – Upper Condamine water management area and zones
Sheet UC4        Upper Condamine water management area zones UCU-12 to UCU-16
Attachment 9  Unsupplemented surface water – Condamine and Balonne water management area and zones
Sheet CB1  Condamine and Balonne water management area zones CBU-10 to CBU-18
Sheet CB2  Condamine and Balonne water management area zones CBU-01 to CBU-03
Sheet CB4

Condamine and Balonne water management area zones CBU-21 to CBU-22

[Map of Condamine and Balonne water management area zones CBU-21 to CBU-22]
Attachment 10  Unsupplemented surface water – Lower Balonne water management area and zones
Sheet LB2  Lower Balonne water management area zones LBU-03, LBU-08 and LBU-10
Attachment 11  Unsupplemented surface water – Condamine and Balonne Tributaries water management area and zones
Attachment 12  Unsupplemented surface water – Gowrie and Oakey Creek water management area and zones
Sheet 2  Gowrie and Oakey Creek water management area—Tributary zone group (zone GOU-05 to GOU-09)
Sheet 2  Dalrymple Creek Alluvium underground water zone DCA-02
Sheet 3  Dalrymple Creek Alluvium underground water zone DCA-03
Attachment 14  Underground water – Oakey Creek Alluvium underground water zones

Sheet 1  Oakey Creek Alluvium underground water zone OCA-01
Sheet 3  Oakey Creek Alluvium underground water zone OCA-03
Attachment 15 Underground water – Cunningham Alluvium underground water zones

Sheet 1 Cunningham Alluvium underground water zone CA-01
Sheet 2  Cunningham Alluvium underground water zone CA-02
Sheet 1 Central Condamine Alluvium underground water zone CCA-01
Sheet 2   Central Condamine Alluvium underground water zone CCA-02
Sheet 3  Central Condamine Alluvium underground water zone CCA-03
Attachment 17    Underground water - Upper Hodgson Creek Basalts underground water zone
Attachment 18  Underground water - Toowoomba City Basalts
## Flow conditions for water allocation groups

<table>
<thead>
<tr>
<th>Water Management Area</th>
<th>Zone</th>
<th>Location</th>
<th>AMTD</th>
<th>Water Allocation Group</th>
<th>Flow conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>JCU-01</td>
<td>UCU-01</td>
<td>The Condamine River, from the headwaters of the Condamine River downstream to Scots Weir.</td>
<td>1188.0 – 1105.6 km</td>
<td>CT1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CT2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CT3</td>
</tr>
<tr>
<td></td>
<td>UCU-02</td>
<td>The Condamine River, from Scots Weir downstream to the confluence of Sandy Creek.</td>
<td>1105.6 – 1077.9 km</td>
<td>CS1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CS2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CS3</td>
</tr>
<tr>
<td></td>
<td>UCU-03</td>
<td>Sandy Creek, from Leslie Dam downstream to the confluence of the Condamine River.</td>
<td>6.0 – 0.0 km</td>
<td>CR1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CR2</td>
</tr>
<tr>
<td></td>
<td>UCU-04</td>
<td>The Condamine River, from the confluence of Sandy Creek downstream to Talgai Weir.</td>
<td>1077.9 – 1029.3 km</td>
<td>CQ1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CQ2</td>
</tr>
<tr>
<td></td>
<td>UCU-05</td>
<td>The Condamine River, from Talgai Weir downstream to Tummaville gauging station.</td>
<td>1029.3 – 974.7 km</td>
<td>CP1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
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<td>CP2</td>
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<td></td>
<td>UCU-06</td>
<td>The Condamine River, from Tummaville gauging station downstream to Yarramalong Weir.</td>
<td>974.7 – 966.2 km</td>
<td>CO1</td>
<td>Flow exceeds 1469 ML/day at Tummaville or Yarramalong Weir.</td>
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<td>CO2</td>
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<td>CO3</td>
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<td></td>
<td>UCU-07</td>
<td>The Condamine River, from Yarramalong Weir downstream to Lemon Tree Weir.</td>
<td>966.2 – 943.4 km</td>
<td>CN1</td>
<td>Flow exceeds 1469 ML/day at Tummaville, Yarramalong or Lemon Tree Weir.</td>
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<td>CN3</td>
</tr>
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<td></td>
<td>UCU-08</td>
<td>The Condamine River, from Lemon Tree Weir downstream to Hornicks Road.</td>
<td>943.4 – 917.0 km</td>
<td>CM1</td>
<td>Flow exceeds 1469 ML/day at Lemon Tree Weir or Cecil Plains Weir.</td>
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<td>CM2</td>
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<td>Flow conditions</td>
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<td>UCU-09</td>
<td></td>
<td>The Condamine River, from Hornicks Road downstream to Cecil Plains Weir.</td>
<td>917.0 – 891.1 km</td>
<td>CM3</td>
<td>Flow between 432 ML/day and 1469 ML/day or 432 ML/day and 3024 ML/day at Lemon Tree Weir or Cecil Plains Weir.</td>
</tr>
<tr>
<td>UCU-10</td>
<td></td>
<td>The Condamine River, from Cecil Plains Weir downstream to the confluence of the Condamine River North Branch.</td>
<td>891.1 – 880.7 km</td>
<td>CL1</td>
<td>Flow exceeds 1469 ML/day at Lemon Tree Weir or Cecil Plains Weir.</td>
</tr>
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<td></td>
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<td>CL2</td>
<td>Flow exceeds 3024 ML/day at Lemon Tree Weir or Cecil Plains Weir.</td>
</tr>
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<td></td>
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<td></td>
<td>CL3</td>
<td>Flow between 432 ML/day and 1469 ML/day or 432 ML/day and 3024 ML/day at Lemon Tree Weir or Cecil Plains Weir.</td>
</tr>
<tr>
<td>UCU-11</td>
<td></td>
<td>The Condamine River North Branch, from the upstream extent of the Condamine River North Branch downstream to the confluence of the Condamine River.</td>
<td>128.4 – 0.0 km</td>
<td>NB1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td>UCU-12</td>
<td></td>
<td>The Condamine River, from the confluence of the Condamine River North Branch downstream to AMTD 843.7km.</td>
<td>880.7 – 843.7 km</td>
<td>CJ1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>CJ2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td>UCU-13</td>
<td></td>
<td>The Condamine River, from AMTD 843.7km downstream to the confluence of Myall Creek.</td>
<td>843.7 – 829.2 km</td>
<td>CI1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>CI2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td>UCU-14</td>
<td></td>
<td>The Condamine River, from the confluence of Myall Creek downstream to the confluence of Jimbour Creek.</td>
<td>829.2 – 802.5 km</td>
<td>CH1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>CH2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td>UCU-15</td>
<td></td>
<td>The Condamine River, from the confluence of Jimbour Creek downstream to the confluence of Wilkie Creek.</td>
<td>802.5 – 779.2 km</td>
<td>CG1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>CG2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td></td>
<td>The Condamine River, from the confluence of Wilkie Creek downstream to the upstream extent of Chinchilla Weir water supply scheme.</td>
<td>779.2 – 743.6 km</td>
<td>CF1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>CF2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td>CBU-01</td>
<td></td>
<td></td>
<td>743.6 – 697.0 km</td>
<td>CE1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td>Water Management Area</td>
<td>Zone</td>
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<tr>
<td>Condamine and Balonne</td>
<td>CBU-02</td>
<td>The Condamine River, from upstream extent of Chinchilla Weir water supply scheme downstream to Chinchilla Weir.</td>
<td>CE2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBU-03</td>
<td>The Condamine River, from Chinchilla Weir downstream to the confluence of Wieambilla Creek.</td>
<td>CD1</td>
<td>Flow exceeds various flow thresholds.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CBU-04</td>
<td>The Condamine River, from the confluence of Wieambilla Creek downstream to the downstream limits of Chinchilla Weir water supply scheme.</td>
<td>CD2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CBU-04</td>
<td>The Condamine River, from the downstream limits of Chinchilla Weir water supply scheme downstream to Cotswold gauging station.</td>
<td>CC1</td>
<td>Flow exceeds various flow thresholds.</td>
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<tr>
<td></td>
<td>CBU-04</td>
<td>The Condamine River, from Cotswold gauging station downstream to the confluence of Dogwood Creek.</td>
<td>CC2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBU-05</td>
<td>The Condamine River, from the confluence of Dogwood Creek downstream to the confluence of Yuleba Creek.</td>
<td>CB1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td></td>
<td>CBU-06</td>
<td>The Balonne River, from the confluence of Yuleba Creek downstream to Surat Weir.</td>
<td>CB2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBU-07</td>
<td>The Balonne River, from Surat Weir downstream to the confluence of the Cogoon River.</td>
<td>CB3</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBU-08</td>
<td>The Balonne River, from the confluence of the Cogoon River downstream to the upstream extent of St George water supply scheme.</td>
<td>BA1</td>
<td>Flow exceeds various flow thresholds.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CBU-09</td>
<td>Washpool Creek, Burraburri Creek and Darr Creek downstream to the confluence of Moram Creek and Burraburri Creek.</td>
<td>BA2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CBU-10</td>
<td>Washpool Creek 16.7 – 0.0 km Darr Creek 34.2 – 0.0 km Burraburri 49.4 – 0.0 km</td>
<td>CTR1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td></td>
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<td></td>
<td>CTR2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td>Water Management Area</td>
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<td></td>
<td>CBU-11</td>
<td>Nudley Creek, from the confluence of Moram Creek and Burraburri Creek downstream to the confluence of Charleys Creek.</td>
<td>31.9 – 0.0 km</td>
<td>N1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>N2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBU-12</td>
<td>Charleys Creek, from the confluence of Stockyard Creek downstream to the confluence of Nudley Creek.</td>
<td>110.0 – 83.9 km</td>
<td>CCD1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>CCD2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td></td>
<td>CBU-13</td>
<td>Charleys Creek, from the confluence of Nudley Creek downstream to the confluence of Dead Man Gully.</td>
<td>83.9 – 58.3 km</td>
<td>CCC1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>CCC2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td></td>
<td>CBU-14</td>
<td>Dead Man Gully, from the Brigalow-Canaga Road downstream to the confluence of Charleys Creek.</td>
<td>8.7 – 0.0 km</td>
<td>DM1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>DM2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBU-15</td>
<td>Charleys Creek, from the confluence of Dead Man Gully downstream to Chinchilla Town Weir including Round Waterhole.</td>
<td>58.3 – 19.0 km</td>
<td>CCB1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>CCB2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td></td>
<td>CBU-16</td>
<td>Rocky Creek, from the confluence of Baking Board Creek downstream to the confluence of Charleys Creek.</td>
<td>12.8 – 0.0 km</td>
<td>R1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>R2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
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<td></td>
<td>CBU-17</td>
<td>Charleys Creek, from Chinchilla Town Weir downstream to the confluence of the Condamine River.</td>
<td>19.0 – 0.0 km</td>
<td>CCA1</td>
<td>Flow exceeds various flow thresholds.</td>
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<tr>
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<td></td>
<td></td>
<td>CCA2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td></td>
<td>CBU-18</td>
<td>Branch Creek, from the confluence of Horse Creek downstream to the confluence of Charleys Creek.</td>
<td>19.1 – 0.0 km</td>
<td>B1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>B2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td></td>
<td>CBU-21</td>
<td>The Maranoa River, from Neil Turner Weir downstream to the upstream extent of St George water supply scheme.</td>
<td>222.2 – 6.5 km</td>
<td>ML1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td></td>
<td>ML2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td></td>
<td>CBU-22</td>
<td>The Maranoa River, from the upstream extent of Maranoa River water supply scheme downstream to Neil Turner Weir.</td>
<td>229.2 – 222.2 km</td>
<td>MS1</td>
<td>Flow exceeds various flow thresholds.</td>
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<td></td>
<td>MS2</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td>Lower Balonne</td>
<td>LBU-01</td>
<td>The Balonne River, from the upstream extent of St George water supply scheme downstream to Jack Taylor Weir (including E J Beardmore Dam).</td>
<td>305.0 – 229.6 km</td>
<td>LB1</td>
<td>Announced by the Chief Executive.</td>
</tr>
<tr>
<td>Water Management Area</td>
<td>Zone</td>
<td>Location</td>
<td>AMTD</td>
<td>Water Allocation Group</td>
<td>Flow conditions</td>
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<tr>
<td>LBU-02</td>
<td></td>
<td>The Maranoa River, from the upstream extent of St George water supply scheme downstream to the confluence of the Maranoa River with the Balonne River at AMTD 260.2km.</td>
<td>6.5 – 0.0 km</td>
<td></td>
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<tr>
<td>LBU-03</td>
<td></td>
<td>The Balonne River, from Jack Taylor Weir downstream to the weir on the Culgoa River at Bifurcation No. 1 and the weir on the Balonne Minor River at Bifurcation No. 1 (from the upper extent of the Balonne Minor River at AMTD 164.3km where it bifurcates from the Balonne River at AMTD 163.9km).</td>
<td></td>
<td>Balonne River</td>
<td>LB2 Announced by the Chief Executive.</td>
</tr>
<tr>
<td>LBU-04</td>
<td></td>
<td>The Balonne River (including Belah Creek), from the weir on the Balonne Minor River at Bifurcation No. 1 downstream to the bifurcation of the Narran River and the Balonne Minor River.</td>
<td>163.5 – 128.9 km</td>
<td></td>
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<tr>
<td>LBU-05</td>
<td></td>
<td>The Narran River (including Donnegri Creek and Little Narran), from the weir on Donnegri Creek at Bifurcation No. 2 downstream to the Queensland and New South Wales border.</td>
<td>80.6 – 0.0 km</td>
<td></td>
<td>LB5 Announced by the Chief Executive.</td>
</tr>
<tr>
<td>LBU-06</td>
<td></td>
<td>The Balonne Minor River, from the weir on the Balonne Minor River at Bifurcation No. 2 downstream to the bifurcation of the Bokhara River and the Ballandool River.</td>
<td>128.9 – 91.6 km</td>
<td></td>
<td>LB6 Announced by the Chief Executive.</td>
</tr>
<tr>
<td>LBU-07</td>
<td></td>
<td>The Bokhara River, from the weir on the Bokhara River at Bifurcation No. 3 downstream to the Queensland and New South Wales border.</td>
<td>80.1 – 0.0 km</td>
<td></td>
<td>LB7 Announced by the Chief Executive.</td>
</tr>
<tr>
<td>LBU-08</td>
<td></td>
<td>Braire Creek, from where the creek starts on the floodplain downstream to the Queensland and New South Wales border.</td>
<td>55.5 – 0.0 km</td>
<td></td>
<td>LB8 Announced by the Chief Executive.</td>
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<tr>
<td>LBU-09</td>
<td></td>
<td>Thuraggi Watercourse, from the headworks on E J Beardmore Dam downstream to Buckinbah Weir.</td>
<td>0.0 – 27.4 km</td>
<td></td>
<td>N/A N/A Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td>LBU-10</td>
<td></td>
<td>The Ballandool River, from the weir on the Ballandool River at Bifurcation No. 3 downstream to the Queensland and New South Wales border.</td>
<td>91.6 – 0.0 km</td>
<td></td>
<td>LB10 Announced by the Chief Executive.</td>
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<tr>
<td>CBT-01</td>
<td></td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>1A</td>
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<tr>
<td>Water Management Area</td>
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<td>Location</td>
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<td>Flow conditions</td>
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<tr>
<td>Condamine and Balonne Tributaries</td>
<td>CBT-02</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>1B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBT-03</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>2A</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>2B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td>CBT-04</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>3A</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>3B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBT-05</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>4A</td>
<td>Flow exceeds various flow thresholds.</td>
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<td>4B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
<td></td>
<td>CBT-06</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>5A</td>
<td>Flow exceeds various flow thresholds.</td>
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<tr>
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<td></td>
<td>5B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td>5C</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td></td>
<td>CBT-07</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>6A</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
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<td></td>
<td>6B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td></td>
<td>CBT-08</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>7A</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
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<td>7B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<tr>
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<td></td>
<td></td>
<td>7C</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td></td>
<td>CBT-09</td>
<td>See attachment 11.</td>
<td>N/A</td>
<td>8A</td>
<td>Flow exceeds various flow thresholds.</td>
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<td></td>
<td>8B</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
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<td></td>
<td>8C</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td></td>
<td>GOU-01</td>
<td>36.7 – 0 km</td>
<td>WM1</td>
<td>Flow exceeds various flow thresholds.</td>
<td></td>
</tr>
<tr>
<td>Water Management Area</td>
<td>Zone</td>
<td>Location</td>
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<td>Water Allocation Group</td>
<td>Flow conditions</td>
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<td>-----------------</td>
</tr>
<tr>
<td>Gowrie and Oakey Creek</td>
<td>GOU-02</td>
<td>Gowrie Creek, from its upstream extent downstream to its confluence with Westbrook Creek. Westbrook Creek, from the confluence of Gowrie Creek downstream to its confluence with Oakey Creek.</td>
<td>3.9 – 0 km</td>
<td>GA1A, GA1B, GA1C, GB1A, GB1B, GB1C</td>
<td>Announced by the Chief Executive. GA1A, GA1B, GA1C, GB1A, GB1B, GB1C</td>
</tr>
<tr>
<td></td>
<td>GOU-03</td>
<td>Oakey Creek, from the confluence of Westbrook Creek downstream to Bowenville-Norwin Road.</td>
<td>82.9 – 37.0 km</td>
<td>WM1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td>GOU-04</td>
<td>Oakey Creek, from Bowenville-Norwin Road downstream to Fairview gauging station.</td>
<td>37.0 – 11.0 km</td>
<td>WM1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td>GOU-05</td>
<td>Oakey Creek, from Fairview gauging station downstream to the confluence with the Condamine River.</td>
<td>11.0 – 0.0 km</td>
<td>WM1</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td>GOU-06</td>
<td>The Gowrie Creek tributaries, from the upstream extent of each Gowrie Creek tributary downstream to its confluence with Gowrie Creek.</td>
<td>N/A</td>
<td>WT5, GT5</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td>GOU-07</td>
<td>Westbrook Creek and its tributaries, from the upstream extent of Westbrook Creek and its tributaries downstream to the confluence of Gowrie Creek.</td>
<td>N/A</td>
<td>WT6, GT6</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td>GOU-08</td>
<td>Oakey Creek and its tributaries, from the upstream extent of Oakey Creek and its tributaries downstream to the confluence of Westbrook Creek.</td>
<td>N/A</td>
<td>WT7, GT7</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td>GOU-09</td>
<td>N/A</td>
<td>N/A</td>
<td>WT8</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td>Water Management Area</td>
<td>Zone</td>
<td>Location</td>
<td>AMTD</td>
<td>Water Allocation Group</td>
<td>Flow conditions</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------</td>
<td>---------------------------------------------------------------------------</td>
<td>------</td>
<td>------------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td>Doctors Creek</td>
<td>GT8</td>
<td>Doctors Creek and its tributaries, from the upstream extent of Doctors Creek and its tributaries downstream to the confluence of Oakey Creek</td>
<td></td>
<td>GT8</td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
<tr>
<td>Lagoon Creek</td>
<td>WT9</td>
<td>Lagoon Creek and its tributaries, from the upstream extent of Lagoon Creek and its tributaries downstream to the confluence of Oakey Creek.</td>
<td>N/A</td>
<td>WT9</td>
<td>Flow exceeds various flow thresholds.</td>
</tr>
<tr>
<td></td>
<td>GT9</td>
<td></td>
<td></td>
<td></td>
<td>Flow exceeds various flow thresholds (including nil flow).</td>
</tr>
</tbody>
</table>

* AMTD 164.3 km reflects the upper extent of the Balonne Minor at the point where it bifurcates from the Balonne River at AMTD 163.9 km.
## Table 1 Unallocated water reserves of underground water

<table>
<thead>
<tr>
<th>Underground water unit</th>
<th>Nominal entitlement (ML)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sediments above the Great Artesian Basin</td>
<td>450</td>
<td>For helping an Aboriginal community achieve its economic and social aspirations</td>
</tr>
<tr>
<td>Sediments above the Great Artesian Basin</td>
<td>4050</td>
<td>Any</td>
</tr>
<tr>
<td>Condamine Fractured Rock</td>
<td>660</td>
<td>Any</td>
</tr>
<tr>
<td>Queensland Murray-Darling Basin deep</td>
<td>1500</td>
<td>For helping an Aboriginal community achieve its economic and social aspirations</td>
</tr>
<tr>
<td>Queensland Murray-Darling Basin deep</td>
<td>13500</td>
<td>Any</td>
</tr>
</tbody>
</table>