

# Attachment 1

## Release of unallocated water in the Belyando-Suttor Subcatchment Area E of the *Water Plan (Burdekin Basin) 2007*

Strategic reserve

Terms of Sale for Carmichael Coal Mine and Rail Project (Adani Infrastructure Pty Ltd)

January 2017

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# 1 Process for fixed price sale of unallocated water held as strategic reserve

An authorised delegate of the chief executive under the *Water Act 2000* (Water Act) has decided to conduct a fixed price sale process for unallocated water held as strategic reserve totalling 10 800 megalitres (ML) mean annual volume in Subcatchment Area E (Belyando-Suttor) as prescribed under the Water Plan (Burdekin Basin) 2007 (Burdekin Basin WP).

The *Water Regulation 2016* (Water Regulation) prescribes a process for releasing unallocated water by fixed price sale. These Terms of Sale have been decided by the delegate of the chief executive in accordance with section 18 of the Water Regulation.

If successful, the applicant will be offered a water licence under the Water Act in accordance with these Terms of Sale.

Figure 1 – Map of area of release.





## 2 Eligibility and restrictions

Adani Infrastructure Pty Ltd (ACN 606 764 827) is eligible to be the applicant for a water licence in response to these Terms of Sale. No other person or entity is eligible.

Section 116 of the Water Act does not require an application for a water licence to be made under section 107 of the Water Act if the process for allocation of water under a water licence is pursuant to a process under a water plan or regulation. However, to be eligible for a water licence an applicant must be either an owner of land or a prescribed entity listed in section 104 of the Water Act. Section 104 includes an entity prescribed by regulation as a prescribed entity.

Adani Infrastructure Pty Ltd is referred to in Schedule 4, item 39, of the Water Regulation and is therefore considered a prescribed entity which is eligible to apply for a water licence pursuant to section 107(4) of the Water Act and eligible to be granted a water licence under section 116 of the Water Act.

However, a water licence will only be granted from the strategic reserve if the application is consistent with the Burdekin Basin WP outcomes and objectives and these Terms of Sale.

The Burdekin Basin Resource Operations Plan 2009 (Burdekin Basin ROP)<sup>1</sup>, deals with grants of strategic reserve water for state purposes, which includes for the purpose of a project of state significance or a project of regional significance. The Burdekin Basin ROP also provides that the process for releasing unallocated water for state purposes is the process set out in Part 2, Division 1C of the *Water Regulation 2002*.<sup>2</sup>

The Carmichael Coal Mine and Rail Project was declared a coordinated project under the *State Development and Public Works Organisation Act 1971* (SDPWO Act) on 26 November 2010 and is therefore considered to be a project for which water may be released for a state purpose. As well, on 7 October 2016, the Adani Combined Project (comprising the Carmichael Coal Mine and Rail Project, the North Galilee Basin Rail Project and the North Galilee Water Scheme Project) was declared a critical infrastructure project pursuant to section 76E(1) of the SDPWO Act. Further, the Carmichael Coal Mine and Rail Project is also a project for a 'state purpose' on the ordinary meaning of those words, as it is anticipated to benefit the State in terms of investment, royalties, infrastructure and business opportunities.

These Terms of Sale are for the release of unallocated water for the state purpose of the Carmichael Coal Mine and Rail Project only. Water will not be released for any other purpose under these Terms of Sale.

<sup>1</sup> From the commencement of the *Water Reform and Other Legislation Amendment Act 2014* (WROLA) on 6 December 2016, the Water Resource (Burdekin Basin) Plan 2007 continues in force as a 'water plan' and is renamed as the Water Plan (Burdekin Basin) 2007 (see section 1256(1) of the Water Act, s 255 and schedule 2 of WROLA). The provisions of the Burdekin ROP are taken to be, or to have effect for, a number of other documents under the Water Act as amended (see section 1259 of the Water Act). Section 1266 of the Water Act allows references to resource operations plans to, where the context permits, be taken to be a reference to the relevant document under the Water Act as amended by the WROLA on 6 December.

<sup>2</sup> The *Water Regulation 2002* was repealed by the *Water Regulation 2016*. Section 145 of the *Water Regulation 2016* provides that references to the *Water Regulation 2002* in an Act or other document can be taken to be a reference to the *Water Regulation 2016* where the context permits. In the circumstances, the context permits the reference to the process under Part 2, Division 1C of the *Water Regulation 2002* in the Burdekin Basin ROP to be taken to be a reference to the process under the corresponding provisions in the *Water Regulation 2016*.



### 3 Water availability, type and product specification

#### 3.1 Water availability

The strategic reserve volume available for application under this fixed price sale process in the Burdekin Basin WP area is shown in Table 1.

*Table 1 – Water availability*

Subcatchment area	Mean Annual Volume (megalitres)
Belyando-Suttor (E)	10 800 ML

#### 3.2 Water type

Application to purchase may be made for the following water type:

<b>WC</b>	Water in a watercourse (surface water).
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If successful, the applicant will be offered one or more licences for the type specified. Any water licence shall be granted in accordance with section 116 of the Water Act.

#### 3.3 Water product specification

In accordance with section 39 of the Burdekin Basin ROP, in Subcatchment Area E, unallocated water granted from the strategic reserve will be granted only as water licences.

Under section 40 of the Burdekin Basin ROP, water licences granted from the strategic reserve for a project of State significance must include a condition on the licence that the authorisation to take water returns to the State on conclusion of the project of State significance. One water type and product is available through this fixed price sale process.

A total of 10 800 ML mean annual volume is available in Subcatchment Area E (Belyando-Suttor) of the Burdekin Basin WP area for this fixed price release process.

*Table 2 – Limits and conditions*

Geographical area	Water type	Licensed Nominal Entitlement (Maximum Annual Diversion) (ML)	Licensed Maximum Rate (litres per second)	Licensed Daily Volumetric Limit (Maximum Daily Diversion) (ML)	Mean Annual Volume (ML)
Suttor River at approximately AMTD 123km	WC	12 500	11 600	830	10 800
Licence conditions for passing flow					

	taking of water will be permitted when the flow in the Suttor River at St Anns Gauging Station (GS120303A) exceeds 2592 ML per day
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A sample water licence containing the limits and conditions of the product type can be found at **Schedule 1**.

## 4 Closing date for receipt of application to purchase

The closing date for an application to purchase by the eligible applicant is 5pm on Friday 13<sup>th</sup> January 2017. The Department of Natural Resources and Mines (DNRM) must receive your application in writing submitted by either email, post or in person by the closing date.

## 5 Price

**Fixed price:** The fixed price per ML Mean Annual Volume for strategic reserve unallocated water is \$1866

## 6 Planning your application

**Independent advice:** You should consider obtaining your own independent advice for your particular circumstances in planning and preparing your application.

**Pre-lodgement information:** If you have a query concerning this process you may contact DNRM identifying your query and any further information you require. DNRM will consider your request and respond in writing. Contact details are provided in Section 16.

**Associated approvals:** You are responsible for obtaining any approval, consent, notification or agreement required for your proposal and you should commence the process to obtain them at the earliest opportunity. DNRM reserves the right at its sole discretion to reject any application where relevant consents, approvals or agreements have not been sought or obtained.

**No reliance on information or compensation:** You are responsible for making your own investigation and assessment about all matters relevant to this application process, the Terms of Sale, the accuracy of all information and documents provided by DNRM and all other matters relevant to your application. DNRM is not liable to pay any compensation to any applicant in relation to their application or the release process in any circumstances, for any reason.

## 7 Completing an application

You must complete and submit your application in conformity with the following requirements before your application will be assessed against the evaluation criteria.

**Fixed Price Application Form:** The Fixed Price Application Form is available at **Schedule 3**. You must complete all relevant information fields in the Fixed Price Application Form in full.

**Purpose for water:** You must state in the Fixed Price Application Form the purpose for which the water is to taken.



**Existing works permit numbers:** Where the proposed take of water is from existing works, you must state in your application the relevant permit number for the existing works.

**Addressing the evaluation criteria:** You must address all of the evaluation criteria in **Schedule 2** and provide sufficient supporting information in writing for your application to be assessed.

**Signing formalities:** All applicants must sign and date the Fixed Price Application Form.

A corporation:

- may affix its common seal prescribed by its articles of association, or otherwise have the Fixed Price Application Form executed in accordance with section 127 of the *Corporations Act 2001 (Cth)*; and
- must forward with its application a copy of its certificate of incorporation.

#### **Non-conforming applications**

Failure to meet all of the above requirements means your application is non-conforming. DNRM may, depending on the extent and nature of the non-conformance, decide to not assess your application, request further information or require you to submit an amended application.

## **8 Lodgement of application**

**Application must be on the form provided (see Schedule 3) .**

**Email address for submitting your application:**

[centralwaterservices@dnrm.qld.gov.au](mailto:centralwaterservices@dnrm.qld.gov.au)

**Postal address for submitting your application:**

Private and Confidential  
Application for Unallocated Water: Burdekin Basin Water Resource Plan  
Chief Executive  
Attention: Sam Tarlinton, A/Regional Manager, Water Services  
Department of Natural Resources and Mines  
PO Box 63  
Mackay QLD 4740

**Submitting your application in person:**

Private and Confidential  
Application for Unallocated Water: Burdekin Basin Water Resource Plan  
Chief Executive  
Attention: Sam Tarlinton, A/Regional Manager, Water Services  
Department of Natural Resources and Mines  
22-30 Wood Street  
Mackay QLD 4740

**Amending an application:** Until the finalisation of DNRM's assessment of the application under Section 9, you may amend your application by contacting DNRM (by post or by email to [centralwaterservices@dnrm.qld.gov.au](mailto:centralwaterservices@dnrm.qld.gov.au)) and DNRM will consider your changes and notify you of its decision. You must state the grounds for your requested amendment.



**Resubmissions and requested information:** DNRM may request further information from you regarding your application and may require you to resubmit your application as an **amended application**, by email or registered post on or before the due date as advised by DNRM.

**Withdrawing an application:** You may withdraw your application by notifying DNRM in writing (email [centralwaterservices@dnrm.qld.gov.au](mailto:centralwaterservices@dnrm.qld.gov.au)). Upon receipt of your notification by DNRM your application will cease.

## 9 Assessment

**Evaluation criteria:** Your application and supporting information will be assessed by DNRM against the evaluation criteria in accordance with these Terms of Sale. The time period for assessment will be as DNRM determines.

## 10 Assessment notification

Where your application is:

- successful, DNRM will notify you in writing with an offer of a volume of water in accordance with Section 11;
- unsuccessful, DNRM will notify you in writing.

## 11 Letter of offer

If your application is successful a letter of offer to you will:

- include the volume of water in megalitres nominal entitlement and mean annual volume being offered;
- enclose a draft licence including the conditions of licence that will apply if you accept the offer;
- enclose an Acceptance Form for you to complete and return if you accept the volume and licence as offered; and
- stipulate the deposit you must pay by the due date to accept the licence.

## 12 Licence conditions

Under section 118 of the Water Act, a water licence is subject to the conditions the chief executive (or their authorised delegate) may impose.

Under the Water Act, a licensee is subject to the conditions the chief executive may impose, which may include (without limitation):

- purpose of water take;
- maximum instantaneous extraction rate;
- daily volumetric limit;
- nominal entitlement;
- mean annual volume;
- passing flow conditions;

- undertaking monitoring and reporting;
- return of the entitlement to the State upon conclusion of the project

**Sample (indicative) licence** (schedule 1): The sample licence in Schedule 1 provides an indication of the conditions that may be included, which is not intended to be exhaustive.

**Payment conditions:** Section 13 sets out further conditions which may be included in respect of payment of the purchase price.

## 13 Payment and acceptance of offer

To accept the offer of a licence you **must sign and return the Acceptance Form, and pay a non refundable deposit of 8% of the total purchase price**, by the due date stated in our letter of offer.

**Purchase price:** means the fixed price per megalitre multiplied by the mean annual volume in megalitres offered.

**Grant of licence:** Once DNRM receives your Acceptance Form and the deposit by the due date you will be granted a licence. DNRM will post the licence to the address included in your Fixed Price Application Form. A licence cannot be granted until the deposit is paid.

**Cessation of offer:** If the deposit is not paid in full by the stipulated date referred to above in the letter of offer to you, or as otherwise agreed in writing by the Chief Executive, DNRM may notify you that your deposit was not received and that the letter of offer has been rescinded. Any deposit paid will be non-refundable.

**Payment of balance of purchase price:** If the water licence is granted to you, a condition will be included in your water licence which will require payment of the balance of the total purchase price as follows:

- 92% of the total purchase price must be paid by 1 July 2018.

Conditions will also be included in your water licence to the effect that:

- water cannot be taken under the water licence until payment of the total purchase price is received in full; and
- if you fail to pay the balance of the purchase price on the specified due date, the chief executive may commence a show cause process under sections 132(1)(c) and 135 of the Water Act to determine whether the water licence should be cancelled.

## 14 General terms of sale

**Changes to the process:** If the application process is cancelled, or the date for submission of an application is extended, or some or all of the total volume of water available under this process is withdrawn, DNRM will advise in writing the changes being made to the process.

**Release and indemnity:** By planning, making enquiries in relation to or submitting an application, all applicants agree to unconditionally release and indemnify the State of Queensland, DNRM, its officers, agents and representatives from and against all actions, claims, proceedings or demands and in respect of any loss, death, injury, illness or damage (whether personal or property, and whether special, direct, indirect or consequential, including consequential financial loss) arising from



or in connection with these Terms of Sale and the release process, including (without limitation) any related publication or announcement.

The State of Queensland, DNRM, its officers, agents and representatives will not in any circumstances (including for negligence) be liable for any loss of revenue, loss of profit, loss of anticipated savings or business, loss of opportunity (including opportunity to enter into or complete arrangements with third parties), loss of data or goodwill, loss of reputation or any indirect or consequential loss whether arising in contract, tort (including negligence) or otherwise, in connection with these Terms of Sale or the release process.

**No warranties:** You are responsible for making your own investigation and assessment about all matters relevant to this process, the Terms of Sale, the accuracy of all information and documents provided by DNRM and all other matters relevant to your application. DNRM is not liable to pay any compensation to any applicant in relation to their application or this process in any circumstances, for any reason. DNRM provides no warranty about the quality or availability of water which may be obtained by you as a result of this application process. You accept the risk as to quality and quantity of water that may be made available to you.

**Documents:** DNRM is under no obligation to return your application and will not return application documents at any point in the process. It is recommended that the applicant keep a copy of their application for their own records.

**Subject to offer of licence:** No rights of access to water will be deemed to have been granted until a water licence has been offered by DNRM, and accepted and paid for by you in accordance with these Terms of Sale.

**Costs and expenses:** You must meet all costs incurred in participating in this process, planning and making your application, and any associated approvals.

**Jurisdiction:** These Terms of Sale are governed by the laws and the courts of Queensland.

**Public information:** DNRM may make publicly available information about the application received, and the volume awarded to the successful applicant.

**Right to information:** Information contained in an application may be subject to third party disclosure under the *Right to Information Act 2009*.

**Personal information consent:** By signing the Fixed Price Application Form you permit DNRM to access or use your personal information in your application for the purpose of this process.

**No fetter:** Nothing in these Terms of Sale will fetter, act as an estoppel or as an agreement about the exercise of discretion or the making of a decision or subordinate legislation under any law by the State of Queensland, DNRM, its officers, employees, agents or representatives.

**Chief Executive discretion:** Other than as expressly provided for in these Terms of Sale, the Chief Executive reserves the right to make any changes to these Terms of Sale in its absolute discretion by notifying applicants in writing. Without limitation, DNRM may:

- (a) add or change terms or requirements including as a result of changes to legislation;
- (b) amend dates including extending the closing date or time;
- (c) consider or reject an application received after the closing date or time;
- (d) accept a non-conforming application;
- (e) reject any or all applications;

- (f) amend the evaluation criteria stipulated in these Terms of Sale;
- (g) exercise discretion in evaluating any subjective evaluation criteria;
  
- (h) change the terms and conditions applicable to the licensing process, including the terms of any proposed water licence; or
- (i) cancel the process by withdrawing the sale at any time prior to an agreement being entered into for the sale.

An applicant will not make any claim against DNRM or the State of Queensland in connection with a decision by DNRM to exercise or not to exercise any of its rights in relation to the release process.

## 15 Definitions

**Application** means your application for a water type made by submitting a Fixed Price Application Form (for the relevant water type) with your supporting information addressing the evaluation criteria.

**Closing date** means the date specified in Section 4 of these Terms of Sale.

**Daily volumetric limit** for a water entitlement, means the maximum volume of water that may be taken under a water entitlement in a day.

**Evaluation criteria** means the criteria in Schedule 2.

**Fixed Price Application Form** means the forms in Schedule 3 (surface water)

**Mean Annual Volume** is the long-term average annual volume share of the resource availability and is determined from the licence parameters (i.e. nominal entitlement, diversion rate, and passing flow conditions).

**Nominal entitlement** means the volumetric limit (cap) that can be taken during water year.

**Passing flow conditions** are conditions that permit taking water above a threshold and prohibit water being taken below a certain flow threshold.

**Price** means the price per ML as provided in these Terms of Sale.

**Sample licence** means the sample licence in Schedule 1.

**Terms of Sale** means this document inclusive of Schedules 1–3.

## 16 DNRM contact details

**Attention:** Kathy Batts, A/Manager Major Projects  
Water Services  
Department of Natural Resources and Mines

**Phone:** 1800 822 100

**Email:** [centralwaterservices@dnrm.qld.gov.au](mailto:centralwaterservices@dnrm.qld.gov.au) — please mark **Attn: Kathy Batts**



## 16.1 Links

Water Plan (Burdekin Basin) 2007

[http://www.legislation.qld.gov.au/Acts\\_SLs/Acts\\_SL\\_W.htm](http://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_W.htm)

Burdekin Basin Resource Operations Plan 2009

<https://www.dnrm.qld.gov.au/water/catchments-planning/catchments/burdekin>

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## Schedule 1 — Sample water licence

# Watercourse water only

## WATER LICENCE

### Water Act 2000

<b>Reference</b>	*****	<b>Expiry Date</b>	30/06/2111
<b>Licensee</b>	JOHN SMITH		
<b>Authorised Activity</b>	The taking of watercourse water from the Suttor River with the point of take on or adjacent to Lot 1 on RP11111 and from Belyando River anabranh		
<b>Authorised Purpose</b>	Any		
<b>Nominal Entitlement</b>	12,500 Megalitres		
<b>Maximum Instantaneous Extraction Rate</b>	11600 Litres per Second		

This water licence is subject to the conditions endorsed hereon or attached hereto.

Under the *Sustainable Planning Act 2009* a development permit may be required for operational works to take or interfere with the water described in this licence. The licensee must ensure that the relevant development approvals have been obtained prior to installing or constructing new or additional operational works.

Given at Mackay this XX day of MM YYYY.

DG Name Here  
Director-General  
Department of Natural Resources and Mines

# Sample only



**Water Licence: \*\*\*\*\***  
**Expiry Date: 30/06/2111**

**Conditions: Schedule B**

**Interpretation**

In this Licence:

- a. A reference to a Condition shall be a reference to a Condition of this Licence;
- b. Headings to conditions are for ease of reference only and shall not in any way affect the meaning of the conditions;
- c. A reference to days or months is a reference to calendar days or calendar months;
- d. A reference to the department is a reference to the Department of Natural Resources and Mines;
- e. Reference to the conclusion of the Project is a reference to the surrender of Mining Lease 70441, Mining Lease 70505 and Mining Lease 70506;
- f. The mean annual volume assigned from the strategic reserve for this water licence is 10,800 megalitres;
- g. Words in the singular shall include the plural and vice versa;
- h. **Rate of take** is a volume measured in litres per second; and
- i. **Published**, for the purposes of this licence is in accordance with the definition of *publish* in the *Water Act 2000*.

**Entitlement**

1. The taking of water under this authorisation is permitted only when the flow of water exceeds 2952 megalitres per day at the Department's Gauging Station Sutter River at St Anns (120303A).
2. The daily volumetric limit may be taken under this licence is 830 megalitres.
3. Despite the expiry date specified on this authorisation, water granted under this authorisation is granted only for the life of the Carmichael Mine Project and the right to take the water returns to the State on the conclusion of the project.

**Metering**

4. Water must not be taken under this authorisation unless a measuring device (telemetric meter) of a type approved by the chief executive to measure the volume of water and taken and released is installed for:
  - a. Water taken from the Suttor River under this authorisation; and
  - b. Water released into the Belyando River Anabranh; and
  - c. Water taken from the Belyando River Anabranh under this authorisation.

## Monitoring Plan

5. On each occasion that water is taken from the Suttor River under this authorisation, the holder must record:
  - a. the date and the time at the start and end of the period of take;
  - b. the meter reading at the start and end of the period;
  - c. the daily volume taken;
  - d. the rate of take, and for each change in the rate of take:
    - i. The date and time of the change; and
    - ii. The new rate of take.
6. Such records must be published within 5 business days of the end of each month by the licence holder and made available upon request of the chief executive.
7. On each occasion that water is released into the Belyando River Anabranh for the purpose of relift under this authorisation, the holder must record:
  - a. the date and the time at the start and end of the release period;
  - b. the meter reading at the start and end of the period;
  - c. the daily volume released;
  - d. the release rate, and for each change in the release rate:
    - iii. The date and time of the change; and
    - iv. The new release rate
8. Such records must be published within 5 business days of the end of each month by the licence holder and made available upon request of the chief executive.
9. On each occasion that water is taken from the Belyando River Anabranh under this authorisation, the holder must record:
  - a. the date and the time at the start and end of the period of take;
  - b. the meter reading at the start and end of the period;
  - c. the daily volume taken;
  - d. the rate of take, and for each change in the rate of take:
    - v. The date and time of the change; and
    - vi. The new rate of take.
10. Such records must be published within 5 business days of the end of each month by the licence holder and made available upon request of the chief executive.

## Relift requirements

11. Water taken from the Belyando Anabranh under this authorisation may only be taken:
  - a. after water has been released or is being released into the watercourse by the water entitlement holder; and
  - b. until a volume has been reached up to that volume that is released, minus losses.
12. Water being released into the watercourse must not:
  - a. cause watercourse bank erosion or riparian destruction; and
  - b. be released at a rate or total volume that will cause significant adverse effects on the ambient flows in the watercourse.



Note: Conditions above are an indication only, other conditions may be included, as required based on application and supporting information

# Sample only

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## Schedule 2 — Assessment criteria

Criteria	Head of power	What it means	Key issues needed to be addressed
<p>Provide for the use of and protection for the probability of take of all water entitlements and other authorisations in the plan area</p> <p>Demonstrate how water is available to support:</p> <ul style="list-style-type: none"> <li>• population growth in towns and communities dependent on surface water resources in the plan area; and</li> <li>• growth in industries dependent on surface water resources in the plan area</li> </ul> <p>Support water availability in the Belyando-Suttor subcatchment to support growth in irrigated agriculture.</p>	Burdekin Basin WP section 12 (a), (c), (d) and (g)	This criteria is to protect the value of and ability for existing entitlement holders to access their entitlements whilst ensuring there is sufficient water remaining available to support the growth of the agriculture, community and industries.	To address this criterion the applicant should include a detailed description identifying any adverse effects on future Water Allocation Security Objectives and effects on localised and downstream water users and ecosystems
Support water-related cultural values of Aboriginal and Torres Strait Islander communities in the plan area and ensure water is available to support natural ecosystem processes	Burdekin Basin WP section 12 (k) and (l)	The environmental flow objectives have been determined to ensure stream flow regimes to protect waterholes, stream connectivity, environmental outcomes and associated cultural activities.	To address this criterion the applicant should include a detailed description identifying any adverse effects on Environmental Flow Objectives
Maintain the natural variability of flows that support the habitats of native plants and animals and	Burdekin Basin WP section 13 (1) (a)	This criteria, along with criteria 13 (1) (b-f), aim to protect and maintain the ecological integrity of waterways within the Plan area	To address these criteria 13 (1) (a-f) the applicant must demonstrate, via an ecological risk assessment, that the natural variability of flows necessary to support the viability

migratory birds in watercourses, floodplains, wetlands, lakes and springs		which are potentially at risk through water resource developments.	of natural ecosystems are not adversely effected. This must include assets with life-history requirements which are dependent on low, medium and high flows and include all aspects of the flow regime, such as the timing, duration, magnitude and frequency of the natural flow regime.
<p>Provide for the continued capability of one part of a river system to be connected to another, including by maintaining flood flows that—</p> <ul style="list-style-type: none"> <li>• allow for the movement of native aquatic fauna between riverine, floodplain, wetland, estuarine and marine environments</li> <li>• deliver nutrients and organic matter throughout the plan area to support natural processes such as breeding, growth and migration in riverine, floodplain, wetland, estuarine and marine environments</li> <li>• deliver water and sediments throughout the plan area to support river-forming processes</li> </ul>	Burdekin Basin WP section 13 (1) (b)		
Minimise changes to natural variability in water levels and to support natural ecological processes, including maintaining refugia associated with waterholes and lakes in the Belyando-Suttor subcatchment	Burdekin Basin WP section 13 (1) (c)		

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Promote improved understanding of the matters affecting the flow-related health of ecosystems in the plan area	Burdekin Basin WP section 13 (1) (d)		
maintain flooding in the Lower Burdekin and Haughton subcatchments to provide freshwater inputs to wetlands on the Burdekin Haughton floodplain;	Burdekin Basin WP section 13 (1) (e)		
provide a flow regime that <ul style="list-style-type: none"> <li>maintains delivery of fresh water to the estuaries of watercourses and the Great Barrier Reef Lagoon</li> <li>maintains natural sedimentation processes to support the replenishment of beaches along the Burdekin Haughton floodplain and Cape Bowling Green</li> <li>supports productivity in the receiving waters of the Great Barrier Reef and inshore reefs.</li> </ul>	Burdekin Basin WP section 13 (1) (f)		
The purpose for which the water is required – is it for a 'state purpose'?	Burdekin Basin WP section 32 (2) (a) and Burdekin Basin ROP	The applicant provides a clear proposal for the volume of water required and its use	To address this criterion, the applicant should describe what the water is to be used for and whether it is for a 'state purpose', that is, a project which is likely to benefit the State of Queensland.

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<p>The efficiency of existing and proposed water use practices.</p>	<p>Burdekin Basin WP section 32 (2) (b) and section 12 (j)</p>	<p>The applicant describes how current and proposed water use is not wasteful so that water is not allocated to inefficient uses.</p>	<p>To address this criteria the applicant should include a detailed description identifying:</p> <ul style="list-style-type: none"> <li>• demand management measures that achieve permanent and reliable reductions in the demand for water</li> <li>• the promotion of water conservation and appropriate water quality objectives for the intended use of water</li> <li>• water recycling, including, water reuse within a particular enterprise to gain the maximum benefit from available supply</li> </ul>
<p>The extent to which water is being taken under existing authorisations in the plan area.</p>	<p>Burdekin Basin WP section 32 (2) (c)</p>	<p>These criteria ensure the application proposal considers the extent of demand in the plan area</p>	<p>To address this criterion the applicant should provide information relating to water use under current authorisations</p>
<p>The availability of an alternative water supply for the purpose for which the water is required.</p>	<p>Burdekin Basin WP section 32 (2) (d)</p>	<p>The applicant describes whether alternative means are available to meet proposed water demands without the need for the unallocated water (e.g. sufficient entitlement is available to meet a proportion of their demand.</p>	<p>To address this criterion the applicant should describe whether there are alternative water supplies available on the land to which the application applies and identify the opportunities to make use of those supplies.</p>
<p>The impact the proposed taking of, or interfering with, the water may have on existing water users in the plan area.</p>	<p>Burdekin Basin WP section 32 (2) (e)</p>	<p>This criteria ensures the application proposal considers ways to minimise impacts on existing water users in the plan area including downstream water users</p>	<p>To address this criterion the applicant should include a detailed description identifying:</p> <ul style="list-style-type: none"> <li>• Any adverse effects on Water Allocation Security Objectives</li> <li>• Any adverse effects on downstream water users</li> </ul>



			It should also include any proposals to mitigate these effects.
Whether the proposed taking or interfering is likely to have a direct adverse effect on groundwater flows	Burdekin Basin WP section 32 (2) (f)	These criteria ensure that the application proposal considers ways to minimise the impacts on the physical integrity of the watercourse, the ecosystems reliant on the watercourse and the associated riverine environments.	In addressing these criteria the applicant should include a detailed description identifying: <ul style="list-style-type: none"> <li>any adverse effects on the physical integrity of the watercourse.</li> <li>ecosystems reliant on those watercourses</li> <li>the associated riverine environments</li> </ul>
The stream flows required to maintain the following: <ul style="list-style-type: none"> <li>the longitudinal connectivity of low flow habitats throughout river systems in the plan area;</li> <li>the wetted habitats at riffles and other streambed features;</li> <li>the natural seasonality of flows and zero flows;</li> <li>the replenishment of refuge pools that enable movement of instream biota;</li> <li>the lateral connectivity between rivers in the plan area and their adjacent riverine environments including floodplains</li> </ul>	Burdekin Basin WP section 23 (1)(a)	It also ensures impacts to groundwater flows and the recreational and cultural values of the watercourse are minimised	The applicant should also include any proposals to mitigate these affects. <p>This description should also detail the impact on the recreational and cultural values of the watercourse and to groundwater flows as a result of the proposal and any strategies to mitigate these impacts.</p> <ul style="list-style-type: none"> <li>To address these criteria you may need to consult with:</li> <li>Indigenous groups</li> <li>recreational groups</li> <li>natural resources management bodies</li> <li>government departments, especially in relation to fishery and vegetation management requirements.</li> </ul>

<p>The impact the taking of, or proposed taking of, or interfering with, water may have on the following:</p> <ul style="list-style-type: none"> <li>• water quality;</li> <li>• the natural movement of sediment;</li> <li>• the bed and banks of a watercourse or lake;</li> <li>• riparian vegetation;</li> <li>• habitats for native plants and animals;</li> <li>• the movement of fish and other aquatic species;</li> <li>• the recreation and aesthetic values of the plan area;</li> <li>• cultural values including, for example, cultural values of local Aboriginal or Torres Strait Islander communities.</li> </ul>	<p>Burdekin Basin WP section 23 (1)(b)</p>		
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# Schedule 3 — Fixed price application form



Department of Natural Resources and Mines

ABN 59 020 847 551

## Application for strategic reserve unallocated surface water available at a fixed price

Water Act 2000

<b>Part A Applicant details</b>				
<b>Name(s)</b> Specify the full name of all persons applying to purchase the unallocated water:				
Title	First name	Middle name	Surname	
Or				
Corporation, trustee or entity name(s)			ACN (if a corporation)	
<b>Address</b> <i>Street address</i>				
Suburb/Town		State	Postcode	
<i>Postal address</i>				
Suburb/Town		State	Postcode	
<b>Contact details</b>				
Title: <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Other (specify)				
Full name:				
Preferred phone:		Alternative phone:	Facsimile:	
Email:				
<b>Information Privacy Notice (Information Privacy Act 2009)</b> The information being collected in this form will be used by this department for the purpose of processing your application for strategic reserve unallocated water under the authority of Part 2 of the Water Regulation 2016. Your personal information will not be disclosed to any other parties unless authorised or required by law. The information collected will be retained as required by the <i>Public Records Act 2002</i> and may be stored in a departmental database. Information on the department's privacy commitment can be found on the department's website.				
OFFICE USE ONLY	Application ref.		Fee received \$	
	Client ref.		Receipt no.	
	Authorisation ref.	Date	/	/ Initials

**Part B Volume of water**

**Water type**

Watercourse water

**Amount of water**

Mean annual volume of water required

--

megalitres

Maximum rate at which water is to be taken

--

litres per second

**Part C Source and location of water**

**Source of water**

Provide the name of the watercourse, lake or spring from which the water will be taken.

**Location of take**

Describe the parcels of land on or adjoining the place from which the water is to be taken. If water is to be taken from a point within the bed and banks of a watercourse which cannot be properly described in terms of a lot and plan, enter the property description of the nearest adjacent land and tick the 'Adjacent to' (✓) box.

Lot	Plan	Adjacent to (✓)	Lot	Plan	Adjacent to (✓)
		<input type="checkbox"/>			<input type="checkbox"/>
		<input type="checkbox"/>			<input type="checkbox"/>
		<input type="checkbox"/>			<input type="checkbox"/>

To take water from a specific point(s) on the nominated land, provide the GPS latitude and longitude coordinates (Datum GDA 94 or WGS 84) for the proposed location of take.

1	°	'	"	S	°	'	"	E
2	°	'	"	S	°	'	"	E
3	°	'	"	S	°	'	"	E

**Map / sketch**

Please provide a sketch of proposed bore take locations including the distance of the proposed sites from property boundaries.





**Part D Purpose of water**

Outline the purpose for which the water will be taken, including whether the water will be taken a 'state purpose', that is, a project which is likely to benefit the State of Queensland?

**Part E Applicant Declaration**

If more signature space is required, copy or print a blank copy of this page, complete and attach.

**I/we, the undersigned, declare that:**

being a recognised entity under the *Water Act 2000*, I/we do hereby apply to purchase strategic reserve unallocated water and declare that the information and attachments contained in this application are true and correct.

Upon our receipt of your Acceptance Form a legally binding agreement is formed between you and the Department comprising this application, the Licence - including any conditions, and the Terms of Sale (which includes your statement addressing the Evaluation Criteria).

**Individual**

Name:

Name:

Signature:

Signature:

Position/Title:  
(if applicable)

Position/Title:  
(if applicable)

Date: / /

Date: / /

**Corporation Executed for and on behalf of**

Organisation name:

ACN:

By (name):

By (name):

Position:

Position:

Signature:

Signature:

Date: / /

Date: / /

Witnessed by:

Witnessed by:

Witness signature:

Witness signature:

Date: / /

Date: / /

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