

Queensland



Water Resources Act 1989

WATER RESOURCES REGULATION 1999

**Reprinted as in force on 15 March 2002
(includes amendments up to SL No. 38 of 2002)**

Reprint No. 1D

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Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 15 March 2002. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



WATER RESOURCES REGULATION 1999

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WATER RESOURCES REGULATION 1999

[as amended by all amendments that commenced on or before 15 March 2002]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Water Resources Regulation 1999*.

PART 2—WATER ALLOCATION

2 Allocation for South East Queensland Water Corporation Limited

(1) A water allocation of 345 000 ML a year (the “**company allocation**”) from the sources mentioned in subsection (2) is fixed for South East Queensland Water Corporation Limited (the “**company**”).¹

(2) The sources for the company allocation are—

- (a) the impoundments of the Wivenhoe, Somerset and North Pine Dams; and
- (b) the section of the Brisbane River between the Wivenhoe Dam and Mt Crosby Weir.

1 This allocation was fixed on the basis of the following full supply levels—

- (a) Somerset Dam—RL 99.00 metres AHD;
- (b) Wivenhoe Dam—RL 67.00 metres AHD;
- (c) North Pine Dam—RL 39.63 metres AHD;
- (d) Mt Crosby Weir—RL 6.90 metres AHD.

3 Conditions for company allocation

(1) The conditions stated in this section are imposed on the company allocation.

(2) The maximum volume of water the company may take from the impoundment of the North Pine Dam in a year is 59 000 ML.

(3) The company must make available from the company allocation to Esk Shire Council, free of charge—

- (a) 220 ML a year for use for the Town of Esk; and
- (b) 270 ML a year for use for the Town of Lowood.

(4) The company must make available from the company allocation to the Glamorgan Vale Water Board, free of charge, 250 ML a year for use for the Glamorgan Vale Water Supply Area.

(5) The company must make available from the company allocation, free of charge—

- (a) a sufficient volume of water, but not more than an aggregate of 7 000 ML a year, to meet the rights to water of licensees authorised under licences issued under part 4 of the Act to take water for irrigation purposes from the Brisbane River between the Wivenhoe Dam and Mt Crosby Weir; and
- (b) a sufficient volume of water to meet the riparian rights of persons under section 36 of the Act relating to any of the sources to which the company allocation relates; and
- (c) a sufficient volume of water to meet the rights to water of other persons under authorisations under the Act if the authorisations—
 - (i) are in force on the commencement of this section; and
 - (ii) relate to any of the sources to which the company allocation relates.

PART 3—SPECIAL WORKS

4 Approval of agreement—Act, s 101

(1) The special works agreement is approved.

(2) The special works agreement may be inspected, free of charge, during office hours, at the Toowoomba office² of the department.

(3) In this section—

“special works agreement” means the agreement called the ‘Special Works Agreement Part 7 Water Resources Act 1989’, made on the 18 December 2001 between the State of Queensland, through the Minister for Natural Resources and Mines, and the Toowoomba City Council.

² The Toowoomba office is located at 203 Tor Street, Toowoomba.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 15 March 2002. Future amendments of the Water Resources Regulation 1999 may be made in accordance with this reprints under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	18 June 1999
1A	to SL No. 18 of 2000	23 March 2000
1B	to SL No. 184 of 2000	5 July 2000
1C	to SL No. 258 of 2000	11 October 2000

5 List of legislation

Water Resources Regulation 1999 SL No. 95

made by the Governor in Council on 27 May 1999

notfd gaz 28 May 1999 pp 401–2

commenced on date of notification

exp 1 July 2002 (see 2000 No. 34 s 1131(4))

Note— This regulation originally made under the Water Resources Act 1989

continues in force under the Water Act 2000 (see 2000 No. 34 s 1131)

amending legislation—

Water Resources Legislation Amendment Regulation (No. 1) 2000 SL No. 18 pts 1, 3

notfd gaz 4 February 2000

ss 1–2 commenced on date of notification

remaining provisions commenced 17 March 2000 (see ss 2(2), 8 and notice pubd gaz 16 March 2000 p 989)

Natural Resources Legislation Amendment Regulation (No. 1) 2000 SL No. 111 pts 1, 11

notfd gaz 9 June 2000 pp 456–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

Primary Industries and Natural Resources Legislation Consequential Amendment Regulation (No. 1) 2000 SL No. 184 pts 1, 7

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced at 6 p.m. on 30 June 2000 (see s 2)

Water Regulation 2000 SL No. 258 pts 1, 3

notfd gaz 29 September 2000 pp 404–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 October 2000 (see s 2)

Water Resources Amendment Regulation (No. 1) 2002 SL No. 38

notfd gaz 8 March 2002 pp 936–7

commenced on date of notification

6 List of annotations

PART 2—WATER ALLOCATION

pt hdg prev pt 2 hdg om 2000 SL No. 258 s 12
 pres pt 2 hdg (prev pt 3A hdg) ins 2000 SL No. 18 s 8
 renum 2002 SL No. 38 s 4

Allocation for South East Queensland Water Corporation Limited

s 2 prev s 2 om 2000 SL No. 258 s 12
 pres s 2 (prev s 15A) ins 2000 SL No. 18 s 8
 renum 2002 SL No. 38 s 4

Conditions for company allocation

s 3 prev s 3 om 2000 SL No. 258 s 12
 pres s 3 (prev s 15B) ins 2000 SL No. 18 s 8
 renum 2002 SL No. 38 s 4

PART 3—SPECIAL WORKS

pt hdg prev pt 3 hdg om 2000 SL No. 258 s 12
 pres pt 3 hdg ins 2002 SL No. 38 s 3

Approval of agreement—Act, s 101

s 4 prev s 4 om 2000 SL No. 258 s 12
 pres s 4 ins 2002 SL No. 38 s 3

Publication of notice about proposed sale

s 5 om 2000 SL No. 258 s 12

Consideration of approval application

s 6 om 2000 SL No. 258 s 12

Chief executive's decision about approval application

s 7 om 2000 SL No. 258 s 12

Fixing licence conditions on approval of proposed sale

s 8 om 2000 SL No. 258 s 12

Action by parties after sale

s 9 om 2000 SL No. 258 s 12

Land and water management plans

s 10 om 2000 SL No. 258 s 12

Requirement about land and water management plan affecting use of rights by buyer

s 11 om 2000 SL No. 258 s 12

Compliance by buyer with current land and water management plan

s 12 om 2000 SL No. 258 s 12

Approval of land and water management plans

s 13 om 2000 SL No. 258 s 12

Application for deferral of, or exemption from, plan requirement

s 14 om 2000 SL No. 258 s 12

Chief executive's decision about deferral or exemption

s 15 om 2000 SL No. 258 s 12

PART 4—APPEALS

pt 4 (ss 16–18) om 2000 SL No. 258 s 12

PART 5—MISCELLANEOUS

pt hdg om 2000 SL No. 258 s 12

Charges associated with sale of rights to part 4 or 9 allocation

s 19 amd 2000 SL No. 184 s 40

om 2000 SL No. 258 s 12

Fees

s 20 om 2000 SL No. 258 s 12

SCHEDULE 1—IRRIGATION AREAS AND CONDITIONS

om 2000 SL No. 258 s 12

SCHEDULE 2—FEES

sub 2000 SL No. 111 s 24

om 2000 SL No. 258 s 12

SCHEDULE 3—DICTIONARY

om 2000 SL No. 258 s 12