

Queensland



Water Act 2000

WATER REGULATION 2002

**Reprinted as in force on 30 January 2004
(includes commenced amendments up to 2004 SL No. 3)**

Reprint No. 2C

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This regulation is reprinted as at 30 January 2004. 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. Also see list of legislation for any uncommenced amendments.

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

Also see endnotes for information about—

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

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

Queensland



WATER REGULATION 2002

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	7
2	Commencement	7
3	Definitions	7
PART 2—ALLOCATION AND SUSTAINABLE MANAGEMENT		
<i>Division 1—Water rights</i>		
3A	Prohibition on taking or interfering with water—Act s 23	8
3B	Restriction on rate of taking water—Act s 23	8
3C	Expiry of div 1	9
<i>Division 1A—Water planning</i>		
3CA	Notice of works—Act, s 37	9
3D	Requirement for land and water management plan—Act, s 73	9
<i>Division 1B—Implementing water resource plans</i>		
4	Locations of offices of the registry—Act, s 148	10
5	Documents that may be lodged in the registry—Act, s 148	10
<i>Division 2—Interim allocation and management arrangements</i>		
6	Nominated persons—Act, s 168	11
7	Entities—Act, ss 190 and 193	11
8	Transferring interim water allocation to other land—Act, s 195	12
9	Application for approval to transfer interim water allocation	12
10	Deciding application for approval	13
11	Decision to refuse to approve proposed transfer	14
12	Decision to approve proposed transfer without conditions	14
13	Decision to approve proposed transfer with conditions	14

Water Regulation 2002

13A	Approval under section 13	14
13B	Completion of transfer of interim water allocation	15
<i>Division 3—Water licences</i>		
14	Entities—Act, ss 206 and 213	15
14A	When water licence fee is payable	15
15	Seasonal water assignments and rules—Act, s 230	16
<i>Division 4—Catchment areas</i>		
16	Catchment areas—Act, s 258	17
<i>Division 5—Quarry materials</i>		
17	Royalty for State quarry material—Act, s 292	17
<i>Division 6—Water bore drillers</i>		
18	Classes of licence—Act, s 299	17
19	Water bore driller’s licence endorsements—Act, s 299	18
20	Qualifications or experience for class 1 licence—Act, s 299	18
21	Qualifications or experience for class 2 licence—Act, s 299	19
22	Qualifications or experience for class 3 licence—Act, s 299	20
23	Conditions of water bore driller’s licence—Act, s 302	21
24	Records of water bores drilled—Act, s 313	22
PART 3—INFRASTRUCTURE AND SERVICE		
25	Section numbers 25–30 not used.	23
PART 4—WATER AUTHORITIES		
31	Water authorities established—Act, s 548	23
32	Returning officer for election of directors—Act, s 598	24
33	Roll of voters	25
34	Nominations	26
35	When ballot must be held	26
36	Preparing ballot papers	27
37	Distributing voting material	27
38	How long ballot is open	28
39	Voting	28
40	How returning officer must deal with voting material	29
41	Scrutiny	29

42	Initial scrutiny of voting material	30
43	Counting votes	31
44	What happens if votes for 2 or more candidates are equal	31
45	Declaring election result	31
46	Filling casual vacancies	32
47	Substantial compliance	32
48	Conduct of special ballot—Act, s 695	32
	PART 5—INVESTIGATIONS, ENFORCEMENT AND OFFENCES	
49	Destroying vegetation in a watercourse, lake or spring—Act, s 814	33
50	Excavating in a watercourse, lake or spring—Act, s 814	33
51	Placing fill in a watercourse, lake or spring—Act, s 814	34
52	Requirements for decommissioning a water bore—Act, s 817	34
	PART 6—MISCELLANEOUS PROVISIONS	
53	Drainage rates—Act, s 993	35
54	Downstream limits of watercourses—Act, s 1006(1)	35
55	Water declared to be water in a watercourse—Act, s 1006(2)	35
56	Water management areas	36
57	Changing boundaries of water management areas	36
58	Charges for water allocated, supplied or taken—Act, s 1014	37
59	Minimum charge	37
60	Notice for payment of charges	37
61	Drainage and embankment areas—Act, s 1014	38
62	Code for self-assessable development—Act, s 1014	38
63	Fees	39
64	Water sharing rules	39
65	Nominal entitlement	39
66	Announced entitlement	40
67	Annual entitlement	40
	PART 7—TRANSITIONAL PROVISIONS AND REPEALS	
	<i>Division 1—Transitional provisions for water bore drillers</i>	
68	Qualifications or experience for water bore driller’s licences—Act, s 299 . .	41
69	Period for which licence has effect—Act, s 302	41

69A	Conditions of class 1 water bore driller's licence—Act, 302	42
	<i>Division 2—Transitional provision for allocation and sustainable management</i>	
70	Declared subartesian areas—Act, s 1046	42
	<i>Division 3—Transitional provision for failure impact assessing of dams</i>	
71	Failure impact rating—Act, ss 1067 and 1068	42
	<i>Division 4—Transitional provision for former water areas</i>	
72	Continuing former water areas—Act, s 1083	43
	<i>Division 5—Miscellaneous transitional provisions</i>	
73	Continuing areas as water management areas	43
74	Water charges	44
74A	Application for approval to transfer interim water allocation	44
74B	When changes to particular water charges have effect	44
	<i>Division 6—Repeals</i>	
75	Repeals	44
	SCHEDULE 1	
	PERSONS NOMINATED FOR THE ACT, SECTION 168	
	SCHEDULE 2	
	ENTITIES—ACT, SECTIONS 190, 193, 206 AND 213	
	SCHEDULE 3	
	TRANSFERRING INTERIM WATER ALLOCATIONS	
	SCHEDULE 4	
	SEASONAL WATER ASSIGNMENTS	
	SCHEDULE 5	
	CATCHMENT AREAS	
	SCHEDULE 6	
	WATER AUTHORITIES	
	SCHEDULE 7	
	DRAINAGE RATES	
	SCHEDULE 8	
	DOWNSTREAM LIMITS	
	SCHEDULE 9	
	DRAINAGE AND EMBANKMENT AREAS	

	SCHEDULE 10	59
	WATER SHARING RULES	
	SCHEDULE 11	61
	SUBARTESIAN AREAS	
	SCHEDULE 12	64
	FAILURE IMPACT RATING	
	SCHEDULE 13	75
	AUTHORITY AREAS	
	SCHEDULE 14	78
	WATER CHARGES	
	SCHEDULE 15	83
	ROYALTIES	
	SCHEDULE 16	84
	FEEES	
	SCHEDULE 17	89
	DICTIONARY	
	ENDNOTES	
1	Index to endnotes	91
2	Date to which amendments incorporated.	91
3	Key	91
4	Table of reprints	92
5	Tables in earlier reprints.	92
6	List of legislation	92
7	List of annotations	93

WATER REGULATION 2002

[as amended by all amendments that commenced on or before 30 January 2004]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Water Regulation 2002*.¹

2 Commencement

(1) Sections 58–60, 74, 75(d) and (e), schedule 3, item 2, and schedule 14 commence on 30 June 2002.

(2) The remaining provisions of this regulation commence on 19 April 2002.

3 Definitions

The dictionary in schedule 17 defines particular words used in this regulation.

1 As far as practicable, the parts of this regulation follow the chapters of the Act. Part 3 has been deliberately left blank to allow the regulation to be easily amended in the future.

A copy of a map or plan mentioned in this regulation may be inspected at the department's head office, Brisbane or on the department's website.

PART 2—ALLOCATION AND SUSTAINABLE MANAGEMENT

Division 1—Water rights

3A Prohibition on taking or interfering with water—Act s 23

(1) Under section 23(2)(c) of the Act, holders of interim water allocations are prohibited from taking water for irrigation purposes from the following—

- (a) Yabba Creek from Borumba Dam to the creek's junction with the Mary River;
- (b) the Mary River between its junction with Yabba Creek and AMTD 180 km;
- (c) Calico, McIntosh, Pie and Eel Creeks.

(2) However, subsection (1) does not apply—

- (a) to the extent SunWater has approved the taking of credit water under the credit water operating rules;² or
- (b) to the extent the chief executive has approved the supply, by SunWater, of water to a maximum of 0.1 ML a week if—
 - (i) in the chief executive's opinion, an interim water allocation holder's need for water is critical; and
 - (ii) the holder has not taken the total volume of water allowed to be taken under the holder's entitlement.

(3) Also, subsection (1) does not apply if there is at least 10 500 ML in Borumba Dam.

3B Restriction on rate of taking water—Act s 23

Under section 23(2)(a) of the Act, an owner of land adjoining a watercourse mentioned in section 3A, who takes water from the watercourse for stock or domestic purposes, must not take the water at more than the rate of 0.025 ML a week.

² A copy of the credit water operating rules may be found on SunWater's website.

3C Expiry of div 1

This division—

- (a) has effect for a period of 1 year; and
- (b) expires on 21 February 2004.

Division 1A—Water planning**3CA Notice of works—Act, s 37**

(1) This section applies to the following works of any size, for taking or interfering with subartesian water under section 20(6) of the Act, in the part of the State shown on plan AP 9970—

- (a) existing works;
- (b) on their completion—
 - (i) works enlarging, deepening or changing existing works; and
 - (ii) works constructed in the future.

(2) The owner of land on which the works are constructed must notify the chief executive of the works and the water use or, for works completed in the future, proposed water use, in relation to the works.

Maximum penalty—20 penalty units.

(3) The notice must be—

- (a) in the approved form; and
- (b) given to the chief executive—
 - (i) for a notice about existing works—within 60 days after the commencement of this section; and
 - (ii) for a notice about works completed in the future—within 60 days after the completion of the works.

3D Requirement for land and water management plan—Act, s 73

For section 73(1A)(b) of the Act, the time is—

- (a) the next year after the year the person used the water received under a seasonal water assignment; or
- (b) the year after the next year.

Division 1B—Implementing water resource plans

4 Locations of offices of the registry—Act, s 148

(1) Documents may be lodged—

(a) at the following offices of the registry during business hours—

- Brisbane
- Bundaberg
- Bundall (Gold Coast)
- Caboolture
- Cairns
- Ipswich
- Mackay
- Maryborough
- Nambour
- Rockhampton
- Roma
- Toowoomba
- Townsville; and

(b) at other offices of the registry at the times fixed by the chief executive.

(2) The chief executive must advertise in the local area the times when an office of the registry mentioned in subsection (1)(b) accepts documents.

5 Documents that may be lodged in the registry—Act, s 148

(1) This section applies to documents to be lodged in the registry.

(2) The documents must be printed on paper that is—

- (a) international sheet size A4; and
 - (b) white bond of a density at least 80 gm to a square metre; and
 - (c) free from discolouration and blemishes.
- (3) A document mentioned in subsection (2) must—
- (a) have clear margins no smaller than 10 mm on all sides; and
 - (b) have a clear space no smaller than 90 mm wide and 65 mm deep at the top right-hand corner of the document for stamp duty imprint; and
 - (c) be completed on 1 side only, either—
 - (i) printed with type size no smaller than 1.8 mm (10 point); or
 - (ii) completed in a way that is permanent and that can be photocopied to produce a copy satisfactory to the registrar; and
 - (d) have all pages of the document and all attachments securely bound together in a way approved by the registrar.
- (4) An alteration on a document must be made by—
- (a) striking through the printing or writing intended to be altered so that the original printing or writing is still legible; and
 - (b) having each party to the document and each witness initial the alteration to the document.

Division 2—Interim allocation and management arrangements

6 Nominated persons—Act, s 168

A person mentioned in column 1 of schedule 1 is nominated as the person who operates the infrastructure or manages the water mentioned opposite the person in column 2.

7 Entities—Act, ss 190 and 193

For sections 190(d)(iv) and 193(1)(e) of the Act, the entities are in schedule 2.

8 Transferring interim water allocation to other land—Act, s 195

(1) An interim water allocation holder (the “**proposed transferor**”) may transfer to other land, all or part of the authority to take water under the allocation in relation to land.

(2) However, subsection (1) applies only if—

- (a) the interim water allocation—
 - (i) is managed under an interim resource operations licence for a water supply scheme mentioned in schedule 3, column 1; and
 - (ii) is applied for a purpose mentioned opposite the water supply scheme in schedule 3, column 2; and
- (b) the transfer is in accordance with any conditions, for the water supply scheme, in schedule 3, column 3;³ and
- (c) the person acquiring the authority (the “**proposed transferee**”) is the owner of land that may be supplied with water under the interim resource operations licence; and
- (d) the transfer results in the proposed transferee acquiring an authority to take water in relation to the land of the proposed transferee; and
- (e) the proposed transferee intends to apply the allocation for a purpose mentioned, for the water supply scheme, in schedule 3, column 2; and
- (f) the transfer is made in accordance with the chief executive’s written approval.

9 Application for approval to transfer interim water allocation

(1) This section applies for obtaining the chief executive’s approval of a transfer mentioned in section 8.

(2) An application must be made to the chief executive.

3 A copy of an interim resource operations licence mentioned in schedule 3 is available on the department’s website at—
<<http://www.nrm.qld.gov.au/water/management/pdf>>.

(3) The application must—

- (a) be made jointly by the proposed transferor and proposed transferee; and
- (b) be in the approved form.

(4) The application must be accompanied by the following—

- (a) a copy of the document under which the proposed transferor's interim water allocation is held;
- (b) a statutory declaration by the proposed transferor that each person (an **“interested entity”**) who has a financial or other interest in the land of the proposed transferor for which the interim water allocation is held has been given notice of the proposed transfer;
- (c) the written consent of each interested entity to the proposed transfer;
- (d) evidence of the existence of a supply contract between the proposed transferee and the interim resource operations licence holder;
- (e) the application fee mentioned in schedule 16.

10 Deciding application for approval

(1) In deciding whether to grant the application mentioned in section 9, the chief executive must have regard to the following—

- (a) the effect of the proposed transfer on the sustainability of land and water resources in the area; and
- (b) the purpose for which the proposed transferee intends to use the allocation; and
- (c) any other matter the chief executive considers appropriate.

(2) After considering the matters mentioned in subsection (1), the chief executive may—

- (a) refuse to approve the proposed transfer; or
- (b) approve the proposed transfer with or without conditions.

11 Decision to refuse to approve proposed transfer

(1) The chief executive must refuse to approve the proposed transfer if the proposed transferee does not intend to apply the water allocation for a purpose mentioned, for the water supply scheme, in schedule 3, column 2.

(2) If the chief executive decides to refuse to approve the proposed transfer, the chief executive must, within 10 business days—

- (a) give the proposed transferor and the proposed transferee an information notice for the decision to refuse; and
- (b) give the interim resource operations licence holder notice of the decision.

12 Decision to approve proposed transfer without conditions

If the chief executive decides to approve the proposed transfer without conditions, the chief executive must, within 10 business days, give the proposed transferor, the proposed transferee and the interim resource operations licence holder notice of the decision.

13 Decision to approve proposed transfer with conditions

(1) If the chief executive decides to approve the proposed transfer with conditions, the chief executive must, within 10 business days—

- (a) give the proposed transferee an information notice for the decision to approve the proposed transfer with conditions; and
- (b) give the proposed transferor and the interim resource operations licence holder notice of the decision.

(2) The conditions the chief executive may impose include a condition that the interim water allocation is to be adjusted to avoid a negative effect on the sustainability of land and water resources.

13A Approval under section 13

(1) If a proposed transferee given an approval under section 13 intends to proceed with the transfer, the proposed transferee must give the chief executive notice in the approved form.

(2) The notice must be given—

- (a) if the proposed transferee appeals against the decision—within 30 business days after the appeal is finally decided; or
- (b) otherwise—within 30 business days after receiving the information notice under section 13(1)(a).

13B Completion of transfer of interim water allocation

(1) This section applies if the chief executive—

- (a) approves the proposed transfer under section 12; or
- (b) receives a notice under section 13A(1).

(2) The chief executive may require the proposed transferor or the proposed transferee to return to the chief executive documents under which interim water allocations are held.

(3) The chief executive must cancel or amend existing interim water allocations, or issue new interim water allocations necessary to give effect to the transfer—

- (a) if the chief executive has requested the return of documents under subsection (2)—within 30 business days after the return of the documents; or
- (b) otherwise, within 30 business days after the chief executive—
 - (i) gives notice under section 12; or
 - (ii) receives a notice under section 13A(1).

Division 3—Water licences

14 Entities—Act, ss 206 and 213

For sections 206(4)(f) and 213(e)(vi) of the Act, the entities are in schedule 2.

14A When water licence fee is payable

(1) The water licence fee mentioned in schedule 16, item 18, is payable—

- (a) on an application—
- (i) for a water licence under section 206 of the Act; or
 - (ii) to amend a water licence under section 216 of the Act, only if the amendment extends the period of the licence; or
 - (iii) to renew a water licence under section 220 of the Act; or
 - (iv) to reinstate a water licence under section 221 of the Act; or
 - (v) to amalgamate 2 or more water licences under section 224 of the Act; or
 - (vi) to subdivide a water licence under section 225 of the Act; or
 - (vii) for 1 or more replacement water licences under section 229 of the Act; or
- (b) on the grant of a water licence under section 212 or section 1046 of the Act.

(2) Subsection (1) does not apply to a water licence to take supplemented water.

(3) The fee mentioned in subsection (1) is payable, on the application or grant, for the whole of the licence period.

15 Seasonal water assignments and rules—Act, s 230

(1) Seasonal water assignments are allowed in a water management area mentioned in schedule 4, column 1, for a water licence mentioned for the area in column 2.

(2) The seasonal water assignment rules for a water management area are stated, for the area, in column 3.⁴

⁴ A copy of seasonal water assignment rules mentioned in schedule 4 may be obtained from the department's regional office for the area to which the rules relate.

Division 4—Catchment areas**16 Catchment areas—Act, s 258**

The area shown on each plan mentioned in schedule 5, column 2 is declared to be a catchment area and given the name mentioned opposite the plan in column 1.

Division 5—Quarry materials**17 Royalty for State quarry material—Act, s 292**

(1) The rate at which royalty is payable under the Act is stated in schedule 15.

(2) However, no royalty is payable for State quarry material removed under an allocation notice if the chief executive of a department issues a certificate stating that the material was supplied to the department for the department's use.

Division 6—Water bore drillers**18 Classes of licence—Act, s 299**

(1) For section 299(2)(b) of the Act, the following are the classes of water bore driller's licences—

- (a) class 1 water bore driller's licence;
- (b) class 2 water bore driller's licence;
- (c) class 3 water bore driller's licence.

(2) A class 1 licence authorises the licence holder to carry out drilling activities in single subartesian aquifer systems.

(3) A class 2 licence authorises the licence holder to carry out drilling activities in all subartesian aquifer systems.

(4) A class 3 licence authorises the licence holder to carry out drilling activities in all subartesian and artesian aquifer systems.

19 Water bore driller's licence endorsements—Act, s 299

(1) For section 299(2)(c) of the Act, the following are the water bore driller's licence endorsements for drilling methods—

- (a) cable tool;
- (b) auger;
- (c) rotary air;
- (d) rotary mud.

(2) A cable tool endorsement authorises drilling activities using cable tool or cable percussion drilling methods.

(3) An auger endorsement authorises drilling activities using bucket auger, hollow stem auger or solid stem auger methods.

(4) A rotary air endorsement authorise drilling activities using rotary drilling methods with air as the drilling fluid.

(5) A rotary mud endorsement authorises drilling activities using rotary drilling methods with water as the drilling fluid or as the base for the drilling fluid.

20 Qualifications or experience for class 1 licence—Act, s 299

(1) For section 299(2)(d) of the Act, the qualifications or experience for a class 1 water bore driller's licence are either—

- (a) holding a licence, equivalent to a class 1 water bore driller's licence, granted by the entity that administers the licensing of water bore drillers in another State; or
- (b) the qualifications or experience stated in subsection (2).

(2) For subsection (1)(b), the qualifications or experience are—

- (a) successful completion of—
 - (i) the class 1 licence module and the drilling method endorsement module of the examinations conducted by the Australian Drilling Industry Training Committee (“ADITC”) for any endorsement for which the applicant is applying; or
 - (ii) another course considered equivalent by the chief executive; and

- (b) either—
 - (i) the following—
 - (A) successful completion of the Drilling Industry Certification and Tapes Course (the “**DICAT course**”) conducted by ADITC or another course considered equivalent by the chief executive; and
 - (B) employment in the operation of a drilling machine under the direct supervision of a licensed water bore driller for at least 6 months during which at least 6 bores were drilled; or
 - (ii) employment in the operation of a drilling machine under the direct supervision of a licensed water bore driller for at least 12 months during which at least 6 bores were drilled.

21 Qualifications or experience for class 2 licence—Act, s 299

(1) For section 299(2)(d) of the Act, the qualifications or experience for a class 2 water bore driller’s licence are either—

- (a) holding a licence, equivalent to a class 2 water bore driller’s licence, granted by the entity that administers the licensing of water bore drillers in another State; or
- (b) the qualifications or experience stated in subsection (2).

(2) For subsection (1)(b), the qualifications or experience are—

- (a) successful completion of—
 - (i) the class 2 licence module and the drilling method endorsement module of the examinations conducted by ADITC for any endorsement for which the applicant is applying; or
 - (ii) another course considered equivalent by the chief executive; and
- (b) either—
 - (i) the following—
 - (A) employment as a licensed class 1 driller for at least 12 months; and

- (B) drilling at least 6 bores including, under the direct supervision of the holder of a class 2 licence, at least 3 bores for which a class 2 licence is required (a “**class 2 bore**”); or
- (ii) the following—
 - (A) successful completion of the DICAT course or another course considered equivalent by the chief executive; and
 - (B) employment in the operation of a drilling machine under the direct supervision of a licensed water bore driller for at least 18 months during the drilling of at least 6 bores including at least 3 class 2 bores drilled under the direct supervision of the holder of a class 2 licence; or
- (iii) employment in the operation of a drilling machine under the direct supervision of a licensed water bore driller for at least 24 months during the drilling of at least 10 bores including at least 3 class 2 bores drilled under the direct supervision of the holder of a class 2 licence.

22 Qualifications or experience for class 3 licence—Act, s 299

(1) For section 299(2)(d) of the Act, the qualifications or experience for a class 3 water bore driller’s licence are either—

- (a) holding a licence, equivalent to a class 3 water bore driller’s licence, granted by the entity that administers the licensing of water bore drillers in another State; or
- (b) the qualifications or experience stated in subsection (2).

(2) For subsection (1)(b), the qualifications or experience are—

- (a) successful completion of—
 - (i) the class 3 licence module and the drilling method endorsement module of the examinations conducted by ADITC for any endorsement for which the applicant is applying; or
 - (ii) another course considered equivalent by the chief executive; and

- (b) successful completion of 1 of the courses mentioned in subsection (3); and
 - (c) either—
 - (i) the following—
 - (A) employment as a licensed class 2 driller, or in the operation of a drilling machine under the direct supervision of the holder of a class 3 licence, for at least 24 months; and
 - (B) drilling at least 10 bores including, under the direct supervision of the holder of a class 3 licence, at least 3 bores for which a class 3 licence is required (a “**class 3 bore**”); or
 - (ii) the following—
 - (A) successful completion of the DICAT course or another course considered equivalent by the chief executive; and
 - (B) employment as a licensed class 2 driller, or in the operation of a drilling machine under the direct supervision of the holder of a class 3 licence, for at least 18 months; and
 - (C) drilling at least 10 bores including, under the direct supervision of the holder of a class 3 licence, at least 3 class 3 bores.
- (3) For subsection (2)(b), the following are the courses—
- (a) The Use and Application of Drilling Fluids, conducted by the Australian Drilling Industry Association (“**ADIA**”);
 - (b) training in the use and application of drilling fluids conducted by ADITC;
 - (c) another course considered equivalent by the chief executive.

23 Conditions of water bore driller’s licence—Act, s 302

(1) For section 302(1)(a) of the Act, the following are the conditions for a water bore driller’s licence—

- (a) water bore drilling activities must be carried out in accordance with the ‘Minimum Construction Requirements for Water Bores

in Australia' published by the Agriculture and Resource Management Council of Australia and New Zealand;

- (b) water bore drilling activities that tap an aquifer of the Great Artesian Basin must be carried out in accordance with the 'Specification for Construction, Reconditioning or Plugging of Bores tapping the Aquifers of the Great Artesian Basin in Queensland';⁵
- (c) if a development approval is required to carry out particular water bore drilling activities, the licence holder must see the approval and carry out the activities in accordance with the approval;
- (d) for a class 1 licence—the licence holder must not drill bores with an internal bore casing diameter of more than 150 mm;
- (e) the licence has effect for a period of 5 years.

(2) The chief executive, in granting a water bore driller's licence, must impose on the licence a condition that the licensee must not construct screened and designed gravel packed bores if the licensee has not completed—

- (a) the course Well Screens, Sieve Analysis and Gravel Packs, conducted by ADIA; or
- (b) another course considered equivalent by the chief executive.

(3) The holder of a class 1 licence, who has drilled 10 bores, may apply to amend the licence by removing the condition mentioned in subsection (1)(d).

(4) The chief executive may amend the licence to remove the condition only if the licence holder gives the chief executive a copy of the records, kept by the holder under section 313 of the Act, about the 10 bores.

24 Records of water bores drilled—Act, s 313

For section 313(1) of the Act, the following is the information required to be kept about each water bore drilling activity—

- (a) the name and address of the owner of the land on which the activity is being carried out;

5 Copies of the documents mentioned in section 23(1)(a) and (b) may be obtained from the department's head office in Brisbane.

- (b) the location of the activity;
- (c) the name and water bore driller's licence number of the driller performing the work;
- (d) the drilling method used;
- (e) the dates the water bore drilling activity started and finished;
- (f) details of the following—
 - (i) the strata drilled;
 - (ii) water produced by the strata, including the volume and quality of the water, the depth at which it is struck and the depth to which it rises naturally;
 - (iii) the bore hole diameter;
 - (iv) the type and diameter of the bore casing;
 - (v) the diameter and location of the bore hole cementing;
 - (vi) the number and size of the slots or perforations in the casing, or screens installed, for water entry;
- (g) an estimation of the rate at which water may be produced from the bore.

PART 3—INFRASTRUCTURE AND SERVICE

25 Section numbers 25–30 not used

See footnote to section 1.

PART 4—WATER AUTHORITIES

31 Water authorities established—Act, s 548

(1) Each water authority mentioned in schedule 6, column 1, is established.

(2) If the authority is established for an authority area, the authority area is shown on the plan mentioned opposite the authority in column 2.

32 Returning officer for election of directors—Act, s 598

(1) For the first election of directors, the chief executive—

- (a) must appoint a person the chief executive considers appropriate as the returning officer; and
- (b) may appoint a person the chief executive considers appropriate as the deputy returning officer.

(2) For a subsequent election of directors, the board—

- (a) must appoint a person the board considers appropriate as the returning officer; and
- (b) may appoint a person the board considers appropriate as the deputy returning officer.

(3) The returning officer—

- (a) must conduct an election in the way stated in this part; and
- (b) may take the action and give the directions the returning officer considers reasonably necessary—
 - (i) to ensure no irregularities happen in the election; or
 - (ii) to remedy a procedural defect that appears to the returning officer to exist in relation to the election.

Maximum penalty for subsection (3)(a)—20 penalty units.

(4) The returning officer must not influence, or attempt to influence, the outcome of an election.

Maximum penalty—20 penalty units.

(5) If the returning officer is unable to perform the returning officer's functions, for example because of illness, the deputy returning officer or, if there is no deputy returning officer, another person the board or, for the first election of directors, the chief executive considers appropriate must perform the functions.

33 Roll of voters

(1) The returning officer must compile a roll of voters in accordance with this section.

Maximum penalty—20 penalty units.

(2) The roll must state the full name and address of each ratepayer.

(3) If 2 or more ratepayers are joint owners or occupiers, the returning officer must ask them to nominate in writing an individual to represent them.

(4) The returning officer must insert on the roll the name and address of—

(a) the person nominated; or

(b) if no-one is nominated—the owner or occupier whose name appears first in the records of the chief executive or the board.

(5) If a ratepayer is a body corporate, the returning officer must ask the body corporate to nominate in writing an individual (a “**nominee**”) to represent the body corporate.

(6) The returning officer must insert the name and address of the nominee on the roll.

(7) The returning officer must—

(a) allow a ratepayer to inspect the roll, free of charge, at the board’s public office premises during business hours; and

(b) on payment of a reasonable fee—give the ratepayer a copy of the roll.

(8) Subject to subsection (4), a person who is a ratepayer whose name does not appear on the roll may apply in writing to the returning officer to have the person’s name included on the roll.

(9) If the returning officer is satisfied the person is a ratepayer, the returning officer must insert the person’s name and address on the roll.

34 Nominations

(1) The returning officer must, by notice to each person entitled to vote (a “**voter**”), call for nominations of persons eligible to be elected as directors.⁶

(2) The notice must state—

- (a) the day and time, at least 10 business days after the notice is given, when nominations close; and
- (b) the day, not more than 20 business days after nominations close, when voting material will be given to voters if a ballot is necessary.

(3) A nomination must be—

- (a) written; and
- (b) signed by the candidate and 2 voters; and
- (c) given to the returning officer before nominations close.

(4) A candidate may withdraw a nomination by notice to the returning officer no later than 1 hour before nominations close.

(5) A person must not, under subsection (3) or (4), state anything the person knows is false or misleading in a material particular.

Maximum penalty—20 penalty units.

(6) It is enough for a complaint for an offence against subsection (5) to state the statement made was ‘false or misleading’ to the person’s knowledge, without specifying which.

35 When ballot must be held

(1) If, after nominations have closed, the number of candidates is not more than the number to be elected, the returning officer must declare the candidates elected.

(2) However, if the number of candidates is more than the number to be elected, the returning officer must conduct a secret ballot.

⁶ See section 603 (Eligibility for appointment as director) of the Act.

36 Preparing ballot papers

(1) A ballot paper must comply with the following—

- (a) be made of paper that will hide a vote marked on it from view when it is folded once;
- (b) list the names of each candidate for election once, with the surname first, followed by the candidate's other names;
- (c) state how the voter may vote;
- (d) state the day and time the ballot starts and the day and time it ends;
- (e) state that, for the vote to be counted, the voter must fill in and sign the declaration form.

(2) If 2 or more candidates have the same surname and other names, the candidates must be distinguished in an appropriate way, for example by including the occupation of each candidate on the ballot paper.

(3) The order of names on the ballot paper must be decided by lot.

37 Distributing voting material

(1) The returning officer must give the following (the “**voting material**”) to each voter—

- (a) a ballot paper initialled by the returning officer;
- (b) a ballot envelope;
- (c) a declaration form stating ‘I certify that I am the person to whom this voting material has been given and I have voted on the ballot paper enclosed.’;
- (d) a return envelope addressed to the returning officer.

(2) The voting material must be given not more than 20 business days after nominations close, to arrive, if practicable, no later than the last working day before the ballot starts.

(3) If a voter gives the returning officer notice that the voter will be at a different address from the address stated on the roll when voting material is to be given, the returning officer must give the voter the material at the address stated in the notice.

(4) Before giving voting material to a voter, the returning officer must mark a ballot number on—

- (a) the roll against the voter's name; and
- (b) the declaration form; and
- (c) the return envelope.

(5) The ballot numbers must be consecutive starting with a number chosen by the returning officer.

(6) After giving the voting material, the returning officer must obtain a lockable ballot box and keys and keep them in a safe place.

38 How long ballot is open

The ballot must remain open for at least 10 business days.

39 Voting

(1) A voter may vote only once in each election.

Maximum penalty—20 penalty units.

(2) A voter may vote by completing the following steps—

- (a) marking a tick or a cross on the ballot paper in the squares opposite the names of up to the number of candidates that may be elected by the voters for the area to constitute the board;
- (b) putting the ballot paper in the ballot envelope;
- (c) sealing the ballot envelope;
- (d) filling in and signing the declaration;
- (e) putting the declaration and the ballot envelope in the return envelope;
- (f) sealing the return envelope;
- (g) returning the return envelope to the returning officer before voting closes by—
 - (i) posting it to the returning officer; or
 - (ii) putting it in the ballot box.

(3) The returning officer must provide a voter who wishes to vote at a polling booth with an unoccupied voting compartment in which to vote in private.

(4) If a voter satisfies the returning officer that voting material given to the ratepayer has been lost, stolen or destroyed, the returning officer must give the voter duplicate voting material.

(5) A voter must not, under subsection (2)(d) or (4), state anything the voter knows is false or misleading in a material particular.

Maximum penalty—20 penalty units.

(6) It is enough for a complaint for an offence against subsection (5) to state the statement made was ‘false or misleading’ to the voter’s knowledge, without specifying which.

(7) A person who is not on the roll of voters must not vote in an election.
Maximum penalty for subsection (7)—20 penalty units.

40 How returning officer must deal with voting material

(1) The returning officer must put each return envelope received before voting closes into the ballot box.

Maximum penalty—20 penalty units.

(2) If the returning officer receives a return envelope after voting closes, the returning officer must—

- (a) mark the envelope ‘Received by the returning officer after voting closed’; and
- (b) keep the envelope separate from return envelopes received before voting closed.

Maximum penalty—20 penalty units.

41 Scrutiny

(1) Before voting closes, the returning officer must give each candidate notice of when and where votes are to be collected, examined and counted.

(2) A candidate may appoint 1 scrutineer to observe, with or without the candidate, the collection, examination and counting of votes.

(3) The candidate must give the returning officer notice of the appointment.

(4) When a scrutineer arrives for the collection, examination and counting, the scrutineer must show the returning officer a copy of the notice of appointment or other suitable identification.

(5) The failure of a candidate or scrutineer to attend the scrutiny of votes does not affect the validity of the election.

42 Initial scrutiny of voting material

(1) As soon as possible after voting closes, the returning officer must—

- (a) take the ballot box to the place notified to the candidates as the place where votes are to be counted; and
- (b) deal with the votes in the way stated in this section in the presence of the candidates and scrutineers at the place.

Maximum penalty—20 penalty units.

(2) The returning officer must—

- (a) open each return envelope; and
- (b) take the declaration and ballot envelope out of the return envelope.

(3) The returning officer must put the declaration and the ballot envelope into separate containers if the returning officer is satisfied about the following matters—

- (a) the ballot number on the declaration corresponds with the ballot number marked beside the name of a voter on the roll;
- (b) the person who filled in and signed the declaration is—
 - (i) the voter to whom the declaration was given; or
 - (ii) a voter who has not previously voted in the election and has a reasonable explanation for using someone else's voting material.

(4) If subsection (3)(b)(ii) applies, the returning officer must—

- (a) note the acceptance of the explanation on the declaration; and
- (b) record the correct ballot number on the roll against the name of the voter who signed the declaration.

(5) If the returning officer is not satisfied about a matter mentioned in subsection (3)(a) or (b), the returning officer must keep the unsatisfactory voting material separate from the satisfactory voting material.

(6) The returning officer must then note the fact that the voter has voted against the voter's name on the roll.

43 Counting votes

(1) The returning officer must count the votes in accordance with this section.

Maximum penalty—20 penalty units.

(2) After separating the declaration forms and ballot envelopes, the returning officer must do the following in order—

- (a) seal the container holding declaration forms;
- (b) open the ballot envelopes;
- (c) take the ballot papers out of the ballot envelopes;
- (d) examine the ballot papers for votes;
- (e) separate the formal and informal votes;
- (f) count the formal votes.

(3) The returning officer must not include an informal vote in the count.

(4) A vote is not informal if the voter's intention is clear.

44 What happens if votes for 2 or more candidates are equal

If the votes for 2 or more candidates are equal, the returning officer must decide the candidate elected by drawing lots.

Maximum penalty—20 penalty units.

45 Declaring election result

(1) The returning officer must give each candidate a signed declaration of the result of the election.

(2) If the election involved a ballot, the declaration must state the following—

- (a) how many voters were on the roll when voting closed;

- (b) how many ballot papers were printed;
- (c) how many ballot papers were issued;
- (d) how many duplicate ballot papers were issued;
- (e) how many ballot papers were returned;
- (f) how many ballot papers were returned as unclaimed mail;
- (g) how many ballot papers were not returned;
- (h) how many ballot papers were rejected during scrutiny and the reasons for rejection;
- (i) how many ballot papers were counted;
- (j) the percentage of voters who voted.

Examples of reasons for rejection mentioned in paragraph (h)—

1. The declaration form was not returned.
2. The voter did not sign the declaration form.

(3) A scrutineer may countersign the declaration.

46 Filling casual vacancies

If a casual vacancy arises in the office of an elected director, the office must be filled by the election of another director under this part.

47 Substantial compliance

The validity of a ballot is not affected if there has been substantial compliance with sections 36, 37, 40, 42, 43 and 45.

48 Conduct of special ballot—Act, s 695

This part, with necessary changes, applies to the conduct of a special ballot for the Act, section 695(3).

PART 5—INVESTIGATIONS, ENFORCEMENT AND OFFENCES

49 Destroying vegetation in a watercourse, lake or spring—Act, s 814

Destroying vegetation in a watercourse, lake or spring is permitted if the destruction—

- (a) is carried out under—
 - (i) a licence, permit, lease or authority to prospect under the *Petroleum Act 1923*; or
 - (ii) a tree clearing permit under the *Land Act 1994*; or
 - (iii) a licence under the *Fossicking Act 1994*; or
 - (iv) an environmental authority (mining activities) under the *Environmental Protection Act 1994*; or
 - (v) the Queensland Department of Main Roads Guideline for Activities in a Watercourse or Lake for Destroying up to 0.25 ha of Vegetation, Excavating up to 500 m³, or Placing Fill up to 500 m³;⁷ or
- (b) is of a noxious plant under the *Rural Lands Protection Act 1985*.

50 Excavating in a watercourse, lake or spring—Act, s 814

Excavating in a watercourse, lake or spring is permitted if the excavation is carried out under—

- (a) a licence, permit, lease or authority to prospect under the *Petroleum Act 1923*; or
- (b) a licence under the *Fossicking Act 1994*; or
- (c) an environmental authority (mining activities) under the *Environmental Protection Act 1994*; or

⁷ Copies of the guideline may be obtained from the department's head office in Brisbane.

- (d) the Brisbane City Council Guideline for Riverine Protection for Excavating up to 500 m³ in a Watercourse or Lake by the Brisbane City Council;⁸ or
- (e) the Queensland Department of Main Roads Guideline for Activities in a Watercourse or Lake for Destroying up to 0.25 ha of Vegetation, Excavating up to 500 m³, or Placing Fill up to 500 m³.

51 Placing fill in a watercourse, lake or spring—Act, s 814

Placing fill in a watercourse, lake or spring is permitted if—

- (a) the placing is carried out under—
 - (i) a licence, permit, lease or authority to prospect under the *Petroleum Act 1923*; or
 - (ii) an environmental authority (mining activities) under the *Environmental Protection Act 1994*; or
 - (iii) the Queensland Department of Main Roads Guideline for Activities in a Watercourse or Lake for Destroying up to 0.25 ha of Vegetation, Excavating up to 500 m³, or Placing Fill up to 500 m³; or
- (b) the fill is placed in an excavation made by a person fossicking under a licence under the *Fossicking Act 1994*.

52 Requirements for decommissioning a water bore—Act, s 817

For section 817(2) of the Act, the following are the requirements for decommissioning a water bore—

- (a) decommissioning must be carried out in accordance with the ‘Minimum Construction Requirements for Water Bores in Australia’ published by the Agriculture and Resource Management Council of Australia and New Zealand;
- (b) decommissioning an artesian bore, or a subartesian bore that taps an aquifer of the Great Artesian Basin, must be carried out in accordance with the ‘Specification for Construction,

⁸ Copies of the guideline may be obtained from the department’s head office in Brisbane.

Reconditioning or Plugging of Bores tapping the Aquifers of the Great Artesian Basin in Queensland'.⁹

PART 6—MISCELLANEOUS PROVISIONS

53 Drainage rates—Act, s 993

The drainage rates payable for a water year by an owner of land in a drainage area mentioned in schedule 7, column 1, are stated opposite the area in column 2.

54 Downstream limits of watercourses—Act, s 1006(1)

The downstream limit of a watercourse mentioned in schedule 8, column 1, is the natural or artificial feature or the boundary of a parcel of land, mentioned in schedule 8, column 2, for the watercourse, and shown on the plan mentioned opposite the watercourse in column 3.

55 Water declared to be water in a watercourse—Act, s 1006(2)

The following water is declared to be water in a watercourse—

- (a) water in an aquifer under the bed or banks of the Kolan River, between AMTD 14.5 km and AMTD 76.4 km, to a depth of 10 m below the bed of the river;
- (b) water in an alluvial aquifer under the bed or banks of the Burnett River, between AMTD 25.9 km and AMTD 333.9 km, to a depth of 10 m below the bed of the river;
- (c) water in an alluvial aquifer under the bed or banks of the Boyne River, between AMTD 0 km and AMTD 86.7 km, to a depth of 10 m below the bed of the river;
- (d) water in an alluvial aquifer under the bed or banks of the Nogo River, between AMTD 0 km and AMTD 23 km, to a depth of 10 m below the bed of the river.

⁹ Copies of the documents mentioned in section 52(a) and (b) may be obtained from the department's head office in Brisbane.

56 Water management areas

(1) The chief executive may declare an area of the State to be a water management area for water not managed under an interim resource operations licence or a resource operations licence.

(2) The declaration may be for—

- (a) fixing water charges payable to the chief executive; or
- (b) allowing seasonal water assignments and making seasonal water assignment rules; or
- (c) prescribing water sharing rules.

(3) The chief executive may name the area, for example, the ‘Barker-Barambah Creeks water management area’.

(4) A subartesian area declared under section 70 is also a water management area.

(5) The chief executive must display a map or plan showing the boundaries of a water management area in the department’s regional office in or near the area.

(6) The chief executive must—

- (a) give notice of the declaration to the persons licensed to take water from the area; or
- (b) publish a notice about the declaration in a newspaper circulating generally in the area.

57 Changing boundaries of water management areas

(1) The chief executive may change the boundaries of a water management area by—

- (a) including land in the area; or
- (b) removing land from the area.

(2) If the chief executive changes the boundaries of a water management area, the chief executive must—

- (a) give notice of the change to the persons licensed to take water from land included in, or removed from, the area; or
- (b) publish a notice about the change in a newspaper circulating generally in the area.

(3) However, subsection (2) does not apply to a change made under a resource operations plan.

58 Charges for water allocated, supplied or taken—Act, s 1014

(1) The charges mentioned in schedule 14, column 3, are payable to the chief executive—

- (a) for the allocation, supply or taking of water in a water management area mentioned opposite the charges in column 1; and
- (b) for the water year ending on the date mentioned opposite the charges in column 2.

(2) If a change to a water charge is prescribed, the changed water charge is payable for the water year following the date the current water year ends.

59 Minimum charge

(1) This section applies if a minimum charge is mentioned in schedule 14, column 3, for a water management area.

(2) The minimum charge is payable in a water year by the holder of a water licence to take water from the area if the total charges payable under section 58 by the holder are less than the minimum charge.

(3) Subsection (2) does not apply if no other charges are payable by the holder.

60 Notice for payment of charges

(1) A charge under section 58—

- (a) may be levied—
 - (i) for the period decided by the chief executive; or
 - (ii) if the chief executive does not decide a period—quarterly; and
- (b) may be levied by giving notice to the holder of the water licence under which water is taken; and
- (c) becomes payable on the day the notice is given; and
- (d) must be paid within 30 days after the notice is given; and

- (e) for any part of the charge remaining unpaid after 30 days—accrues interest at the rate that is 2% above the Suncorp Metway Ltd business banking variable lending base rate.
- (2) A notice given under subsection (1)(b) must state—
- (a) the amount of the charge and the period for which it is levied; and
 - (b) the time and place for payment; and
 - (c) that any part of the charge remaining unpaid after 30 days accrues interest; and
 - (d) the interest rate.

61 Drainage and embankment areas—Act, s 1014

For the *Integrated Planning Act 1997*—

- (a) an area in schedule 9, column 1 and shown on the plan for the area in column 2, is declared to be a drainage and embankment area; and
- (b) operational work in the area controlling the flow of water into or out of a watercourse, lake or spring is declared to be assessable development.

62 Code for self-assessable development—Act, s 1014

The following codes¹⁰ are approved for carrying out self-assessable development that is operational work mentioned in the *Integrated Planning Act 1997*, schedule 8, part 2—

- (a) for item 9A(a)—the Self-assessable Code for the Development of Riparian Water Access Works on a Watercourse, Lake or Spring;
- (b) for item 9A(b)(ii) in relation to operations mentioned in the *Water Resource (Barron) Plan 2002*—the Code for Self-assessable Development of Bores Identified in a Water Resource Plan as Self-assessable.

¹⁰ Copies of the codes are available on the department's website.

63 Fees

(1) The fees payable under the Act are in schedule 16.

(2) The fee paid on lodgment of an instrument in the registry is forfeited if the instrument is rejected by the registry for failure to comply with a requisition.

(3) The fee payable on re-lodgment of an instrument is half the fee stated in schedule 16 for lodgment of the instrument.

(4) A fee is not payable for the lodgment and registration of an instrument of transfer of a water allocation to, or acquisition or lease of a water allocation by, the State.

64 Water sharing rules

(1) The water sharing rules for a water management area mentioned in schedule 10, column 1, are opposite the area in column 2.¹¹

(2) The water sharing rules for a particular area may state the following—

- (a) whether the chief executive is required to decide an announced entitlement for the area;
- (b) if the chief executive is required to decide an announced entitlement—
 - (i) how the announced entitlement is decided; and
 - (ii) whether the announced entitlement may be varied during the water year;
- (c) the extent to which, and the conditions on which, carry overs and forward draws may be authorised in the area.

(3) Subsection (2) does not limit the matters that may be stated in the water sharing rules.

65 Nominal entitlement

(1) A “**nominal entitlement**” is the volume of water authorised to be taken during a water year under a water licence.

11 A copy of the water sharing rules for a water management area may be obtained from the department’s regional office for the area.

(2) However, the volume of water that may be taken during a particular water year is the annual entitlement for the water year.

66 Announced entitlement

(1) If the water sharing rules for a water management area require the chief executive to decide an **“announced entitlement”**, the chief executive must—

- (a) decide the announced entitlement for the area before the start of the water year to which the announced entitlement relates; and
- (b) either—
 - (i) give notice of the announced entitlement to the persons licensed to take water from the area; or
 - (ii) publish the announced entitlement in a newspaper circulating generally in the area.

(2) An announced entitlement is a percentage of a nominal entitlement.

(3) In deciding an announced entitlement, the chief executive must consider—

- (a) the following to the extent appropriate for the area—
 - (i) trends in underground water levels;
 - (ii) long term average sustainable yield;
 - (iii) historical water use;
 - (iv) anticipated water use;
 - (v) water available to supplement water licences in the area;
 - (vi) weather conditions, including weather forecasts; and
- (b) the water sharing rules for the area.

(4) If the chief executive varies an announced entitlement during a water year, subsection (1)(b) applies to the varied announced entitlement.

67 Annual entitlement

(1) If, for a water year, the chief executive has decided an announced entitlement for a water management area, the **“annual entitlement”** for a water licence in the area is calculated by—

- (a) multiplying the nominal entitlement for the water licence by the announced entitlement; and
- (b) adjusting the volume for any carry over or forward draw that applies to the licence for the water year.

(2) If, for a water year, the chief executive has not decided an announced entitlement for a water management area, the annual entitlement for a water licence in the area is the nominal entitlement for the licence adjusted for any carry over or forward draw that applies to the licence for the water year.

PART 7—TRANSITIONAL PROVISIONS AND REPEALS

Division 1—Transitional provisions for water bore drillers

68 Qualifications or experience for water bore driller's licences—Act, s 299

(1) This section applies to an applicant for a water bore driller's licence if the applicant, until 1 year after the commencement of the Act, section 1048A(12), carried out drilling activities for a subartesian bore in an area that was not a declared subartesian area under the repealed Act immediately before the commencement.

(2) For sections 20(2)(b) and 21(2)(b), an applicant who was employed in the operation of a drilling machine is taken to have been employed under the direct supervision of a licensed water bore driller.

(3) For section 21(2)(b), an applicant who drilled bores is taken to have drilled the bores under the direct supervision of the holder of a class 2 water bore driller's licence.

(4) For section 21(2)(b), an applicant who was employed as a driller is taken to have held a class 1 water bore driller's licence.

69 Period for which licence has effect—Act, s 302

(1) Despite section 23(1)(d), a licence given on the granting of the following applications has effect for only 1 year—

- (a) an application taken, under the Act, section 1048(2)(m), to be an application for a water bore driller's licence;
- (b) an application to renew a water bore driller's licence that would otherwise expire before 1 June 2003.

(2) The fee for an application mentioned in subsection (1)(b) is \$65.

69A Conditions of class 1 water bore driller's licence—Act, 302

A class 1 water bore driller's licence in existence immediately before the commencement of this section is taken—

- (a) to include the condition mentioned in section 23(1)(d); and
- (b) not to include the limitation mentioned in section 18(2) immediately before the commencement of this section.

Division 2—Transitional provision for allocation and sustainable management

70 Declared subartesian areas—Act, s 1046

(1) Each area mentioned in schedule 11, column 1 is declared to be a subartesian area and given the name mentioned for the area.

(2) A licence is required to take or interfere with subartesian water in a subartesian area, other than for a purpose mentioned in column 2 for the area.

(3) Works for taking subartesian water in a subartesian area, other than solely for a purpose mentioned in column 3 for the area, are assessable development under the *Integrated Planning Act 1997*.

Division 3—Transitional provision for failure impact assessing of dams

71 Failure impact rating—Act, ss 1067 and 1068

(1) Until the Act, s 1067(8) applies, each dam described in schedule 12, part 1, column 1, is prescribed for the Act, section 1067(4), and has the category of failure impact rating shown for the dam in column 3.

(2) Until the Act, s 1068(5) applies, each dam described in schedule 12, part 2, column 1, is prescribed for the Act, section 1068(1)(b), and has the category of failure impact rating shown for the dam in column 3.

(3) A dam described in schedule 12, part 2, has the licence mentioned.

Division 4—Transitional provision for former water areas

72 Continuing former water areas—Act, s 1083

(1) This section applies only to former water areas—

- (a) taken, under the Act, section 1083(2), to be authority areas established under this Act; and
- (b) for which no water board was in existence immediately before the commencement of the Act, section 1083.

(2) A former water area mentioned in schedule 13, column 1, is shown on the plan mentioned opposite the area in column 2.

(3) The chief executive's appointment to perform the functions of a water authority for the areas continues.

Division 5—Miscellaneous transitional provisions

73 Continuing areas as water management areas

(1) The following areas, established under the repealed Act and in existence immediately before the commencement of section 56, continue in existence and are taken to be water management areas declared under section 56—

- (a) groundwater areas;
- (b) irrigation projects;
- (c) subartesian areas.

(2) For section 56(6), the chief executive is taken to have—

- (a) given notice to the persons licensed to take water from the areas;
or
- (b) published a notice in a newspaper circulating generally in the areas.

74 Water charges

The water charges payable under the repealed *Water Resources (Rates and Charges) Regulation 1992*, for a water management area, continue to apply until the end of the current water year for the area.¹²

74A Application for approval to transfer interim water allocation

An application under section 9, made before the commencement of this section, must be dealt with under sections 9 to 13 as in force immediately before the commencement of this section.

74B When changes to particular water charges have effect

(1) This section applies to the amendment of schedule 14, entry for Fitzroy River Barrage water management area, column 3, commencing on the commencement of this section.

(2) The minimum charge does not apply for the water year ending on 30 June 2004.

(3) The omission of the charges for water from the Fitzroy River has effect on and from the commencement of this section.

(4) This section applies despite section 58(2).

Division 6—Repeals

75 Repeals

The following regulations are repealed—

- (a) the *Water Regulation 2000*;
- (b) the *Water Resources (Areas and Boards) Regulation 2000*;
- (c) the *Water Resources (Quarry Materials) Regulation 1992*;
- (d) the *Water Resources (Rates and Charges) Regulation 1992*;
- (e) the *Water Resources Regulation 1999*;
- (f) the *Water Resources (Watercourse Protection) Regulation 1993*.

¹² See section 58 (Charges for water allocated, supplied or taken—Act, s 1014).

SCHEDULE 1**PERSONS NOMINATED FOR THE ACT, SECTION 168**

section 6

Column 1	Column 2
Person nominated	Water infrastructure operated or water managed
Caloundra–Maroochy Water Supply Board	Baroon Pocket Dam Obi Obi Creek
Hervey Bay City Council	Lenthalls Dam Weirs 1 and 2 on Burrum River

SCHEDULE 2**ENTITIES—ACT, SECTIONS 190, 193, 206 AND 213**

sections 7 and 14

1. The holder of a mineral development licence or mining lease under the *Mineral Resources Act 1989*
2. Denace Pty Ltd ACN 011 029 673
3. Axilgrow Pty Ltd ACN 010 400 263
4. Hampton Irrigators Pty Ltd ACN 064 888 633
5. Laroboe Pty Ltd ACN 011 058 763
6. Revaw Pty Ltd ACN 052 096 401
7. Hinchley Bore Pty Ltd ACN 105 498 628

SCHEDULE 3**TRANSFERRING INTERIM WATER ALLOCATIONS**

section 8

Column 1	Column 2	Column 3
Water supply scheme	Purposes	Conditions
1. Mareeba Dimbulah	<ul style="list-style-type: none"> • domestic purposes • stock purposes • primary production 	—
2. Mary River	<ul style="list-style-type: none"> • domestic purposes • stock purposes • primary production 	<p>the allocation is to take water, and the transfer results in water being taken, only in the following parts of the area, described on pages 19–20 of the interim resource operations licence for the area—</p> <ul style="list-style-type: none"> (a) Mary River—Mary Barrage section; (b) Tinana Creek—Teddington Weir storage; (c) Tinana Creek—Tinana Barrage storage.

SCHEDULE 4**SEASONAL WATER ASSIGNMENTS**

section 15

Column 1	Column 2	Column 3
Water management area	Type of water licence	Seasonal water assignment rules
Border Rivers groundwater management area	water licence to take groundwater	Border Rivers groundwater management area seasonal water assignment rules
Bundaberg groundwater management area	water licence to take groundwater	Bundaberg groundwater management area seasonal water assignment rules
Callide Valley groundwater management area	water licence to take groundwater	Callide Valley groundwater management area seasonal water assignment rules
Condamine groundwater management area	water licence to take groundwater	Condamine groundwater management area seasonal water assignment rules
Dumaresq River water management area	water licence to take supplemented water from a watercourse flowing from Glenlyon Dam	Dumaresq River water management area seasonal water assignment rules

SCHEDULE 4 (continued)

Column 1	Column 2	Column 3
Water management area	Type of water licence	Seasonal water assignment rules
Eastern Downs groundwater management area	water licence to take groundwater	Eastern Downs groundwater management area seasonal water assignment rules
Fitzroy River Barrage water management area	water licence to take surface water supplemented from Fitzroy Barrage	Fitzroy River Barrage water management area seasonal water assignment rules
Oakey Creek groundwater management area	water licence to take groundwater	Oakey Creek groundwater management area seasonal water assignment rules
Upper Hodgson Creek groundwater management area	water licence to take groundwater	Upper Hodgson Creek groundwater management area seasonal water assignment rules

SCHEDULE 5**CATCHMENT AREAS**

section 16

Column 1	Column 2
Catchment area	Plan
Atkinson Dam catchment area	AP 10024
Bill Gunn Dam catchment area	AP 10006
Bjelke-Petersen Dam catchment area	AP 10007
Burdekin Falls Dam catchment area	AP 10008
Burnett Barrage catchment area	AP 10009
Callide Dam catchment area	AP 10010
Cedar Pocket Dam catchment area	AP 10011
Coolmunda Dam catchment area	AP 10012
Eungella Dam catchment area	AP 10013
Fairbairn Dam catchment area	AP 10014
Fred Haigh Dam catchment area	AP 10025
Glenlyon Dam catchment area	AP 10015
Kinchant Dam catchment area	AP 10016
Kolan Barrage catchment area	AP 10017
Leslie Dam catchment area	AP 10018
Maroon Dam catchment area	AP 10019

SCHEDULE 5 (continued)

Column 1	Column 2
Catchment area	Plan
Moogerah Dam catchment area	AP 10020
Peter Faust Dam catchment area	AP 10021
Tinaroo Falls Dam catchment area	AP 10023
Wivenhoe Dam catchment area	AP 10022

SCHEDULE 6**WATER AUTHORITIES**

section 31

Column 1	Column 2
Water authority	Plan
Avondale Water Board	AP 4014
Babinda Swamp Drainage Board	AP 4045
Benleith Water Board	AP 4015
Bollon South Water Authority	AP 6513
Bollon West Water Authority	AP 7351
Bones Knob Water Board	AP 4016
Boondooma Water Board	AP 4017
Brigooda Water Board	AP 4018
Callandoon Water Supply Board	AP 4019
Condamine Plains Water Board	AP 6940
Coreen Water Board	AP 7347
Cowley Drainage Board	AP 4046
Crowley Vale Water Board	AP 4022
Dundowran–Nikenbah Water Board	AP 7348
East Deeral Drainage Board	AP 4047
East Euramo Drainage Board	AP 4048
Eugun Bore Water Authority	AP 7343

SCHEDULE 6 (continued)

Column 1	Column 2
Water authority	Plan
Foresthorne Drainage Board	AP 4049
Gladstone Area Water Board	—
Glamorgan Vale Water Board	AP 4024
Grevillea Water Board	AP 4025
Ingie Water Authority	AP 7350
Juandah Water Board	AP 4026
Kaywana Bore Water Board	AP 4027
Kelsey Creek Water Board	AP 4028
Kooingal Water Board	AP 4029
Lethebrook Water Board	AP 6510
Loder Creek Drainage Board	AP 4050
Mandam Drainage Board	AP 4051
Marathon Bore Water Supply Board	AP 4030
Matthews Road Drainage Board	AP 4052
Merlwood Water Board	AP 7342
Middle Park Bore Water Supply Board	AP 4032
Mount Isa Water Board	AP7346
Mourilyan Drainage Board	AP 4053
Mulgildie Water Board	AP 4033
North Burdekin Water Board	AP 7349
Oaky Creek Water Board	AP 4035

SCHEDULE 6 (continued)

Column 1	Column 2
Water authority	Plan
Orchard Creek Drainage Board	AP 4054
Palmgrove Water Board	AP 4036
Pioneer Valley Water Board	AP 7345
Ripple Creek Drainage Board	AP 4055
Riversdale–Murray Valley Water Management Board	AP 4056
Roadvale Water Board	AP 4038
Silkwood Drainage Board	AP 4057
Six Mile Creek Water Supply Board	AP 4039
Smithfield Drainage Board	AP 4058
South Burdekin Water Board	AP 6512
South Maroochy Drainage Board	AP 4059
Stagnant Creek Drainage Board	AP 4060
Taberna Bore Water Board	AP 4041
Wanda Creek Drainage Board	AP 4061
Warrubullen Drainage Board	AP 4062
Washpool Water Board	AP 4042
Woodmillar Water Board	AP 4043
Yambocully Water Board	AP 4044

SCHEDULE 7**DRAINAGE RATES**

section 53

Drainage area	Drainage rate
Burdekin River drainage area, shown on plan AP 4064	\$17.25 for each hectare of land
Dawson Valley drainage area, shown on plan AP 4145	\$17.30 for each hectare of land
Emerald drainage area, shown on plan AP 4146	\$17.30 for each hectare of irrigable land \$4.33 for each hectare of non-irrigable land
St George drainage area, shown on plan AP 4150	\$17.30 for each hectare of irrigable land

SCHEDULE 8

DOWNSTREAM LIMITS

section 54

Column 1	Column 2	Column 3
Watercourse	Feature or boundary	Plan
Baffle Creek	Point where a line from the southwestern corner of lot 109 on plan FD838 (north of Hills Road) to the southern corner of lot 26 on plan FD1043 intersects Baffle Creek	BUN/DDDL-1A (map A)
Bottle Creek	Point where a line from the upstream (southern) boundary of the road reserve separating lot 6 on plan FD184 and lot 102 on plan FL40309 to the upstream (southern) boundary of the road reserve separating lot 218 on plan FD217 and lot 93 on plan FL40228 (Mollenhagens Road) intersects Bottle Creek	BUN/DDDL-1B (map B)
Murrays Creek	Point where a line extended as an easterly projection of the northern boundary of lot 64 on plan FL40227 intersects Murrays Creek	BUN/DDDL-1A (map A)

SCHEDULE 8 (continued)

Column 1	Column 2	Column 3
Watercourse	Feature or boundary	Plan
Oyster Creek	Point where a line extended as a westerly projection of the common boundary between lot 1 on plan FD462 and lot 46 on plan FD462 intersects Oyster Creek	BUN/DDL-1C (map C)
Rothman Creek	Point where the downstream (eastern) boundary of the road reserve (Neils Road) separating lot 1 on RP 616801 and lot 5 on RP 617112 intersects Rothman Creek	BUN/DDL-1B (map B)

SCHEDULE 9**DRAINAGE AND EMBANKMENT AREAS**

section 61

Column 1	Column 2
Area	Plan
Haughton River Drainage and Embankment Area	FN/DED/HA1
Major Creek Drainage and Embankment Area	FN/DED/MA1
Tully and Murray Rivers Drainage and Embankment Area	FN/DED/TM1

SCHEDULE 10**WATER SHARING RULES**

section 64

Column 1	Column 2
Water management area	Water sharing rules
Border Rivers groundwater management area	Border Rivers groundwater management area water sharing rules
Bowen groundwater management area	Bowen groundwater management area water sharing rules
Bundaberg groundwater management area	Bundaberg groundwater management area water sharing rules
Burdekin groundwater management area	Burdekin groundwater management area water sharing rules
Callide Valley groundwater management area	Callide Valley groundwater management area water sharing rules
Central Lockyer groundwater management area	Central Lockyer groundwater management area water sharing rules
Condamine groundwater management area	Condamine groundwater management area water sharing rules
Dumaresq water management area	Dumaresq water management area water sharing rules
Fitzroy River Barrage water management area	Fitzroy River Barrage water management area water sharing rules
North Stradbroke Island groundwater management area	North Stradbroke Island groundwater management area water sharing rules

SCHEDULE 10 (continued)

Column 1	Column 2
Water management area	Water sharing rules
Oakey Creek groundwater management area	Oakey Creek groundwater management area water sharing rules
Upper Hodgson Creek groundwater management area	Upper Hodgson Creek groundwater management area water sharing rules

SCHEDULE 11**SUBARTESIAN AREAS**

section 70

Column 1	Column 2	Column 3
Area and plan	Licence not required	Works not assessable
Bluewater subartesian area on plan AP 10053	—	—
Bowen subartesian area on plan AP 10055	stock or domestic purposes	stock or domestic purposes
Bundaberg subartesian area on plan AP 10062	—	—
Burdekin subartesian area on plan AP 10054	stock or domestic purposes	stock or domestic purposes
Cairns Coast subartesian area on plan AP 12070	stock or domestic purposes	stock or domestic purposes
Callide subartesian area on plan AP 10059	domestic purposes	stock or domestic purposes
Cattle Creek subartesian area on plan AP 10060	domestic purposes	domestic purposes
Clarendon subartesian area on plan AP 10066	stock or domestic purposes	stock or domestic purposes
Cook subartesian area on plan AP 10049	stock or domestic purposes	stock or domestic purposes

SCHEDULE 11 (continued)

Column 1	Column 2	Column 3
Area and plan	Licence not required	Works not assessable
Cressbrook Creek subartesian area on plan AP 10064	stock or domestic purposes	stock or domestic purposes
Duck Farm subartesian area on plan AP 10049	—	—
Eastern Downs subartesian area on plan AP 12069 sheets 29 to 34	stock or domestic purposes	stock or domestic purposes
Farnborough subartesian area on plan AP 10058	stock or domestic purposes	stock or domestic purposes
Fitzroy subartesian area on plan AP 10068	stock or domestic purposes	stock or domestic purposes
Fraser Island subartesian area on plan AP 10063	domestic purposes	domestic purposes
Great Artesian Basin subartesian area on plan AP 12069 sheets 1 to 32	stock purposes from subartesian aquifers not connected to artesian aquifers domestic purposes	—
Highlands subartesian area on plan AP 10070	stock or domestic purposes	stock or domestic purposes
Monto subartesian area on plan AP 10061	stock or domestic purposes	stock or domestic purposes

SCHEDULE 11 (continued)

Column 1	Column 2	Column 3
Area and plan	Licence not required	Works not assessable
Moreton Island subartesian area on plan AP 10065	stock or domestic purposes	stock or domestic purposes
Mossman subartesian area on plan AP 10050	stock or domestic purposes	stock or domestic purposes
Mount Isa subartesian area on plan AP 12069 sheets 1 to 9	stock or domestic purposes	stock or domestic purposes
North Stradbroke Island subartesian area on plan AP 10067	stock or domestic purposes	stock or domestic purposes
Pioneer subartesian area on plan AP 10057	stock or domestic purposes	stock or domestic purposes
Proserpine subartesian area on plan AP 10056	stock or domestic purposes	stock or domestic purposes

SCHEDULE 12**FAILURE IMPACT RATING**

section 71

PART 1—UNLICENSED DAMS—ACT, s 1067

Column 1	Column 2	Column 3
Dam	Location	Category
Atkinson Dam owned by SunWater, having a height of 9 m and a storage capacity of 30 400 ML	An offstream storage in the locality of Lowood, situated on lot 341 on plan CSH 1945, Parish of England, County of Cavendish, in the Shire of Esk	1
Biggera Creek Flood Mitigation Dam owned by Gold Coast City Council, having a height of 15 m and a storage capacity of 3 700 ML	Biggera Creek in the locality of Labrador, situated on lot 1 on plan RP 223934, Parish of Barrow, County of Ward, in the City of Gold Coast	1
Cedar Pocket Dam owned by SunWater, having a height of 20 m and a storage capacity of 730 ML	Deep Creek (East) in the locality of Gympie, situated partly on lot 175 on plan MCH 5537, Parish of Woondum, County of March, in the Shire of Cooloola	1

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Cooby Creek Dam owned by Toowoomba City Council, having a height of 30 m and a storage capacity of 23 100 ML	Cooby Creek in the locality of Toowoomba, situated on lot 730 on plan AG 4171, Parish of Douglas, County of Aubigny, in the Shire of Crows Nest	1
Cressbrook Creek Dam owned by Toowoomba City Council, having a height of 59 m and a storage capacity of 83 000 ML	Cressbrook Creek in the locality of Ravensbourne, situated on lot 58 on plan CSH 2241, Parish of Deongwar, County of Cavendish, in the Shire of Esk	1
Eungella Dam owned by SunWater, having a height of 49 m and a storage capacity of 112 400 ML	Broken River in the locality of Eungella, situated partly on lot 109 on plan HLN 198, Parish of Eungella, County of Hillalong, in the Shire of Mirani	1
Gordonbrook Dam owned by Kingaroy Shire Council, having a height of 21 m and a storage capacity of 6 500 ML	Stuart River in the locality of Kingaroy, situated on lot 467 on plan FY 838992, Parish of Wooroolin, County of Fitzroy, in the Shire of Kingaroy	1
Julius Dam owned by SunWater, having a height of 38 m and a storage capacity of 107 500 ML	Leichhardt River in the locality of Mount Isa, situated on lot 10 on plan CP 891285, Parish of Candover, County of Tewinga, in the City of Mount Isa	1

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Little Nerang Dam owned by Gold Coast City Council, having a height of 44 m and a storage capacity of 8 400 ML	Little Nerang Creek in the locality of Neranwood, situated on lot 231 on plan SP 123096, Parish of Numinbah, County of Ward, in the City of Gold Coast	1
Paluma Dam owned by NQ Water ABN 94205904709, having a height of 20 m and a storage capacity of 11 800 ML	Swamp Creek in the locality of Paluma, situated partly on lot 9 on plan W 8269, Parish of Waterview, County of Cardwell, in the City of Thurwingowa	1
Perseverance Creek Dam owned by Toowoomba City Council, having a height of 53 m and a storage capacity of 30 900 ML	Perseverance Creek in the locality of Crows Nest, situated on lot 182 on plan CSH 1817, Parish of Crows Nest, County of Cavendish, in the Shire of Crows Nest	1
Rosewood Detention Basin owned by Ipswich City Council, having a height of 9.7 m and a storage capacity of 2 ML	An offstream storage in the locality of Rosewood, situated on lot 2 on plan SP 140742, Parish of Walloon, County of Churchill, in the City of Ipswich	1
Wuruma Dam owned by SunWater, having a height of 44 m and a storage capacity of 165 400 ML	Nogo River in the locality of Eidsvold, situated partly on lot 86 on plan RW 752, Parish of Culcraigie, County of Rawbelle, in the Shire of Eidsvold	1

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Awoonga Dam owned by Gladstone Area Water Board ABN 88409667181, having a height of 58 m and a storage capacity of 777 000 ML	Boyne River in the locality of Gladstone, situated partly on lot 90 on plan CTN 1668, Parish of Riverston, County of Clinton, in the Shire of Calliope	2
Bill Gunn Dam owned by SunWater, having a height of 18 m and a storage capacity of 6 940 ML	An offstream storage in the locality of Laidley, situated on lot 132 on plan SP 104150, Parish of Laidley, County of Churchill, in the Shire of Laidley	2
Bjelke-Petersen Dam owned by SunWater, having a height of 34 m and a storage capacity of 134 900 ML	Barker Creek in the locality of Murgon, situated partly on lot 13 on plan SP 104351, Parish of Barambah, County of Fitzroy, in the Shire of Murgon	2
Boondooma Dam owned by SunWater, having a height of 63 m and a storage capacity of 204 200 ML	Boyne River in the locality of Proston, situated partly on lot 12 on plan SP 107476, Parish of Okenden, County of Boondooma, in the Shire of Wondai	2
Borumba Dam owned by SunWater, having a height of 43 m and a storage capacity of 46 000 ML	Yabba Creek in the locality of Imbil, situated partly on lot 20 on plan LX 2359, Parish of Yabba, County of Lennox, in the Shire of Cooloola	2

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Burdekin Falls Dam owned by SunWater, having a height of 55.0 m and a storage capacity of 1 860 000 ML	Burdekin River in the locality of Ravenswood, situated partly on lot 14 on plan MRY 52, Parish of Graham, County of Murray, in the Shire of Dalrymple	2
Callide Dam owned by SunWater, having a height of 37 m and a storage capacity of 136 300 ML	Callide Creek in the locality of Biloela, situated partly on lot 43 on plan RN 1261, Parish of Thalberg, County of Raglan, in the Shire of Banana	2
Cania Dam owned by SunWater, having a height of 54 m and a storage capacity of 88 500 ML	Three Moon Creek in the locality of Monto, situated partly on lot 17 on plan RW 861, Parish of Cania, County of Rawbelle, in the Shire of Monto	2
Clarendon Dam owned by SunWater, having a height of 13.1 m and a storage capacity of 24 300 ML	An offstream storage in the locality of Gatton, situated partly on lot 45 on plan SP 104159, Parish of Clarendon, County of Cavendish, in the Shire of Laidley	2
Coolmunda Dam owned by SunWater, having a height of 18 m and a storage capacity of 69 000 ML	Macintyre Brook in the locality of Inglewood, situated on lot 128 on plan BNT 1468, Parish of Coolmunda, County of Bentinck, in the Shire of Inglewood	2

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Copperlode Falls Dam owned by Cairns City Council, having a height of 43 m and a storage capacity of 45 560 ML	Freshwater Creek in the locality of Cairns, situated on lot 50 on plan NR 6547, Parish of Dinden, County of Nares, in the City of Cairns	2
EJ Beardmore Dam owned by SunWater, having a height of 15.2 m and a storage capacity of 81 700 ML	Balonne River in the locality of St George, situated partly on lot 21 on plan CP 861683, Parish of Wagoo, County of Cogoon, in the Shire of Balonne	2
Enoggera Dam owned by Brisbane City Council, having a height of 23.5 m and a storage capacity of 4 500 ML	Enoggera Creek in the locality of The Gap, situated on lot 130 on plan SL 8167, Parish of Enoggera, County of Stanley, in the City of Brisbane	2
Fairbairn Dam owned by SunWater, having a height of 46 m and a storage capacity of 1 301 000 ML	Nogoa River in the locality of Emerald, situated partly on lot 10 on plan DNS 734, Parish of Gindie, County of Denison, in the Shire of Emerald	2
Fred Haigh Dam owned by SunWater, having a height of 49 m and a storage capacity of 562 000 ML	Kolan River in the locality of Gin Gin, situated partly on lot 46 on plan BON 1395, Parish of Kolonga, County of Bowen, in the Shire of Kolan	2

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Kinchant Dam owned by SunWater, having a height of 22 m and a storage capacity of 62 800 ML	Sandy Creek (North Branch) in the locality of North Eton, situated partly on lot 66 on plan CI 4517, Parish of Abingdon, County of Carlisle, in the Shire of Mirani	2
Kroombit Dam owned by SunWater, having a height of 23.5 m and a storage capacity of 14 600 ML	Kroombit Creek in the locality of Biloela, situated on lot 30 on plan CP 908407, Parish of Callide, County of Raglan, in the Shire of Banana	2
Lake MacDonald Dam owned by Noosa Shire Council, having a height of 12 m and a storage capacity of 8 000 ML	Six Mile Creek in the locality of Cooroy, situated partly on lot 118 on plan MCH 814, Parish of Tewanin, County of March, in the Shire of Noosa	2
Leslie Dam owned by SunWater, having a height of 33 m and a storage capacity of 106 200 ML	Sandy Creek in the locality of Warwick, situated partly on lot 552 on plan RP 804593, Parish of Warwick, County of Merivale, in the Shire of Warwick	2
Maroon Dam owned by SunWater, having a height of 46.3 m and a storage capacity of 44 300 ML	Burnett Creek in the locality of Boonah, situated partly on lot 113 on plan WD 4311, Parish of Melcombe, County of Ward, in the Shire of Boonah	2

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Moogerah Dam owned by SunWater, having a height of 38 m and a storage capacity of 83 700 ML	Reynolds Creek in the locality of Kalbar, situated on lot 226 on plan RP 215404, Parish of Clumber, County of Churchill, in the Shire of Boonah	2
North Pine Dam owned by South East Queensland Water Corporation Ltd ABN 14088729766, having a height of 46 m and a storage capacity of 215 000 ML	North Pine River in the locality of Whiteside, situated partly on lot 2 on plan RP 214896, Parish of Warner, County of Stanley, in the Shire of Pine Rivers	2
Peter Faust Dam owned by SunWater, having a height of 51 m and a storage capacity of 491 400 ML	Proserpine River in the locality of Proserpine, situated partly on lot 16 on plan CP 852395, Parish of Proserpine, County of Herbert, in the Shire of Whitsunday	2
Ross River Dam owned by NQ Water ABN 94205904709, having a height of 33 m and a storage capacity of 210 000 ML	Ross River in the locality of Townsville, situated partly on lot 1 on plan RP 742611, Parish of Ross, County of Elphinstone, in the City of Thuringowa	2

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
Somerset Dam owned by South East Queensland Water Corporation Ltd ABN 14088729766, having a height of 50 m and a storage capacity of 369 000 ML	Stanley River in the locality of Somerset Dam, situated partly on lot 35 on plan CG 2149, Parish of Bowman, County of Canning, in the Shire of Esk	2
Teemburra Dam owned by SunWater, having a height of 56 m and a storage capacity of 147 500 ML	Teemburra Creek in the locality of Mirani, situated partly on lot 30 on plan CP 908406, Parish of Mia Mia, County of Carlisle, in the Shire of Mirani	2
Tinaroo Falls Dam owned by SunWater, having a height of 42 m and a storage capacity of 438 900 ML	Barron River in the locality of Atherton, situated partly on lot 107 on plan SP 107453, Parish of Dimbulah, County of Nares, in the Shire of Atherton	2
Wivenhoe Dam owned by South East Queensland Water Corporation Ltd ABN 14088729766, having a height of 59 m and a storage capacity of 1 150 000 ML	Brisbane River in the locality of Fernvale, situated partly on lot 242 on plan SL 12236, Parish of Wivenhoe, County of Cavendish, in the Shire of Esk	2

SCHEDULE 12 (continued)

PART 2—LICENSED DAMS—ACT, s 1068

Column 1	Column 2	Column 3
Dam	Location	Category
Lake Mitchell Dam owned by Southedge Daintree Pastoral Company Pty Ltd ABN 86009853418, having a height of 16.5 m and a storage capacity of 190 000 ML, licence no. 36497K	Mitchell River in the locality of Mareeba, situated partly on lot 8 on plan DA 362, Parish of Mar, County of Dagmar, in the Shire of Mareeba	1
Leichhardt River Dam owned by Mount Isa Mines Limited ABN 87009661447, having a height of 27.5 m and a storage capacity of 103 046 ML, licence no. 10435WJ	Leichhardt River in the locality of Mount Isa, situated on ML 8058, in the City of Mount Isa	1
Rifle Creek Dam owned by Mount Isa Mines Limited ABN 87009661447, having a height of 18 m and a storage capacity of 9 488 ML, licence no. 43835J	Rifle Creek in the locality of Mount Isa, situated on ML 8058, in the Shire of Cloncurry	1

SCHEDULE 12 (continued)

Column 1	Column 2	Column 3
Dam	Location	Category
<p>Splityard Creek Dam owned by Tarong Energy Corporation Ltd ABN 52078848736, having a height of 76 m and a storage capacity of 28 700 ML, licence no. 0110885C</p>	<p>Pryde Creek in the locality of Fernvale, situated partly on lot 33 on plan CP 818429, Parish of Burnett, County of Stanley, in the Shire of Esk</p>	1
<p>McKinnon Creek Flood Detention Dam owned by Cairns City Council, having a height of 8.8 m and a storage capacity of 160 ML, licence no. 101475</p>	<p>McKinnon Creek in the locality of Edmonton, situated partly on lot 500 on plan RP 887878, Parish of Grafton, County of Nares, in the City of Cairns</p>	2

SCHEDULE 13
AUTHORITY AREAS

section 72

Column 1	Column 2
Former water area	Plan
Alva Bore Water Supply Area	AP 3961
Ardoch Bore Water Area	AP 3962
Back Creek Water Supply Area	AP 3963
Bindebango Bore Water Supply Area	AP 3964
Cabanda Bore Water Supply Area	AP 3965
Chesterfield Bore Water Supply Area	AP 3967
Chippeway Bore Water Supply Area	AP 3968
Coongoola Bore Water Supply Area	AP 3969
Cypress Downs Bore Water Supply Area	AP 3970
Dillalah No. 1 Bore Water Area	AP 3971
Dillalah No. 2 Bore Water Area	AP 3972
Euthella Bore Water Supply Area	AP 3974
Fernlee Bore Water Area	AP 3975
Glenlyon Bore Water Supply Area	AP 3976
Hopeland Bore Water Supply Area	AP 3977
Jabiru Bore Water Area	AP 3979
Juanbong Bore Water Area	AP 3980

SCHEDULE 13 (continued)

Column 1	Column 2
Former water area	Plan
Julia Creek Bore Water Supply Area	AP 3981
Mackunda Downs Bore Water Supply Area	AP 3983
Maroungle Bore Water Supply Area	AP 7344
Maxwelton Bore Water Supply Area	AP 3985
Merridew Bore Water Supply Area	AP 3986
Minetta Bore Water Supply Area	AP 3987
Mona Bore Water Area	AP 3988
Mooro Bore Water Supply Area	AP 3989
Moselle Bore Water Supply Area	AP 3990
Murweh Bore Water Supply Area	AP 3991
Myall Plains Bore Water Supply Area	AP 3992
Neabul Bore Water Supply Area	AP 3993
Nebine Bore Water Supply Area	AP 3994
Nelia Ponds Bore Water Supply Area	AP 3995
Noondoo Bore Water Area	AP 3996
North Yancho Bore Water Area	AP 3997
Oakhampton Bore Water Supply Area	AP 3998
Pigurra Bore Water Supply Area	AP 3999
Sesbania Bore Water Supply Area	AP 4000
Stamfordham Bore Water Supply Area	AP 4001
Thomby Bore Water Area	AP 4002

SCHEDULE 13 (continued)

Column 1	Column 2
Former water area	Plan
Toorak Bore Water Supply Area	AP 4003
Weengallon Bore Water Supply Area	AP 4004
Weengallon No. 2 Bore Water Supply Area	AP 4005
Wellshot Bore Water Supply Area	AP 4006
Whyenbah Bore Water Supply Area	AP 4007
Whynot Bore Water Area	AP 4008
Wierbolla Bore Water Supply Area	AP 4009
Winbin Bore Water Supply Area	AP 4011
Yanborra Bore Water Supply Area	AP 4013

SCHEDULE 14**WATER CHARGES**

section 58

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Barker–Barambah Creeks water management area	30 June	Water harvesting—\$3 for each megalitre
Barron River–Emerald Creek water management area	30 June	Water harvesting— (a) from Tinaroo Falls Dam or Barron River—\$3 for each megalitre (b) from Emerald Creek above AMTD 14.300—\$3 for each megalitre (c) from any other watercourse—\$3 for each megalitre
Border Rivers groundwater management area	30 September	Minimum charge—\$94.10 Part A—\$1.05 Part B—\$0.70
Bowen–Broken Rivers water management area	30 June	Water harvesting—\$3 for each megalitre
Bowen groundwater management area	31 December	Minimum charge—\$93.05 Part A—nil Part B—\$4.40
Boyne River water management area	30 June	Water harvesting—\$3 for each megalitre

SCHEDULE 14 (continued)

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Bundaberg groundwater management area	30 June	<p>Minimum charge—\$95.15</p> <p>Water from Gooburrum and Woongarra districts—</p> <p>(a) part A—\$3.35</p> <p>(b) part B—\$4.35</p> <p>Water from Barns district—</p> <p>(a) part A—nil</p> <p>(b) part B—\$1.35</p>
Burdekin River groundwater management area	30 June	<p>Minimum charge—\$93.60</p> <p>For each water licence to take groundwater for which a bore has been installed—</p> <p>(a) with a nominal entitlement of not more than 25 ML—\$93.60</p> <p>(b) with a nominal entitlement of more than 25 ML—\$423.10</p>
Callide Valley groundwater management area (non-benefitted)	30 June	<p>Minimum charge for groundwater—\$94.10</p> <p>For taking groundwater—\$1.15 for each megalitre of announced entitlement</p>
Central Lockyer water management area	30 June	Water harvesting—\$3 for each megalitre
Chinchilla Weir water management area	31 August	Water harvesting—\$3 for each megalitre

SCHEDULE 14 (continued)

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Condamine groundwater management area	30 June	Minimum charge—\$95.15 Part A—\$1.05 Part B—\$1.05
Condamine River and Sandy Creek water management area	30 June	Water harvesting from Sandy Creek or Condamine River including North Branch—\$3 for each megalitre
Cressbrook Creek water management area	30 June	Minimum charge—\$94.10 Part A—nil Part B—\$1.25
Dawson River water management area	30 September	Water harvesting from Dawson River and Glebe Weir reservoir—\$3 for each megalitre
Dumaresq River water management area	30 September	Water from a watercourse flowing from Glenlyon Dam— (a) part A—\$7.20 (b) part B—\$8.85 Water harvesting—\$3 for each megalitre
Fitzroy River Barrage water management area	30 June	Water harvesting—\$3 for each megalitre
Gowrie–Oakey Creek water management area	30 June	\$74 for each water meter
Logan River water management area	30 June	Water harvesting from Burnett Creek or Logan River—\$3 for each megalitre

SCHEDULE 14 (continued)

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Lower Balonne water management area	30 June	Water harvesting— (a) from a supplemented section of the Thuraggi watercourse or Thuraggi diversion channel—\$3 for each megalitre (b) from Beardmore Dam or from any watercourse downstream of Beardmore Dam to the Queensland/New South Wales border—\$3 for each megalitre
Lower Burnett and Kolan Rivers water management area	30 June	Water harvesting—\$3 for each megalitre
Lower Lockyer water management area	30 April	Water harvesting—\$3 for each megalitre
Macintyre Brook water management area	30 September	Water harvesting—\$3 for each megalitre
Nogoa Mackenzie water management area	30 June	Water harvesting from Lake Maraboon or Nogoa River or Mackenzie River to the junction with Springton Creek—\$3 for each megalitre
Oakey Creek groundwater management area	30 June	\$84.60 for each water meter

SCHEDULE 14 (continued)

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Pioneer River water management area	30 June	Water harvesting—\$3 for each megalitre
Three Moon Creek water management area	30 June	Water harvesting—\$3 for each megalitre
Upper Burnett and Nogo Rivers water management area	30 June	Water harvesting from Nogo River or Burnett River—\$3 for each megalitre
Upper Hodgson Creek groundwater management area	30 June	\$84.60 for each water meter
Warrill Valley water management area	30 June	Water harvesting— (a) from Reynolds Creek, Warrill Creek from its junction with Reynolds Creek or Bremer River from the junction of Warrill Creek downstream to Berry's Lagoon—\$3 for each megalitre (b) from Black Gully, Kent's Lagoon, Normanby Gully, West Branch, Waroolaba Creek or the Upper Warrill systems—\$3 for each megalitre

SCHEDULE 15

ROYALTIES

section 17

\$

- | | |
|---|-------------------------------------|
| <p>1. Removing State quarry material—for each m³ removed—</p> <p>(a) by a local government or other entity, established under an Act, and that does not represent the State (a “statutory body”), for its own use.</p> <p>(b) by another person for a statutory body if the statutory body issues a certificate stating that the material was supplied to the statutory body for its own use</p> <p>(c) if paragraph (a) or (b) does not apply</p> | <p>0.50</p> <p>0.50</p> <p>1.35</p> |
|---|-------------------------------------|

SCHEDULE 16

FEES

		section 63
		\$
1.	Application for approval of land and water management plan (Act, s 74(3)(c))—	
	(a) approving a previously approved plan, if paragraph (b) does not apply	54.60
	(b) approving a previously approved plan, if the plan to be approved applies to additional land or provides for a different or additional irrigation method.	109.15
	(c) approving a new plan.	163.70
2.	Application for deferral of requirement for approved land and water management plan (Act, s 79(2)(c))	109.15
3.	Application to amalgamate water allocations or subdivide a water allocation (Act, s 128A(2)(b)).	79.35
4.	Application to change a water allocation (Act, ss 129(3) and 130(3)(d))—	
	(a) if the application is made with an application to amalgamate water allocations or subdivide a water allocation	nil
	(b) otherwise—	
	(i) for 1 application.	79.35
	(ii) for each additional application made at the same time	15.90
5.	Application by water allocation holder for seasonal water assignment (Act, s 142(2)(c))	105.80
6.	Creating, on request, a title or a separate title for a water allocation (other than under the Act, ss 121 or 122) (Act, ss 148(2)(d) and 150(1))—for each title created	44.25

SCHEDULE 16 (continued)

	\$
7. Lodging in the registry an instrument that changes ownership of a water allocation or an interest in a water allocation (Act, ss 148(2)(d) and 150(1))—	
(a) if lodgment is with an instrument changing ownership of a lot or an interest in a lot—for each water allocation	22.00
(b) otherwise—	
(i) for 1 water allocation	102.50
(ii) for each additional water allocation	22.00
8. Lodging in the registry a certificate approving amalgamation of water allocations or subdivision of a water allocation (Act, ss 148(2)(d) and 128A(7))	102.50
9. Lodging in the registry a certificate about a change to a water allocation (Act, ss 148(2)(d), 129(6) and 135(1))—	
(a) if the lodgment is with a certificate approving an amalgamation or subdivision (Act, s 128A(7))	nil
(b) otherwise	102.50
10. Lodging in the registry a cancellation, discharge or satisfaction of a writ of execution (Act, ss 148(2)(d) and 150(1)).	22.00
11. Lodging in the registry an instrument received through the post, by courier service or by document exchange service (Act, ss 148(2)(d) and 150(1))—additional fee for each instrument	22.00
12. Lodging a standard terms document in the registry (Act, ss 148(2)(d) and 150(1))	nil
13. Lodging in the registry a request to remove from the title of a water allocation a lease that has expired or otherwise ended (Act, ss 148(2)(d) and 150(1))	nil
14. Lodging in the registry a request to note the lapsing of a caveat (Act, ss 148(2)(d) and 150(1))	nil
15. Lodging any other instrument in the registry (Act, ss 148(2)(d) and 150(1))	102.50
16. Depositing in, or withdrawing from, the registry a settlement notice (Act, ss 148(2)(d) and 150(1)).	22.00

SCHEDULE 16 (continued)

	\$
17. Depositing in, or removing from, the registry an administrative advice (Act, ss 148(2)(d) and 150(1))	10.95
18. Preparing and serving, by the registry, of a caveat notice (Act, ss 148(2)(d) and 150(1))	22.10
19. Computer print-out (Act, s 148(2)(d))—	
(a) of a title for a water allocation generated—	
(i) within the registry	11.00
(ii) by external access	8.80
(b) of the historical details of a title generated—	
(i) within the registry	16.55
(ii) by external access	14.35
20. Optical disk print-out (Act, s 148(2)(d))—	
(a) of a title for a water allocation generated—	
(i) within the registry	11.00
(ii) by external access	8.80
(b) of another instrument lodged or deposited in the registry	22.10
21. Search, in the registry, of a statement of a registered dealing or administrative advice against a title (Act, s 153)	2.20
22. Investigative search, by the registrar, of the register (not including providing copies of documents) (Act, s 148(2)(d))—	
(a) if no additional computer programming time is required—for each hour or part of an hour	44.25
(b) if additional computer programming time is required—for each hour or part of an hour	110.65
23. Certifying, by the registrar, of a copy of the title of a water allocation or a registered instrument (Act, s 148(2)(d))	22.10
24. Requisitioning a document lodged for registration (Act, s 148(2)(d))	27.60
25. Application to transfer interim water allocation (Act, s 193)	232.70

SCHEDULE 16 (continued)

	\$
26. Application for approval to transfer interim water allocation to other land (Act, s 195)—	
(a) for 1 application	232.70
(b) for each additional application, made at the same time, to transfer to the same land	51.25
27. Application to replace interim water allocation (Act, s 198(4)(b))	79.35
28. Application for water licence (Act, s 206(5)(c))	79.35
29. Application to amend water licence (Act, s 216)	79.35
30. Application to reinstate expired water licence (Act, s 221(2)(b))	79.35
31. Application to amalgamate water licences (Act, s 224(2)(b))	79.35
32. Application to subdivide water licence (Act, s 225(2)(b))	79.35
33. Application to replace water licence on disposal of land to which expired licence related (Act, s 229(4)(b))	79.35
34. Application by licensee of a water licence for seasonal water assignment (Act, s 231(2)(c))	105.80
35. Application for allocation of quarry material (Act, s 280(2)(c))—for each 6 month period, or part of a 6 month period, the allocation notice has effect	108.85
36. Application to renew allocation notice (Act, s 289(2)(b))	108.85
37. Application for water bore driller’s licence (Act, s 299(2)(e))—for 5 years	357.50
38. Application to amend water bore driller’s licence (Act, s 304)	105.80
39. Application to renew water bore driller’s licence (Act, s 308(2)(c))—for 5 years	343.80
40. Application for operations licence (Act, s 328(2)(d))	79.35
41. Water licence fee (Act, s 1014(2)(a))—for each year of the licence period	50.00
42. Testing a water meter (Act, s 1014(2)(d))—for each hour	46.15
43. Reading a water meter (Act, s 1014(2)(d))—	
(a) for 1 water meter	51.25

SCHEDULE 16 (continued)

	\$
(b) for each additional water meter on the same or an adjacent property.	10.25
44. Development application (<i>Integrated Planning Act 1997</i> , ss 3.2.1(4)(b) and 3.3.3(1)(c)) for any of the following—	
(a) operational work for the taking of, or interfering with water—	
(i) if the application is made with an application for a water licence	nil
(ii) otherwise	79.35
(b) the removal of quarry material	79.35
(c) operational work in a drainage and embankment area controlling the flow of water into or out of a watercourse, lake or spring	79.35
(d) operational work—	
(i) that is the construction of a referable dam.	79.35
(ii) that will increase the storage capacity of a referable dam by more than 10%.	79.35
(e) development in a declared catchment area	79.35

SCHEDULE 17**DICTIONARY**

section 3

“ADIA” see section 22.

“ADITC” see section 20.

“AMTD” 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 or junction with the main watercourse.

“announced entitlement” see section 66.

“annual entitlement” see section 67.

“approval application” means an application made under section 9.

“DICAT course” see section 20.

“groundwater” means water from an underground source.

“nominal entitlement” see section 65.

“part A”, for water charges mentioned in schedule 14, means the amount payable for each megalitre of nominal entitlement.

“part B”, for water charges mentioned in schedule 14, means the amount payable for each megalitre of water taken up to the annual entitlement.

“primary production” does not include operation of a cattle feedlot or piggery.

“proposed transferee” see section 8.

“proposed transferor” see section 8.

“settlement notice” means a settlement notice under the *Land Title Act 1994*, part 7A.

“standard terms document” see the *Land Title Act 1994*, section 168.

“stock purposes”, in relation to taking water, means watering stock of a number that would normally be depastured on the land.

SCHEDULE 17 (continued)

“Suncorp Metway Ltd business banking variable lending base rate” means the variable base interest rate set by the Suncorp Metway Bank for loans to business entities.¹³

“SunWater” means the corporatised entity corporatised under the *Government Owned Corporations (State Water Projects Corporatisation) Regulation 2000*.

“supplemented water” means water supplied under an interim resource operations licence, resource operations licence or other authority to operate infrastructure.

“surface water” means water in a watercourse.

“water licence”, for sections 65, 66 and 67, means a water licence not managed under a resource operations plan.

“water management area” see section 56.

¹³ The interest rate on 8 April 2002 was 8.2% a year.

ENDNOTES

1 Index to endnotes

	Page
2 Date to which amendments incorporated	91
3 Key	91
4 Table of reprints	92
5 Tables in earlier reprints	92
6 List of legislation	92
7 List of annotations	93

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 30 January 2004. Future amendments of the Water Regulation 2002 may be made in accordance with this reprint 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)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	19 April 2002	1 May 2002 (Column discontinued) Notes
1A	to 2002 SL No. 230	30 August 2002	
1B	to 2003 SL No. 13	7 February 2003	
1C	to 2003 SL No. 25	21 February 2003	
1D	to 2003 SL No. 25	1 April 2003	
1E	to 2003 SL No. 25	7 April 2003	
1F	to 2003 SL No. 99	30 May 2003	
1G	to 2003 SL No. 100	1 July 2003	R1G withdrawn, see R2
2	to 2003 SL No. 100	1 July 2003	
2A	to 2003 SL No. 241	3 October 2003	
2B	to 2003 SL No. 370	19 December 2003	
2C	to 2004 SL No. 3	30 January 2004	

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Corrected minor errors	1

6 List of legislation

Water Regulation 2002 SL No. 70

made by the Governor in Council on 18 April 2002

notfd gaz 19 April 2002 pp 1477–8

ss 1–2 commenced on date of notification

ss 58–60, 74, 75(d)–(e), sch 3 item 2 and sch 14 commenced 30 June 2002

(see s 2(1))

remaining provisions commenced 19 April 2002 (see s 2(2))

exp 1 September 2012 (see SIA s 54)

Note—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement was prepared.

amending legislation—

Water Amendment Regulation (No. 1) 2002 SL No. 230

notfd gaz 30 August 2002 pp 1557–61
commenced on date of notification

Water Amendment Regulation (No. 1) 2003 SL No. 13

notfd gaz 7 February 2003 pp 385–6
s 9 commenced 1 April 2003 (see s 2(1))
ss 4, 12 commenced 7 April 2003 (see s 2(2))
remaining provisions commenced on date of notification

Water Amendment Regulation (No. 2) 2003 SL No. 25

notfd gaz 21 February 2003 pp 622–3
ss 1–2 commenced on date of notification
remaining provisions commenced 21 February 2003 (see s 2)

Water Amendment Regulation (No. 3) 2003 SL No. 99

notfd gaz 30 May 2003 pp 371–6
commenced on date of notification

Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2003

SL No. 100 pts 1, 19

notfd gaz 30 May 2003 pp 371–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2003 (see s 2)

Water Amendment Regulation (No. 4) 2003 No. 241

notfd gaz 3 October 2003 pp 382–5
commenced on date of notification

Water Amendment Regulation (No. 5) 2003 SL No. 370

notfd gaz 19 December 2003 pp 1307–13
commenced on date of notification

Water Amendment Regulation (No. 1) 2004 SL No. 3

notfd gaz 30 January 2004 pp 350–1
commenced on date of notification

7 List of annotations

PART 2—ALLOCATION AND SUSTAINABLE MANAGEMENT

Division 1—Water rights

div hdg ins 2003 SL No. 25 s 5
exp 21 February 2004 (see s 3C(b))

Prohibition on taking or interfering with water—Act s 23

s 3A ins 2003 SL No. 25 s 5
amd 2003 SL No. 99 s 3
exp 21 February 2004 (see s 3C(b))

Restriction on rate of taking water—Act s 23

s 3B ins 2003 SL No. 25 s 5
exp 21 February 2004 (see s 3C(b))

Expiry of div 1

s 3C ins 2003 SL No. 25 s 5
exp 21 February 2004 (see s 3C(b))

Division 1A—Water planning

div hdg ins 2003 SL No. 99 s 5

Notice of works—Act, s 37

s 3CA ins 2003 SL No. 241 s 3

Requirement for land and water management plan—Act, s 73

s 3D ins 2003 SL No. 99 s 5

Division 1B—Implementing water resource plans

div hdg orig div 1 hdg (prev div 1A hdg) renum 2003 SL No. 25 s 4; 2003 SL No. 99 s 4

Transferring interim water allocation to other land—Act, s 195

s 8 amd 2003 SL No. 99 s 6

Application for approval to transfer interim water allocation

s 9 amd 2003 SL No. 99 s 7

Deciding application for approval

s 10 sub 2003 SL No. 99 s 8

Decision to refuse to approve proposed transfer

s 11 sub 2003 SL No. 99 s 8

Decision to approve proposed transfer without conditions

s 12 sub 2003 SL No. 99 s 8

Decision to approve proposed transfer with conditions

s 13 sub 2003 SL No. 99 s 8

Approval under section 13

s 13A ins 2003 SL No. 99 s 8

Completion of transfer of interim water allocation

s 13B ins 2003 SL No. 99 s 8

Entities—Act, ss 206 and 213

s 14 amd 2003 SL No. 99 s 9

When water licence fee is payable

s 14A ins 2003 SL No. 13 s 4

Classes of licence—Act, s 299

s 18 amd 2003 SL No. 99 s 10

Conditions of water bore driller's licence—Act, s 302

s 23 amd 2003 SL No. 13 s 5; 2003 SL No. 99 s 11

Destroying vegetation in a watercourse, lake or spring—Act, s 814

s 49 amd 2003 SL No. 370 s 3

Excavating in a watercourse, lake or spring—Act, s 814

s 50 amd 2003 SL No. 99 s 12; 2003 No. 370 s 4

Placing fill in a watercourse, lake or spring—Act, s 814

s 51 amd 2003 SL No. 370 s 5

Requirements for decommissioning a water bore—Act, s 817

s 52 amd 2003 SL No. 13 s 6

Water declared to be water in a watercourse—Act, s 1006(2)

s 55 sub 2003 SL No. 99 s 13

Changing boundaries of water management areas

s 57 amd 2003 SL No. 99 s 14

Code for self-assessable development—Act, s 1014

s 62 sub 2003 SL No. 99 s 15

Fees

s 63 amd 2003 SL No. 99 s 16

Conditions of class 1 water bore driller's licence—Act, 302

s 69A ins 2003 SL No. 99 s 17

Application for approval to transfer interim water allocation

s 74A ins 2003 SL No. 99 s 18

When changes to particular water charges have effect

s 74B ins 2004 SL No. 3 s 7

SCHEDULE 2—ENTITLES—ACT, SECTIONS 190, 193, 206 AND 213

amd 2003 SL No. 99 s 19; 2003 SL No. 370 s 6

SCHEDULE 3—TRANSFERRING INTERIM WATER ALLOCATIONS

amd 2004 SL No. 3 s 3

SCHEDULE 4—SEASONAL WATER ASSIGNMENTS

amd 2003 SL No. 13 s 7

SCHEDULE 5—CATCHMENT AREAS

sub 2003 SL No. 13 s 8

SCHEDULE 6—WATER AUTHORITIES

amd 2002 SL No. 230 s 3; 2003 SL No. 370 s 7; 2004 SL No. 3 s 4

SCHEDULE 7—DRAINAGE RATES

amd 2003 SL No. 13 s 9; 2003 SL No. 99 s 20

SCHEDULE 11—SUBARTESIAN AREAS

sub 2003 SL No. 13 s 10; 2003 SL No. 99 s 21

SCHEDULE 13—AUTHORITY AREAS

amd 2003 SL No. 370 s 8; 2004 SL No. 3 s 5

SCHEDULE 14—WATER CHARGES

sub 2003 SL No. 13 s 11; 2003 SL No. 99 s 22
amd 2004 SL No. 3 s 6

SCHEDULE 15—ROYALTIES

sub 2003 SL No. 100 s 42

SCHEDULE 16—FEES

amd 2003 SL No. 13 s 12
sub 2003 SL No. 99 s 23; 2003 SL No. 100 s 42

SCHEDULE 17—DICTIONARY

def “**proposed transferor’s land**” om 2003 SL No. 99 s 24(1)
def “**settlement notice**” ins 2003 SL No. 99 s 24(2)
def “**standard terms document**” ins 2003 SL No. 99 s 24(2)
def “**supplemented water**” ins 2003 SL No. 13 s 13
def “**transferee’s allocation**” om 2003 SL No. 99 s 24(1)
def “**water entitlement document**” om 2003 SL No. 99 s 24(1)