



Queensland

Water Act 2000

Water Regulation 2002

Reprinted as in force on 1 July 2009

Reprint No. 6C

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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.**

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Water Regulation 2002

[as amended by all amendments that commenced on or before 1 July 2009]

Part 1 Preliminary

1 Short title

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

Editor's note—

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 at <www.nrw.qld.gov.au>.

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.

Part 2 **Allocation and sustainable management**

Division 1A **Water planning**

3CA **Notice of works and water use—Act, s 37**

(1) This section applies to the following works for taking or interfering with subartesian water under section 20(6) of the Act—

- (a) the Bundaberg, Cooloola and Pioneer Valley area works;
- (b) the Lockyer Valley area works.

(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.

(4) In this section—

Bundaberg, Cooloola and Pioneer Valley area works means the following works of any size, in the part of the State shown on plan AP9970, AP13801 or AP19470—

- (a) existing works;
- (b) on their completion—

- (i) works enlarging, deepening or changing existing works; and
- (ii) works constructed in the future.

Lockyer Valley area works means existing works of any size, other than works that take water only for stock or domestic purposes, in the part of the State shown on plan AP14824.

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

- (1) For section 73(1)(b)(ii) and (2A)(c) of the Act, the time is—
 - (a) the next water year after the water year the person used the water received under a seasonal water assignment; or
 - (b) the water year after the next water year.
- (2) In this section—

water year means—

 - (a) for water taken under a water allocation—the water year for the resource operations plan under which the water allocation is managed; and
 - (b) for water taken under an interim water allocation—the water year for the interim resource operations licence under which the interim water allocation is managed.

Division 1B Implementing water resource plans

3E Water allocations register—Act, s 127

- (1) If the water sharing rules for a water allocation managed under a resource operations plan are stated to be continuous sharing rules in the plan, the nominal location for the allocation must be stated on the entry on the water allocations register for the allocation.
- (2) In this section—

[s 4]

nominal location, for a water allocation, means the location from which water may be taken on the day the continuous sharing rules first apply to the water allocation.

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 80gm 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 10mm on all sides; and
 - (b) have a clear space no smaller than 90mm wide and 65mm 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 1.8mm (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.

[s 5A]

Division 1C Processes for granting unallocated water

Subdivision 1 Preliminary

5A Application of div 1C

- (1) This division applies if a water resource plan for a plan area, resource operations plan that implements the water resource plan or wild river declaration states that the process for granting unallocated water in the plan area or the wild river area under the declaration is a process stated under this division.
- (2) A process stated under subdivision 2 or 3 applies for granting the water in the plan area or the wild river area under the declaration.
- (3) Subsection (2) is subject to—
 - (a) sections 5B and 5I; and
 - (b) the water resource plan, resource operations plan or wild river declaration.

Subdivision 2 Competitive processes

5B Application of sdiv 2

- (1) This subdivision states the process for granting unallocated water by public auction or tender.
- (2) If the water is to be granted as a water allocation or interim water allocation, only a process under this subdivision may be applied.

5C Public notice of auction or tender

- (1) The chief executive must publish a notice (a *public notice*) about the availability of the water by auction or tender in a

newspaper circulating generally in the relevant plan area or wild river area.

- (2) The public notice must—
 - (a) be published before—
 - (i) the day the auction is held; or
 - (ii) the start of the period in which tenders may be made; and
 - (b) state—
 - (i) whether the water may be granted by public auction or tender; and
 - (ii) where the sale notice about the auction or tender can be inspected.
- (3) The chief executive may amend the public notice by publishing a notice amending the public notice at any time before—
 - (a) the day the auction is held; or
 - (b) the closing day for the tender.

5D Sale notice about auction or tender

- (1) The chief executive must, before holding the auction or inviting tenders, prepare a written notice (a *sale notice*) about the auction or tender stating the following—
 - (a) the following details for identifying the water—
 - (i) the water resource plan, resource operations plan or wild river declaration under which the water is available;
 - (ii) the reserve from which the water is available;
 - (iii) the purpose for which the water is available;
 - (iv) the type of water entitlement under which the water is to be granted;

[s 5D]

- (b) other details, if any, sufficient to identify the water, including, for example—
 - (i) the volume of water that may be granted; and
 - (ii) the location from which the water may be taken;
 - (c) whether the water is to be granted by public auction or public tender;
 - (d) the requirements, if any, for eligibility to bid or tender;
 - (e) for an auction—
 - (i) the day and time when the auction will be held; and
 - (ii) the place where the auction will be held;
 - (f) for a tender—
 - (i) the day (the *closing day*) and time by which tenders must be made; and
 - (ii) the place where tenders must be lodged; and
 - (iii) the criteria, if any, for evaluating tenders or, if criteria for evaluating tenders are stated in the water resource plan, resource operations plan or wild river declaration, a reference to the criteria in the plan or declaration;
 - (g) the conditions for the auction or tender;
 - (h) the forms required for—
 - (i) taking part in the auction or tender; and
 - (ii) completing the purchase of the water made available by the auction or tender.
- (2) The sale notice must be available for inspection during business hours at the department's head office and the regional office nearest to the relevant plan area or wild river area.

Editor's note—

The department's head office is at 41 George Street, Brisbane. A sale notice may also be available for inspection on the department's website at <www.nrw.qld.gov.au>.

5E Conditions for auction or tender

- (1) Without limiting section 5D(1)(g), subsections (2) to (5) state the conditions that apply to a sale by auction or tender.
- (2) A person bidding at an auction or making a tender must—
 - (a) be eligible to bid or tender in accordance with the requirements, if any, under—
 - (i) the water resource plan, resource operations plan or wild river declaration under which the water is available; and
 - (ii) the sale notice; and
 - (b) be eligible to hold the water entitlement under which the water is to be granted; and
 - (c) complete and lodge the required forms under the sale notice for taking part in the auction or tender within the period stated in the sale notice.
- (3) If the chief executive accepts a bid or tender as the successful bid or tender, the person making the bid or tender must complete the purchase of the water as required under the sale notice, including—
 - (a) paying the deposit and purchase price for the water within the period stated in the sale notice; and
 - (b) completing and lodging the required forms under the sale notice for buying the water within the period stated in the sale notice.
- (4) For a sale by auction, the highest bid that is at least the reserve price or the reserve cash premium for the water is the successful bid.
- (5) For a sale by tender, subject to subsection (6), the successful tender is either—

[s 5F]

- (a) if criteria for evaluating tenders are stated in the water resource plan, resource operations plan, wild river declaration or sale notice—the tender the chief executive considers is the successful tender having regard to the criteria; or
 - (b) otherwise, the highest tender that is at least the reserve price or the reserve cash premium for the water.
- (6) If there are 2 or more tenders of equal value that comply with subsection (5), the chief executive may—
- (a) give each of the tenderers an opportunity to make an offer; and
 - (b) sell the water by accepting the best offer under paragraph (a).

5F Failure to complete purchase after auction or tender

- (1) This section applies if—
- (a) the chief executive accepts a bid at an auction or a tender as the successful bid or tender; and
 - (b) the person who made the bid or tender does not complete the purchase of the water in accordance with the conditions for the auction or tender for the water.
- (2) Any deposit paid by the person is forfeited to the State and the chief executive may otherwise deal with the water under this subdivision.

5G Selling water after auction

- (1) If the water is not sold at an auction under this subdivision, the chief executive may sell the water—
- (a) by accepting the best offer made after the auction; or
 - (b) by reducing the reserve price, advertising the reduced reserve price in the newspaper in which the auction was advertised and accepting the best offer that is at least the new reserve price or new reserve cash premium.

-
- (2) The conditions of sale stated in the sale notice for the auction apply, to the extent they can be applied, to a sale under this section.

5H Sale of water may be withdrawn

- (1) The chief executive may withdraw the sale of the water—
- (a) for a sale by auction—
 - (i) before the auction; or
 - (ii) if the water is not sold at the auction, after the auction; or
 - (b) for a sale by tender—before the closing day for the tender.
- (2) If the sale of the water is withdrawn under subsection (1), the chief executive must publish a notice about the withdrawal in the newspaper in which the public notice about the auction or tender was published.

Subdivision 3 Process without competition

5I Application of sdiv 3

- (1) This subdivision states the process for granting unallocated water, other than by public auction or tender.
- (2) If the unallocated water is reserved under the water resource plan, resource operations plan or wild river declaration for a State purpose or for helping indigenous communities achieve their economic and social aspirations, only the process under this division may be applied.
- (3) In this section—

project of State significance means a project declared under the *State Development and Public Works Organisation Act 1971*, section 26, to be a significant project.

State purpose means any of the following—

[s 5J]

- (a) a project of State significance;
- (b) a town water supply;
- (c) for unallocated water reserved under a water resource plan or resource operations plan—a project of regional significance under the plan;
- (d) for unallocated water reserved under a wild river declaration—
 - (i) a project of regional significance under the declaration; or
 - (ii) ecotourism in the wild river area under the declaration.

5J Public notice of availability of water

- (1) The chief executive must publish a notice (a *public notice*) about the availability of the water in a newspaper circulating generally in the relevant plan area or wild river area.
- (2) The notice must state the following—
 - (a) the following details for identifying the water—
 - (i) the water resource plan, resource operations plan or wild river declaration under which the water is available;
 - (ii) the reserve from which the water is available;
 - (iii) the purpose for which the water is available;
 - (b) other details, if any, sufficient to identify the water, including, for example—
 - (i) the volume of water that may be granted; and
 - (ii) the location from which the water may be taken;
 - (c) if the chief executive has decided there is a purchase price for the water, the purchase price;
 - (d) that the water may be granted only to a person who is granted a water licence to take water in the plan area or wild river area;

- (e) details about making an application for the water licence, including for example, where to make the application and by when the application must be received;
 - (f) the other relevant conditions, if any, for granting the water that the chief executive considers appropriate.
- (3) The chief executive may amend the public notice by publishing a notice amending the public notice.

5K Availability of water may be withdrawn

- (1) The chief executive may withdraw the availability of the water.
- (2) If the chief executive withdraws the availability of the water, the chief executive must publish a notice about the withdrawal in the newspaper in which the public notice about the availability of the water was published.

Division 2 Interim allocation and management arrangements

Subdivision 1 General

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.

[s 8]

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; and

Editor's note—

A copy of an interim resource operations licence mentioned in schedule 3 is available on the department's website at www.nrw.qld.gov.au/water/management/irols.html.

- (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) 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

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- (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—

[s 13C]

- (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).

Subdivision 2 Interim water allocations for Julius Dam water supply scheme

13C Granting interim water allocations—Act, s 201

This subdivision states a process for section 201(2) of the Act.

13D Application of sdiv 2

This subdivision applies to the relevant interim water allocation mentioned in the Act, section 201(1).

13E Expiry of relevant interim water allocation and grant of new allocations

- (1) The chief executive may nominate a day (the *nominated day*) for expiry of the relevant interim water allocation and the grant of new allocations to eligible entities to replace the expired relevant interim water allocation (the *proposed action*).
- (2) The chief executive must, at least 25 days before the nominated day, give a notice about the proposed action to—
 - (a) the holder of the relevant licence; and
 - (b) each eligible entity.
- (3) The notice must state the following—
 - (a) the day the notice is given;

- (b) the nominated day;
- (c) details of the proposed action, including particulars of each eligible entity and the new allocations;
- (d) that the holder of the relevant licence or eligible entity may make written submissions to the chief executive about the proposed action—
 - (i) at an address stated in the notice; and
 - (ii) within a stated period of at least 20 days.
- (4) On the nominated day—
 - (a) the relevant interim water allocation expires; and
 - (b) the new allocations are granted.
- (5) Within 30 business days after the nominated day, the chief executive must give—
 - (a) the holder of the relevant licence and each eligible entity a notice about the matters in subsection (4); and
 - (b) each eligible entity a new allocation in the approved form.
- (6) A new allocation granted under this section takes effect from the nominated day.
- (7) The supply arrangement for the relevant interim water allocation applies to each new allocation.
- (8) In this section—
 - eligible entity*** means each of the following—
 - (a) Mount Isa City Council;
 - (b) Mount Isa Mines Limited;
 - (c) Mount Isa Water Board.
 - new allocations*** means the new allocations under section 201(2)(b) of the Act that are—
 - (a) for Mount Isa City Council to take 7900ML; and
 - (b) for Mount Isa Mines Limited to take 8850ML; and

[s 14]

(c) for Mount Isa Water Board to take 5000ML.

relevant licence means the interim resource operations licence for the Julius Dam water supply scheme.

Division 3 Water licences

14 Entities—Act, ss 206 and 213

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

14A Water licence fee

- (1) The water licence fee mentioned in schedule 16, item 41 is payable for a water licence, other than the following—
 - (a) a water licence only to take supplemented water;
 - (b) a water licence to take water for stock or domestic purposes, unless the licence is for taking underground water for stock or domestic purposes from the Great Artesian Basin.
- (2) The water licence fee for a water licence—
 - (a) is payable for each year the licence is in force; and
 - (b) must be paid within the period stated in a notice given to the licensee under subsection (3).
- (3) The chief executive must give the licensee a notice stating—
 - (a) the amount of the water licence fee and the period to which it relates; and
 - (b) the period, of at least 20 business days after the notice is given, in which the fee must be paid.

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.

Editor's note—

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 3A Transfer of water licences—Act, s 223

15A Application of div 3A

- (1) This division applies to a water licence, to take water, to which a water resource plan applies, whether or not the licence attaches to the land (the *original licence*).
- (2) If the resource operations plan that implements the water resource plan states rules for changing the location from which water may be taken under a water licence, all or part of the original licence may be—
 - (a) transferred to a prescribed person within the meaning of section 223(6) of the Act (a *transfer*); or
 - (b) amended to change the location from which the water may be taken or the purpose for which the water may be taken (an *amendment*); or
 - (c) amalgamated with another water licence held or to be held by the transferee (an *amalgamation*).
- (3) This division states the process for dealing with an application for the transfer, amendment or amalgamation.

[s 15B]

15B Definitions for div 3A

In this division—

amalgamation, in relation to the original licence, see section 15A(2)(c).

amendment, in relation to the original licence, see section 15A(2)(b).

new licence means the water licence that the chief executive may issue under this division after a transfer, amendment or amalgamation of the original licence.

original licence see section 15A(1).

transfer, in relation to the original licence, see section 15A(2)(a).

transfer notice see section 15G(1).

15C Application to transfer, amend or amalgamate water licences

- (1) A person may, in relation to the original licence, apply to the chief executive for a transfer, amendment or amalgamation.
- (2) The application must be—
 - (a) made to the chief executive in the approved form; and
 - (b) for a transfer or amalgamation—made jointly by the following—
 - (i) the holder of the original licence;
 - (ii) the proposed transferee.
- (3) The application must—
 - (a) state each of the following—
 - (i) details of the original licence;
 - (ii) if the original licence, or part of the licence, is to be amalgamated with the transferee's water licence—details of the transferee's licence;

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- (iii) the purpose for which the water will be taken under the new licence;
 - (iv) details of the location of the proposed taking of water under the new licence;
 - (v) the volume of water proposed to be taken under the new licence; and
- (b) be accompanied by—
- (i) a statutory declaration by the holder of the original licence that each person (an *interested entity*) who has a financial or other interest in the land of the holder for which the licence is held has been given notice of the proposed transfer, amendment or amalgamation; and
 - (ii) the written consent of each interested entity to the proposed transfer, amendment or amalgamation; and
 - (iii) the application fee.
- (4) The application can be for 1 or more of the matters mentioned in section 15A(2).

15D Additional information may be required

The chief executive may require—

- (a) the applicant to give additional information about the application; or
- (b) any information included in the application, or any additional information required under paragraph (a), to be verified by statutory declaration.

15E Criteria for deciding application

- (1) In deciding whether to approve the application, the chief executive must consider the following—
 - (a) any additional information given about the application;

[s 15F]

- (b) the water resource plan;
 - (c) the resource operations plan, including, in particular, the rules, stated in the resource operations plan, for transferring, amending or amalgamating water licences;
 - (d) any wild river declaration that may apply to the original licence.
- (2) Subsection (1) does not limit the matters the chief executive may consider.

15F Deciding application

- (1) After considering the matters mentioned in section 15E, the chief executive may—
- (a) refuse the application; or
 - (b) approve the application with or without conditions.
- (2) The chief executive must, within 10 business days after deciding the application, give the applicant notice of the decision.

Note—

See section 205 of the Act for the circumstances in which the chief executive is required to give either an information notice or a notice stating the decision and the reasons for the decision.

15G Intention to proceed

- (1) If the applicant is given an information notice for the decision and intends to proceed with the transfer, amendment or amalgamation, the applicant must give the chief executive notice in the approved form (a ***transfer notice***).
- (2) The transfer notice must be given within 30 business days after—
- (a) if the applicant appeals against the decision—the day the appeal is finally decided; or
 - (b) otherwise—the day the applicant receives the information notice.

15H Completion of transfer, amendment or amalgamation

- (1) This section applies if the chief executive—
 - (a) gives the applicant notice of the decision, other than an information notice; or
 - (b) receives a transfer notice within the period mentioned in section 15G(2).
- (2) The chief executive may require the proposed transferee to give a document evidencing ownership of land to which the new licence will attach.
- (3) The chief executive must cancel, amend or subdivide the original licence, or issue a new licence, necessary to give effect to the transfer, amendment or amalgamation within 30 business days after—
 - (a) if the chief executive has, under subsection (2), required the proposed transferee to give a document—the day the chief executive receives the document; or
 - (b) if the chief executive receives a transfer notice—the day the chief executive receives the notice; or
 - (c) otherwise—the day the chief executive gives notice of the decision under section 15F(2).

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—
 - (a) cable tool;
 - (b) auger;

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- (c) rotary air;
 - (d) rotary mud;
 - (e) non-drilling rig.
- (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 authorises 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.
 - (6) A non-drilling rig endorsement authorises water bore activities using non-drilling rig methods including spear point construction, hand digging and the use of excavators or back-hoes for the construction of wells, excavations and galleries.

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

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- Training Committee (*ADITC*) for any endorsement for which the applicant is applying; or
- (ii) another course considered equivalent by the chief executive; and
- (b) demonstrated drilling and grouting knowledge; and
 - (c) either—
 - (i) both—
 - (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; or
 - (iii) employment in the operation of a drilling machine, other than in water bore drilling activities, for at least 12 months during which at least 10 bores that intersect underground water 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

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- (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) demonstrated drilling and grouting knowledge; and
 - (c) either—
 - (i) both—
 - (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) both—
 - (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

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class 2 bores drilled under the direct supervision of the holder of a class 2 licence; or

- (iv) employment in the operation of a drilling machine, other than in water bore drilling activities, for at least 24 months during which at least 10 bores that intersect multiple aquifer systems were drilled.

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) demonstrated drilling and grouting knowledge; and
 - (d) either—
 - (i) both—
 - (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

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- (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) all of the following—
 - (A) successful completion of the DICAT course or another course considered equivalent by the chief executive;
 - (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;
 - (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; or
 - (iii) employment in the operation of a drilling machine, other than in water bore drilling activities, for at least 36 months during which at least 10 bores that intersect artesian water were drilled.
- (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 that tap an aquifer in the sediments of an artesian basin must be carried out in accordance with 'Minimum Standards for the Construction and Reconditioning of Water Bores that

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- intersect the sediments of Artesian Basins in Queensland’, published by the department;
- (b) other water bore drilling activities must be carried out in accordance with ‘Minimum Construction Requirements for Water Bores in Australia’, published by the department;
 - (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;
 - (ca) self-assessable development that is operational work mentioned in the *Integrated Planning Act 1997*, schedule 8, part 2, table 4, item 1(b)(ii), must be carried out in accordance with the code approved for the development under section 62;
 - (d) for a class 1 licence—the licence holder must not drill bores with an internal bore casing diameter of more than 150mm;
 - (e) the licence has effect for a period of 5 years.

Editor’s note—

A copy of a document mentioned in paragraph (a) or (b) may be obtained from the department’s head office in Brisbane or inspected on the department’s website at <www.nrw.qld.gov.au>.

- (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).

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- (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;
- (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;
- (h) a diagram showing details of the construction of the finished bore.

[s 25]

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 or any election when there are no directors comprising a water authority's board, 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 any other 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—

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- (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.

32A Procedures for election of directors

- (1) An election of directors may be conducted—

- (a) by mail; or
- (b) at a meeting.

- (2) In subsection (1)—

by mail, in relation to the conduct of an election, means other than at a meeting and may include voting material being given, for example—

- (a) by handing it to the person; or
- (b) by sending it by mail; or
- (c) by sending it by facsimile; or
- (d) by sending it electronically.

[s 32B]

32B Election of directors by mail or at meeting

- (1) For a first election of directors or any election when there are no directors comprising a water authority's board, the chief executive may decide to allow the returning officer to conduct the election at a meeting of the authority's ratepayers rather than by mail if the chief executive is satisfied—
 - (a) the authority's area includes only a small number of ratepayers; and
 - (b) the ratepayers would be able to attend a meeting for the election.
- (2) For any other election of directors, the board may decide to allow the returning officer to conduct the election at a meeting of the authority's ratepayers if the board is satisfied of the matters mentioned in subsection (1)(a) and (b).

32C Notice of election at meeting

- (1) If a decision is made under section 32B to conduct an election at a meeting, the returning officer must send a notice about the election to each of the authority's ratepayers.
- (2) The notice must state—
 - (a) for a first election of directors—that the water authority has been established or formed; and
Editor's note—
See sections 548 (Establishing water authorities) and 690 (Amalgamating water authorities and authority areas) of the Act.
 - (b) that a meeting will be held to elect the directors of the authority; and
 - (c) the date and place for the meeting; and
 - (d) that the ratepayer may appoint a proxy to—
 - (i) attend the meeting; and
 - (ii) if section 33(3) or (5) applies to the ratepayer—nominate an individual; and
 - (iii) if the ratepayer is entitled to vote—

- (A) nominate a candidate for election under section 34A; and
 - (B) vote on behalf of the ratepayer.
- (3) The date for the meeting must be at least 15 business days after the returning officer sends the notice.
 - (4) The election may be held at a meeting of the board being held for another purpose.

32D Appointment of proxy for election at meeting

- (1) The appointment of a proxy is effective only if a properly completed proxy form is given to the returning officer before the returning officer calls for nominations under section 34A.
- (2) A properly completed proxy form—
 - (a) states the full name of the person appointed; and
 - (b) is signed by both the person appointing and the person appointed.
- (3) The appointment of the proxy—
 - (a) can not be transferred by the holder of the appointment to another person; and
 - (b) can not be irrevocable.
- (4) A ratepayer who is a proxy for another ratepayer may, in the absence of the other ratepayer, vote both in the ratepayer's own right and also as proxy for the other ratepayer.
- (5) However, a proxy must not be exercised if the ratepayer who appointed the proxy is present at the meeting for the election.

32E Minutes of meeting for election

- (1) The returning officer must—
 - (a) ensure minutes are recorded of all proceedings of the meeting for the election; and
 - (b) sign the minutes to verify their accuracy.

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- (2) As soon as practicable after the meeting, the returning officer must ensure a copy of the minutes is given to each ratepayer.

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.

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- (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.
 - (10) If the election is held at a meeting, the returning officer must compile the roll of voters at the meeting.

34 Nominations for election by mail

- (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.

Editor's note—

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

- (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.

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34A Nominations for election at meeting

- (1) The returning officer must, at a meeting to elect directors, call for nominations of persons eligible to be elected.
- (2) A nomination must be by a voter or a voter's proxy, seconded by another voter and accepted by the candidate nominated.
- (3) If the candidate nominated is not present at the meeting, the nomination must be—
 - (a) in writing; and
 - (b) signed by the candidate and 2 voters; and
 - (c) given to the returning officer at the time the officer calls for nominations.
- (4) A person must not, under subsection (3), state anything the person knows is false or misleading in a material particular.
Maximum penalty—20 penalty units.
- (5) It is enough for a complaint for an offence against subsection (4) 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.

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;

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- (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.
 - (4) Subsection (1)(d) and (e) do not apply to the ballot paper for an election at a meeting.

37 Distributing voting material for election by mail

- (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.

[s 37A]

- (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.

37A Distributing ballot papers for election at meeting

- (1) The returning officer must give a ballot paper to each voter.
- (2) After giving a ballot paper, the returning officer must note against the voter's name on the roll of voters that the ballot paper has been given.
- (3) The returning officer must have a lockable ballot box and keys at the meeting.

38 How long ballot for election by mail is open

A ballot for election by mail must remain open for at least 10 business days.

39 Voting in election by mail

- (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.

39A Voting in election at meeting

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

Maximum penalty—20 penalty units.

(2) A voter may vote by—

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- (a) marking a tick or 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; and
 - (b) putting the ballot paper in the ballot box.
- (3) At the time the voter puts the ballot paper in the ballot box, the returning officer must note the fact that the voter has voted against the voter's name on the roll.
 - (4) If a voter satisfies the returning officer that the ballot paper given to the voter has been incorrectly marked, damaged or is otherwise no longer suitable for voting, the returning officer must give the voter a duplicate ballot paper.
 - (5) A person who is not on the roll of voters for the election may not vote in the election.

Maximum penalty for subsection (5)—20 penalty units.

40 How returning officer must deal with voting material for election by mail

- (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 in an election by mail closes, the returning officer must give each candidate notice of when and where votes are to be collected, examined and counted.

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- (2) A candidate in an election by mail or at a meeting may, before voting closes, 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 for election by mail

- (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

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- (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.
- (5) For an election at a meeting—

- (a) subsection (2)(a) to (c) do not apply; and
- (b) the votes must be counted in the presence of the voters and scrutineers.

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) As soon as practicable after an election result is decided, the returning officer must—
 - (a) give each candidate a signed declaration of the result; and
 - (b) give each ratepayer notice of the result; and
 - (c) if the election was conducted at a meeting—announce the result at the meeting.
- (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 or counting and the reasons for rejection;

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- (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.
 - (4) Subsection (2)(f) does not apply to an election at a meeting.

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).

48A Employing offices for water authorities established—Act, s 625

- (1) The employing office for each water authority mentioned in schedule 6A, column 1, is established.
- (2) The employing office for a water authority has the name stated in schedule 6A, column 2 opposite the water authority.

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- (a) a lease or authority to prospect under the *Petroleum Act 1923*; or
- (b) a licence, petroleum lease or authority to prospect under the *Petroleum and Gas (Production and Safety) Act 2004*; or
- (c) a licence under the *Fossicking Act 1994*; or
- (d) an environmental authority (mining activities) under the *Environmental Protection Act 1994*; or
- (e) the following documents approved by the chief executive—
 - (i) the document called ‘Guideline—Activities in a watercourse, lake or spring carried out by an entity’;
 - (ii) the document called ‘Guideline—Activities in a watercourse, lake or spring associated with mining operations’.

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

Placing fill in a watercourse, lake or spring is permitted if the placing is carried out under—

- (a) a lease or authority to prospect under the *Petroleum Act 1923*; or
- (b) a licence, petroleum lease or authority to prospect under the *Petroleum and Gas (Production and Safety) Act 2004*; or
- (c) a licence under the *Fossicking Act 1994*; or
- (d) an environmental authority (mining activities) under the *Environmental Protection Act 1994*; or
- (e) the following documents approved by the chief executive—
 - (i) the document called ‘Guideline—Activities in a watercourse, lake or spring carried out by an entity’;

- (ii) the document called ‘Guideline—Activities in a watercourse, lake or spring associated with mining operations’.

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

The decommissioning of a water bore must be carried out in accordance with ‘Minimum Construction Requirements for Water Bores in Australia’, published by the department.

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 and upstream limits of watercourses—Act, s 1006(1)

- (1) The downstream limit of a watercourse mentioned in schedule 8, part 1, column 1, is the natural or artificial feature or the boundary of a parcel of land, mentioned for the watercourse in column 2 of the part, as shown for the watercourse in the plan mentioned in column 3 of the part.
- (2) The upstream limit of a watercourse mentioned in schedule 8, part 2, column 1, is the natural or artificial feature or the boundary of a parcel of land, mentioned for the watercourse in column 2 of the part, as shown for the watercourse in the plan mentioned in column 3 of the part.

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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 Kolan River, between AMTD 14.5km and AMTD 76.4km, to a depth of 10m below the bed of the river;
- (b) water in an alluvial aquifer under the Burnett River, between AMTD 25.9km and AMTD 333.9km, to a depth of 10m below the bed of the river;
- (c) water in an alluvial aquifer under the Boyne River, between AMTD 0km and AMTD 180km, to a depth of 10m below the bed of the river;
- (d) water in an alluvial aquifer under the Nogo River, between AMTD 0km and AMTD 23km, to a depth of 10m below the bed of the river;
- (e) water in an aquifer under Lockyer Creek, between AMTD 0km and AMTD 41.9km, to a depth of 10m below the bed of the creek;
- (f) water in an aquifer under Lockyer Creek, between AMTD 41.9km and AMTD 70.9km, to a depth of 6m below the bed of the creek;
- (g) water in an aquifer under Barambah Creek, between AMTD 85km and AMTD 189.5km, to a depth of 15m below the bed of the creek;
- (h) water in an alluvial aquifer under the Stuart River, between AMTD 0km and AMTD 80km, to a depth of 10m below the bed of the river.

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; or
 - (d) implementing water metering under part 7.
 - (3) The chief executive may name the area, for example, the ‘Barker-Barambah Creeks water management area’.
 - (4) A subartesian area declared under section 102 is also a water management area.
 - (4A) A water resource plan or a resource operations plan may declare a part of the plan area to be 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 authorised to take water from the area; or
 - (b) publish a notice about the declaration in a newspaper circulating generally in the area.
 - (7) Subsection (6) does not apply to a water management area declared under a water resource plan or a resource operations plan.

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—

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- (a) give notice of the change to the persons authorised 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.
- (3) This section does not apply if—
- (a) water is taken under a metered entitlement; and
 - (b) the water charge mentioned in column 3 of the schedule is for a water meter.

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 for a water year by the holder of an authorisation to take water from the water management area if the total charges payable under section 58 by the holder for the water year are less than the minimum charge.

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 authorisation 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.
- (1A) If any part of the charge remains unpaid after 30 days, the late fee prescribed under section 1013A(2) of the Act is the interest, accruing daily at the rate that is 2% above the Suncorp Metway Ltd business banking variable lending base rate, on the part of the charge.
- (1B) The interest starts accruing on the day immediately after the charge became payable and ends on the day the charge is paid in full, both days inclusive.
- (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 a late fee is payable on any part of the charge remaining unpaid after 30 days; and
 - (d) how the late fee is calculated under subsections (1A) and (1B).

60A Prescribed organisation and program—Act, s 1014

- (1) Cotton Australia Limited is prescribed as the organisation that may provide the accredited farm management system program mentioned in subsection (2).

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(2) The farm management system program called ‘Cotton Best Management Practices Program’ and administered by Cotton Australia Limited is prescribed as an accredited farm management system program.

(3) In this section—

Cotton Australia Limited means Cotton Australia Limited ACN 054 122 879.

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.

61A Code against which development applications assessed—Act, s 1014

The ‘Code for Assessable Development for Operational Works for Taking Overland Flow Water’ is approved as the code against which development applications under the *Integrated Planning Act 1997* may be assessed by the chief executive as assessment manager under that Act.

Editor’s note—

A copy of the code is available on the department’s website at <www.nrw.qld.gov.au>.

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

Each of the following codes is approved for carrying out self-assessable development that is operational work mentioned in the *Integrated Planning Act 1997*, schedule 8, part 2, table 4—

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- (a) for item 1(a)—the ‘Self-assessable code for the development of riparian water access works on a watercourse, lake or spring’;
 - (b) for item 1(b)(i)—the ‘Code for self-assessable development of operational works that interfere with water in a watercourse, lake or spring’;
 - (c) for item 1(b)(ii)—
 - (i) the ‘Code for self-assessable development for taking overland flow water for stock and domestic purposes’; and
 - (ii) the ‘Code for self-assessable development for taking overland flow water using limited capacity works’; and
 - (iii) the ‘Code for self-assessable development for taking overland flow water to satisfy the requirements of an environmental authority or a development permit for carrying out an environmentally relevant activity’;
 - (d) for item 1(b)(iii)—
 - (i) the ‘Code for self-assessable development of bores identified in a water resource plan as self-assessable’; and
 - (ii) the ‘Code for self-assessable development of replacement bores’.

Editor’s note—

Copies of the codes are available on the department’s website at <www.nrw.qld.gov.au>.

62A Accounting period—Act, sch 4, definition *water year*

- (1) This section prescribes the accounting period for a resource operations plan, interim resource operations licence or water licence for schedule 4, definition *water year*, paragraph (a) if the accounting period for the plan or licence—
 - (a) is not stated in the plan or licence; and

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- (b) is not otherwise prescribed under this regulation.
- (2) The accounting period for the resource operations plan, interim resource operations licence or water licence is from 1 July to 30 June in the following year.

63 Fees

- (1) The fees payable under the Act are stated in schedule 16.
- (2) The fee paid on lodgement 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-lodgement of an instrument is half the fee stated in schedule 16 for lodgement of the instrument.
- (4) A fee is not payable for the lodgement 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 taking water from a water management area mentioned in schedule 10, column 1, are opposite the area in column 2.

Editor's note—

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) The water sharing rules for taking water from a particular water management area, or a part of the area, may state the following—
 - (a) if, under the rules, 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; and

- (iii) whether the announced entitlement applies in relation to the taking of water for a particular purpose;
 - (b) the extent to which, and the conditions on which, carry overs and forward draws may be authorised in the area, or the part of 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.
- (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 taking water from a water management area, or a part of the area, require the chief executive to decide an *announced entitlement*, the chief executive must—
 - (a) decide the announced entitlement 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 holders of the water licences to which the entitlement relates; or
 - (ii) publish the announced entitlement in a newspaper circulating generally in the water management area; or
 - (iii) publish the announced entitlement on the department's website on the internet.

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- (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 water management area, or the part of the area, to which the entitlement relates—
 - (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 taking water from 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, or a part of the area, the *annual entitlement* for a water licence to which the announced entitlement relates 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, or a part of the area, the annual entitlement for a water licence in the area or the part of 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 Metering

Division 1 Preliminary

68 Purpose of pt 7

The purpose of this part is to implement a system for the compulsory use of water meters for taking or interfering with water in the State.

69 How purpose is to be achieved

The purpose is to be achieved by—

- (a) providing for the installation of water meters; and
- (b) declaring certain authorisations to be metered entitlements; and
- (c) applying divisions 3 and 4 to the metered entitlements.

Division 2 Meter installation

70 Metered entitlement notice

- (1) The chief executive may give a notice (a *metered entitlement notice*) to—
 - (a) the holder of an authorisation; or
 - (b) if there are works on land and no authorisation for taking or interfering with water through the works—the owner of the works.

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- (2) The notice must—
 - (a) state the authorisation or works to which the notice relates; and
 - (b) tell the holder or owner about the meter installation process, and the metering service charge and metering assessment charge to which the holder or owner may be subject; and
 - (c) require the holder or owner to provide the information for a metering contractor to complete a notice (a *metering information notice*) about existing works on the land; and
 - (d) if there are no existing works on the land, require the holder to notify the chief executive of the fact, within the period stated in the metered entitlement notice.

70A Notice of no existing works

- (1) If the holder does not have existing works on the land, the holder must, within the period stated in the metered entitlement notice, give the chief executive notice of the fact.
Maximum penalty—10 penalty units.
- (2) Subsection (3) applies if—
 - (a) the holder fails to notify the chief executive within the stated period; and
 - (b) the chief executive arranges for a metering contractor to obtain information from the holder for completing the metering information notice.
- (3) The chief executive must give the holder notice of the charge (the *metering assessment charge*) payable.
- (4) The metering assessment charge—
 - (a) must be paid within 20 business days after the chief executive gives notice of the charge; and
 - (b) must not be more than the reasonable costs incurred by the chief executive acting under subsection (2)(b).

71 Metering information notice

- (1) The information required by a metering information notice may include the following—
 - (a) if there are existing works—the owner and title details of the land on which the works are situated;
 - (b) the type of existing works, the purpose and size of the works and technical details about the works;
 - (c) whether a meter is installed in relation to the works;
 - (d) if a meter is installed—the type, size and age of the meter.
- (2) The metering information notice may require the information to be verified by statutory declaration.
- (3) The holder or owner must provide the information verbally for recording by the metering contractor on the metering information notice at the time required by the metering contractor.

Maximum penalty for subsection (3)—10 penalty units.

- (4) The chief executive may require the holder or owner to provide further information about the works or meter.
- (5) The holder or owner must provide the information within the time stated in the request.

Maximum penalty for subsection (5)—10 penalty units.

- (6) If there is any change to the works or meter after the metering information notice is completed, the holder or owner must, as soon as practicable after the change, give the chief executive notice of the change.

Maximum penalty for subsection (6)—10 penalty units.

72 Meter assessment notice

- (1) After assessing the information given in a metering information notice, the chief executive must give the holder or owner a notice (a *meter assessment notice*).

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- (2) The meter assessment notice tells the holder or owner the following—
 - (a) if there is an existing meter, whether the meter—
 - (i) is acceptable; or
 - (ii) needs to be modified and, if so, the extent of the modification; or
 - (iii) needs to be replaced;
 - (b) if the existing meter is acceptable or needs to be modified but not replaced—
 - (i) the holder or owner must, within the time stated in the notice, assign ownership of the meter to the State; or
 - (ii) otherwise—the chief executive may, at a later stage, arrange for a metering contractor to remove the existing meter and install a new meter;
 - (c) the site preparation required;
 - (d) whether the site preparation is to be carried out by the holder or owner or a metering contractor;
 - (e) if the site preparation is to be carried out by the holder or owner—
 - (i) the specifications to be followed in carrying out the preparation; and
 - (ii) the time within which the preparation is to be carried out and the chief executive given notice of its completion;
 - (f) if a meter is to be installed—whether it is to be installed by the holder or owner or a metering contractor;
 - (g) if the meter is to be installed by the holder or owner—
 - (i) the specifications to be followed in installing the meter; and

- (ii) the time within which the meter is to be installed and the chief executive given notice of the completion of the installation.

Editor's note—

A copy of specifications mentioned in this part may be inspected on the department's website at <www.nrw.qld.gov.au>.

73 Site preparation by holder or owner

- (1) If the meter assessment notice requires the holder or owner to carry out site preparation, the preparation must be carried out—
 - (a) in accordance with the specifications mentioned in the notice; and
 - (b) within the reasonable time stated in the notice.

Maximum penalty for subsection (1)—20 penalty units.

- (2) The holder or owner must, within the reasonable time stated in the meter assessment notice, give the chief executive notice that the site preparation has been completed.

Maximum penalty for subsection (2)—20 penalty units.

74 Meter installation by holder or owner

- (1) If the meter assessment notice requires the holder or owner to install a meter, the installation must be—
 - (a) in accordance with the specifications mentioned in the notice; and
 - (b) within the reasonable time stated in the notice.

Maximum penalty for subsection (1)—20 penalty units.

- (2) The holder or owner must, within the reasonable time stated in the meter assessment notice, give the chief executive notice that the meter has been installed.

Maximum penalty for subsection (2)—10 penalty units.

Division 3 Metered entitlements

75 Declaration of metered entitlements

- (1) An authorisation mentioned in schedule 15A, column 2, or an authorisation that replaces an authorisation mentioned in column 2, in a part of the State mentioned opposite the authorisation in schedule 15A, column 1, is a *metered entitlement*.
- (2) For subsection (1), an authorisation (the *original authorisation*) is replaced by another authorisation (the *second authorisation*) in the following circumstances—
 - (a) the original authorisation expires and the second authorisation is granted in relation to the same land;
 - (b) the original authorisation is amalgamated with another authorisation and the second authorisation is granted in relation to the land to which the original authorisation and other authorisation related;
 - (c) the original authorisation expires and 2 or more second authorisations are granted in relation to the same land;
 - (d) part of the land to which the original authorisation related is disposed of and 1 or more second authorisations are granted in relation to the same land.
- (3) Also, a seasonal water assignment notice for taking water in a part of the State mentioned in schedule 15A, column 1, and given in relation to a metered entitlement mentioned in schedule 15A, column 2 for the part, is a *metered entitlement*.

76 Metering service charge—Act, s 1014

- (1) A charge (a *metering service charge*) is payable to the chief executive by—
 - (a) the holder of a metered entitlement who takes water under the entitlement through works that have an approved meter attached; or
 - (b) if there is no holder of a metered entitlement taking

water through the works—the owner of the works.

- (2) The metering service charge consists of—
 - (a) a meter use charge for the use of the approved meter by the holder or owner; and
 - (b) a meter operating charge for reading and maintaining the meter.
- (3) The meter use charge—
 - (a) is payable for each approved meter—
 - (i) for the period decided by the chief executive; or
 - (ii) if the chief executive does not decide a period—annually; and
 - (b) must not be more than the cost to the department of making the meter available for use by the holder or owner, including an adjustment in favour of a holder or owner—
 - (i) who carried out site preparation; or
 - (ii) who assigned ownership of an existing meter to the State; or
 - (ii) whose existing meter, owned by the State, was not replaced.
- (4) The meter operating charge—
 - (a) is payable for each approved meter—
 - (i) for the period decided by the chief executive; or
 - (ii) if the chief executive does not decide a period—annually; and
 - (b) must not be more than the cost to the department of reading and maintaining the meter.
- (5) The metering service charge—
 - (a) may be levied by giving notice to the holder or owner; and
 - (b) becomes payable on the day the notice is given; and

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- (c) must be paid within 20 business days after the notice is given.
- (5A) If any part of the charge remains unpaid after 20 business days, the late fee prescribed under section 1013A(2) of the Act is the interest, accruing daily at the rate that is 2% above the Suncorp Metway Ltd business banking variable lending base rate, on the part of the charge.
- (5B) The interest starts accruing on the day immediately after the charge became payable and ends on the day the charge is paid in full, both days inclusive.
- (6) A notice given under subsection (5)(a) must state—
 - (a) the amount of the charge; and
 - (b) the period for which it is levied; and
 - (c) the time and place for payment; and
 - (d) that a late fee is payable on any part of the charge remaining unpaid after 20 business days; and
 - (e) how the late fee is calculated under subsections (5A) and (5B).

Division 4 Miscellaneous

77 Ownership of approved meters

An approved meter remains the property of the State.

78 Meter reading by holder of metered entitlement or owner of works

- (1) The chief executive may give either of the following persons a notice requiring the person to read an approved meter and give the chief executive notice of the reading—
 - (a) the holder of a metered entitlement who takes water under the entitlement through works that have the approved meter attached; or

-
- (b) if there is no holder of a metered entitlement taking water through the works—the owner of the works.
- (2) The holder or owner must comply with the notice.
- Maximum penalty—10 penalty units.

79 Meter reading by chief executive

The chief executive may arrange for an approved meter to be read—

- (a) on the application by the holder of a metered entitlement who takes water under the entitlement through works that have the meter attached to transfer, seasonally assign or otherwise deal with the entitlement; or
- (b) when the owner of works that have the meter attached gives the chief executive notice the owner has decided to stop using the works; or
- (c) at any other time the chief executive considers necessary.

80 Metering exit charge—Act, s 1014

- (1) Subsection (2) applies if the owner of works that have an approved meter attached gives the chief executive notice that the owner has decided to stop using the works.
- (2) On receiving the notice, the chief executive must give the owner notice of the charge (the *metering exit charge*) payable.
- (3) When the chief executive receives the metering exit charge—
 - (a) the chief executive must arrange for the meter to be disabled or removed; and
 - (b) the metering service charge is no longer payable.
- (4) The metering exit charge must not be more than the sum of—
 - (a) the cost to the department of disabling or removing the meter; and

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- (b) a part of the meter use charge decided by the chief executive having regard to the expected life of the meter.

80A Metering assessment charge

- (1) This section applies if—
 - (a) the chief executive gives the holder or owner a metered entitlement notice under section 70(1); and
 - (b) the chief executive incurs costs by, for example, arranging for a metering contractor—
 - (i) to obtain information from the holder for completing the metering information notice; or
 - (ii) to carry out site preparation; and
 - (c) before an approved meter is attached to existing works, the holder or owner gives the chief executive notice that the holder or owner has decided to stop using the works.
- (2) On receiving the notice, the chief executive must give the holder or owner notice of the charge (the *metering assessment charge*) payable.
- (3) The metering assessment charge—
 - (a) must be paid within 20 business days after the chief executive gives notice of the charge; and
 - (b) must not be more than the reasonable costs incurred by the chief executive acting under subsection (1)(b).

81 Specifications issued by chief executive

The chief executive may issue specifications for carrying out site preparation or installing a meter under this part.

Part 8 **Water supply emergency (SEQ Region)**

82 **Purpose of pt 8**

- (1) This part is a water supply emergency regulation under the Act.
- (2) The purpose of this part is to outline a range of measures to be carried out, and outcomes to be achieved, by service providers, and works to be carried out by the coordinator-general, to ensure the security of essential water supplies for the SEQ region.
- (3) The measures, outcomes and works include—
 - (a) the following measures—
 - (i) the construction of the Western Corridor Recycled Water Scheme;
 - (ii) the construction of the Southern Regional Water Pipeline;
 - (iii) the construction of the Eastern Pipeline Inter-connector;
 - (iv) the construction of the Northern Pipeline Inter-connector;
 - (v) the construction of the South East Queensland (Gold Coast) Desalination Facility;
 - (vi) the construction of Traveston Crossing Dam Stage 1;
 - (vii) the construction of Wyaralong Dam;
 - (viii) the upgrade of Enoggera Water Treatment Plant;
 - (ix) the raising of Hinze Dam Stage 3 and preparing for associated water harvesting works;
 - (x) the development of underground water resources at Bribie Island and in the area around Brisbane;

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- (xi) a strategy for reducing the demand for water, or achieving or encouraging a more efficient use of water; and
- (b) the following outcomes—
 - (i) demand management strategies including ensuring service providers' participation in pressure and leakage reduction programs and a domestic retrofit program;
 - (ii) other water efficiency outcomes aimed at greater use of recycled water for industrial and commercial customers and reduced water use by power stations;
 - (iii) maximising the sustainable take of water from Leslie Harrison Dam, while maintaining the existing sustainable take of groundwater from North Stradbroke Island; and
- (c) the following works—
 - (i) the construction of Cedar Grove Weir;
 - (ii) the construction of Bromelton Off-stream Storage.

83 Definitions for pt 8

In this part—

Bromelton Off-stream Storage means the offstream storage of that name proposed under the Water for South East Queensland document.

Cedar Grove Weir means the weir of that name proposed under the Water for South East Queensland document.

Eastern Pipeline Inter-connector means the Regional Water Inter-connector of that name mentioned in the Report on Drought Contingency Projects.

Hinze Dam Stage 3 means the dam raising of that name proposed under the Water for South East Queensland document.

LGIS means Local Government Infrastructure Services (ACN 115 959 021).

MOU means the Memorandum of Understanding for the South East Queensland Regional Water Leakage and Pressure Management Project, dated 28 April 2006.

Northern Pipeline Inter-connector means the Regional Water Inter-connector of that name mentioned in the Report on Drought Contingency Projects.

participating local government means each of the following local governments—

- (a) Brisbane City Council;
- (b) Gold Coast City Council;
- (c) Ipswich City Council;
- (d) Lockyer Valley Regional Council;
- (e) Logan City Council;
- (f) Moreton Bay Regional Council;
- (g) Redland City Council;
- (h) Scenic Rim Regional Council;
- (i) Somerset Regional Council;
- (j) Sunshine Coast Regional Council.

Regional Water Inter-Connectors means the drought contingency projects mentioned in the State Development Regulation under that collective name.

Report on Drought Contingency Projects means the document of that name mentioned in the State Development Regulation, section 2.

South East Queensland (Gold Coast) Desalination Facility means the drought contingency project referred to in the State Development Regulation as the Tugun Desalination Plant.

Southern Regional Water Pipeline means the drought contingency project mentioned in the State Development Regulation under that name.

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State Development Regulation means the *State Development and Public Works Organisation (Water Infrastructure Project Board) Regulation 2006*.

Traveston Crossing Dam Stage 1 means stage 1 of the Traveston Crossing Dam described in Queensland Water Infrastructure Pty Ltd's report of March 2007 called 'Submission to Coordinator-General for authorised works for proposed Traveston Crossing Dam and Wyaralong Dam'.

upgrade of Enoggera Water Treatment Plant means the upgrade of works described in the document held by the department and called 'Project Management Plan - Enoggera Water Treatment Upgrade Abstract', including the upgrade of the existing Enoggera water treatment plant and modifications to the network for supplying water from the treatment plant, to increase the supply of water from Enoggera Dam from 3ML a day to 6ML a day.

Water and Sewerage Program means a capital works subsidy program administered by the Department of Local Government, Planning, Sport and Recreation.

Water for South East Queensland document means the document called 'Water for South East Queensland—A long term solution', held by the department.

Water Infrastructure Project Board means the project board the subject of the State Development Regulation.

Western Corridor Recycled Water Scheme means the drought contingency project mentioned in the State Development Regulation under that name.

Wyaralong Dam means the dam of that name described in Queensland Water Infrastructure Pty Ltd's report of March 2007 called 'Submission to Coordinator-General for authorised works for proposed Traveston Crossing Dam and Wyaralong Dam'.

84 Water supply emergency to which pt 8 applies

- (1) This part applies to a water supply emergency that is developing.
- (2) The water supply emergency involves the essential water supply for the SEQ region for—
 - (a) domestic purposes; and
 - (b) essential services.
- (3) The water supply emergency arises from extended severe drought conditions.
- (4) Also, a potential shortfall in supply will exist if there are limited rainfall events within the next 3 years and the requirements of this part are not implemented.

85 Part of State to which pt 8 applies

This part applies to the SEQ region.

86 Service providers to which pt 8 applies

This part applies to the service providers mentioned in schedule 10A.

87 Measures to be carried out

- (1) A service provider mentioned in schedule 10B—
 - (a) is directed to carry out each measure listed for the service provider in the schedule, before the day mentioned in the schedule; and
 - (b) must give the Minister and the commission a written report on the service provider's progress in carrying out the measure within 5 business days after the end of—
 - (i) each month; or
 - (ii) any longer period the Minister directs.

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- (2) Without limiting subsection (1), any actions taken in carrying out a measure must be directed at attaining water saving or water availability, as the case may be, to the extent of any target mentioned in the schedule for the measure.
- (3) In carrying out a measure, a service provider must comply with any directions or requirements given or made by the Minister in relation to the measure.

Example of direction—

a direction to advise the Minister of a detailed breakdown of likely progress in carrying out a measure

- (4) In addition to any other measure a service provider is directed to carry out under this part, each service provider must give each other service provider the advice and other assistance the other service provider reasonably requires in formulating any water supply emergency response the other service provider is directed to give under this part.
- (5) For each measure in schedule 10B, item 3, 4, 6, 7, 8, 9 or 10, that a service provider is directed to carry out, the service provider must, in carrying out the measure, consult with the Water Infrastructure Project Board about matters under the State Development Regulation and keep the commission informed of its progress.
- (6) A service provider is not required to complete the carrying out of a measure if the work required for the carrying out of the measure becomes work to be carried out by the coordinator-general.

87A Directions by service provider

- (1) This section applies to a service provider carrying out the measure in schedule 10B, item 15 in relation to premises of a customer of the service provider if the premises are tenanted.
- (2) The service provider may direct the customer, by written notice to the customer, to give the service provider, in writing, the name of the tenant of the premises within the stated period of at least 15 business days after the giving of the notice.

-
- (3) Subsection (5) applies if—
- (a) the service provider has given the customer an excessive water use notice for the premises; and
 - (b) the premises have been the subject of—
 - (i) an excessive water use notice; and
 - (ii) a continued excessive water use notice.
- (4) For subsection (3)(b), the premises have been the subject of an excessive water use notice or a continued excessive water use notice if the service provider has given the tenant of the premises the notice.
- (5) The service provider may direct the customer, by written notice to the customer—
- (a) to carry out any of the following work at the premises—
 - (i) repair any water leaks on the premises, if the water is leaking from the service provider’s water service;
 - (ii) install water efficient shower heads and water efficient taps in each bathroom and kitchen in the premises; and
 - (b) to give the service provider within the stated period of at least 20 business days after the giving of the notice—
 - (i) a certificate from a licensed plumber certifying that the work directed to be carried out under the notice (the ***relevant work***) has been carried out; or
 - (ii) a statutory declaration declaring the relevant work has been carried out.
- (6) The service provider may give a direction under subsection (5) only if the service provider reasonably believes that carrying out the work will decrease the amount of water taken at the premises from the service provider’s water service.
- (7) In this section—
- continued excessive water use notice***, for premises of a customer of the service provider, means a notice of continued

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excessive water use given by the service provider to the customer, or the tenant of the premises, under the notice of procedures document.

excessive water use notice, for premises of a customer of the service provider, means a notice of excessive water use given by the service provider to the customer, or the tenant of the premises, under the notice of procedures document.

notice of procedures document means the document called ‘Notice of Procedures - Residential Excessive Water Users Compliance Program’ mentioned in schedule 10B, item 15.

water efficient shower head means a shower head that has—

- (a) a 3 star rating or better under the WELS scheme; or
- (b) a maximum flow rate of 9L/min.

water efficient tap means a tap that has—

- (a) a 3 star rating or better under the WELS scheme; or
- (b) a maximum flow rate of 9L/min.

WELS scheme means the water efficiency labelling and standards scheme established by the *Water Efficiency Labelling and Standards Act 2005* and corresponding laws within the meaning of that Act.

88 Outcomes to be achieved

- (1) A service provider mentioned in schedule 10C—
 - (a) is directed to achieve each outcome listed for the service provider in the schedule, before the day mentioned in the schedule; and
 - (b) must give the Minister and the commission a written report on the service provider’s progress in achieving the outcome within 5 business days after the end of—
 - (i) each month; or
 - (ii) any longer period the Minister directs.

- (2) Without limiting subsection (1), any actions taken in achieving an outcome must be directed at attaining water saving or water availability, as the case may be, to the extent of any target mentioned in the schedule for the outcome.
- (3) In achieving an outcome, a service provider must comply with any directions or requirements given or made by the Minister in relation to the outcome.
- (4) For each outcome in schedule 10C, item 3 or 4, that a service provider is directed to achieve, the service provider must, in achieving the outcome, consult with the Water Infrastructure Project Board about matters under the State Development Regulation and keep the commission informed of its progress.

89 Directions for giving water supply emergency response

A service provider that is directed under this part to achieve an outcome is also directed to give the Minister for approval a water supply emergency response, stating the actions the service provider intends to take to achieve the outcome, and complying with the requirements mentioned in schedule 10D, before the day stated for the service provider in the schedule.

90 Works to be carried out by coordinator-general

- (1) The works that are to be carried out by the coordinator-general are the following—
 - (a) the Cedar Grove Weir;
 - (b) the Bromelton Off-stream Storage.
- (2) If the coordinator-general is carrying out a measure mentioned in schedule 10B, the measure is works that are to be carried out by the coordinator-general.

91 Costs

- (1) State contributions to outcomes are stated in schedule 10C.
- (2) In relation to a measure mentioned in schedule 10B that is for a drought contingency project mentioned in the State

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Development Regulation, State contributions, in the form of equity, to the measure will be negotiated through the Water Infrastructure Project Board.

- (3) Subject to subsections (1) and (2), each service provider is to pay the cost of carrying out each measure it is directed to carry out and of achieving each outcome it is directed to achieve.
- (4) The State will not recover from service providers State contributions mentioned in subsection (1).
- (5) Each service provider may recover its costs and any rate of return in the way, and to the extent, that is consistent with its pricing policies and, subject to section 25Q of the Act, the jurisdiction of the Queensland Competition Authority.

Note—

Section 25O of the Act limits the recovery of costs to the extent approved by the Minister.

92 Offence not to comply with service provider's directions

- (1) If a service provider gives a customer of the service provider a direction under section 87A(2), the customer must comply with the direction unless the customer has a reasonable excuse.

Example of reasonable excuse—

the customer's incapacity prevents the customer complying with the direction

Maximum penalty—6 penalty units.

- (2) If a service provider gives a customer of the service provider a direction under section 87A(5), the customer must comply with the direction unless the customer has a reasonable excuse.

Example of reasonable excuse—

the customer has engaged a licensed plumber to carry out the work at the premises but the work is unable to be completed within the period stated in the direction

Maximum penalty—6 penalty units.

93 Confidential information

- (1) A service provider who has gained or has access to confidential information must not disclose the information to anyone else, other than—
 - (a) for a purpose of this part; or
 - (b) with the consent of the person to whom the information relates; or
 - (c) in compliance with lawful process requiring production of documents or giving of evidence before a court or tribunal; or
 - (d) as expressly permitted or required by another Act.
- (2) In this section—

confidential information means information a person gives a service provider in the course of the service provider carrying out the measure in schedule 10B, item 15.

Part 9 Transitional provisions

Division 1 Transitional provisions for water bore drillers

99 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

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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.

100 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.

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

102 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.
- (1A) The exact location of the boundary for each subartesian area is held in digital electronic form by the department, and may be inspected at any of the department's service centres.
- (1B) Maps showing the approximate location of the boundary for each subartesian area can be accessed on the department's website.

Editor's note—

The department's website address is <www.nrw.qld.gov.au>.

- (1C) The maps are not applied, adopted or incorporated by this regulation.
- (2) A water entitlement is required to take or interfere with subartesian water in the Fraser Island subartesian area, other than for a purpose mentioned in column 2 for the area.
- (3) A water entitlement, water permit or seasonal water assignment notice is required to take or interfere with subartesian water in another subartesian area, other than for a purpose mentioned in column 2 for the area.
- (4) 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*.

[s 103]

Division 3 Transitional provision for failure impact assessing of dams

103 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

104 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

105 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.

106 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.

107 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.

108 When changes to particular water charges have effect

- (1) This section applies to the amendment of schedule 14, entry

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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).

109 When conditions of supply contract do not apply—Act, s 1117A(2)

Any condition about payment for the storage and supply of water, in the supply contract between SunWater and South Burnett Regional Council under which interim water allocation 102944 held by the Council is managed, does not apply.

Division 6 Transitional provisions for Water Amendment Regulation (No. 1) 2005

110 Water licences mentioned in s 60A

A water licence mentioned in section 60A as in force immediately before the commencement of this section is a metered entitlement to which part 7 applies.

111 Effect of change to date water year ends

- (1) Because of the amendment of schedule 14, entry for Bowen groundwater management area, column 2, commencing on 1 April 2005—
 - (a) the minimum charge mentioned in column 3 for the area applies for the period from 1 January 2005 until 31 March 2006; and

-
- (b) the announced entitlement for the area, published in the Bowen Independent on 22 December 2004, applies for the period from 1 January 2005 until 31 March 2006.
 - (2) Subsection (1)(b) does not affect the chief executive's ability to vary the announced entitlement during the period mentioned.

Division 7 Transitional provisions for Water and Other Legislation Amendment Regulation (No. 1) 2005

Subdivision 1 Water charges

112 Application of new water charges

- (1) Despite the commencement of part 8, inserted by the *Water and Other Legislation Amendment Regulation (No. 1) 2005*, the water charges mentioned in part 8 do not apply, until 1 July 2006, to an authority to take or interfere with water, to the extent the authority relates to water taken by or supplied to a local government.
- (2) Despite the commencement of section 96(1)(a), the following are the water charges payable under section 96(1)(a) for the periods stated—
 - (a) for the period of 12 months commencing on 1 January 2006—\$52.85;
 - (b) for the period of 12 months commencing on 1 January 2007—\$76.43.
- (3) Until chapter 3, part 2, division 2A of the Act commences, section 83(3)(b) does not apply to the authority held by SEQ Water, mentioned in section 1037A(5) of the Act, to the extent SEQ Water makes water available under the authority to—
 - (a) the holders of authorities mentioned in section 387B(a) or (b) of the Act; or

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- (b) the holders of water entitlements granted under the Act, to take water from the impoundments of Wivenhoe, Somerset or North Pine Dams or the section of the Brisbane River between Wivenhoe Dam and Mt Crosby Weir, who do not have a supply contract with SEQ Water.
- (4) Until chapter 3, part 2, division 2A of the Act commences—
 - (a) section 83(4)(b) does not apply to the holders of authorities supplied or managed under the authority held by SEQ Water, mentioned in section 1037A(5) of the Act, to the extent the SEQ Water makes water available to the holders under its authority; and
 - (b) the holders are liable to pay the water charge.

Subdivision 2 Granting particular interim water allocations

113 Purpose of sdiv 2

This subdivision states a process for the Act, section 1014(2)(ga)(ii).

114 Application of sdiv 2

This subdivision applies to an owner of land who, in relation to the land—

- (a) on the commencement of this section, holds a water licence to take groundwater in the Monto Mulgildie Underground Water Area described in the interim resource operations licence for Three Moon Creek Water Supply Scheme; and
- (b) either—
 - (i) signed an agreement, the ‘Three Moon Creek Irrigation Project, The Agreement for the Monto/Mulgildie Salinity Area’; or

-
- (ii) is the successor in title to the person who signed the agreement.

115 Application for interim water allocation

- (1) The owner may apply to the chief executive for an interim water allocation to take either—
 - (a) a volume of surface water equal to 50% of the volume of water authorised to be taken under the licence; or
 - (b) a volume of groundwater equal to the volume of water authorised to be taken under the licence.
- (2) Subsection (1)(a) does not apply to an owner who has already been granted an interim water allocation for surface water under the agreement mentioned in section 114(b)(i).
- (3) The application must be—
 - (a) in the approved form; and
 - (b) made within 60 business days after the commencement of this section; and
 - (c) include sufficient information to satisfy the chief executive that—
 - (i) for an application for an interim water allocation to take groundwater—the proposed point of taking the water is on the applicant's land; or
 - (ii) for an application for an interim water allocation to take surface water—the applicant has access to take the water.
- (4) If the proposed point of taking surface water is not on the applicant's land, the applicant may satisfy the chief executive that the applicant has access by complying with section 206(3)(b) of the Act in relation to any intervening land.

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116 Application for interim water allocation to take surface water

- (1) An application for an interim water allocation to take surface water must include either—
 - (a) evidence of a supply contract between the applicant and the holder of the interim resource operations licence mentioned in section 114(a); or
 - (b) agreement in writing from the holder that the holder will enter into a supply contract with the applicant if the interim water allocation is granted.
- (2) The applicant must provide any other information reasonably required by the chief executive to decide the application.
- (3) Within 30 business days after deciding the application, the chief executive must give the applicant—
 - (a) if the chief executive has decided to grant the application—an interim water allocation; or
 - (b) if the chief executive has decided to refuse to grant the application—an information notice.

117 Application for interim water allocation to take groundwater

- (1) Within 2 years after an application for an interim water allocation to take groundwater is made, the applicant must—
 - (a) carry out investigations of both the quality and quantity of the groundwater; and
 - (b) give the chief executive the information, required by the approved form, about the results of the investigations.
- (2) The applicant must provide any other information reasonably required by the chief executive to decide the application.
- (3) The chief executive may give the applicant a notice extending the time for satisfying subsection (1) if the chief executive is satisfied it would be reasonable in all the circumstances to give the extension.

118 Deciding application for groundwater

- (1) The chief executive must grant the application for an interim water allocation to take groundwater if both of the following criteria are satisfied—
 - (a) the investigation of the quality of the groundwater reveals a groundwater conductivity reading of less than 3000 micro-siemens a centimetre (*criteria A*);
 - (b) the investigation of the quantity of the groundwater reveals the applicant has access to take a volume equal to the volume authorised to be taken under the water licence (*criteria B*).
- (2) If criteria A is not satisfied, the chief executive must give the applicant a notice requiring the applicant to—
 - (a) choose whether to—
 - (i) change the application to an application for an interim water allocation to take surface water; or
 - (ii) discontinue the application; and
 - (b) advise the chief executive, within the reasonable time stated in the notice, of the applicant's choice.
- (3) However, if the applicant is an owner mentioned in section 115(2), the notice must require the applicant to discontinue the application.
- (4) If criteria A is satisfied but criteria B is not satisfied, the chief executive must give the applicant a notice requiring the applicant to—
 - (a) choose whether to—
 - (i) change the application to an application for an interim water allocation to take surface water; or
 - (ii) change the application to an application for an interim water allocation to take a combination of groundwater and surface water; or
 - (iii) discontinue the application; and

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- (b) advise the chief executive, within the reasonable time stated in the notice, of the applicant's choice.
- (5) However, if the applicant is an owner mentioned in section 115(2), the notice must require the applicant to choose whether to—
 - (a) change the application to an application for an interim water allocation to take a combination of groundwater and surface water; or
 - (b) discontinue the application.
- (6) If the applicant chooses to change the application to an application to take a combination of groundwater and surface water, the chief executive must decide, for the interim water allocation—
 - (a) the volume of groundwater; and
 - (b) the volume of surface water, which must be 50% of the difference between—
 - (i) the volume decided under paragraph (a); and
 - (ii) the volume authorised to be taken under the water licence.

Example—

If the applicant is authorised to take 100ML under the water licence and the chief executive decides a volume of 60ML of groundwater for the interim water allocation, the volume of surface water for the interim water allocation would be 50% of the difference between 100ML and 60ML, ie the volume would be 20ML.

- (7) If the chief executive is satisfied the application should be granted, the chief executive must grant the application.
- (8) However, the chief executive must not grant the application until the applicant gives the chief executive either—
 - (a) evidence of a supply contract between the applicant and the holder of the interim resource operations licence mentioned in section 114(a); or
 - (b) agreement in writing from the holder that the holder will enter into a supply contract with the applicant if the

interim water allocation is granted.

- (9) Within 30 business days after deciding the application, the chief executive must give the applicant—
 - (a) if the chief executive has decided to grant the application—an interim water allocation; or
 - (b) if the chief executive has decided to refuse to grant the application—an information notice.
- (10) If an interim water allocation is granted to an owner mentioned in section 115(2), the interim water allocation amends the interim water allocation for surface water granted under the agreement.

119 When interim water allocation takes effect

An interim water allocation granted under this subdivision takes effect, and attaches to the land to which the water licence attaches, from the day the applicant is given the interim water allocation.

120 Amending interim resource operations licence

- (1) The chief executive may, without chapter 2, part 5, division 2, subdivision 5 of the Act applying, amend the interim resource operations licence mentioned in section 114(a)—
 - (a) to the extent necessary because of the grant of an interim water allocation under this subdivision; or
 - (b) for consistency with matters dealt with under this subdivision.
- (2) If the chief executive amends the interim resource operations licence under subsection (1), the chief executive must give the interim resource operations licence holder an amended licence in the approved form.

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Division 8 Transitional provisions for Water Amendment Regulation (No. 4) 2006

Subdivision 1 Water charges accrued on 31 December 2005

121 Definitions for sdiv 1

In this subdivision—

amending regulation means the *Water and Other Legislation Amendment Regulation (No. 1) 2005*.

minimum charge, for a water management area, means the minimum charge mentioned in section 59 of the unamended regulation for the area.

unamended regulation means this regulation before the commencement of section 6 of the amending regulation.

122 References to unamended regulation

If this subdivision states that a provision of the unamended regulation applies, the provision and any other provision referred to in the provision applies as if the amending regulation had not commenced.

123 Adjustment of minimum charge

(1) This section applies—

(a) if the water charges payable under section 58 of the unamended regulation and accrued on 31 December 2005 are less than the minimum charge for the water year ending after 31 December 2005 for a water management area; and

(b) despite—

(i) the minimum charge mentioned in schedule 14, column 3, of the unamended regulation for the

water management areas mentioned in subsection (2); and

(ii) section 111.

- (2) The following is the minimum charge for the part of the water year to 31 December 2005—
- (a) for the Border Rivers groundwater management area—\$24.87; and
 - (b) for the Bowen groundwater management area—\$96.00; and
 - (c) for the Bundaberg groundwater management area—\$50.25; and
 - (d) for the Burdekin River groundwater management area—\$49.50; and
 - (e) for the Callide Valley groundwater management area—\$49.75; and
 - (f) for the Condamine groundwater management area—\$50.30; and
 - (g) for the Cressbrook Creek water management area—\$49.75.

124 Adjustment of meter charges

- (1) Subsection (2) applies despite the meter charge mentioned in schedule 14, column 3, for the water management areas mentioned in subsection (2).
- (2) The following is the meter charge for the part of the water year to 31 December 2005—
- (a) for the Gowrie–Oakey Creek water management area—\$39.10; and
 - (b) for the Oakey Creek groundwater management area—\$44.72; and
 - (c) for the Pioneer groundwater management area—\$121.85; and

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- (d) for the Upper Hodgson Creek groundwater management area—\$44.72.
- (3) Subsection (4) applies despite the charge for each water licence to take groundwater for which a bore has been installed that is mentioned in schedule 14, column 3, of the unamended regulation for the Burdekin River groundwater management area.
- (4) The following is the charge for the Burdekin River groundwater management area for the part of the water year to 31 December 2005 and for each water licence to take groundwater for which a bore has been installed—
 - (a) with a nominal entitlement of not more than 25ML—\$49.50 for each water meter; and
 - (b) with a nominal entitlement of more than 25ML—\$223.75 for each water meter.

Subdivision 2 Water charges under previous pt 8

125 Definitions for sdiv 2

In this subdivision—

amending regulation means the *Water and Other Legislation Amendment Regulation (No. 1) 2005*.

Dumaresq water harvesting charge means the water charge for water harvesting mentioned in schedule 14, column 3, for the Dumaresq water management area and applying because of the commencement of section 19 of the amending regulation.

part 8 means part 8 as in force immediately before the commencement of the *Water Amendment Regulation (No. 4) 2006*, section 7.

part 8 water charges—

- (a) means the water charges mentioned in part 8; and
- (b) includes the following—

- (i) the water charges mentioned in section 112;
- (ii) the Dumaresq water harvesting charge; and
- (iii) the schedule 14 water meter charges.

schedule 14 water meter charges means the water charges for a water meter mentioned in schedule 14, column 3, for each of the following management areas—

- (a) Gowrie–Oakey Creek water management area;
- (b) Oakey Creek groundwater management area;
- (c) Pioneer groundwater management area;
- (d) Upper Hodgson Creek groundwater management area.

126 Non-application of previous pt 8 water charges

- (1) Despite the commencement of the amending regulation, the part 8 water charges are not payable.
- (2) To remove any doubt, it is declared that—
 - (a) any entity stated to be liable to pay part 8 water charges is not liable to pay the charges; and
 - (b) part 8 water charges accrued from 1 January 2006 are not payable.
- (3) If an entity has paid part 8 water charges, the chief executive must refund the part 8 water charges to the entity.

127 Other refunds of previous part 8 water charges

- (1) This section applies to the sale or other dealing of land or a water allocation if an entity (the ***first entity***) has, in relation to the dealing, paid part 8 water charges to another entity (the ***second entity***).
- (2) The second entity must refund to the first entity the part 8 water charges.
- (3) Any unpaid part 8 water charges are a debt payable to the first entity.

Subdivision 3 Water charges from 1 July 2006

128 New water charges payable from 1 July 2006

Despite section 58(2), a change to a water charge, applying because of the commencement of the *Water Amendment Regulation (No. 4) 2006*, section 9, is payable from 1 July 2006.

129 Minimum fee for particular management areas

- (1) Despite the minimum charge mentioned in schedule 14, column 3, for the Border Rivers groundwater management area, the minimum charge for the part of the water year from 1 July 2006 to 30 September 2006 is \$24.87.
- (2) Despite section 111 and the minimum charge mentioned in schedule 14, column 3, for the Bowen groundwater management area, the minimum charge for the part of the water year from 1 July 2006 to 30 March 2007 is \$73.98.

Division 9 Transitional provision for Water Amendment Regulation (No. 1) 2009

130 Water licence fee for existing water licences and applications

- (1) This section applies to a water licence that was in force immediately before the commencement.
- (2) This section also applies if—
 - (a) before the commencement—
 - (i) a person made a relevant application; and
 - (ii) if the water licence fee was payable under former section 14A(3)(a), the person paid the water licence fee for the application; and
 - (iii) the application was not decided; and

- (b) after the commencement, the relevant application is granted and the person is given a water licence.
- (3) Despite section 14A, the water licence fee is not payable for the licence.
- (4) However, subsection (3) applies only until the licence—
 - (a) is renewed; or
 - (b) stops being in force.
- (5) In this section—

commencement means the commencement of this section.

former section 14A(3)(a) means section 14A(3)(a) of this regulation as it was in force before the commencement.

relevant application means any of the following—

- (a) an application for a water licence under section 206 of the Act;
- (b) an application to amend a water licence under section 216 of the Act;
- (c) an application to renew a water licence under section 220 of the Act;
- (d) an application to reinstate a water licence under section 221 of the Act;
- (e) an application to amalgamate 2 or more water licences under section 224 of the Act;
- (f) an application to subdivide a water licence under section 225 of the Act;
- (g) an application for 1 or more replacement water licences under section 229 of the Act.

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
Gold Coast City Council	Hinze Dam Stage 2, Nerang River Little Nerang Dam, Little Nerang Creek
Fraser Coast Regional Council	Lenthalls Dam Weirs 1 and 2 on Burrum River
North Burdekin Water Board	Water distribution and aquifer recharge works located within the North Burdekin Water Board authority area
South Burdekin Water Board	Water distribution and aquifer recharge works located within the South Burdekin Water Board authority area
Townsville–Thuringowa Water Supply Joint Board	Ross River Dam Paluma Dam Crystal Creek

**Schedule 2 Entities—Act, sections 190,
193, 206 and 213**

sections 7 and 14

- 1 The holder, or for joint holders, 1 of the holders, nominated by the joint holders, of a mineral development licence or mining lease under the *Mineral Resources Act 1989*
- 2 Hampton Irrigators Pty Ltd ACN 064 888 633
- 3 Hinchley Bore Pty Ltd ACN 105 498 628
- 4 Nuhruna Park Co-operative Society Ltd ABN 28 992 741 260
- 5 Minmore Road Water Group Ltd ACN 108 178 936
- 6 Westaroy Progress Association Inc IA 15321
- 7 Walker Pastoral and Agency Company Pty Ltd ACN 001 099 261
- 8 Body Corporate for Coolibah Community Titles Scheme CMS 28706
- 9 Body Corporate for Acacias Community Titles Scheme CMS 30332
- 10 Australian Stockman's Hall of Fame and Outback Heritage Centre ACN 010 007 093
- 11 Etgold Pty Ltd ACN 010 705 432
- 12 John Neville Rawlins, as holder of title reference 17645135
- 13 Stockyard Point Services Co-op Ltd QC 0202
- 14 Thomas Powell Stevens, Elsie Janett Stevens, John Brian Stevens and Deborah Jean Stevens, as joint holders of licences with licence numbers 61070B and 17990B, or a licence that replaces either licence
- 15 Body Corporate for Williams' Retreat Community Titles Scheme CMS 23581

Schedule 2

- 16 Body Corporate for Crystal Waters Permaculture Village
Community Titles Scheme CMS 20926
- 17 Body Corporate for Sandalwoods Community Titles Scheme
CMS 23452

Schedule 3 Transferring interim water allocation

section 8

Column 1	Column 2	Column 3
Water supply scheme	Purposes	Conditions
1 Burdekin Haughton	all purposes other than urban or distribution loss purposes	the allocation is to take water, and the transfer results in the water being taken only from the same channel system, under the interim resource operations licence for the water supply scheme, from which the water could be taken under the allocation before the transfer
2 Lower 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 in schedule 2.1 of the interim resource operations licence for the area—</p> <p>(a) Mary River—Mary Barrage section;</p> <p>(b) Tinana Creek—Teddington Weir storage;</p> <p>(c) Tinana Creek—Tinana Barrage storage</p>

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
Callide Valley groundwater management area	water licence to take groundwater	Callide Valley groundwater management area seasonal water assignment rules
Coastal Burnett groundwater management area	water licence to take groundwater	Coastal Burnett groundwater management area seasonal water assignment rules
Condamine groundwater management area	water licence to take groundwater	Condamine groundwater management area seasonal water assignment rules

Column 1	Column 2	Column 3
Water management area	Type of water licence	Seasonal water assignment rules
Mid Brisbane River water management area	water licence to take supplemented water from a watercourse flowing from Wivenhoe Dam (AMTD 150.2km) to Mt Crosby Weir (AMTD 90.8km)	Mid Brisbane River 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
Pioneer groundwater management area	water licence to take groundwater	Pioneer groundwater management area seasonal water assignment rules
Toowoomba City Basalts groundwater management area	water licence to take groundwater	Toowoomba City Basalts 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	AP10024
Bill Gunn Dam catchment area	AP10006
Bjelke-Petersen Dam catchment area	AP10007
Burdekin Falls Dam catchment area	AP10008
Burnett Barrage catchment area	AP10009
Callide Dam catchment area	AP10010
Cedar Pocket Dam catchment area	AP10011
Coolmunda Dam catchment area	AP10012
Eungella Dam catchment area	AP10013
Fairbairn Dam catchment area	AP10014
Fred Haigh Dam catchment area	AP10025
Glenlyon Dam catchment area	AP10015
Kinchant Dam catchment area	AP10016
Kolan Barrage catchment area	AP10017
Leslie Dam catchment area	AP10018
Maroon Dam catchment area	AP10019
Moogerah Dam catchment area	AP10020

Column 1	Column 2
Catchment area	Plan
Peter Faust Dam catchment area	AP10021
Tinaroo Falls Dam catchment area	AP10023
Wivenhoe Dam catchment area	AP10022

Schedule 6 Water authorities

section 31

Column 1	Column 2
Water authority	Plan
Avondale Water Board	AP4014
Babinda Swamp Drainage Board	AP4045
Benleith Water Board	AP4015
Bollon South Water Authority	AP6513
Bollon West Water Authority	AP7351
Bones Knob Water Board	AP4016
Boondooma Water Board	AP16173
Brigooda Water Board	AP4018
Callandoon Water Supply Board	AP4019
Condamine Plains Water Board	AP13404
Coreen Water Board	AP13403
Cowley Drainage Board	AP4046
Crowley Vale Water Board	AP4022
Dundowran–Nikenbah Water Board	AP7348
East Deeral Drainage Board	AP4047
East Euramo Drainage Board	AP4048
Eugun Bore Water Authority	AP7343
Fernlee Water Authority	AP6941

Column 1	Column 2
Water authority	Plan
Gladstone Area Water Board	—
Glamorgan Vale Water Board	AP16172
Grevillea Water Board	AP4025
Ingie Water Authority	AP7350
Juandah Water Board	AP4026
Kaywanna Bore Water Board	AP13400
Kelsey Creek Water Board	AP4028
Kooingal Water Board	AP4029
Lower Herbert Water Management Authority	AP4064
Marathon Bore Water Supply Board	AP4030
Matthews Road Drainage Board	AP4052
Merlwood Water Board	AP7342
Middle Park Bore Water Supply Board	AP4032
Mount Isa Water Board	AP7346
Mourilyan Drainage Board	AP4053
Mulgildie Water Board	AP13396
Myall Plains Water Authority	AP13401
North Burdekin Water Board	AP7349
Oaky Creek Water Board	AP13405
Orchard Creek Drainage Board	AP4054
Palmgrove Water Board	AP4036
Pioneer Valley Water Board	AP7345

Schedule 6

Column 1	Column 2
Water authority	Plan
Riversdale–Murray Valley Water Management Board	AP4056
Roadvale Water Board	AP4038
Silkwood Drainage Board	AP4057
Six Mile Creek Water Supply Board	AP4039
Smithfield Drainage Board	AP4058
South Burdekin Water Board	AP6512
South Maroochy Drainage Board	AP4059
Stagnant Creek Drainage Board	AP4060
Taberna Bore Water Board	AP4041
Wanda Creek Drainage Board	AP4061
Washpool Water Board	AP4042
Weengallon Water Authority	AP13399
Woodmillar Water Board	AP4043
Yambocully Water Board	AP4044

Schedule 6A Employing offices for water authorities

section 48A

Water authority	Employing office
Callandoon Water Supply Board	Callandoon Water Supply Board Employing Office
Gladstone Area Water Board	Gladstone Area Water Board Employing Office
Glamorgan Vale Water Board	Glamorgan Vale Water Board Employing Office
Merlwood Water Board	Merlwood Water Board Employing Office
Mount Isa Water Board	Mount Isa Water Board Employing Office
North Burdekin Water Board	North Burdekin Water Board Employing Office
Pioneer Valley Water Board	Pioneer Valley Water Board Employing Office
South Burdekin Water Board	South Burdekin Water Board Employing Office
Yambocully Water Board	Yambocully Water Board Employing Office

Schedule 7 Drainage rates

section 53

Drainage area	Drainage rate
Burdekin River drainage area, shown on AP4064	\$20.20 for each hectare of land
Dawson Valley drainage area, shown on AP4145	\$20.25 for each hectare of land
Emerald drainage area, shown on AP4146	\$20.25 for each hectare of irrigable land
	\$5.05 for each hectare of non-irrigable land
St George drainage area, shown on AP4150	\$20.25 for each hectare of irrigable land

Schedule 8 Downstream and upstream limits

section 54

Part 1 Downstream limits

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/DDL-1A (map A)
Blackwater Creek	Upstream face of the weir adjacent to lot 1 on RP619114 at UTM coordinates 396246E and 7299533N GDA94	AP13367
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/DDL-1B (map B)

Schedule 8

Column 1	Column 2	Column 3
Watercourse	Feature or boundary	Plan
Burdekin River	Point where a line extended as the northern projection of the common boundary between lot 7 on RP729555 and lot 105 on RP907581 intersects Burdekin River	AP13539
Burdekin River Anabranh	Point where a line projected in a north-easterly direction from a point located at UTM coordinates 554460E and 7832617N GDA94 intersects Burdekin River Anabranh	AP13543
Deepwater Creek	Upstream face of the weir adjacent to lot 6 on RP617487 at UTM coordinates 395551E and 7303495N GDA94	AP13366
Haughton River	Point where a line projected at a bearing of 90° from a point located at UTM coordinates 511765E and 7842737N GDA94 intersects Haughton River	AP13544
Landsborough Creek	Point where a line extended as a westerly projection of the northern boundary of lot 1034 on SP110940 intersects Landsborough Creek at UTM coordinates 406700E and 7273031N GDA94	AP13381

Column 1	Column 2	Column 3
Watercourse	Feature or boundary	Plan
Littabella Creek	Upstream side of the natural rock bar adjacent to lot 51 on FD536 at UTM coordinates 409979E and 7269683N GDA94	AP13379
Mullet Creek	Upstream side of the railway bridge adjacent to lot 2 on RP603970 at UTM coordinates 404799E and 7272712N GDA94	AP13380
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)
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/DDDL-1C (map C)
Rothman Creek	Point where the downstream (eastern) boundary of the road reserve (Neils Road) separating lot 1 on RP616801 and lot 5 on RP617112 intersects Rothman Creek	BUN/DDDL-1B (map B)
Sandy Creek	Upstream face of the weir remains adjacent to lot 8 on FD24 at UTM coordinates 355236E and 7327952N GDA94	AP13370

Schedule 8

Column 1	Column 2	Column 3
Watercourse	Feature or boundary	Plan
Scrubby Creek	Upstream face of the concrete deck of the bridge across Scrubby Creek on Turkey Beach Road at UTM coordinates 352940E and 7328643N GDA94	AP13368
Twelve Mile Creek	Point where a line extended as a northerly projection of the common boundary between lot 20 on FD72 and lot 5 on SP113120 intersects Twelve Mile Creek	AP13371
Unnamed tributary of Sandy Creek	Point 100m upstream of the confluence of the tributary with Sandy Creek on lot 8 on FD24 at UTM coordinates 355208E and 7327795N GDA94	AP13370
Walsh Creek	Upstream face of the weir adjacent to lot 2 on RP851659 at UTM coordinates 404502E and 7274301N GDA94	AP13369
Worthington Creek	Point adjacent to lot 28 on SP105082 at UTM coordinates 368328E and 7328550N GDA94	AP13372

Part 2 Upstream limits

Column 1	Column 2	Column 3
Watercourse	Feature or boundary	Plan
Black Gully	Confluence of Black Gully with Meandu Creek on lot 1 on SP138386	AP13351
Dunn Creek	Upstream ponded limit of Magazine Dam at coordinates of 259447 and 7308067 GDA94 Zone 56	700164A4
Old Winton Creek	Point where Old Winton Creek intersects the southern boundary of lot 32 on RP908643 at UTM coordinates 653077E and 7397914N GDA94 Zone 55	AP16119

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
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
Coastal Burnett groundwater management area	Coastal Burnett groundwater management area water sharing rules
Condamine groundwater management area	Condamine groundwater management area water sharing rules
Great Artesian Basin groundwater management area	Great Artesian Basin groundwater management area water sharing rules
Lower Balonne water management area	Lower Balonne water management area water sharing rules
North Stradbroke Island groundwater management area	North Stradbroke Island groundwater management area water sharing rules
Oakey Creek groundwater management area	Oakey Creek groundwater management area water sharing rules

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

Schedule 10A Service providers

section 86

a new water entity under the *South East Queensland Water (Restructuring) Act 2007*

Brisbane City Council

Gold Coast City Council

Ipswich City Council

Lockyer Valley Regional Council

Logan City Council

Moreton Bay Regional Council

Queensland Water Infrastructure Pty Ltd (ACN 119 634 427)

Redland City Council

Scenic Rim Regional Council

SEQ Water

Somerset Regional Council

South East Queensland (Gold Coast) Desalination Company Pty Ltd (ACN 122 413 316)

Southern Regional Water Pipeline Company Pty Ltd (ACN 117 898 174)

Sunshine Coast Regional Council

SunWater

Western Corridor Recycled Water Pty Ltd (ACN 124 226 777)

Schedule 10B Measures

section 87

Description of measure	Service provider	Target (ML/day)	Date
Bribie Island Groundwater project			
1 Take all necessary steps to make available capacity to substitute 5ML/day from the existing water supply system with underground water sourced from Bribie Island	Moreton Bay Regional Council	5	13 June 2008
Brisbane Aquifer project			
2 Take all necessary steps to make a substitution of 20ML/day from the existing water supply system with underground water sourced from the Brisbane City Council's local government area	Brisbane City Council	20	31 December 2007
South East Queensland (Gold Coast) Desalination Facility			
3 Take all necessary steps required to prepare for, construct, and commission the South East Queensland (Gold Coast) Desalination Facility The water availability must be attained in the following increments— (a) a total supply capacity of 40ML/day; (b) a total supply capacity of 125ML/day	South East Queensland (Gold Coast) Desalination Company Pty Ltd	125	30 November 2008 15 January 2009
Southern Regional Water Pipeline			
4 Take all necessary steps to prepare for, and construct, the Southern Regional Water Pipeline	Southern Regional Water Pipeline Company Pty Ltd		30 November 2008

Description of measure	Service provider	Target (ML/day)	Date
Upgrade of Enoggera Water Treatment Plant			
5 Take all necessary steps to prepare for, and carry out, the upgrade of Enoggera Water Treatment Plant	Brisbane City Council	3	31 December 2008
Western Corridor Recycled Water Scheme (Stage 1A)			
6 Take all necessary steps to prepare for, construct, and commission the Western Corridor Recycled Water Scheme (Stage 1A) to a capacity of 20ML/day	Western Corridor Recycled Water Pty Ltd	20	31 August 2007
Western Corridor Recycled Water Scheme (Stage 1B)			
7 Take all necessary steps to prepare for, construct, and commission the Western Corridor Recycled Water Scheme (Stage 1B) to a capacity of 46ML/day	Western Corridor Recycled Water Pty Ltd	46	30 June 2008
Western Corridor Recycled Water Scheme (Stage 2A)			
8 Take all necessary steps to prepare for, construct, and commission the Western Corridor Recycled Water Scheme (Stage 2A) to a capacity of 116ML/day	Western Corridor Recycled Water Pty Ltd	116	31 October 2008
Western Corridor Recycled Water Scheme (Stage 2B)			
8A Take all necessary steps to prepare for, construct, and commission the Western Corridor Recycled Water Scheme (Stage 2B) to a treatment capacity of 50ML/day	Western Corridor Recycled Water Pty Ltd	50	31 December 2008
Eastern Pipeline Inter-connector			
9 Take all necessary steps to prepare for, and construct, the part of the Eastern Pipeline Inter-connector that is the pipeline connection between the local government areas of Redland City Council and Logan City Council for a total supply of up to 10ML/day	Southern Regional Water Pipeline Company Pty Ltd	10	31 December 2008

Description of measure	Service provider	Target (ML/day)	Date
Northern Pipeline Inter-connector			
10 Take all necessary steps to prepare for, and construct, the Northern Pipeline Inter-connector for a total supply of up to 65ML/day to be staged as follows— (a) stage 1 from Morayfield to Landers Shute; (b) stage 2 from Landers Shute to the Noosa Water Treatment Plant	Southern Regional Water Pipeline Company Pty Ltd	65	31 December 2008 31 December 2011
Hinze Dam Stage 3			
11 Take all necessary steps to prepare for, and construct, Hinze Dam Stage 3 and prepare for associated water harvesting works	Queensland Bulk Water Supply Authority	16	31 December 2010
Traveston Crossing Dam Stage 1			
12 Take all necessary steps to prepare for, and construct, Traveston Crossing Dam Stage 1	Queensland Water Infrastructure Pty Ltd	190	31 December 2011
Wyaralong Dam			
13 Take all necessary steps to prepare for, and construct, Wyaralong Dam	Queensland Water Infrastructure Pty Ltd	50	31 December 2011
Minimise taking of water			
14 Assess, in collaboration with the owners of Swanbank, Tarong and Tarong North power stations, the feasibility of minimising the power stations' take of water from Wivenhoe Dam and Boondooma Dam, and give the Minister a written report about the assessment	SEQ Water and SunWater acting jointly		8 September 2006

Description of measure	Service provider	Target (ML/day)	Date
Residential Demand Management			
15 Take all necessary steps to implement, and comply with the processes in, the program for demand management for water under the document called 'Notice of Procedures - Residential Excessive Water Users Compliance Program' published by the commission and dated 6 November 2007	each service provider		31 December 2010
Non-residential Demand Management			
16 Take all necessary steps to implement, and comply with the processes in, the program for demand management for water under the document called 'Notice of Procedures - Non-Residential High Volume Water Users Compliance Program' published by the commission and dated 6 November 2007	each service provider		31 December 2010

Schedule 10C Outcomes

section 88

Description of outcome	Service provider	Target (ML/day)	Date
Substitute recycled water for reticulated water for industrial and commercial customers—Brisbane City Council			
<p>1 A water consumption saving of at least 15.5ML/day from the service provider's reticulated water service by substituting the existing supply of water to appropriate industrial and commercial customers with non-Act water that is recycled water, other than the volume of water that is necessary to maintain acceptable levels for health and sanitation on the customers' premises</p> <p>Non-Act water that is recycled water must be of a quality fit for its intended use, having regard to relevant State guidelines for water recycling.</p> <p>The substitution must be achieved in the following increments—</p> <p>(a) a substitution of a total of 10ML/day;</p> <p>(b) a substitution of a total of 15.5ML/day.</p> <p>The State will contribute a subsidy of up to 50% of the capital costs in accordance with the Water and Sewerage Program.</p>	Brisbane City Council	15.5	<p>31 March 2007</p> <p>31 March 2008</p>

Description of outcome	Service provider	Target (ML/day)	Date
Substitute recycled water for reticulated water for industrial and commercial customers—all other service providers			
<p>2 Maximisation of the use of recycled water as an alternative water supply from the service provider's reticulated water service by substituting the existing supply of water to appropriate industrial and commercial customers using more than 100ML/year with non-Act water that is recycled water, other than the volume of water that is necessary to maintain acceptable levels for health and sanitation on the customers' premises</p> <p>Non-Act water that is recycled water must be of a quality fit for its intended use, having regard to relevant State guidelines for water recycling.</p> <p>The State will contribute a subsidy of up to 50% of the capital costs in accordance with the Water and Sewerage Program.</p>	each service provider, other than Brisbane City Council	6.5	31 December 2008
Eastern Pipeline Inter-connector			
<p>3 Maximisation of the sustainable take of water from Leslie Harrison Dam, while maintaining existing groundwater supply from North Stradbroke Island, for the purpose of supplying water to Logan City Council by the Eastern Pipeline Inter-connector, without affecting existing water restrictions, if any, imposed by Redland City Council on the residents of its local government area</p>	Queensland Bulk Water Supply Authority		31 December 2008
Northern Pipeline Inter-connector			
<p>4 Maximisation of the sustainable take of water from Baroon Pocket, Borumba and Ewen Maddock dams and Landsborough aquifers, to take water to other areas by the Northern Pipeline Inter-connector, without affecting existing water restrictions, if any, imposed by Sunshine Coast Regional Council on the residents of its local government area</p>	Queensland Bulk Water Supply Authority		31 December 2008

Description of outcome	Service provider	Target (ML/day)	Date
Alternate supply			
<p>5 Reduction in the supply by Logan City Council to Gold Coast City Council of water from Wivenhoe Dam, other than the volume of water that is necessary for fire fighting purposes and other services</p> <p>This reduction is in addition to a reduction of approximately 25ML/day that has already been made.</p> <p>The State will contribute a subsidy of up to 40% of the capital costs in accordance with the Water and Sewerage Program.</p>	Logan City Council	10	31 October 2007
<p>6 Reduction in the use by Logan City Council of water from Wivenhoe Dam by supplying 20ML/day from Gold Coast City Council's Molendinar Water Treatment Plant to Logan City Council</p> <p>The State will contribute a subsidy of up to 40% of the capital costs in accordance with the Water and Sewerage Program.</p>	Gold Coast City Council	20	28 February 2008
Pressure and leakage reduction			
<p>7 The collective savings of 60ML/day of reticulated water by implementing a system of pressure and leakage management</p> <p>The savings must be achieved in the following increments—</p> <p>(a) a saving of a total of 20ML/day;</p> <p>(b) a saving of a total of 40ML/day;</p> <p>(c) a saving of a total of 60ML/day.</p> <p>The State will contribute a subsidy of 40% of capital costs (up to \$32m).</p>	each participating local government acting collectively with each other participating local government	60	<p>30 September 2006</p> <p>30 September 2007</p> <p>31 August 2008</p>

Description of outcome	Service provider	Target (ML/day)	Date
Home retrofit			
<p>8 The collective retrofitting of 200000 domestic premises with water-saving devices under the 'SEQ Home WaterWise Service' retrofit program, currently coordinated by LGIS, to achieve a saving of 11.5ML/day of reticulated water</p> <p>The savings must be achieved in the following increments—</p> <p>(a) the retrofitting of 75000 domestic premises;</p> <p>(b) the retrofitting of a total of 150000 domestic premises, giving a total saving of 8.5ML/day;</p> <p>(c) the retrofitting of a total of 200000 domestic premises, giving a total saving of 11.5ML/day.</p> <p>The State will contribute \$30.6m.</p>	<p>each service provider that is a local government, acting collectively with each other service provider that is a local government</p>	<p>11.5</p>	<p>30 April 2007</p> <p>31 December 2007</p> <p>30 June 2008</p>
Water-saving initiatives			
<p>9 A saving of 12ML/day of reticulated water by industrial and commercial customers under SEQ Water's 'Business Water Efficiency Program'</p> <p>The savings must be achieved in the following increments—</p> <p>(a) a saving of a total of 4.1ML/day;</p> <p>(b) a saving of a total of 8.2ML/day;</p>	<p>SEQ Water and each service provider that is a local government, acting collectively with SEQ Water and each other service provider that is a local government</p>	<p>12</p>	<p>30 April 2007</p> <p>30 September 2007</p>

Schedule 10C

Description of outcome	Service provider	Target (ML/day)	Date
(c) a saving of a total of 12ML/day. The State will contribute \$40m.			30 April 2008
Operational efficiency			
10 Optimisation of drawdown of water supplies from SEQ Water's storages	SEQ Water		30 November 2006

Schedule 10D Water supply emergency response for outcomes

section 89

Response	Service provider	Date
Substitute recycled water for reticulated water for industrial and commercial customers—Brisbane City Council		
1 The response must include the following— <ul style="list-style-type: none"> (a) details of the service provider’s industrial and commercial customers whose water supply may be substituted; (b) a detailed plan for deciding which customers can be supplied with recycled water; (c) a detailed plan of the steps to be taken to supply the recycled water. 	Brisbane City Council	30 September 2006
Substitute recycled water for reticulated water for industrial and commercial customers—all other service providers		
2 The response must include the following— <ul style="list-style-type: none"> (a) details of the service provider’s industrial and commercial customers whose water supply may be substituted; (b) a detailed plan for deciding which customers can be supplied with recycled water; (c) a detailed plan of the steps to be taken to supply the recycled water. 	each service provider, other than Brisbane City Council	30 September 2006
Eastern Pipeline Inter-connector		
3 The response must include details of the service provider’s current usage from North Stradbroke Island and Leslie Harrison Dam, and an estimate of how much additional water can be taken from North Stradbroke Island and Leslie Harrison Dam.	Redland City Council	1 November 2006

Response	Service provider	Date
Northern Pipeline Inter-connector		
4 The response must include details of current service providers' usage from Baroon Pocket, Borumba and Ewen Maddock dams, and an estimate of how much additional water can be taken from the dams and Landsborough aquifers.	The Caloundra–Maroochy Water Supply Board trading as Aquagen Water and Renewable Energy	1 November 2006
Alternate supply		
5 The response must include Gold Coast City Council's assessment of how the outcome will be achieved.	Logan City Council	30 September 2006
6 The response must include Logan City Council's assessment of how the outcome will be achieved.	Gold Coast City Council	30 September 2006
Pressure and leakage reduction		
7 The response must be a collective response through LGIS, stating details of how the outcome will be achieved collectively by all the service providers.	each participating local government acting collectively under the MOU	30 September 2006
Home retrofit		
8 The response must be a collective response through LGIS, stating details of how the outcome will be achieved collectively by all the service providers.	each service provider that is a local government, acting collectively with each other service provider that is a local government	30 September 2006
Water-saving initiatives		
9 The response must be a collective response through SEQ Water, stating details of how the outcome will be achieved collectively by all the service providers.	SEQ Water and each service provider that is a local government, acting collectively with each other service provider that is a local government	30 September 2006
Operational efficiency		
10 The response must include the options for achieving the outcome, and the impact on water quality for each option.	SEQ Water	30 September 2006

Schedule 11 Subartesian areas

section 102

Column 1	Column 2	Column 3
Area and plan	Water entitlement, water permit or seasonal water assignment notice not required	Works not assessable
Bluewater subartesian area on plan AP10053	—	—
Bowen subartesian area on plan AP13528	stock or domestic purposes	stock or domestic purposes
Burdekin subartesian area on plan AP10054	stock or domestic purposes	stock or domestic purposes
Cairns Coast subartesian area on plan AP12070	stock or domestic purposes	stock or domestic purposes
Callide subartesian area on plan AP10059	domestic purposes	stock or domestic purposes
Cattle Creek subartesian area on plan AP10060	stock or domestic purposes	stock or domestic purposes
Clarendon subartesian area on plan AP10066	stock or domestic purposes	stock or domestic purposes
Cook subartesian area on plan AP10049	stock or domestic purposes	stock or domestic purposes
Cressbrook Creek subartesian area on plan AP10064	stock or domestic purposes	stock or domestic purposes

Column 1	Column 2	Column 3
Area and plan	Water entitlement, water permit or seasonal water assignment notice not required	Works not assessable
Duck Farm subartesian area on plan AP10049	—	—
Eastern Downs subartesian area on plan AP12072 sheets 29 to 34	stock or domestic purposes	stock or domestic purposes
Farnborough subartesian area on plan AP10058	stock or domestic purposes	stock or domestic purposes
Fitzroy subartesian area on plan AP10068	stock or domestic purposes	stock or domestic purposes
Fraser Island subartesian area on plan AP10063	domestic purposes	domestic purposes
Great Artesian Basin subartesian area on plan AP12072 sheets 1 to 32	stock purposes from subartesian aquifers not connected to artesian aquifers domestic purposes	—
Highlands subartesian area on plan AP10070	stock or domestic purposes	stock or domestic purposes
Monto subartesian area on plan AP10061	stock or domestic purposes	stock or domestic purposes
Moreton Island subartesian area on plan AP10065	stock or domestic purposes	stock or domestic purposes

Column 1	Column 2	Column 3
Area and plan	Water entitlement, water permit or seasonal water assignment notice not required	Works not assessable
Mossman subartesian area on plan AP10050	stock or domestic purposes	stock or domestic purposes
Mulgildie subartesian area on plan AP12081 sheets 1 to 16	all purposes	stock or domestic purposes
North Stradbroke Island subartesian area on plan AP10067	stock or domestic purposes	stock or domestic purposes
Pioneer subartesian area on plan AP10057	stock or domestic purposes	stock or domestic purposes
Proserpine subartesian area on plan AP10056	stock or domestic purposes	stock or domestic purposes
Upper Georgina subartesian area	stock or domestic purposes	stock or domestic purposes

Schedule 12 Failure impact rating

section 103

Part 1 Unlicensed dams—Act, section 1067

Dam	Location	Category
Atkinson Dam owned by SunWater, having a height of 9m and a storage capacity of 30400ML	An offstream storage in the locality of Lowood, situated on lot 341 on plan CSH1945, Parish of England, County of Cavendish, in the Region of Somerset	1
Biggera Creek Flood Mitigation Dam owned by Gold Coast City Council, having a height of 15m and a storage capacity of 3700ML	Biggera Creek in the locality of Labrador, situated on lot 1 on plan RP223934, Parish of Barrow, County of Ward, in the City of Gold Coast	1
Cedar Pocket Dam owned by SunWater, having a height of 20m and a storage capacity of 730ML	Deep Creek (East) in the locality of Gympie, situated partly on lot 175 on plan MCH5537, Parish of Woondum, County of March, in the Region of Gympie	1
Cooby Creek Dam owned by Toowoomba Regional Council, having a height of 30m and a storage capacity of 23100ML	Cooby Creek in the locality of Toowoomba, situated on lot 730 on plan AG4171, Parish of Douglas, County of Aubigny, in the Region of Toowoomba	1

Dam	Location	Category
Cressbrook Creek Dam owned by Toowoomba Regional Council, having a height of 59m and a storage capacity of 83000ML	Cressbrook Creek in the locality of Ravensbourne, situated on lot 58 on plan CSH2241, Parish of Deongwar, County of Cavendish, in the Region of Somerset	1
Eungella Dam owned by SunWater, having a height of 49m and a storage capacity of 112400ML	Broken River in the locality of Eungella, situated partly on lot 109 on plan HLN198, Parish of Eungella, County of Hillalong, in the Region of Mackay	1
Gordonbrook Dam owned by South Burnett Regional Council, having a height of 21m and a storage capacity of 6500ML	Stuart River in the locality of Kingaroy, situated on lot 467 on plan FY838992, Parish of Wooroolin, County of Fitzroy, in the Region of South Burnett	1
Julius Dam owned by SunWater, having a height of 38m and a storage capacity of 107500ML	Leichhardt River in the locality of Mount Isa, situated on lot 10 on plan CP891285, Parish of Candover, County of Tewinga, in the City of Mount Isa	1
Little Nerang Dam owned by Gold Coast City Council, having a height of 44m and a storage capacity of 8400ML	Little Nerang Creek in the locality of Neranwood, situated on lot 231 on plan SP123096, Parish of Numinbah, County of Ward, in the City of Gold Coast	1

Schedule 12

Dam	Location	Category
Paluma Dam owned by NQ Water ABN 94 205 904 709, having a height of 20m and a storage capacity of 11800ML	Swamp Creek in the locality of Paluma, situated partly on lot 9 on plan W8269, Parish of Waterview, County of Cardwell, in the City of Townsville	1
Perseverance Creek Dam owned by Toowoomba Regional Council, having a height of 53m and a storage capacity of 30900ML	Perseverance Creek in the locality of Crows Nest, situated on lot 182 on plan CSH1817, Parish of Crows Nest, County of Cavendish, in the Region of Toowoomba	1
Rosewood Detention Basin owned by Ipswich City Council, having a height of 9.7m and a storage capacity of 2ML	An offstream storage in the locality of Rosewood, situated on lot 2 on plan SP140742, Parish of Walloon, County of Churchill, in the City of Ipswich	1
Wuruma Dam owned by SunWater, having a height of 44m and a storage capacity of 165400ML	Nogo River in the locality of Eidsvold, situated partly on lot 86 on plan RW752, Parish of Culcraigie, County of Rawbelle, in the Region of North Burnett	1
Awoonga Dam owned by Gladstone Area Water Board ABN 88 409 667 181, having a height of 58m and a storage capacity of 777000ML	Boyne River in the locality of Gladstone, situated partly on lot 90 on plan CTN1668, Parish of Riverston, County of Clinton, in the Region of Gladstone	2

Dam	Location	Category
Bill Gunn Dam owned by SunWater, having a height of 18m and a storage capacity of 6940ML	An offstream storage in the locality of Laidley, situated on lot 132 on plan SP104150, Parish of Laidley, County of Churchill, in the Region of Lockyer Valley	2
Bjelke-Petersen Dam owned by SunWater, having a height of 34m and a storage capacity of 134900ML	Barker Creek in the locality of Murgon, situated partly on lot 13 on plan SP104351, Parish of Barambah, County of Fitzroy, in the Region of South Burnett	2
Boondooma Dam owned by SunWater, having a height of 63m and a storage capacity of 204200ML	Boyne River in the locality of Proston, situated partly on lot 12 on plan SP107476, Parish of Okenden, County of Boondooma, in the Region of South Burnett	2
Borumba Dam owned by SunWater, having a height of 43m and a storage capacity of 46000ML	Yabba Creek in the locality of Imbil, situated partly on lot 20 on plan LX2359, Parish of Yabba, County of Lennox, in the Region of Gympie	2
Burdekin Falls Dam owned by SunWater, having a height of 55.0m and a storage capacity of 1860000ML	Burdekin River in the locality of Ravenswood, situated partly on lot 14 on plan MRY52, Parish of Graham, County of Murray, in the Region of Charters Towers	2

Schedule 12

Dam	Location	Category
Callide Dam owned by SunWater, having a height of 37m and a storage capacity of 136300ML	Callide Creek in the locality of Biloela, situated partly on lot 43 on plan RN1261, Parish of Thalberg, County of Raglan, in the Shire of Banana	2
Cania Dam owned by SunWater, having a height of 54m and a storage capacity of 88500ML	Three Moon Creek in the locality of Monto, situated partly on lot 17 on plan RW861, Parish of Cania, County of Rawbelle, in the Region of North Burnett	2
Clarendon Dam owned by SunWater, having a height of 13.1m and a storage capacity of 24300ML	An offstream storage in the locality of Gatton, situated partly on lot 45 on plan SP104159, Parish of Clarendon, County of Cavendish, in the Region of Lockyer Valley	2
Coolmunda Dam owned by SunWater, having a height of 18m and a storage capacity of 69000ML	Macintyre Brook in the locality of Inglewood, situated on lot 128 on plan BNT1468, Parish of Coolmunda, County of Bentinck, in the Region of Goondiwindi	2
Copperlode Falls Dam owned by Cairns Regional Council, having a height of 43m and a storage capacity of 45560ML	Freshwater Creek in the locality of Cairns, situated on lot 50 on plan NR6547, Parish of Dinden, County of Nares, in the Region of Cairns	2

Dam	Location	Category
EJ Beardmore Dam owned by SunWater, having a height of 15.2m and a storage capacity of 81700ML	Balonne River in the locality of St George, situated partly on lot 21 on plan CP861683, Parish of Wagoo, County of Cogoon, in the Shire of Balonne	2
Enoggera Dam owned by Brisbane City Council, having a height of 23.5m and a storage capacity of 4500ML	Enoggera Creek in the locality of The Gap, situated on lot 130 on plan SL8167, Parish of Enoggera, County of Stanley, in the City of Brisbane	2
Fairbairn Dam owned by SunWater, having a height of 46m and a storage capacity of 1301000ML	Nogoa River in the locality of Emerald, situated partly on lot 10 on plan DNS734, Parish of Gindie, County of Denison, in the Region of Central Highlands	2
Fred Haigh Dam owned by SunWater, having a height of 49m and a storage capacity of 562000ML	Kolan River in the locality of Gin Gin, situated partly on lot 46 on plan BON1395, Parish of Kolonga, County of Bowen, in the Region of Bundaberg	2
Kinchant Dam owned by SunWater, having a height of 22m and a storage capacity of 62800ML	Sandy Creek (North Branch) in the locality of North Eton, situated partly on lot 66 on plan CI4517, Parish of Abingdon, County of Carlisle, in the Region of Mackay	2

Schedule 12

Dam	Location	Category
Kroombit Dam owned by SunWater, having a height of 23.5m and a storage capacity of 14600ML	Kroombit Creek in the locality of Biloela, situated on lot 30 on plan CP908407, Parish of Callide, County of Raglan, in the Shire of Banana	2
Lake MacDonald Dam owned by Sunshine Coast Regional Council, having a height of 12m and a storage capacity of 8000ML	Six Mile Creek in the locality of Cooroy, situated partly on lot 118 on plan MCH814, Parish of Tewantin, County of March, in the Region of Sunshine Coast	2
Leslie Dam owned by SunWater, having a height of 33m and a storage capacity of 106200ML	Sandy Creek in the locality of Warwick, situated partly on lot 552 on plan RP804593, Parish of Warwick, County of Merivale, in the Region of Southern Downs	2
Maroon Dam owned by SunWater, having a height of 46.3m and a storage capacity of 44300ML	Burnett Creek in the locality of Boonah, situated partly on lot 113 on plan WD4311, Parish of Melcombe, County of Ward, in the Region of Scenic Rim	2
Moogerah Dam owned by SunWater, having a height of 38m and a storage capacity of 83700ML	Reynolds Creek in the locality of Kalbar, situated on lot 226 on plan RP215404, Parish of Clumber, County of Churchill, in the Region of Scenic Rim	2

Dam	Location	Category
North Pine Dam owned by South East Queensland Water Corporation Ltd ABN 14 088 729 766, having a height of 46m and a storage capacity of 215000ML	North Pine River in the locality of Whiteside, situated partly on lot 2 on plan RP214896, Parish of Warner, County of Stanley, in the Region of Moreton Bay	2
Peter Faust Dam owned by SunWater, having a height of 51m and a storage capacity of 491400ML	Proserpine River in the locality of Proserpine, situated partly on lot 16 on plan CP852395, Parish of Proserpine, County of Herbert, in the Region of Whitsunday	2
Ross River Dam owned by NQ Water ABN 94 205 904 709, having a height of 33m and a storage capacity of 210000ML	Ross River in the locality of Townsville, situated partly on lot 1 on plan RP742611, Parish of Ross, County of Elphinstone, in the City of Townsville	2
Somerset Dam owned by South East Queensland Water Corporation Ltd ABN 14 088 729 766, having a height of 50m and a storage capacity of 369000ML	Stanley River in the locality of Somerset Dam, situated partly on lot 35 on plan CG2149, Parish of Bowman, County of Canning, in the Region of Somerset	2
Teemburra Dam owned by SunWater, having a height of 56m and a storage capacity of 147500ML	Teemburra Creek in the locality of Mirani, situated partly on lot 30 on plan CP908406, Parish of Mia Mia, County of Carlisle, in the Region of Mackay	2

Dam	Location	Category
Tinaroo Falls Dam owned by SunWater, having a height of 42m and a storage capacity of 438900ML	Barron River in the locality of Atherton, situated partly on lot 107 on plan SP107453, Parish of Dimbulah, County of Nares, in the Region of Tablelands	2
Wivenhoe Dam owned by South East Queensland Water Corporation Ltd ABN 14 088 729 766, having a height of 59m and a storage capacity of 1150000ML	Brisbane River in the locality of Fernvale, situated partly on lot 242 on plan SL12236, Parish of Wivenhoe, County of Cavendish, in the Region of Somerset	2

Part 2 Licensed dams—Act, section 1068

Dam	Location	Category
Lake Mitchell Dam owned by Southedge Daintree Pastoral Company Pty Ltd ABN 86 009 853 418, having a height of 16.5m and a storage capacity of 190000ML, licence no. 36497K	Mitchell River in the locality of Mareeba, situated partly on lot 8 on plan DA362, Parish of Mar, County of Dagmar, in the Region of Tablelands	1

Dam	Location	Category
Leichhardt River Dam owned by Mount Isa Mines Limited ABN 87 009 661 447, having a height of 27.5m and a storage capacity of 103046ML, licence no. 10435WJ	Leichhardt River in the locality of Mount Isa, situated on ML8058, in the City of Mount Isa	1
Rifle Creek Dam owned by Mount Isa Mines Limited ABN 87 009 661 447, having a height of 18m and a storage capacity of 9488ML, licence no. 43835J	Rifle Creek in the locality of Mount Isa, situated on ML8058, in the Shire of Cloncurry	1
Splityard Creek Dam owned by Tarong Energy Corporation Ltd ABN 52 078 848 736, having a height of 76m and a storage capacity of 28700ML, licence no. 0110885C	Pryde Creek in the locality of Fernvale, situated partly on lot 33 on plan CP818429, Parish of Burnett, County of Stanley, in the Region of Somerset	1
McKinnon Creek Flood Detention Dam owned by Cairns Regional Council, having a height of 8.8m and a storage capacity of 160ML, licence no. 101475	McKinnon Creek in the locality of Edmonton, situated partly on lot 500 on plan RP887878, Parish of Grafton, County of Nares, in the Region of Cairns	2

Schedule 13 Authority areas

section 104

Column 1	Column 2
Former water area	Plan
Alva Bore Water Supply Area	AP3961
Ardoch Bore Water Area	AP3962
Back Creek Water Supply Area	AP3963
Bindebango Bore Water Supply Area	AP3964
Cabanda Bore Water Supply Area	AP3965
Chesterfield Bore Water Supply Area	AP3967
Chippeway Bore Water Supply Area	AP3968
Coongoola Bore Water Supply Area	AP3969
Cypress Downs Bore Water Supply Area	AP3970
Dillalah No. 1 Bore Water Area	AP3971
Dillalah No. 2 Bore Water Area	AP3972
Euthella Bore Water Supply Area	AP3974
Glenlyon Bore Water Supply Area	AP3976
Hopeland Bore Water Supply Area	AP3977
Jabiru Bore Water Area	AP3979
Juanbong Bore Water Area	AP3980
Julia Creek Bore Water Supply Area	AP3981
Mackunda Downs Bore Water Supply Area	AP3983

Column 1	Column 2
Former water area	Plan
Maroungle Bore Water Supply Area	AP7344
Maxwelton Bore Water Supply Area	AP3985
Merridew Bore Water Supply Area	AP3986
Minetta Bore Water Supply Area	AP3987
Mona Bore Water Area	AP3988
Mooro Bore Water Supply Area	AP3989
Moselle Bore Water Supply Area	AP3990
Murweh Bore Water Supply Area	AP3991
Neabul Bore Water Supply Area	AP3993
Nebine Bore Water Supply Area	AP3994
Nelia Ponds Bore Water Supply Area	AP3995
Noondoo Bore Water Area	AP3996
Oakhampton Bore Water Supply Area	AP3998
Pigurra Bore Water Supply Area	AP3999
Sesbania Bore Water Supply Area	AP4000
Stamfordham Bore Water Supply Area	AP4001
Thomby Bore Water Area	AP4002
Toorak Bore Water Supply Area	AP4003
Weengallon No. 2 Bore Water Supply Area	AP4005
Wellshot Bore Water Supply Area	AP4006
Whyenbah Bore Water Supply Area	AP4007
Whynot Bore Water Area	AP4008

Column 1	Column 2
Former water area	Plan
Wierbolla Bore Water Supply Area	AP4009
Winbin Bore Water Supply Area	AP4011
Yanborra Bore Water Supply Area	AP4013

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—\$3.52 for each megalitre
Barron River–Emerald Creek water management area	30 June	Water harvesting— (a) from Tinaroo Falls Dam or Barron River—\$3.52 for each megalitre (b) from Emerald Creek above AMTD 14.300—\$3.52 for each megalitre (c) from any other watercourse—\$3.52 for each megalitre
Border Rivers groundwater management area	30 September	Minimum charge—\$110.60 part A—\$1.22 part B—\$0.81
Border Rivers water management area	30 September	Water harvesting—\$3.52 for each megalitre
Bowen–Broken Rivers water management area	30 June	Water harvesting—\$3.52 for each megalitre
Bowen groundwater management area	31 March	Minimum charge—\$106.80 part A—nil part B—\$4.32

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Boyne and Stuart Rivers water management area	30 June	Water harvesting—\$3.52 for each megalitre
Burdekin River groundwater management area	30 June	<p>Minimum charge for each water licence to take groundwater for which a water bore without a water meter has been installed, or for which a water bore has not been installed—\$110.10</p> <p>For each water licence to take groundwater for which a water bore with a water meter has been installed—</p> <p>(a) with a nominal entitlement of not more than 25ML—\$110.10 for each water meter</p> <p>(b) with a nominal entitlement of more than 25ML—\$498.40 for each water meter</p>
Callide Valley groundwater management area (non-benefitted)	30 June	<p>Minimum charge for groundwater—\$110.60</p> <p>For taking groundwater—\$1.34 for each megalitre of announced entitlement</p>
Central Lockyer water management area	30 June	Water harvesting—\$3.52 for each megalitre
Chinchilla Weir water management area	31 August	Water harvesting—\$3.52 for each megalitre

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Coastal Burnett groundwater management area	30 June	<p>Minimum charge for taking groundwater under a water entitlement—\$111.90</p> <p>For taking groundwater under a water entitlement in the Kolan Burnett groundwater sub-area, Burnett-Elliott groundwater sub-area or Elliot-Gregory groundwater sub-area under the <i>Water Resource (Burnett Basin) Plan 2000</i> (the Burnett plan) or the Fairymead groundwater sub-area under the Burnett plan north of the Elliott River—</p> <p>(a) part A—\$3.24 (b) part B—\$1.07</p> <p>For taking groundwater under a water entitlement in the Elliot-Gregory groundwater sub-area under the Burnett plan or the Fairymead groundwater sub-area under the Burnett plan south of the Elliott River—</p> <p>(a) part A—nil (b) part B—\$1.58</p>
Condamine groundwater management area	30 June	Minimum charge—\$112.00 part A—\$1.22 part B—\$1.22
Condamine River and Sandy Creek water management area	30 June	Water harvesting from Sandy Creek or Condamine River including North Branch—\$3.52 for each megalitre

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Cressbrook Creek water management area	30 June	Minimum charge—\$110.60 part A—nil part B—\$1.44
Dawson Valley water management area	30 September	Water harvesting from Dawson River and Glebe Weir reservoir—\$3.52 for each megalitre
Dumaresq River water management area	30 June	Water from a watercourse flowing from Glenlyon Dam— (a) part A—\$8.35 (b) part B—\$10.30
Fitzroy water management area	30 June	Water harvesting—\$3.52 for each megalitre
Gowrie–Oakey Creek water management area	30 June	\$87.00 for each water meter
Logan River water management area	30 June	Water harvesting from Burnett Creek or Logan River—\$3.52 for each megalitre
Lower Balonne water management area	30 June	Water harvesting— (a) from a supplemented section of the Thuraggi watercourse or Thuraggi diversion channel—\$3.52 for each megalitre (b) from Beardmore Dam or from any watercourse downstream of Beardmore Dam to the Queensland/New South Wales border—\$3.52 for each megalitre

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Lower Burnett and Kolan Rivers water management area	30 June	Water harvesting—\$3.52 for each megalitre
Lower Lockyer water management area	30 April	Water harvesting—\$3.52 for each megalitre
Macintyre Brook water management area	30 September	Water harvesting—\$3.52 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—\$3.52 for each megalitre
Oakey Creek groundwater management area	30 June	\$99.60 for each water meter
Pioneer groundwater management area	30 June	\$271.40 for each water meter
Pioneer River water management area	30 June	Water harvesting—\$3.52 for each megalitre
Three Moon Creek water management area	30 June	Water harvesting—\$3.52 for each megalitre
Upper Burnett and Nogo Rivers water management area	30 June	Water harvesting from Nogo River or Burnett River—\$3.52 for each megalitre

Column 1	Column 2	Column 3
Water management area	Date water year ends	Water charges
Upper Hodgson Creek groundwater management area	30 June	\$99.60 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—\$3.52 for each megalitre (b) from Black Gully, Kent's Lagoon, Normanby Gully, West Branch, Waroolaba Creek or the Upper Warrill systems—\$3.52 for each megalitre

Schedule 15 Royalties

section 17

	\$
Removing State quarry material—for each m ³ removed—	
(a) by a local government or other entity established under an Act and that does not represent the State (a <i>statutory body</i>), for its own use	0.56
(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.	0.56
(c) if paragraph (a) or (b) does not apply	1.59

Schedule 15A Metered entitlements

section 75

Column 1	Column 2
Part of the State	Authorisation
Boyne and Stuart Rivers water management area of the 'Burnett Basin Resource Operations Plan 2008'	All water licences, other than licences for stock or domestic purposes only
Cooloola Sandmass subartesian area under the <i>Water Resource (Mary Basin) Plan 2006</i>	All water licences, other than water licence 190197 and water licence 190200
Eastern Downs management area under the <i>Water Resource (Great Artesian Basin) Plan 2006</i>	Water licence 100875
Gilbert River catchment area under the <i>Water Resource (Gulf) Plan 2007</i>	All water licences, other than licences for stock or domestic purposes only
Mulgildie management area under the <i>Water Resource (Great Artesian Basin) Plan 2006</i>	All water licences
Pioneer groundwater management area	All water licences, other than licences in relation to which a meter was installed before 11 December 2006
Six Mile Creek subcatchment area under the <i>Water Resource (Mary Basin) Plan 2006</i>	All water licences, other than licences for stock or domestic purposes only
The area of the basalt aquifer within the local government area of the Toowoomba City Council	All water licences, other than licences for stock or domestic purposes only
The plan area of the 'Barron Resource Operations Plan 2005'	All water licences, other than licences for stock or domestic purposes only

Column 1	Column 2
Part of the State	Authorisation
The plan area of the 'Boyne River Basin Resource Operations Plan 2003'	All water licences
The plan area of the <i>Water Resource (Calliope River Basin) Plan 2006</i>	All water licences, other than licences for stock or domestic purposes only
The plan area of the <i>Water Resource (Mitchell) Plan 2007</i>	All water licences, other than licences for stock or domestic purposes only
The plan area of the <i>Water Resource (Moonie) Plan 2003</i>	Water allocation 1AP13210 Water allocation 3AP13210 Water allocation 5AP13210 Water allocation 6AP13210 Water allocation 11AP13210 Water allocation 14AP13210 Water licence 56005R
The plan area of the <i>Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003</i>	Water allocation 2AP13211 Water allocation 6AP13211 Water allocation 7AP13211 Water allocation 11AP13211 Water allocation 18AP13211 Water allocation 24AP13211 Water allocation 25AP13211 Water allocation 30AP13211 Water allocation 46AP13211

Column 1	Column 2
Part of the State	Authorisation
Weir River	Water licences 43410H and 47879H Water licences 38176H and 47958H Water licence 47901H Water licence 47902H Water licences 47968H and 47969H Water licences 47967H and 47997H Water licence 39934H Water licences 48000H and 54001H Water licence 54149H Water licence 43572H Water licence 56626H Water licence 179741 Water licences 47943H and 54196H Water licence 47999H Water licence 102524 Water licences 47831H and 47832H Water licence 54024H Water licence 47998H Water licences 47929H Water licence 47935H
Wide Bay Creek subcatchment area under the <i>Water Resource (Mary Basin) Plan 2006</i>	All water licences, other than licences for stock or domestic purposes only

Column 1	Column 2
Part of the State	Authorisation
Widgee Creek subcatchment area under the <i>Water Resource (Mary Basin) Plan 2006</i>	All water licences, other than licences for stock or domestic purposes only
Zone C of the Fitzroy River, identified in the 'Fitzroy Basin Resource Operations Plan 2006', attachment 2.3	Water allocation 216/AP6829
Zones D and E of the Fitzroy River, identified in the 'Fitzroy Basin Resource Operations Plan 2006', attachment 2.3	All water allocations

Schedule 16 Fees

section 63

	\$
1	Application for approval of land and water management plan (Act, s 74(3)(c))—
	(a) approving a farm management system as a land and water management plan—
	(i) for a new plan 25.90
	(ii) for a previously approved plan, if paragraph (d) does not apply 25.90
	(b) approving a new plan, if paragraph (a)(i) does not apply 192.60
	(c) approving a previously approved plan, if paragraph (a)(ii) and (d) do not apply 64.20
	(d) approving a previously approved plan, if the plan to be approved applies to additional land or provides for a different or additional irrigation method 128.40
2	Application for deferral of requirement for approved land and water management plan (Act, s 79(2)(c)) 128.40
3	Application to amalgamate water allocations or subdivide a water allocation (Act, s 128A(2)(b)). 93.35
4	Application to change a water allocation (Act, ss 129(3)(c) 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 93.35
	(ii) for each additional application made at the same time 18.60
5	Application by water allocation holder for seasonal water assignment (Act, s 142(2)(d)) 124.50

	\$
6 Creating, on request, a title or a separate title for a water allocation, other than under section 121 or 122 of the Act (Act, ss 148(2)(d) and 150(1))—for each title created . . .	52.00
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 lodgement is with an instrument changing ownership of a lot or an interest in a lot—for each water allocation	25.60
(b) otherwise—	
(i) for 1 water allocation	120.50
(ii) for each additional water allocation	25.60
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)).	120.50
9 Lodging in the registry a certificate about a change to a water allocation (Act, ss 148(2)(d), 129(6) and 135(1)). .	120.50
10 Lodging in the registry a cancellation, discharge or satisfaction of a writ of execution (Act, ss 148(2)(d) and 150(1))	25.60
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	25.60
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))	120.50
16 Depositing in, or withdrawing from, the registry a settlement notice (Act, ss 148(2)(d) and 150(1)).	25.60
17 Depositing in, or removing from, the registry an administrative advice (Act, ss 148(2)(d) and 150(1))	12.50

	\$	
18	Preparing and serving, by the registry, a notice of a caveat (Act, ss 148(2)(d) and 150(1))	25.75
19	Computer print-out of (Act, s 148(2)(d))—	
	(a) a title for a water allocation generated—	
	(i) within the registry	12.80
	(ii) by external access	10.25
	(b) the historical details of a title generated—	
	(i) within the registry	19.35
	(ii) by external access	16.75
20	Image of (Act, s 148(2)(d))—	
	(a) a title for a water allocation generated—	
	(i) within the registry	12.80
	(ii) by external access	10.25
	(b) another instrument lodged or deposited in the registry	25.90
21	Search, in the registry, of a statement of a registered dealing or administrative advice against a title (Act, s 153).	2.55
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	52.00
	(b) if additional computer programming time is required—for each hour or part of an hour	128.40
23	Certifying, by the registrar, of a copy of the title of a water allocation or a registered instrument (Act, s 148(2)(d))	25.90
24	Requisitioning a document lodged for registration (Act, s 148(2)(d)).	32.30
25	Application to transfer interim water allocation (Act, s 193(2)(c)).	273.90
26	Application for approval to transfer interim water allocation to other land (Act, s 195)—	
	(a) for 1 application	273.90

	\$
(b) for each additional application, made at the same time, to transfer to the same land	60.25
27 Application to replace interim water allocation (Act, s 198(4)(b))	93.35
28 Application for water licence (Act, s 206(6)(c))	93.35
28A Copy of an application (Act, s 208(4)(b))—	
(a) for 1 page	12.80
(b) for each additional page	0.22
29 Application to amend water licence (Act, s 216)	93.35
30 Application to reinstate expired water licence (Act, s 221(2)(b))	93.35
30A Application to transfer, amend or amalgamate water licence under part 2, division 3A (Act, s 223)	273.90
31 Application to amalgamate water licences (Act, s 224(2)(b))	93.35
32 Application to subdivide water licence (Act, s 225(2)(b))	93.35
33 Application to replace expired water licence on disposal of land to which expired licence related (Act, s 229(4)(b))	93.35
34 Application by licensee of a water licence for seasonal water assignment (Act, s 231(2)(f))	124.50
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	128.10
36 Application to renew allocation notice (Act, s 289(2)(b))—for each 6 month period, or part of a 6 month period, the renewed allocation notice has effect	128.10
37 Application for water bore driller's licence (Act, s 299(2)(e))—for 5 years—	
(a) if paragraphs (b) to (d) do not apply	420.90
(b) if s 20(2)(c)(iii) applies	755.00
(c) if s 21(2)(c)(iv) applies	1 103.00
(d) if s 22(2)(d)(iii) applies	1 335.00
38 Application to amend water bore driller's licence (Act, s 304)	124.50
39 Application to renew water bore driller's licence (Act, s 308(2)(c))	404.90

	\$
39A Application to reinstate expired water bore driller's licence (Act, s 308A(2)(b))—for 5 years.	420.90
40 Application for operations licence (Act, s 328(2)(d))	93.35
40A Computer print-out of a document generated (Act, s 1009)—	
(a) at an office of the department	12.80
(b) by external access	10.25
40B Certifying a copy of a document (Act, s 1009)	25.90
41 Water licence fee (Act, s 1014(2)(a))—for each year	58.75
41A Application for unallocated water under a resource operations plan (Act, s 1014(2)(a))	171.30
41B Investigative search, by the chief executive, of the department's water entitlement registration database (not including providing copies of documents) (Act, s 1014(2)(a))—	
(a) if no additional computer programming time is required—for each hour or part of an hour.	52.00
(b) if additional computer programming time is required—for each hour or part of an hour.	128.40
41C Copy of a report on an entry in the department's water entitlement registration database (Act, s 1014(2)(a))	6.40
42 Testing a water meter (Act, s 1014(2)(d))—for each hour	54.25
43 Reading a water meter (Act, s 1014(2)(d))—	
(a) for 1 water meter.	60.25
(b) for each additional water meter on the same or an adjacent property.	11.95
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	93.35
(b) the removal of quarry material	93.35

	\$
(c) operational work in a drainage and embankment area controlling the flow of water into or out of a watercourse, lake or spring	93.35
(d) development in a declared catchment area	93.35

Schedule 17 Dictionary

section 3

ADIA see section 22.

ADITC see section 20.

amalgamation, for part 2, division 3A, see section 15A(2)(c).

amendment, for part 2, division 3A, see section 15A(2)(b).

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.

approved meter means—

- (a) a meter acceptable, modified or installed under part 7, division 2, and attached to works through which water is, has been or may be taken or interfered with under a metered entitlement; or
- (b) a meter—
 - (i) attached to works through which water is, has been or may be taken or interfered with under a metered entitlement; and
 - (ii) of a type approved by the chief executive—
 - (A) in accordance with a condition of the development permit for the works; or
 - (B) if the works are self-assessable development under the *Integrated Planning Act 1997*—in accordance with the applicable code; and

(iii) installed—

- (A) in accordance with the department's specifications for installing meters as a condition of the development permit for the works; or
- (B) if the works to which the meter is attached are self-assessable development under the *Integrated Planning Act 1997*—in accordance with the applicable code.

authorisation means a water licence, water permit, water allocation or other authority to take or interfere with water under the Act.

Bromelton Off-stream Storage, for part 8, see section 83.

Cedar Grove Weir, for part 8, see section 83.

closing day see section 5D(1)(f)(i).

DICAT course see section 20.

Eastern Pipeline Inter-connector, for part 8, see section 83.

GDA94 means Geocentric Datum of Australia 94, a part of the earth centred global coordinate reference frame used by the department.

groundwater means water from an underground source.

Hinze Dam Stage 3, for part 8, see section 83.

LGIS, for part 8, see section 83.

meter includes equipment, related to the meter, for measuring and recording the taking of, or interfering with, water.

meter assessment notice see section 72.

metered entitlement see section 75.

metered entitlement notice see section 70.

metering exit charge see section 80.

metering information notice see section 70.

metering service charge see section 76.

MOU, for part 8, see section 83.

new licence, for part 2, division 3A, see section 15B.

nominal entitlement see section 65.

Northern Pipeline Inter-connector, for part 8, see section 83.

original licence, for part 2, division 3A, see section 15A(1).

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.

participating local government, for part 8, see section 83.

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

proposed transferee see section 8.

proposed transferor see section 8.

public notice—

(a) for part 2, division 1C, subdivision 2—see section 5C(1); or

(b) for part 2, division 1C, subdivision 3—see section 5J(1).

Queensland Bulk Water Supply Authority means the Queensland Bulk Water Supply Authority under the *South East Queensland Water (Restructuring) Act 2007*, section 6.

Regional Water Inter-Connectors, for part 8, see section 83.

Report on Drought Contingency Projects, for part 8, see section 83.

sale notice see section 5D(1).

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

South East Queensland (Gold Coast) Desalination Facility, for part 8, see section 83.

Southern Regional Water Pipeline, for part 8, see section 83.
standard terms document see the *Land Title Act 1994*, section 168.

State Development Regulation, for part 8, see section 83.

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.

SunWater means the entity continued in existence under the *Government Owned Corporations Regulation 2004*, section 34.

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.

transfer, for part 2, division 3A, see section 15A(2)(a).

transfer notice, for part 2, division 3A, see section 15G(1).

Traveston Crossing Dam Stage 1, for part 8, see section 83.

upgrade of Enoggera Water Treatment Plant see section 83.

UTM means Universal Transverse Mercator, a system used to project a round earth onto a flat map.

Water and Sewerage Program, for part 8, see section 83.

Water for South East Queensland document, for part 8, see section 83.

Water Infrastructure Project Board, for part 8, see section 83.

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.

Western Corridor Recycled Water Scheme, for part 8, see section 83.

works, for part 7, means works used, or that could be used, for taking or interfering with water.

Wyaralong Dam, for part 8, see section 83.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2009. 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
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

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.

Reprint No.	Amendments to	Effective	Reprint date
1	none	19 April 2002	1 May 2002

Reprint No.	Amendments included	Effective	Notes
1A	2002 SL No. 230	30 August 2002	
1B	2003 SL No. 13	7 February 2003	
1C	2003 SL No. 25	21 February 2003	
1D	2003 SL No. 13	1 April 2003	
1E	2003 SL No. 13	7 April 2003	
1F	2003 SL No. 99	30 May 2003	
1G	2003 SL No. 100	1 July 2003	R1G withdrawn, see R2
2	—	1 July 2003	
2A	2003 SL No. 241	3 October 2003	
2B	2003 SL No. 370	19 December 2003	

Reprint No.	Amendments included	Effective	Notes
2C	2004 SL No. 3	30 January 2004	
2D	—	22 February 2004	provs exp 21 February 2004
2E	2004 SL No. 102	25 June 2004	
2F	2004 SL No. 67	1 July 2004	
2G	2004 SL No. 166	27 August 2004	
2H	2004 SL No. 102	1 January 2005	
2I	2005 SL No. 10	18 February 2005	
2J	2005 SL No. 10	1 April 2005	
2K 2rv	2005 SL No. 134	24 June 2005	
2L 2rv	2005 SL No. 103	1 July 2005	
2M 2rv	2005 SL No. 134	2 July 2005	
2N 2rv	2005 SL No. 134	6 July 2005	
2O rv	2005 SL No. 216	2 September 2005	R2O rv withdrawn, see R3 rv
3 rv	—	2 September 2005	Revision notice issued for R3
3A rv	2005 SL No. 334	16 December 2005	
3B rv	2005 SL No. 334	1 January 2006	
3C rv	2006 SL No. 29	3 March 2006	
3D rv	2006 SL No. 64	13 April 2006	
3E rv	2006 SL No. 84	5 May 2006	
3F rv	2006 SL No. 133	16 June 2006	
3G rv	2006 SL No. 159	30 June 2006	
3H rv	2006 SL No. 133	1 July 2006	provs exp 30 June 2006
	2006 SL No. 159		
3I	2006 SL No. 202	8 August 2006	
3J	2006 SL No. 133	1 September 2006	
3K	2006 SL No. 263	27 October 2006	R3K withdrawn, see R4
4	—	27 October 2006	
4A	2007 SL No. 41	23 March 2007	
	2007 SL No. 42		
4B	2007 SL No. 90	18 May 2007	
4C	2007 SL No. 90	20 May 2007	
4D	2007 SL No. 90	1 July 2007	
	2007 SL No. 98		
4E	2007 SL No. 263	2 November 2007	
4F	2007 Act No. 58	16 November 2007	
4G	2007 SL No. 281	23 November 2007	
4H	2007 SL No. 344	14 December 2007	R4H withdrawn, see R5
5	—	14 December 2007	
5A	2008 SL No. 44	7 March 2008	
5B	2008 SL No. 98	18 April 2008	
5C	2008 SL No. 149	1 July 2008	
5D	2008 SL No. 219	11 July 2008	
5E	2008 SL No. 369	7 November 2008	R5E withdrawn, see R6
6	—	7 November 2008	
6A	2009 SL No. 44	1 May 2009	
6B	2009 SL No. 44	30 June 2009	

Endnotes

Reprint No.	Amendments included	Effective	Notes
6C	2009 SL No. 44	1 July 2009	

5 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)

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

(2) An explanatory note 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
ss 1–2 commenced on date of notification
ss 4, 12 commenced 7 April 2003 (see s 2(2))
s 9 commenced 1 April 2003 (see s 2(1))
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
Note—An explanatory note was prepared

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

Natural Resources, Mines and Energy Legislation Amendment Regulation (No. 1) 2004 SL No. 67 pts 1, 19

notfd gaz 28 May 2004 pp 277–80
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2004 (see s 2)

Water Amendment Regulation (No. 2) 2004 SL No. 102

notfd gaz 25 June 2004 pp 573–81
ss 1–2 commenced on date of notification
ss 10(1), 12 commenced 1 January 2005 (see s 2)
remaining provisions commenced on date of notification

Government Owned Corporations Regulation 2004 SL No. 166 ss 1, 46

notfd gaz 27 August 2004 pp 1330–2
commenced on date of notification

Water Amendment Regulation (No. 1) 2005 SL No. 10

notfd gaz 18 February 2005 pp 596–7
ss 1–2 commenced on date of notification
s 37(2) commenced 1 April 2005 (see s 2)
remaining provisions commenced on date of notification
Note—A regulatory impact statement and explanatory note were prepared

Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2005 SL No. 103 pts 1, 19

notfd gaz 3 June 2005 pp 415–19
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2005 (see s 2)

Water Amendment Regulation (No. 2) 2005 SL No. 134

notfd gaz 24 June 2005 pp 639–45
ss 1–2 commenced on date of notification
s 12 commenced 2 July 2005 (see s 2(1))

s 4 commenced 6 July 2005 (see s 2(2))
remaining provisions commenced on date of notification

Water Amendment Regulation (No. 3) 2005 SL No. 216

notfd gaz 2 September 2005 pp 71–2
commenced on date of notification

Water and Other Legislation Amendment Regulation (No. 1) 2005 SL No. 334 pts 1–2

notfd gaz 16 December 2005 pp 1490–6
ss 1–2, 15 commenced on date of notification
s 22(4)–(8) commenced 1 January 2006 (see s 2) (amds could not be given effect)
remaining provisions commenced 1 January 2006 (see s 2)
Note—An explanatory note was prepared

Water Amendment Regulation (No. 1) 2006 SL No. 29

notfd gaz 3 March 2006 pp 887–8
commenced on date of notification

Water Amendment Regulation (No. 2) 2006 SL No. 64

notfd gaz 13 April 2006 pp 1463–4
commenced on date of notification
Note—An explanatory note was prepared

Water Amendment Regulation (No. 3) 2006 SL No. 84

notfd gaz 5 May 2006 pp 76–7
commenced on date of notification
Note—An explanatory note was prepared

Water Amendment Regulation (No. 4) 2006 SL No. 133

notfd gaz 16 June 2006 pp 787–90
ss 1–2 commenced on date of notification
ss 5–6, 9 commenced 1 July 2006 (see s 2(1)(a))
s 8 (to the extent it ins pt 9 div 8 sdiv 3) commenced 1 July 2006 (see s 2(1)(b))
ss 4, 11 commenced 1 September 2006 (see s 2(2))
remaining provisions commenced on date of notification
Note—An explanatory note was prepared

Water Amendment Regulation (No. 5) 2006 SL No. 159

notfd gaz 30 June 2006 pp 1060–7
ss 1–2 commenced on date of notification
ss 22, 24 commenced 1 July 2006 (see s 2)
remaining provisions commenced on date of notification
Note—An explanatory note was prepared

Water Amendment Regulation (No. 6) 2006 SL No. 202

notfd gaz 8 August 2006 pp 1627–8
commenced on date of notification

Water Amendment Regulation (No. 7) 2006 SL No. 263

notfd gaz 27 October 2006 pp 938–9
commenced on date of notification

Water Amendment Regulation (No. 1) 2007 SL No. 41

notfd gaz 23 March 2007 pp 1366–9
commenced on date of notification

State Development and Public Works Organisation Amendment Regulation (No. 1) 2007 SL No. 42 pts 1, 3

notfd gaz 23 March 2007 pp 1366–9
commenced on date of notification

Water and Other Legislation Amendment Regulation (No. 1) 2007 SL No. 90 pts 1, 3

notfd gaz 18 May 2007 pp 345–8
ss 1–2 commenced on date of notification
ss 10–11 commenced 20 May 2007 (see s 2(1))
s 12 commenced 1 July 2007 (see s 2(2))
remaining provisions commenced on date of notification

Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007 SL No. 98 pts 1, 12

notfd gaz 1 June 2007 pp 582–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2007 (see s 2)

Water Amendment Regulation (No. 2) 2007 SL No. 263

notfd gaz 2 November 2007 pp 1224–5
commenced on date of notification

South East Queensland Water (Restructuring) Act 2007 No. 58 ss 1, 117 sch 2

date of assent 16 November 2007
commenced on date of assent

Water Amendment Regulation (No. 3) 2007 SL No. 281

notfd gaz 23 November 2007 pp 1682–4
commenced on date of notification

Water and Other Legislation Amendment Regulation (No. 2) 2007 SL No. 344 pts 1–2

notfd gaz 14 December 2007 pp 2131–5
commenced on date of notification

Water and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 44 pts 1–2

notfd gaz 7 March 2008 pp 1151–2
commenced on date of notification

Water Amendment Regulation (No. 1) 2008 SL No. 98

notfd gaz 18 April 2008 pp 2085–8
commenced on date of notification

Natural Resources and Water Legislation Amendment Regulation (No. 1) 2008 SL No. 149 pts 1, 12

notfd gaz 6 June 2008 pp 800–2
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2008 (see s 2)

Water Amendment Regulation (No. 2) 2008 SL No. 219

notfd gaz 11 July 2008 pp 1583–4
commenced on date of notification

Water and Other Legislation Amendment Regulation (No. 2) 2008 SL No. 369 pts 1–2

notfd gaz 7 November 2008 pp 1319–21
commenced on date of notification

Water Amendment Regulation (No. 1) 2009 SL No. 44

notfd gaz 1 May 2009 pp 100–1
ss 1–2 commenced on date of notification
s 4 commenced 30 June 2009 (see s 2(1))
ss 6–7 commenced 1 July 2009 (see s 2(2))
remaining provisions commenced on date of notification

7 List of annotations

PART 2—ALLOCATION AND SUSTAINABLE MANAGEMENT

Division 1—Water rights

div hdg prev div 1 ins 2003 SL No. 25 s 5
exp 21 February 2004 (see s 3C(b))
pres div 1 ins 2006 SL No. 64 s 3
exp 30 June 2006 (see s 3CAA)

Definitions for div 1

s 3A prev s 3A ins 2003 SL No. 25 s 5
amd 2003 SL No. 99 s 3
exp 21 February 2004 (see s 3C(b))
pres s 3A ins 2006 SL No. 64 s 3
exp 30 June 2006 (see s 3CAA)

Restriction on taking water—Act, s 23

s 3B prev s 3B ins 2003 SL No. 25 s 5
exp 21 February 2004 (see s 3C(b))
pres s 3B ins 2006 SL No. 64 s 3
amd 2006 SL No. 84 s 3
exp 30 June 2006 (see s 3CAA)

Prohibition on taking water—Act, s 23

s 3C prev s 3C ins 2003 SL No. 25 s 5
exp 21 February 2004 (see s 3C(b))
pres s 3C ins 2006 SL No. 64 s 3
exp 30 June 2006 (see s 3CAA)

Expiry of div 1

s 3CAA ins 2006 SL No. 64 s 3
exp 30 June 2006 (see s 3CAA)

Division 1A—Water planning**div hdg** ins 2003 SL No. 99 s 5**Notice of works and water use—Act, s 37****prov hdg** sub 2005 SL No. 134 s 4(1)**s 3CA** ins 2003 SL No. 241 s 3

amd 2005 SL No. 134 s 4(2); 2008 SL No. 369 s 3; 2009 SL No. 44 s 4

Requirement for land and water management plan—Act, s 73**s 3D** ins 2003 SL No. 99 s 5

amd 2004 SL No. 102 s 4; 2006 SL No. 159 s 4

Division 1B—Implementing water resource plans**div hdg** (prev div 1A hdg (orig div 1 hdg)) renum 2003 SL No. 25 s 4; 2003 SL No. 99 s 4**Water allocations register—Act, s 127****s 3E** ins 2007 SL No. 90 s 7**Division 1C—Processes for granting unallocated water****div hdg** ins 2009 SL No. 44 s 5**Subdivision 1—Preliminary****sdiv 1 (s 5A)** ins 2009 SL No. 44 s 5**Subdivision 2—Competitive processes****sdiv 2 (ss 5B–5H)** ins 2009 SL No. 44 s 5**Subdivision 3—Process without competition****sdiv 3 (ss 5I–5K)** ins 2009 SL No. 44 s 5**Division 2—Interim allocation and management arrangements****Subdivision 1—General****sdiv hdg** ins 2008 SL No. 369 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

Subdivision 2—Interim water allocations for Julius Dam water supply scheme

sdiv 2 (ss 13C–13E) ins 2008 SL No. 369 s 5

Entities—Act, ss 206 and 213

s 14 amd 2003 SL No. 99 s 9; 2006 SL No. 159 s 5

Water licence fee

s 14A prev s 14A ins 2003 SL No. 13 s 4
amd 2004 SL No. 102 s 5
om 2005 SL No. 334 s 4
pres s 14A ins 2006 SL No. 133 s 4
sub 2009 SL No. 44 s 6

Division 3A—Transfer of water licences—Act, s 223

div 3A (ss 15A–15H) ins 2007 SL No. 90 s 8

Classes of licence—Act, s 299

s 18 amd 2003 SL No. 99 s 10

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

s 19 amd 2004 SL No. 102 s 6

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

s 20 amd 2004 SL No. 102 s 7

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

s 21 amd 2004 SL No. 102 s 8

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

s 22 amd 2004 SL No. 102 s 9

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; 2004 SL No. 102 s 10; 2006
SL No. 159 s 6

Records of water bores drilled—Act, s 313

s 24 amd 2004 SL No. 102 s 11

Returning officer for election of directors—Act, s 598

s 32 amd 2005 SL No. 10 s 4

Procedures for election of directors

s 32A ins 2005 SL No. 10 s 5

Election of directors by mail or at meeting

s 32B ins 2005 SL No. 10 s 5

Notice of election at meeting

s 32C ins 2005 SL No. 10 s 5

Appointment of proxy for election at meeting

s 32D ins 2005 SL No. 10 s 5

Minutes of meeting for election

s 32E ins 2005 SL No. 10 s 5

Roll of voters

s 33 amd 2005 SL No. 10 s 6

Nominations for election by mail

s 34 prov hdg sub 2005 SL No. 10 s 7

Nominations for election at meeting

s 34A ins 2005 SL No. 10 s 8

Preparing ballot papers

s 36 amd 2005 SL No. 10 s 9

Distributing voting material for election by mail

s 37 prov hdg sub 2005 SL No. 10 s 10

Distributing ballot papers for election at meeting

s 37A ins 2005 SL No. 10 s 11

How long ballot for election by mail is open

s 38 sub 2005 SL No. 10 s 12

Voting in election by mail

s 39 prov hdg sub 2005 SL No. 10 s 13

Voting in election at meeting

s 39A ins 2005 SL No. 10 s 14

How returning officer must deal with voting material for election by mail

s 40 prov hdg sub 2005 SL No. 10 s 15

Scrutiny

s 41 amd 2005 SL No. 10 s 16

Initial scrutiny of voting material for election by mail

s 42 prov hdg sub 2005 SL No. 10 s 17

Counting votes

s 43 amd 2005 SL No. 10 s 18

Declaring election result

s 45 amd 2005 SL No. 10 s 19

Employing offices for water authorities established—Act, s 625

s 48A ins 2008 SL No. 369 s 6

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

s 49 amd 2003 SL No. 370 s 3; 2005 SL No. 10 s 20; 2006 SL No. 159 s 7; 2006 SL No. 263 s 3; 2007 SL No. 41 s 3; 2008 SL No. 369 s 7

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

s 50 amd 2003 SL No. 99 s 12; 2003 No. 370 s 4; 2005 SL No. 10 s 21; 2006 SL No. 159 s 8; 2006 SL No. 263 s 4; 2007 SL No. 41 s 4; 2008 SL No. 369 s 8

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

s 51 amd 2003 SL No. 370 s 5; 2005 SL No. 10 s 22; 2006 SL No. 159 s 9; 2006
 SL No. 263 s 5; 2007 SL No. 41 s 5; 2008 SL No. 369 s 9

Requirements for decommissioning a water bore—Act, s 817

s 52 amd 2003 SL No. 13 s 6
 sub 2004 SL No. 102 s 12

Downstream and upstream limits of watercourse—Act, s 1006(1)

s 54 sub 2004 SL No. 102 s 13

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

s 55 sub 2003 SL No. 99 s 13
 amd 2005 SL No. 134 s 5; 2006 SL No. 159 s 10; 2007 SL No. 344 s 3

Water management areas

s 56 amd 2005 SL No. 10 s 23; 2005 SL No. 334 s 5; 2007 SL No. 41 s 6

Changing boundaries of water management areas

s 57 amd 2003 SL No. 99 s 14; 2005 SL No. 10 s 24

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

s 58 amd 2007 SL No. 90 s 9

Minimum charge

s 59 prev s 59 amd 2005 SL No. 10 s 25
 om 2005 SL No. 334 s 6
 pres s 59 ins 2006 SL No. 133 s 5
 amd 2006 SL No. 263 s 6

Notice for payment of charges

s 60 amd 2005 SL No. 10 s 26; 2005 SL No. 334 s 7; 2006 SL No. 133 s 6; 2007
 SL No. 90 s 10

Prescribed organisation and program—Act, s 1014

s 60A prev s 60A ins 2004 SL No. 102 s 14
 om 2005 SL No. 10 s 27
 pres s 60A ins 2007 SL No. 344 s 4

Code against which development applications assessed—Act, s 1014

s 61A ins 2004 SL No. 102 s 15

Code for self-assessable development—Act, s 1014

s 62 sub 2003 SL No. 99 s 15
 amd 2004 SL No. 102 s 16; 2005 SL No. 134 s 6; 2006 SL No. 159 s 11; 2007
 SL No. 344 s 5
 sub 2008 SL No. 369 s 10

Accounting period—Act, sch 4, definition “water year”

s 62A ins 2008 SL No. 369 s 11

Fees

s 63 amd 2003 SL No. 99 s 16; 2004 SL No. 67 s 45

Water sharing rules

s 64 amd 2006 SL No. 263 s 7

Announced entitlement

s 66 amd 2006 SL No. 263 s 8

Annual entitlement

s 67 amd 2006 SL No. 263 s 9

PART 7—METERING

pt hdg (prev pt 6A hdg) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 9

Division 1—Preliminary

div hdg ins 2005 SL No. 10 s 28

Purpose of pt 7

prov hdg amd 2005 SL No. 334 s 8
s 68 (prev s 67A) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

How purpose is to be achieved

s 69 (prev s 67B) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Metered entitlement notice

s 70 (prev s 67C) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)
amd 2006 SL No. 159 s 12

Notice of no existing works

s 70A ins 2006 SL No. 159 s 13

Division 2—Meter installation

div hdg ins 2005 SL No. 10 s 28

Metering information notice

s 71 (prev s 67D) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Meter assessment notice

s 72 (prev s 67E) ins 2005 SL No. 10 s 28
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Site preparation by holder or owner

s 73 (prev s 67F) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Meter installation by holder or owner

s 74 (prev s 67G) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Division 3—Metered entitlements

div hdg ins 2005 SL No. 10 s 28

Declaration of metered entitlements

s 75 (prev s 67H) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)
amd 2006 SL No. 159 s 14; 2007 SL No. 344 s 6; 2007 SL No. 344 s 6

Metering service charge—Act, s 1014

s 76 (prev s 67I) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)
amd 2007 SL No. 90 s 11

Division 4—Miscellaneous

div hdg ins 2005 SL No. 10 s 28

Ownership of approved meters

s 77 (prev s 67J) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Meter reading by holder of metered entitlement or owner of works

s 78 (prev s 67K) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Meter reading by chief executive

s 79 (prev s 67L) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Metering exit charge—Act, s 1014

s 80 prev s 80 (orig s 75) renum 2005 SL No. 134 s 7(1)
om 2005 SL No. 334 s 14
pres s 80 (prev s 67M) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

Metering assessment charge

s 80A ins 2006 SL No. 159 s 15

Specifications issued by chief executive

s 81 (prev s 67N) ins 2005 SL No. 10 s 28
renum 2005 SL No. 334 s 12(2)

PART 8—WATER SUPPLY EMERGENCY (SEQ REGION)

pt hdg prev pt hdg ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres pt hdg ins 2006 SL No. 202 s 3

Division 1—Preliminary

div hdg ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7

Purpose of pt 8

s 82 prev s 82 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres s 82 ins 2006 SL No. 202 s 3
amd 2007 SL No. 263 s 3; 2007 SL No. 281 s 3; 2008 SL No. 219 s 3

Definitions for pt 8

- s 83** prev s 83 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres s 83 ins 2006 SL No. 202 s 3
def **“participating local government”** sub 2008 SL No. 219 s 4(1)–(2)
def **“raising of Mt Crosby Weir”** om 2008 SL No. 219 s 4(1)
def **“Traveston Crossing Dam Stage 1”** sub 2007 SL No. 42 s 5
def **“upgrade of Enoggera Water Treatment Plant”** ins 2008 SL No. 219 s 4(2)
def **“Wyaralong Dam”** sub 2007 SL No. 42 s 5

Water supply emergency to which pt 8 applies

- s 84** prev s 84 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres s 84 ins 2006 SL No. 202 s 3

Division 2—Calculating water charges

- div hdg** ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7

Part of State to which pt 8 applies

- s 85** prev s 85 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres s 85 ins 2006 SL No. 202 s 3

Service providers to which pt 8 applies

- s 86** prev s 86 ins 2005 SL No. 334 s 13
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pres s 86 ins 2006 SL No. 202 s 3

Measures to be carried out

- s 87** prev s 87 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
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Directions by service provider

- s 87A** ins 2008 SL No. 44 s 3

Outcomes to be achieved

- s 88** prev s 88 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres s 88 ins 2006 SL No. 202 s 3

Directions for giving water supply emergency response

- s 89** prev s 89 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
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Works to be carried out by coordinator-general

- s 90** prev s 90 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
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s 91 prev s 91 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
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amd 2007 SL No. 263 s 4

Offence not to comply with service provider's directions

s 92 prev s 92 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres s 92 ins 2008 SL No. 44 s 4

Confidential information

s 93 prev s 93 ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7
pres s 93 ins 2008 SL No. 44 s 4

Division 3—Miscellaneous water charges

div 3 (ss 94–96) ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7

Division 4—Rebates and concessions

div 4 (s 97–98) ins 2005 SL No. 334 s 13
om 2006 SL No. 133 s 7

PART 9—TRANSITIONAL PROVISIONS

pt hdg (prev pt 7 hdg) sub 2005 SL No. 334 s 10
renum 2005 SL No. 334 s 9

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

s 99 (prev s 68) renum 2005 SL No. 334 s 12(1)

Period for which licence has effect—Act, s 302

s 100 (prev s 69) renum 2005 SL No. 334 s 12(1)

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

prov hdg amd 2004 SL No. 102 s 17
s 101 (prev s 69A) ins 2003 SL No. 99 s 17
renum 2005 SL No. 334 s 12(1)

Declared subartesian areas—Act, s 1046

s 102 (prev s 70) amd 2005 SL No. 10 s 29
renum 2005 SL No. 334 s 12(1)
amd 2006 SL No. 263 s 10; 2008 SL No. 369 s 12

Failure impact rating—Act, ss 1067 and 1068

s 103 (prev s 71) renum 2005 SL No. 334 s 12(1)

Continuing former water areas—Act, s 1083

s 104 (prev s 72) renum 2005 SL No. 334 s 12(1)

Continuing areas as water management areas

s 105 (prev s 73) renum 2005 SL No. 334 s 12(1)

Water charges

s 106 (prev s 74) renum 2005 SL No. 334 s 12(1)

Application for approval to transfer interim water allocation

s 107 (prev s 75 (orig s 74A)) ins 2003 SL No. 99 s 18
renum 2005 SL No. 134 s 7(2); 2005 SL No. 334 s 12(1)

When changes to particular water charges have effect

s 108 (prev s 76 (orig s 74B)) ins 2004 SL No. 3 s 7
renum 2005 SL No. 134 s 7(2); 2005 SL No. 334 s 12(1)

When conditions of supply contract do not apply—Act, s 1117A(2)

s 109 (prev s 77) ins 2005 SL No. 134 s 8
renum 2005 SL No. 334 s 12(1)
amd 2008 SL No. 369 s 13

Division 6—Transitional provisions for Water Amendment Regulation (No. 1) 2005

div hdg ins 2005 SL No. 10 s 31

Water licences mentioned in s 60A

s 110 (prev s 78 (orig s 74C)) ins 2004 SL No. 10 s 31
renum 2005 SL No. 134 s 7(1); 2005 SL No. 334 s 12(1)

Effect of change to date water year ends

s 111 (prev s 79 (orig s 74D)) ins 2005 SL No. 10 s 31
renum 2005 SL No. 134 s 7(1)
amd 2005 SL No. 334 s 11
renum 2005 SL No. 334 s 12(1)

Division 7—Transitional provisions for Water and Other Legislation Amendment Regulation (No. 1) 2005

div hdg (prev div 6) renum 2005 SL No. 10 s 30
sub 2005 SL No. 334 s 14

Subdivision 1—Water charges

sdiv 1 (s 112) ins 2005 SL No. 334 s 14

Subdivision 2—Granting particular interim water allocations

sdiv 2 (ss 113–120) ins 2005 SL No. 334 s 14

Division 8—Transitional provisions for Water Amendment Regulation (No. 4) 2006

div hdg ins 2006 SL No. 133 s 8

Subdivision 1—Water charges accrued on 31 December 2005

sdiv hdg ins 2006 SL No. 133 s 8

Definitions for sdiv 1

s 121 ins 2006 SL No. 133 s 8

References to unamended regulation

s 122 ins 2006 SL No. 133 s 8

Adjustment of minimum charge

s 123 ins 2006 SL No. 133 s 8
sub 2006 SL No. 159 s 16

Adjustment of meter charges

s 124 ins 2006 SL No. 133 s 8
sub 2006 SL No. 159 s 16

Subdivision 2—Water charges under previous pt 8

sdiv hdg ins 2006 SL No. 133 s 8

Definitions for sdiv 2

prov hdg amd 2006 SL No. 159 s 17(1)

s 125 ins 2006 SL No. 133 s 8
def “**part 8 water charges**” sub 2006 SL No. 159 s 17(3)
def “**schedule 14 water meter charges**” ins 2006 SL No. 159 s 17(2)

Non-application of previous pt 8 water charges

s 126 ins 2006 SL No. 133 s 8

Other refunds of previous part 8 water charges

s 127 ins 2006 SL No. 133 s 8

Subdivision 3—Water charges from 1 July 2006

sdiv 3 (ss 128–129) ins 2006 SL No. 133 s 8

Division 9—Transitional provision for Water Amendment Regulation (No. 1) 2009

div 9 (s 130) ins 2009 SL No. 44 s 7

SCHEDULE 1—PERSONS NOMINATED FOR THE ACT, SECTION 168

amd 2005 SL No. 10 s 32; 2006 SL No. 159 s 18; 2008 SL No. 369 s 14

SCHEDULE 2—ENTITIES—ACT, SECTIONS 190, 193, 206 and 213

amd 2003 SL No. 99 s 19; 2003 SL No. 370 s 6; 2005 SL No. 10 s 33; 2005
SL No. 134 s 9; 2006 SL No. 159 s 19; 2008 SL No. 369 s 15

SCHEDULE 3—TRANSFERRING INTERIM WATER ALLOCATIONS

amd 2004 SL No. 3 s 3; 2006 SL No. 263 s 11; 2008 SL No. 369 s 16

SCHEDULE 4—SEASONAL WATER ASSIGNMENTS

amd 2003 SL No. 13 s 7; 2004 SL No. 102 s 18; 2007 SL No. 90 s 12; 2007
SL No. 344 s 7; 2008 SL No. 369 s 17; 2009 SL No. 44 s 8

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; 2004 SL
No. 102 s 19; 2005 SL No. 10 s 34; 2005 SL No. 134 s 10; 2005 SL No.
334 s 15; 2006 SL No. 29 s 3; 2006 SL No. 159 s 20; 2006 SL No. 263 s
12; 2007 SL No. 41 s 7; 2007 SL No. 90 s 13; 2008 SL No. 369 s 18

SCHEDULE 6A—EMPLOYING OFFICES FOR WATER AUTHORITIES

prev sch 6A ins 2006 SL No. 159 s 21
om 2007 SL No. 41 s 8
pres sch 6A ins 2008 SL No. 369 s 19

SCHEDULE 7—DRAINAGE RATES

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

sub 2004 SL No. 67 s 46; 2005 SL No. 103 s 41; 2006 SL No. 159 s 22; 2007 SL No. 98 s 27; 2008 SL No. 149 s 28

SCHEDULE 8—DOWNSTREAM AND UPSTREAM LIMITS

amd 2004 SL No. 102 s 20; 2005 SL No. 134 s 11; 2008 SL No. 98 s 3; 2008 SL No. 369 s 20

SCHEDULE 10—WATER SHARING RULES

amd 2004 SL No. 102 s 21; 2005 SL No. 216 s 3; 2006 SL No. 263 s 13; 2007 SL No. 344 s 8; 2008 SL No. 369 s 21

SCHEDULE 10A—SERVICE PROVIDERS

ins 2006 SL No. 202 s 4
amd 2007 SL No. 263 s 5; 2007 Act No. 58 s 117 sch 2
sub 2008 SL No. 219 s 5

SCHEDULE 10B—MEASURES

ins 2006 SL No. 202 s 4
amd 2007 SL No. 263 s 6; 2007 SL No. 281 s 4; 2008 SL No. 219 s 6

SCHEDULE 10C—OUTCOMES

ins 2006 SL No. 202 s 4
amd 2007 SL No. 263 s 7; 2008 SL No. 219 s 7

SCHEDULE 10D—WATER SUPPLY EMERGENCY RESPONSE FOR OUTCOMES

ins 2006 SL No. 202 s 4
amd 2008 SL No. 369 s 22

SCHEDULE 11—SUBARTESIAN AREAS

sub 2003 SL No. 13 s 10; 2003 SL No. 99 s 21
amd 2004 SL No. 102 s 22; 2005 SL No. 10 s 35; 2005 SL No. 334 s 16; 2006 SL No. 159 s 23; 2007 SL No. 344 s 9; 2008 SL No. 369 s 23

SCHEDULE 12—FAILURE IMPACT RATING

amd 2005 SL No. 334 s 17
sub 2008 SL No. 369 s 24

SCHEDULE 13—AUTHORITY AREAS

amd 2003 SL No. 370 s 8; 2004 SL No. 3 s 5; 2005 SL No. 10 s 36; 2005 SL No. 334 s 18; 2006 SL No. 29 s 4; 2006 SL No. 263 s 14

SCHEDULE 14—WATER CHARGES

sub 2003 SL No. 13 s 11; 2003 SL No. 99 s 22
amd 2004 SL No. 3 s 6
sub 2004 SL No. 67 s 47
amd 2005 SL No. 10 s 37
sub 2005 SL No. 103 s 42; 2005 SL No. 334 s 19; 2006 SL No. 133 s 9
amd 2006 SL No. 263 s 15
sub 2007 SL No. 98 s 28
amd 2007 SL No. 344 s 10
sub 2008 SL No. 149 s 29
amd 2008 SL No. 369 s 25

SCHEDULE 14A—PARTICULAR WATER CHARGES

orig sch 14 ins 2004 SL No. 102 s 23
om 2004 SL No. 67 s 47
prev sch 14 ins 2005 SL No. 334 s 19
om 2006 SL No. 133 s 10

SCHEDULE 15—ROYALTIES

sub 2003 SL No. 100 s 42; 2004 SL No. 67 s 47; 2005 SL No. 103 s 42; 2006
SL No. 159 s 24; 2007 SL No. 98 s 28; 2008 SL No. 149 s 30

SCHEDULE 15A—METERED ENTITLEMENTS

ins 2005 SL No. 10 s 38
amd 2005 SL No. 334 s 20
sub 2006 SL No. 159 s 24
amd 2007 SL No. 41 s 9; 2007 SL No. 90 s 14
sub 2007 SL No. 344 s 11
amd 2008 SL No. 369 s 26

SCHEDULE 16—FEES

amd 2003 SL No. 13 s 12
sub 2003 SL No. 99 s 23; 2003 SL No. 100 s 42
amd 2004 SL No. 102 s 24
sub 2004 SL No. 67 s 47
amd 2005 SL No. 10 s 39
sub 2005 SL No. 103 s 43
amd 2005 SL No. 134 s 12; 2005 SL No. 334 s 21
sub 2006 SL No. 159 s 24
amd 2006 SL No. 133 s 11; 2006 SL No. 263 s 16; 2007 SL No. 90 s 15
sub 2007 SL No. 98 s 29
amd 2007 SL No. 344 s 12
sub 2008 SL No. 149 s 31

SCHEDULE 17—DICTIONARY

def “**amalgamation**” ins 2007 SL No. 90 s 16
def “**amendment**” ins 2007 SL No. 90 s 16
def “**announced allocation**” ins 2006 SL No. 64 s 4
om 2007 SL No. 41 s 10
def “**approved meter**” ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(2)
def “**authorisation**” ins 2005 SL No. 10 s 40(2)
def “**BBWSS**” ins 2006 SL No. 64 s 4
om 2007 SL No. 41 s 10
def “**Bromelton Off-stream Storage**” ins 2006 SL No. 202 s 5
def “**category 1**” ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
def “**category 2**” ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
def “**category 3**” ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
def “**Cedar Grove Weir**” ins 2006 SL No. 202 s 5

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- def **“charging period”** ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
- def **“closing day”** ins 2009 SL No. 44 s 9
- def **“distribution channel loss”** ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
- def **“drought declared”** ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
- def **“Eastern Pipeline Inter-connector”** ins 2006 SL No. 202 s 5
- def **“GDA94”** ins 2005 SL No. 134 s 13
- def **“high priority group”** ins 2006 SL No. 64 s 4
om 2007 SL No. 41 s 10
- def **“Hinze Dam Stage 3”** ins 2006 SL No. 202 s 5
- def **“individually droughted property”** ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
- def **“inspector of stock”** ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
- def **“LGIS”** ins 2006 SL No. 202 s 5
- def **“medium priority group”** ins 2006 SL No. 64 s 4
om 2007 SL No. 41 s 10
- def **“meter”** ins 2005 SL No. 10 s 40(2)
- def **“meter assessment notice”** ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(3)
- def **“metered entitlement”** ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(4) (amdt could not be given effect); 2006 SL No. 159 s 25(2)
- def **“metered entitlement notice”** ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(5) (amdt could not be given effect); 2006 SL No. 159 s 25(3)
- def **“metering exit charge”** ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(6) (amdt could not be given effect); 2006 SL No. 159 s 25(4)
- def **“metering information notice”** ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(7) (amdt could not be given effect); 2006 SL No. 159 s 25(5)
- def **“metering service charge”** ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(8) (amdt could not be given effect); 2006 SL No. 159 s 25(6)
- def **“MOU”** ins 2006 SL No. 202 s 5
- def **“natural disaster relief arrangements”** ins 2006 SL No. 159 s 25(1)
om 2007 SL No. 41 s 10
- def **“new licence”** ins 2007 SL No. 90 s 16
- def **“non-metered authority”** ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
- def **“Northern Pipeline Inter-connector”** ins 2006 SL No. 202 s 5
- def **“original licence”** ins 2007 SL No. 90 s 16
- def **“participating local government”** ins 2006 SL No. 202 s 5
- def **“proposed transferor’s land”** om 2003 SL No. 99 s 24(1)
- def **“public notice”** ins 2009 SL No. 44 s 9

Endnotes

- def **“Queensland Bulk Water Supply Authority”** ins 2008 SL No. 219 s 8(2)
- def **“raising of Mt Crosby Weir”** ins 2006 SL No. 202 s 5
om 2008 SL No. 219 s 8(1)
- def **“Regional Water Inter-Connectors”** ins 2006 SL No. 202 s 5
- def **“re-lift water”** ins 2005 SL No. 334 s 22(1)
om 2006 SL No. 133 s 12
- def **“Report on Drought Contingency Projects”** ins 2006 SL No. 202 s 5
- def **“ROP”** ins 2006 SL No. 64 s 4
om 2007 SL No. 41 s 10
- def **“sale notice”** ins 2009 SL No. 44 s 9
- def **“settlement notice”** ins 2003 SL No. 99 s 24(2)
- def **“South East Queensland (Gold Coast) Desalination Facility”** ins 2006 SL No. 202 s 5
- def **“Southern Regional Water Pipeline”** ins 2006 SL No. 202 s 5
- def **“standard terms document”** ins 2003 SL No. 99 s 24(2)
- def **“State Development Regulation”** ins 2006 SL No. 202 s 5
- def **“stock purposes”** om 2005 SL No. 10 s 40(1)
- def **“SunWater”** sub 2004 SL No. 166 s 46(2)
- def **“supplemented water”** ins 2003 SL No. 13 s 13
- def **“transfer”** ins 2007 SL No. 90 s 16
- def **“transferee’s allocation”** om 2003 SL No. 99 s 24(1)
- def **“transfer notice”** ins 2007 SL No. 90 s 16
- def **“Traveston Crossing Dam Stage 1”** ins 2006 SL No. 202 s 5
- def **“Tropical Cyclones Larry and Monica”** ins 2006 SL No. 159 s 25(1)
om 2007 SL No. 41 s 10
- def **“upgrade of Enoggera Water Treatment Plant”** ins 2008 SL No. 219 s 8(2)
- def **“UTM”** ins 2005 SL No. 134 s 13
- def **“Water and Sewerage Program”** ins 2006 SL No. 202 s 5
- def **“water entitlement document”** om 2003 SL No. 99 s 24(1)
- def **“Water for South East Queensland document”** ins 2006 SL No. 202 s 5
- def **“Water Infrastructure Project Board”** ins 2006 SL No. 202 s 5
- def **“Western Corridor Recycled Water Scheme”** ins 2006 SL No. 202 s 5
- def **“works”** ins 2005 SL No. 10 s 40(2)
amd 2005 SL No. 334 s 22(9)
- def **“Wyaralong Dam”** ins 2006 SL No. 202 s 5