



Queensland

# Water Amendment Regulation (No. 2) 2005

## Subordinate Legislation 2005 No. 134

made under the

*Water Act 2000*

## Contents

---

		Page
1	Short title . . . . .	2
2	Commencement . . . . .	2
3	Regulation amended . . . . .	2
4	Amendment of s 3CA (Notice of works—Act, s 37) . . . . .	2
5	Amendment of s 55 (Water declared to be water in a watercourse—Act, s 1006(2)). . . . .	2
6	Amendment of s 62 (Code for self-assessable development—Act, s 1014) . . . . .	3
7	Renumbering of ss 74A–75 . . . . .	3
8	Insertion of new s 77 . . . . .	3
	77 When conditions of supply contract do not apply—Act, s 1117A(2) . . . . .	4
9	Amendment of sch 2 (Entities—Act, sections 190, 193, 206 and 213) . . . . .	4
10	Amendment of sch 6 (Water authorities) . . . . .	4
11	Amendment of sch 8 (Downstream and upstream limits). . . . .	4
12	Amendment of sch 16 (Fees). . . . .	6
13	Amendment of sch 17 (Dictionary). . . . .	7

**1 Short title**

This regulation may be cited as the *Water Amendment Regulation (No. 2) 2005*.

**2 Commencement**

- (1) Section 12 commences on 2 July 2005.
- (2) Section 4 commences on 6 July 2005.

**3 Regulation amended**

This regulation amends the *Water Regulation 2002*.

**4 Amendment of s 3CA (Notice of works—Act, s 37)**

- (1) Section 3CA, heading—  
*omit, insert—*

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

- (2) Section 3CA, after ‘AP 9970’—  
*insert—*  
‘or AP 13801’.

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

Section 55—

*insert—*

- ‘(e) water in an aquifer under the bed or banks of 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 the bed or banks of Lockyer Creek, between AMTD 41.9km and AMTD 70.9km, to a depth of 6m below the bed of the creek.’.

**6 Amendment of s 62 (Code for self-assessable development—Act, s 1014)**

- (1) Section 62, after ‘part 2’—

*insert—*

‘, table 4’.

- (2) Section 62(a) and (c), ‘9A’—

*omit, insert—*

‘1’.

- (3) Section 62(b)—

*omit, insert—*

‘(b) for item 1(b)(i)—

(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 Small Scale Storages; 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;’.

**7 Renumbering of ss 74A–75**

- (1) Sections 74C to 75—

*renumber* sections 78 to 80.

- (2) Sections 74A and 74B—

*renumber* as sections 75 and 76.

**8 Insertion of new s 77**

Part 7, division 5—

*insert—*

**‘77 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 the Murgon Shire Council under which interim water allocation 102944 held by the Council is managed, does not apply.’

**9 Amendment of sch 2 (Entities—Act, sections 190, 193, 206 and 213)**

- (1) Schedule 2, entries for Denace Pty Ltd and Axilgrow Pty Ltd—

*omit.*

- (2) Schedule 2, entries 4 to 7—

*renumber* as entries 2 to 5.

- (3) Schedule 2—

*insert—*

‘6 Nuhrunnda Park Co-operative Society Ltd ABN 28 992 741 260

7 Minmore Road Water Group Ltd ACN 108 178 936

8 Westaroy Progress Association Inc IA 15321

9 Walker Pastoral and Agency Company Pty Ltd ACN 001 099 261

10 Body Corporate for Coolibah Community Titles Scheme CMS 28706

11 Body Corporate for Acacias Community Titles Scheme CMS 30332’.

**10 Amendment of sch 6 (Water authorities)**

Schedule 6, item for Lethebrook Water Board—

*omit.*

**11 Amendment of sch 8 (Downstream and upstream limits)**

Schedule 8, part 1—

*insert—*

Blackwater Creek	Upstream face of the weir adjacent to lot 1 on RP619114 at UTM coordinates 396246E and 7299533N GDA94	AP 13367
Deepwater Creek	Upstream face of the weir adjacent to lot 6 on RP617487 at UTM coordinates 395551E and 7303495N GDA94	AP 13366
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	AP 13381
Littabella Creek	Upstream side of the natural rock bar adjacent to lot 51 on FD536 at UTM coordinates 409979E and 7269683N GDA94	AP 13379
Mullet Creek	Upstream side of the railway bridge adjacent to lot 2 on RP603970 at UTM coordinates 404799E and 7272712N GDA94	AP 13380
Sandy Creek	Upstream face of the weir remains adjacent to lot 8 on FD24 at UTM coordinates 355236E and 7327952N GDA94	AP 13370

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	AP 13368
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	AP 13371
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	AP 13370
Walsh Creek	Upstream face of the weir adjacent to lot 2 on RP851659 at UTM coordinates 404502E and 7274301N GDA94	AP 13369
Worthington Creek	Point adjacent to lot 28 on SP105082 at UTM coordinates 368328E and 7328550N GDA94	AP 13372'.

## 12 Amendment of sch 16 (Fees)

Schedule 16, item 9—

*omit, insert—*

- ‘9 Lodging in the registry a certificate about a change to a water allocation (Act, ss 148(2)(d), 129(6) and 135(1)) . 108.30’.

**13 Amendment of sch 17 (Dictionary)**

Schedule 17—

*insert—*

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

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

---

**ENDNOTES**

- 1 Made by the Governor in Council on 23 June 2005.
- 2 Notified in the gazette on 24 June 2005.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Natural Resources and Mines.