



Queensland

# Water and Other Legislation Amendment Regulation (No. 2) 2007

## Subordinate Legislation 2007 No. 344

made under the

*Water Act 2000*

*Fisheries Act 1994*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Water and Other Legislation Amendment Regulation (No. 2) 2007*.

## **Part 2 Amendment of Water Regulation 2002**

### **2 Regulation amended in pt 2**

This part amends the *Water Regulation 2002*.

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

Section 55, ‘the bed or banks of’—  
*omit.*

### **4 Insertion of new s 60A**

After section 60—  
*insert—*

#### **‘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).
- ‘(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.’.

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

Section 62(b)(ii), ‘Small Scale Storages’—

*omit, insert—*

‘Limited Capacity Works’.

**6 Amendment of s 75 (Declaration of metered entitlements)**

Section 75—

*insert—*

- ‘(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***.’.

**7 Amendment of sch 4 (Seasonal water assignments)**

Schedule 4, entry for Bundaberg groundwater management area, ‘Bundaberg’—

*omit, insert—*

‘Coastal Burnett’.

**8 Amendment of sch 10 (Water sharing rules)**

Schedule 10, entry for Bundaberg groundwater management area, ‘Bundaberg’—

*omit, insert—*

‘Coastal Burnett’.

**9 Amendment of sch 11 (Subartesian areas)**

- (1) Schedule 11, entry for Bowen subartesian area, ‘AP10055’—

*omit, insert—*

‘AP13528’.

- (2) Schedule 11, entry for Bundaberg subartesian area—

*omit.*

- (3) Schedule 11, entry for Cattle Creek subartesian area,  
‘domestic purposes’—

*omit, insert—*

‘stock or domestic purposes’.

**10 Amendment of sch 14 (Water charges)**

Schedule 14, entry for Bundaberg groundwater management  
area—

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*omit, insert—*

‘Coastal Burnett groundwater management area	30 June	<p>Minimum charge for taking groundwater under a water entitlement—\$106.80</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 Water Resource (Burnett Basin) Plan 2000 (the <i>Burnett plan</i>) or the Fairymead groundwater sub-area under the Burnett plan north of the Elliott River—</p> <p>(a) part A—\$3.10 (b) part B—\$1.03</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—\$1.51’.</p>
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**11 Replacement of sch 15A (Metered entitlements)**

Schedule 15A—

*omit, insert—*

## ‘Schedule 15A Metered entitlements

section 75

Column 1	Column 2
Part of the State	Authorisation
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
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
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
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

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Column 1	Column 2
Part of the State	Authorisation
	Water allocation 14AP13210 Water licence 56005R
The plan area of the 'Boyne River Basin Resource Operations Plan 2003'	All water licences
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
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



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<b>Column 1</b>	<b>Column 2</b>
<b>Part of the State</b>	<b>Authorisation</b>
	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
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'.

## 12 Amendment of sch 16 (Fees)

Schedule 16, item 1—

*omit, insert—*

- ‘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 . . . . . 24.75
    - (ii) for a previously approved plan, if paragraph (d) does not apply . . . . . 24.75
  - (b) approving a new plan, if paragraph (a)(i) does not apply . . . . . 183.80
  - (c) approving a previously approved plan, if paragraph (a)(ii) and (d) do not apply . . . . . 61.30
  - (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. . . . . 122.60’.

## **Part 3                      Amendment of Fisheries Regulation 1995**

### **13            Regulation amended in pt 3**

This part amends the *Fisheries Regulation 1995*.

### **14            Amendment of s 57 (Resource allocation authority)**

Section 57(1)(a), ‘table 1, item 3(b) or (c) or table 4, item 3(b) or (c)’—

*omit, insert—*

‘table 1, item 3(b), (c) or (d) or table 4, item 3(b), (c), (d) or (e)’.

### **15            Amendment of s 79 (Carrying out particular work in declared fish habit area)**

- (1) Section 79, heading, ‘habit’—

*omit, insert—*

**‘habitat’.**

(2) Section 79—

*insert—*

‘(2) Subsection (3) applies for carrying out, in a declared fish habitat area, development mentioned in both of the following—

(a) the Planning Act, schedule 8, part 2, table 1, item 3(d) or table 4, item 3(d) or (e);

(b) schedule 1, table 3 of the minor impact works code.

‘(3) A person may carry out the development in the declared fish habitat area only if the person holds a resource allocation authority authorising the person to interfere with the declared fish habitat area.’.

**16 Amendment of s 113B (Codes for building work in declared fish habitat area)**

Section 113B—

*insert—*

‘(c) the minor impact works code.’.

**17 Amendment of s 113E (Codes for operational work completely or partly within a declared fish habitat area)**

Section 113E—

*insert—*

‘(d) the minor impact works code.’.

**18 Amendment of s 113F (Codes for operational work that is the removal, destruction or damage of marine plants)**

Section 113F—

*insert—*

‘(f) the minor impact works code.’.

**19 Amendment of sch 9 (Fees relating to development under Planning Act)**

Schedule 9, part 1, item 1(b), ‘table 1, item 3(b) or (c) or table 4, item 3(b) or (c)’—

*omit, insert—*

‘table 1, item 3(b), (c) or (d) or table 4, item 3(b), (c), (d) or (e)’.

**20 Amendment of sch 17 (Definitions)**

Schedule 17, part 2—

*insert—*

‘*minor impact works code* means the code for the Planning Act made by the department, called ‘Code for self-assessable development—Minor impact works in a declared fish habitat area or involving the removal, destruction or damage of marine plants’, numbered MP06.’.

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ENDNOTES

- 1 Made by the Governor in Council on 13 December 2007.
- 2 Notified in the gazette on 14 December 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Natural Resources and Water.