



Queensland

Water and Other Legislation Amendment Regulation 2024

Subordinate Legislation 2024 No. 121

made under the

State Penalties Enforcement Act 1999

Water Act 2000

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Water and Other Legislation Amendment Regulation 2024*.

2 Commencement

This regulation commences on 22 July 2024.

Part 2 Amendment of Water Regulation 2016

3 Regulation amended

This regulation amends the *Water Regulation 2016*.

4 Replacement of pt 11 (Metering)

Part 11—

omit, insert—

Part 11 Measurement requirements for taking water

Division 1 General

103 Definitions for part

In this part—

associated document, for a compliance certificate for a measurement device, means a document that

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supports or is evidence of matters considered by a duly qualified person in inspecting the device for the purpose of giving the certificate.

Examples of associated documents—

a calibration report, a diagnostic record, a photograph

compliance certificate, for a measurement device, means a certificate, in the approved form, given by a duly qualified person stating that the device complies with the measurement standards.

duly qualified person see section 104.

faulty, in relation to a measurement device, see section 105.

faulty period, for a faulty measurement device attached to works through which water is taken under a relevant authorisation, means the period—

- (a) if section 117 applies in relation to the device—
 - (i) starting when the holder of the relevant authorisation becomes aware, or suspects, the device is faulty; and
 - (ii) ending when section 117(1)(b) has been complied with for the device; or
- (b) if section 118 applies in relation to the device—
 - (i) starting when the chief executive gives the holder of the relevant authorisation notice under section 118 stating the chief executive suspects the device is faulty; and
 - (ii) ending when section 118(2)(b) has been complied with for the device.

measurement standards means the standards made under section 217I of the Act.

104 Duly qualified persons—Act, s 217B

- (1) This section prescribes, for section 217B of the Act, definition *duly qualified person*, persons who are duly qualified persons for the measurement requirements under this part.
- (2) Each of the following persons is a ***duly qualified person*** for performing a function under this part for the measurement requirements under division 2—
 - (a) for a function relating to a closed conduit meter or a modular meter—a person who holds certification as a certified meter installer and validator issued by Irrigation Australia;
 - (b) for a function relating to a storage meter—a person who holds certification as a certified storage meter installer and validator issued by Irrigation Australia;
 - (c) for a function relating to a telemetry device—a person who holds certification as a telemetry installer and validator issued by Irrigation Australia;
 - (d) for a function relating to any measurement device—a person appointed as a duly qualified person for the device under section 121A.
- (3) However, the following persons are not a ***duly qualified person*** for performing a function under this part in relation to a measurement device attached to works through which water is taken under a relevant authorisation—
 - (a) the holder of the authorisation;
 - (b) an employee or agent of the holder of the authorisation.
- (4) Subsection (2) does not apply in relation to a

[s 4]

relevant authorisation held by—

- (a) the State, a local government or a water authority; or
- (b) the holder of a resource operations licence or distribution operations licence.

(5) In this section—

closed conduit meter means a meter used to measure or record water volume in a full flowing pipe.

Irrigation Australia means Irrigation Australia Ltd ACN 002 567 633.

modular meter means a meter that includes 2 or more sensors and is used to measure or record water volume.

storage meter means a meter used to measure the level of water held in storage.

105 When a measurement device is *faulty*—Act, s 217B

- (1) This section prescribes, for section 217B of the Act, definition *faulty*, the circumstances in which a measurement device is faulty.
- (2) A measurement device is ***faulty*** if—
 - (a) the device is not capable of measuring or recording the volume of water taken through works to which the device is attached—
 - (i) at all; or
 - (ii) within the accuracy range for the device stated in the measurement standards; or
 - (b) it is not possible to read or obtain information from the device to calculate or

- measure the volume of water taken through works to which the device is attached; or
- (c) the device is leaking water or air; or
 - (d) a fitting or other thing used to attach the device to works through which water is taken is leaking water or air;
 - (e) a seal, mark, access code or other thing attached or applied to the device by an authorised officer, a measurement contractor or a duly qualified person has been removed, damaged or otherwise tampered with; or
 - (f) the device does not, for a period of 3 or more days, transmit or otherwise report information calculated, measured, read or recorded by the device.
- (3) For this part, a measurement device attached to works through which water is taken under a relevant authorisation is taken to be faulty if—
- (a) the holder of the authorisation is aware or suspects the device is faulty as mentioned in section 117; or
 - (b) the chief executive gives a notice under section 118 in relation to the device.
- (4) Subsection (2) applies only during the faulty period for the measurement device.

Division 2 Measurement requirements for using measurement devices

Subdivision 1 Preliminary

[s 4]

106 Purpose of division

This division prescribes measurement requirements under section 217E of the Act that apply to relevant authorisations mentioned in section 107.

Note—

See section 808(3) of the Act for an offence for the holder of a relevant authorisation mentioned in section 107 taking water while contravening the measurement requirements under this division.

107 Relevant authorisations

- (1) For section 217C of the Act, the following authorisations are declared to be authorisations that are subject to the measurement requirements under this division—
 - (a) an authorisation stated in schedule 11, column 2, for an area identified in schedule 11, column 1;
 - (b) an authorisation that replaces an authorisation mentioned in paragraph (a);
 - (c) a seasonal water assignment notice for taking water given in relation to an authorisation mentioned in paragraph (a) or (b).
- (2) For subsection (1)(b), an authorisation (the ***second authorisation***) replaces another authorisation (the ***original 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;
 - (e) the original authorisation expires under section 146(1)(a) of the Act and the second authorisation is granted under that section to the holder of the original authorisation.

Subdivision 2 General requirements

108 Attaching and maintaining measurement device

- (1) The holder of a relevant authorisation must ensure a measurement device stated in schedule 11, column 3 opposite the authorisation is attached to works through which water is taken under the authorisation.

Note—

See, however, section 153 in relation to attaching particular measurement devices on or before a particular date.

- (2) The holder of the relevant authorisation must ensure the measurement device is—
 - (a) attached to the works in the way stated in the measurement standards; and
 - (b) certified by a duly qualified person as complying with the measurement standards; and

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- (c) not faulty.
- (3) Also, the holder of the relevant authorisation must ensure the measurement device is maintained in accordance with the measurement standards.
- (4) The holder does not contravene subsection (2)(c) in relation to a faulty measurement device if the holder complies with subdivision 3 during the faulty period for the device.

109 Taking water under relevant authorisation

The holder of a relevant authorisation must ensure that water taken under the authorisation is taken—

- (a) through works to which a measurement device is attached under section 108; or
- (b) if the measurement device becomes faulty—in accordance with the alternative requirements stated in subdivision 3 for the authorisation.

110 Ongoing certification requirements

- (1) This section applies in relation to a measurement device, other than a telemetry device, that is attached, under section 108, to works through which water is taken under a relevant authorisation.
- (2) The holder of the relevant authorisation must ensure the measurement device is certified by a duly qualified person as complying with the measurement standards every 5 years.
- (3) For subsection (2), if the measurement device is certified by a duly qualified person as complying with the measurement standards before the end of a 5-year period, the next 5-year period starts on the day the device is certified.

Example for subsection (3)—

A measurement device is certified as complying with the measurement standards on 1 December 2024. The 5-year period starts on that date meaning the device must be next certified on or before 1 December 2029.

However, the device becomes faulty 2 years later and is certified as complying with the measurement standards on 23 September 2026. The 5-year period starts again on 23 September 2026 meaning the device must be next certified on or before 23 September 2031.

- (4) If the holder of the relevant authorisation does not comply with subsection (2), at the end of the 5-year period mentioned in the subsection—
- (a) the previous compliance certificate for the measurement device is of no effect; and
 - (b) the measurement device is taken not to be certified by a duly qualified person as complying with the measurement standards for the purposes of section 108(2)(b).

111 Information about water taken

The holder of a relevant authorisation must give the chief executive the information about water taken under the authorisation—

- (a) stated in schedule 11A; and
- (b) at the times, and in the way, stated in schedule 11A.

Subdivision 3 Alternative requirements

112 Purpose of subdivision

This subdivision states the alternative requirements that apply if a measurement device, attached to works through which water is taken under a relevant authorisation, becomes faulty.

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113 Alternative measurement requirements

- (1) The holder of the relevant authorisation must give the chief executive information, about water taken through the works during the faulty period for the measurement device, in accordance with all the instructions, and covering all the matters, stated in the approved form.
- (2) The information must be given to the chief executive—
 - (a) within 20 business days after the end of the faulty period for the measurement device or a later time agreed to by the chief executive; and
 - (b) if required by the chief executive by notice during the faulty period—at each other time during the rectification period stated in the notice.
- (3) In this section—

rectification period, for a faulty measurement device attached to works through which water is taken under a relevant authorisation, means the period within which section 117(1)(b) or 118(2)(b) must be complied with for the device.

Subdivision 4 Contravention of particular requirements

114 Offence to contravene requirement to give particular information

- (1) The holder of a relevant authorisation who contravenes section 111 or 113 without a reasonable excuse commits an offence.

Maximum penalty—20 penalty units.
- (2) Subsection (3) applies if an act done or omission

made by the holder of a relevant authorisation constitutes both of the following—

- (a) an element of an offence against section 808(3) of the Act in relation to taking water under the authorisation;
 - (b) a contravention of section 111 or 113.
- (3) The holder may not be punished, in relation to the act or omission, for an offence against subsection (1) if the holder is punished for an offence against section 808(3) of the Act in relation to the act or omission.

Division 3 Faulty measurement devices

115 Application of division

This division prescribes, under section 217G of the Act, matters about a measurement device attached to works through which water is taken under a relevant authorisation mentioned in section 107.

116 When holder of relevant authorisation is taken to be aware or suspect measurement device is faulty

- (1) This section—
 - (a) provides for circumstances in which the holder of the relevant authorisation is taken to be aware, or suspect, that the measurement device is faulty; and
 - (b) does not limit the circumstances in which the holder may be aware of, or suspect, the matter mentioned in paragraph (a).

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- (2) The holder of the relevant authorisation is taken to be aware, or suspect, that the measurement device is faulty if the holder—
 - (a) knows, or ought reasonably to know, the device has been damaged; or
 - (b) knows, or ought reasonably to know, the device is not measuring or recording the volume of water taken through works to which the device is attached, even though water has been taken through the works; or
 - (c) for a telemetry device—knows, or ought reasonably to know, the information recorded by the device about water volume, or level of water held in storage, is not being received by the device or thing to which the information is being transferred.

117 Notifying and rectifying faults

- (1) If the holder of the relevant authorisation becomes aware, or suspects, that the measurement device is faulty, the holder must, unless the holder has a reasonable excuse—
 - (a) within 3 business days after becoming aware of, or suspecting, the fault, give the chief executive a notice complying with subsection (2) about the fault; and
 - (b) within 30 business days after becoming aware of, or suspecting, the fault or a longer period agreed to by the chief executive—
 - (i) rectify the fault and ensure a duly qualified person certifies the device as complying with the measurement standards; or
 - (ii) replace the device with another measurement device that is certified by

a duly qualified person as complying with the measurement standards; or

- (iii) if the device is found not to be faulty—ensure a duly qualified person certifies the device as complying with the measurement standards.

Maximum penalty—20 penalty units.

Note—

See also—

- (a) section 109(b) and division 2, subdivision 3 for measurement requirements about taking water while a measurement device is faulty; and
 - (b) section 808(3) of the Act for an offence for taking water while contravening the measurement requirements.
- (2) The notice under subsection (1)(a) must include the following information—
- (a) details about the device that is faulty or suspected to be faulty;
 - (b) the date the holder became aware of, or suspected, the fault;
 - (c) details about the fault or suspected fault;
 - (d) details of each other relevant authorisation held by the holder under which water is taken through the works;
 - (e) details of each other person who takes water through the works;
 - (f) if known at the time the notice is given—details of the duly qualified person who is or is to be engaged to certify the device under subsection (1)(b).

[s 4]

118 Chief executive may give notice of suspected faulty measurement device

- (1) This section applies if the chief executive suspects the measurement device is faulty.
- (2) The chief executive may give the holder of the relevant authorisation a notice stating—
 - (a) that the chief executive suspects the measurement device is faulty; and
 - (b) that the holder of the authorisation must within 30 business days after the notice is given or a longer period agreed to by the chief executive—
 - (i) rectify the fault and ensure a duly qualified person certifies the device as complying with the measurement standards; or
 - (ii) replace the device with another measurement device that is certified by a duly qualified person as complying with the measurement standards; or
 - (iii) if the device is found not to be faulty—ensure a duly qualified person certifies the device as complying with the measurement standards.
- (3) The holder of the relevant authorisation must comply with a notice given to the holder under subsection (2), unless the holder has a reasonable excuse.

Maximum penalty—20 penalty units.

Note—

See also—

- (a) section 109(b) and division 2, subdivision 3 for measurement requirements about taking water while a measurement device is faulty; and

- (b) section 808(3) of the Act for an offence for taking water while contravening the measurement requirements.

Division 4 Record keeping

119 Application of division

This division prescribes requirements about records under section 217H of the Act.

120 Requirement to keep copies of records

- (1) The holder of a relevant authorisation must keep, for the record keeping period, the following records in relation to the measurement requirements under division 2, unless the holder has a reasonable excuse—
 - (a) a record of, or about, the volume of water measured or recorded by a measurement device under the measurement requirements at the following times—
 - (i) the end of each period of 5 years mentioned in section 110;
 - (ii) each time the holder becomes aware, or suspects, the device is faulty;
 - (b) a record of each activity carried out to maintain a measurement device attached to works through which water is taken under the authorisation;

Note—

See section 108(3) for the requirement to maintain measurement devices.

- (c) a copy of the following for the measurement device mentioned in paragraph (b)—

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- (i) each compliance certificate for the device;
- (ii) each associated document given to the holder under section 121B(2)(b)(ii) for each compliance certificate mentioned in subparagraph (i).

Maximum penalty—20 penalty units.

(2) In this section—

record keeping period means—

- (a) for a record mentioned in subsection (1)(a)—12 months from when the record was made; or
- (b) for a record mentioned in subsection (1)(b) about a measurement device—from the day the record is made until the day a duly qualified person gives a new compliance certificate for the device; or
- (c) for a compliance certificate, or associated document for a compliance certificate, mentioned in subsection (1)(c)—6 years from the day the certificate is given.

121 Requirement to give copies of records

- (1) The chief executive may, by notice, require the holder of a relevant authorisation to give the chief executive a copy of a record kept under section 120 within 20 business days after the notice is given.
- (2) The holder of a relevant authorisation to whom a notice is given under subsection (1) must comply with the notice, unless the holder has a reasonable excuse.

Maximum penalty—20 penalty units.

Division 5 Duly qualified persons

Subdivision 1 Appointment of duly qualified persons

121A Appointment of duly qualified person

The chief executive may appoint an appropriately qualified person to be a duly qualified person for a measurement device.

Subdivision 2 Performance of functions

121B Inspection by duly qualified person

- (1) This section applies if a duly qualified person is engaged by the holder of a relevant authorisation to certify a measurement device attached to works through which water is taken under the authorisation as complying with the measurement standards.
- (2) The duly qualified person must, unless the person has a reasonable excuse—
 - (a) physically inspect the measurement device as soon as practicable; and
 - (b) within 10 business days after the inspection, give—
 - (i) the chief executive—
 - (A) if the device does not comply with the measurement standards—a notice stating the non-compliance particulars for the device; or
 - (B) if the device complies with the measurement standards—a

[s 4]

compliance certificate for the device; and

- (ii) the holder of the relevant authorisation a copy of a notice or compliance certificate given to the chief executive under subparagraph (i) and, if a compliance certificate is given, a copy of the associated documents for the certificate.

Maximum penalty—20 penalty units.

- (3) In this section—

non-compliance particulars, for a measurement device, means—

- (a) how the device does not comply with the measurement standards; and
- (b) if the duly qualified person believes the device could comply with the measurement standards if the device is modified—the modifications needed for the device to comply with the measurement standards; and
- (c) if the duly qualified person believes the device can not comply with the measurement standards, even with modifications—that the device can not be modified to comply with the measurement standards.

121C Chief executive may require further inspection

- (1) This section applies if the chief executive—

- (a) is given a compliance certificate under section 121B for a measurement device attached to works through which water is taken under a relevant authorisation; and

- (b) is satisfied—
 - (i) the information stated in the certificate is inaccurate, incomplete or mistaken; or
 - (ii) the person who gave the certificate was not a duly qualified person for the measurement device when the certificate was given.
- (2) The chief executive may give the holder of the relevant authorisation a notice directing the holder to engage a duly qualified person to certify the measurement device as complying with the measurement standards.
- (3) The notice must state—
 - (a) the grounds on which the notice is given; and
 - (b) that the holder of the relevant authorisation must, within 30 business days after the notice is given or a longer period agreed to by the chief executive, ensure a duly qualified person certifies the device as complying with the measurement standards.
- (4) The holder of a relevant authorisation to whom a notice is given under subsection (2) must comply with the notice, unless the holder has a reasonable excuse.

Maximum penalty—20 penalty units.
- (5) Section 121B applies to a duly qualified person engaged under this section.

Subdivision 3 Action for improper conduct

[s 4]

121D Application of subdivision

This subdivision applies if the chief executive knows or believes that a person who is a duly qualified person—

- (a) has contravened section 121B; or
- (b) has performed the work of a duly qualified person under this part incompetently; or
- (c) has engaged in fraudulent conduct in relation to the work of a duly qualified person under this part; or
- (d) has been found guilty of an offence against a provision of the Act or against a law of another State that provides for the same matter as a provision of the Act.

121E Action chief executive may take

- (1) The chief executive may—
 - (a) if the chief executive appointed the person as a duly qualified person under section 121A—cancel the appointment; or
 - (b) otherwise—give the relevant professional body a notice about the chief executive’s knowledge or belief of the matter mentioned in section 121D(a), (b), (c) or (d).
- (2) In this section—

relevant professional body, for a person who is a duly qualified person, means the entity who issued the certificate mentioned in section 104(2)(a), (b) or (c) to the person.

121F Process for cancelling appointment

- (1) Before acting under section 121E(1)(a), the chief executive must—

- (a) give the person a notice (a *show cause notice*) stating—
 - (i) that the chief executive intends to cancel the person’s appointment as a duly qualified person (the *proposed action*); and
 - (ii) the ground for the proposed action; and
 - (iii) an outline of the facts and circumstances forming the basis for the ground for the proposed action; and
 - (iv) that the person may, within 14 days after the notice is given or a longer period agreed to by the chief executive, give the chief executive a written response to the proposed action; and
 - (b) have regard to any response received under paragraph (a)(iv).
- (2) If the chief executive cancels a person’s appointment as a duly qualified person under this subdivision—
- (a) the chief executive must give the person an information notice for the decision to cancel the appointment; and
 - (b) the cancellation takes effect from the day the person is given the information notice.

5 Amendment of s 137 (Water management areas)

Section 137(2)(d), ‘water metering’—

omit, insert—

measurement requirements

6 Insertion of new pt 16, div 5

Part 16—

[s 6]

insert—

Division 5 Transitional provisions for Water and Other Legislation Amendment Regulation 2024

Subdivision 1 Preliminary

150 Definitions for division

In this division—

amendment regulation means the *Water and Other Legislation Amendment Regulation 2024*.

approved meter means an approved meter under former section 106 for which a validation certificate has been given as mentioned in former section 106(1)(c).

authorised meter validator means—

- (a) a person who is accredited by Irrigation Australia Limited ACN 002 567 633 as a certified meter validator; or
- (b) a person who is an authorised meter validator for this division under section 170.

duly qualified person see section 104.

former, for a provision of this regulation, means the provision as in force from time to time before the commencement.

measurement standards see section 103.

metered entitlement means an authority under the Act to take or interfere with water that was a metered entitlement under the Act as in force immediately before the commencement.

relevant authorisation means an authorisation that, on the commencement is a relevant authorisation mentioned in section 107.

validation inspection, for a meter, means a validation inspection under former section 112.

Subdivision 2 General arrangements

151 Approved meters

- (1) This section applies if, immediately before the commencement, an approved meter was attached to works through which water is taken, on the commencement, under a relevant authorisation.
- (2) The approved meter is taken to be—
 - (a) a measurement device attached to the works as required under section 108(2)(a); and
 - (b) certified by a duly qualified person as complying with the measurement standards.
- (3) The holder of the relevant authorisation must ensure the meter is certified by a duly qualified person as complying with the measurement standards on or before the revalidation date for the meter.
- (4) For applying section 110(2) to the meter, the first 5-year period mentioned in the section starts on the day the meter is certified as mentioned in subsection (3).
- (5) If the holder of the relevant authorisation does not comply with subsection (3), subsection (2) stops applying to the meter on the revalidation date for the meter.
- (6) This section is subject to sections 154, 155, 156 and 160 to 162.

[s 6]

Note—

Generally speaking, sections 154 and 155 deal with meters that are faulty and sections 156 and 160 to 162 deal with meters that should be, are or have been the subject of validation inspections.

(7) In this section—

revalidation date, for a meter attached to works through which water is taken under a relevant authorisation, means—

- (a) if, immediately before the commencement, the authorisation was a metered entitlement—the later of the following—
 - (i) the day that is 5 years after the last validation certificate was given for the meter under former section 112(2)(b);
 - (ii) the revalidation date for the metered entitlement under former section 111;
or
- (b) if paragraph (a) does not apply—the day that is 5 years after the last validation certificate was given for the meter under former section 112(2)(b).

152 Approved telemetry devices

- (1) This section applies if an approved telemetry device is attached to works through which water is taken under a relevant authorisation, whether before or after the commencement.
- (2) The approved telemetry device is taken to be—
 - (a) a measurement device attached to the works as required under section 108(2)(a); and
 - (b) certified by a duly qualified person as complying with the measurement standards.
- (3) In this section—

approved telemetry device means a telemetry device installed by Goanna Ag or SunWater under the Queensland Murray-Darling Basin Telemetry Project.

Goanna Ag means Discovery Ag Pty Ltd, ACN 117 305 567, trading as Goanna Ag.

Queensland Murray-Darling Basin Telemetry Project means the project implemented by the department to provide a subsidy for the installation of telemetry devices in particular locations in the Murray-Darling Basin.

Note—

Details of the Queensland Murray-Darling Basin Telemetry Project can be found on the department's website.

153 Application of measurement requirements requiring measurement device from stated day

- (1) This section applies in relation to a relevant authorisation if schedule 11 states that a particular measurement device must be attached to works through which water is taken under the authorisation from a stated day (the *compliance start day*).
- (2) The measurement requirements under part 11 apply to the holder of the relevant authorisation in relation to the measurement device from the earlier of the following—
 - (a) the day after the commencement on which the holder first complies with section 108(2) for the device;
 - (b) the compliance start day for the device.

Subdivision 3 Arrangements relating to faulty meters

154 Faulty meters

- (1) This section applies in relation to an approved meter to which section 151(2) applies that is attached to works through which water is taken under a relevant authorisation if, immediately before the commencement, former section 110A(4) applied to the works.
- (2) Section 151(2) applies to the meter only—
 - (a) if the holder of the relevant authorisation gives the chief executive the information required under former section 110A(4); and
 - (b) until the end of the expiry date applying to the meter under former section 110A.
- (3) The holder of the relevant authorisation may arrange for a validation inspection to be carried out on the meter before the expiry date.
- (4) If the holder arranges a validation inspection under subsection (3), former section 112 continues to apply in relation to the validation inspection as if the amendment regulation had not been made.

Note—

See subdivision 5 in relation to validation inspections finalised after the commencement.

155 Requirement if holder of relevant authorisation aware of faulty meter

- (1) This section applies in relation to an approved meter to which section 151(2) applies that is attached to works through which water is taken under a relevant authorisation if, immediately before the commencement—
 - (a) the holder of the authorisation was required to give, but had not given, the chief executive notice under former section

- 110A(3) stating the meter is a faulty meter;
and
- (b) the period within which the notice under former section 110A(3) was required to be given had not ended.
- (2) The meter is taken to be faulty for the purposes of section 109.
 - (3) The holder of the relevant authorisation must comply with section 117 in relation to the meter and, for that purpose—
 - (a) the holder is taken to have become aware of the fault on the day this section commences;
and
 - (b) the period within which the holder must comply with section 117(1)(a) ends on the later of the following—
 - (i) 1 business day after the day this section commences;
 - (ii) the day on or before which the holder was required to give the notice under former section 110A(3); and
 - (c) the period within which the holder must comply with section 117(1)(b) is 30 business days after the day this section commences.

Subdivision 4 Arrangements for validation inspections not started or finalised

156 Starting validation inspection on approved meter in particular circumstances

- (1) This section applies in relation to a relevant authorisation if, immediately before the

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commencement—

- (a) a validation inspection was required to be carried out on a meter attached to works through which water is taken under the authorisation because—
 - (i) the revalidation period for the authorisation under former section 111 had started in relation to the meter; or
 - (ii) the chief executive had given the holder of the authorisation a notice under former section 112A requiring the holder to arrange another validation inspection on the meter; and
 - (b) the validation inspection had not been started on the meter; and
 - (c) the validation date for the validation inspection had not passed.
- (2) The holder of the relevant authorisation may arrange for a validation inspection to be carried out on the meter before the validation date.
- (3) If the holder of the relevant authorisation arranges a validation inspection under subsection (2), former section 112 continues to apply in relation to the validation inspection as if the amendment regulation had not been made.

Note—

See subdivision 5 in relation to validation inspections finalised after the commencement.

- (4) If the holder of the relevant authorisation does not arrange a validation inspection under subsection (2), section 151(2) stops applying to the meter on the validation date.
- (5) In this section—
- validation date***, for a validation inspection mentioned in subsection (1)(a), means—

- (a) if subsection (1)(a)(i) applies—the revalidation date for the relevant authorisation applying under former section 111; or
- (b) if subsection (1)(a)(ii) applies—the expiry date applying under former section 112A.

157 Starting validation inspection if meter notice given before commencement

- (1) This section applies in relation to a relevant authorisation if, immediately before the commencement—
 - (a) the relevant authorisation was not a metered entitlement; and
 - (b) the works through which water is taken under the relevant authorisation did not have an approved meter attached; and
 - (c) the chief executive had given the holder of the authorisation a meter notice for the authorisation; and
 - (d) the validation date for the meter notice had not passed.
- (2) The holder of the relevant authorisation may arrange for a validation inspection to be carried out on the meter before the validation date.
- (3) If the holder of the relevant authorisation arranges a validation inspection under subsection (2), former section 112 continues to apply in relation to the validation inspection as if the amendment regulation had not been made.

Notes—

See subdivision 5 in relation to validation inspections finalised after the commencement.

- (4) If the holder of the relevant authorisation does not arrange a validation inspection under subsection

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(2), part 11 applies in relation to the authorisation as provided under section 153 disregarding the meter notice and the validation date for the meter notice.

(5) In this section—

meter notice, in relation to a relevant authorisation, means a notice given by the chief executive under former section 108 requiring an approved meter to be attached to works through which water is taken under the authorisation.

validation date, for a meter notice, means the date stated in the meter notice as the validation date or, if applicable, a later date stated in a notice given by the chief executive under former section 108(5) in relation to the meter notice.

158 Finalising validation inspection started before commencement

- (1) This section applies if, immediately before the commencement, an authorised meter validator—
- (a) had started or completed a validation inspection on a meter attached to works through which water is taken under a relevant authorisation; but
 - (b) had not given a notice or validation certificate under former section 112(2) in relation to the inspection.
- (2) Former section 112 continues to apply in relation to the validation inspection as if the amendment regulation had not been made.

Note—

See subdivision 5 in relation to the effect of a notice or validation certificate under former section 112(2) given after the commencement.

159 Further validation inspection may be started

- (1) This section applies if—
 - (a) a validation inspection for a meter attached to works through which water is taken under a relevant authorisation was carried out before the commencement and the following applies in relation to the inspection—
 - (i) the authorised meter validator gave a notice for the meter under former section 112(2)(a)(ii) less than 30 days before the day of the commencement;
 - (ii) immediately before the commencement, the meter was an approved meter; or
 - (b) section 154, 156, 157 or 158 applies in relation to a meter attached to works through which water is taken under a relevant authorisation and an authorised meter validator gives a notice for the meter under former section 112(2)(a)(ii), as applying under section 154, 156, 157 or 158.
- (2) The holder of the relevant authorisation may, within 30 days after the notice under former section 112(2)(a)(ii) was or is given, arrange—
 - (a) the meter to be modified; and
 - (b) a further validation inspection on the modified meter to be carried out by an authorised meter validator under former section 112.
- (3) If the holder of the relevant authorisation arranges a further validation inspection on a meter under subsection (2), former section 112 continues to apply in relation to the further validation inspection as if the amendment regulation had not

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been made.

- (4) However, the authorised meter validator may only decide whether the meter, as modified, complies or does not comply with the non-urban metering standard, and may not give a notice under former section 112(2)(a)(ii) in relation to the meter.
- (5) In this section—
non-urban metering standard see former section 105.

160 Status of particular meters if section 159 applies

- (1) This section applies in relation to a meter to which a relevant provision applies that is attached to works through which water is taken under a relevant authorisation if section 159 applies in relation to the meter.
- (2) If the holder of the relevant authorisation does not arrange a validation inspection under section 159(2), the relevant provision stops applying to the meter on the day the period mentioned in section 159(2) ends.
- (3) If the holder of the relevant authorisation arranges a validation inspection under section 159(2), until the authorised meter validator gives a notice or certificate under former section 112(2), as applying under section 159, in relation to the inspection—
 - (a) the relevant provision continues to apply to the meter; and
 - (b) the meter is taken to be faulty for the purposes of section 109.
- (4) In this section—
relevant provision means section 151(2) or 163(2).

Subdivision 5 Outcome of validation inspections

161 Effect of notice of noncompliance on approved meters

- (1) This section applies in relation to an approved meter to which section 151(2) applies if—
 - (a) a validation inspection on the meter is carried out or finalised under section 154, 156, 158 or 159; and
 - (b) an authorised meter validator gives a notice under former section 112(2)(a)(iii), as applying under section 154, 156, 158 or 159, for the meter.
- (2) Section 151(2) stops applying to the meter on the day the notice is given.

162 Effect of validation certificate on approved meters

- (1) This section applies in relation to an approved meter to which section 151(2) applies if—
 - (a) a validation inspection on the meter is carried out or finalised under section 154, 156, 158 or 159; and
 - (b) the authorised meter validator gives a validation certificate under former section 112(2)(b), as applying under section 154, 156, 158 or 159, for the meter.
- (2) Section 151(2) continues to apply to the meter except that the revalidation date for the meter for the purposes of section 151 is the day that is 5 years after the validation certificate is given.

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163 Effect of validation certificate on other meters

- (1) This section applies in relation to a meter that is not an approved meter to which section 151(2) applies if—
 - (a) the meter is attached to works through which water is taken under a relevant authorisation; and
 - (b) a validation inspection on the meter is carried out or finalised under section 157, 158 or 159; and
 - (c) the authorised meter validator gives a validation certificate under former section 112(2)(b), as applying under section 157, 158 or 159, for the meter.
- (2) The meter is taken to be—
 - (a) a measurement device attached to the works as required under section 108(2)(a); and
 - (b) certified by a duly qualified person as complying with the measurement standards.
- (3) The holder of the relevant authorisation must ensure the meter is certified by a duly qualified person as complying with the measurement standards within 5 years after the validation certificate is given.
- (4) For applying section 110(2) to the meter, the first 5-year period mentioned in the section starts on the day the meter is certified as mentioned in subsection (3).
- (5) If the holder of the relevant authorisation does not comply with subsection (3), subsection (2) stops applying to the meter 5 years after the day the validation certificate is given.

Subdivision 6 Chief executive powers

164 Chief executive may require new certification

- (1) This section applies if the chief executive—
 - (a) is given a copy of a validation certificate for a meter attached to works through which water is taken under a relevant authorisation under former section 112 as applying under a provision of this division; and
 - (b) is satisfied—
 - (i) the information stated in the certificate is inaccurate, incomplete or mistaken; or
 - (ii) the person who gave the certificate was not an authorised meter validator when the certificate was given; or
 - (iii) the person who gave the certificate was the holder of the relevant authorisation.
- (2) The chief executive may give the holder of the relevant authorisation a notice under section 121C(2) for the meter.
- (3) If a relevant provision applies to the meter when the notice under section 121C(2) is given and the holder of the relevant authorisation engages a duly qualified person to give the certification required by the notice—
 - (a) the relevant provision continues to apply to the meter—
 - (i) while the duly qualified person is performing functions for the purpose of giving the certification; and
 - (ii) if the duly qualified person gives the chief executive a notice under section 121B(2)(b)(i)(B); and
 - (b) the relevant provision stops applying to the meter if the duly qualified person gives the

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chief executive a notice under section 121B(2)(b)(i)(A).

- (4) If a relevant provision applies to the meter when the notice under section 121C(2) is given and the holder of the relevant authorisation does not comply with the notice, the relevant provision stops applying to the meter when the period within which the notice is required to be complied with ends.
- (5) In this section—
relevant provision means section 151(2) or 163(2).

165 Meter reading required by chief executive under former section 113 not yet complied with

- (1) This section applies in relation to a notice given to a person under former section 113 if, immediately before the commencement—
 - (a) the person had not complied with the notice; and
 - (b) the time for complying with the notice had not passed.
- (2) Former section 113 continues to apply in relation to the notice as if the amendment regulation had not been made.

Subdivision 7 Charges

166 Meter operating charge

- (1) This section applies in relation to a meter—

- (a) for which a meter operating charge was payable under former section 115 immediately before the commencement; and
- (b) that—
 - (i) is attached to works through which water is taken under a relevant authorisation; and
 - (ii) is the property of the State.
- (2) Former section 115 continues to apply in relation to the meter as if the amendment regulation had not been made.
- (3) For subsection (2), the meter operating charge is payable by the holder of the relevant authorisation.

167 Meter use charge

- (1) This section applies in relation to a meter—
 - (a) for which a meter use charge was payable under former section 116 immediately before the commencement; and
 - (b) that—
 - (i) is attached to works through which water is taken under a relevant authorisation; and
 - (ii) is the property of the State, or was the property of the State before ownership was transferred to the holder of the relevant authorisation.
- (2) Former section 116 continues to apply in relation to the meter as if the amendment regulation had not been made.
- (3) For subsection (2), the meter use charge is payable by the holder of the relevant authorisation.

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168 Metering exit charge

- (1) This section applies if the holder of a relevant authorisation gives the chief executive notice that the holder has decided to stop using a meter to which section 167 applies.
- (2) The chief executive must give the holder of the relevant authorisation notice of the charge (the *metering exit charge*) payable.
- (3) Former section 117(3) and (4) apply in relation to the metering exit charge, as if the notice was given under that section and the amendment regulation had not been made.

169 Unpaid charges

- (1) This section applies in relation to a charge that was payable, but was not paid, under former section 115, 116 or 117 before the commencement.
- (2) The charge continues to be payable and, if not paid, may be recovered by the State as a debt.

Subdivision 8 Miscellaneous

170 Continued appointment of authorised meter validators

A person who, immediately before the commencement, was appointed as an authorised meter validator under former section 109 continues as an authorised meter validator for this division.

7 Amendment of sch 8 (Water authorities)

- (1) Schedule 8, part 1, table, entry for Silkwood Drainage Board—

omit.

(2) Schedule 8, part 3, table—

insert—

Silkwood Drainage Board	AP4057	Silkwood Draining Group (dealing number 723270116)
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8 Replacement of sch 11 (Metered entitlements)

Schedule 11—

omit, insert—

Schedule 11 Measurement requirements—relevant authorisations and measurement devices

sections 107(1)(a) and 108(1)

Water Plan (Barron) 2023

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
the plan area	all water entitlements, other than water entitlements to take water for stock or domestic purposes only	a meter

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Water Plan (Border Rivers and Moonie) 2019

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Border Rivers Alluvium (deep) underground water sub-unit	all water allocations	a meter
Border Rivers Alluvium (shallow) underground water sub-unit	all water entitlements, other than the following— (a) water entitlements to take water for stock or domestic purposes only; (b) water entitlements to take water for public amenity or education premises purposes only; (c) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025—a meter
Border Rivers water management area	all water entitlements, other than the following— (a) water entitlements to take overland flow water only; (b) water entitlements to take water for stock or domestic purposes only; (c) water entitlements to take water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Callandoon Creek water management area	all water entitlements, other than the following— (a) water entitlements to take overland flow water only; (b) water entitlements to take water for stock or domestic purposes only; (c) water entitlements to take water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device
Lower Weir River water management area	all water allocations to take unsupplemented surface water	until 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device
Macintyre Brook water management area	all water entitlements, other than the following— (a) water entitlements to take overland flow water only; (b) water entitlements to take water for stock or domestic purposes only; (c) water entitlements to take water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device

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Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Moonie water management area	all water entitlements to take surface water, other than the following— (a) water entitlements to take overland flow water only; (b) water licences to take water for stock or domestic purposes only	until 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device
Northern Weir River water management area	all water entitlements, other than the following— (a) water entitlements to take overland flow water only; (b) water licences to take water for stock or domestic purposes only; (c) water licences to take water for public amenity or education premises purposes only; (d) water licences for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Stanthorpe water management area	1 all water allocations that were in effect on the commencement of the water plan	until 30 November 2025—a meter
	2 all water entitlements, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 December 2025—a meter and a telemetry device
underground water management area	all water entitlements, other than the following— (a) all underground water allocations Border Rivers Alluvium (deep) underground water sub-unit under the water plan; (b) water entitlements to take water for stock or domestic purposes only; (c) water entitlements to take water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2027—a meter

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Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Upper Weir River water management area	all water allocations to take unsupplemented surface water	until 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device

Water Plan (Boyne River Basin) 2013

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
the plan area	all water licences	a meter

Water Plan (Burdekin Basin) 2007

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
subcatchment area E	water licence 620909 and water licence 621164	a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
subcatchment area E	all water licences, other than the following— (a) water licence 620909 and water licence 621164; (b) water licences to take water for stock or domestic purposes only; (c) water licences to take water for public amenity or education premises purposes only; (d) water licences for which the annual volumetric limit is not more than 5ML	from 1 December 2024—a meter
subcatchment area F	all water entitlements, other than water entitlements to take water for stock or domestic purposes only	a meter
subcatchment area G	all water entitlements, other than water entitlements to take water for stock or domestic purposes only	a meter

Water Plan (Burnett Basin) 2014

Note—

The water management areas under the *Water Plan (Burnett Basin) 2014* are identified in provisions of the Burnett Basin Resource Operations Plan 2003 taken to be included in the water plan under sections 1259 and 1264 of the Act. A copy of the provisions is available on the department's website.

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Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Barambah Creek groundwater management area	all water entitlements	from 1 April 2026—a meter
Boyne and Stuart Rivers water management area	all water entitlements	a meter
Coastal Burnett groundwater management area	all water entitlements, other than the following— (a) water entitlements to take water for dewatering purposes only; (b) water entitlements to take water for agricultural dewatering purposes only; (c) water entitlements for which the annual volumetric limit is not more than 2ML	a meter
Lower Burnett and Kolan Rivers water management area	all water entitlements	from 1 April 2027—a meter
subcatchment area J	water allocation 2189/AP6975	a meter
subcatchment area R	the following water licences— (a) water licences 177472; (b) water licence 177470; (c) water licence 177450; (d) water licence 177451; (e) water licence 177464; (f) water licence 53394M; (g) water licence 60631M	from 1 April 2027—a meter
Upper Burnett and Nogo Rivers water management area	all water entitlements	from 1 April 2027—a meter

Water Plan (Calliope River Basin) 2006

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
the plan area	all water licences, other than water licences to take water for stock or domestic purposes only	a meter

Water Plan (Cape York) 2019

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Lakeland water licence zones 1 and 2	all water licences to take underground water, other than water licences to take underground water for stock or domestic purposes only	a meter
the plan area, other than Lakeland water licence zones 1 and 2	all water entitlements, other than the following— (a) water entitlements to take water for stock or domestic purposes only; (b) water licences for which the annual volumetric limit is not more than 5ML	a meter

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Water Plan (Condamine and Balonne) 2019

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Central Condamine Alluvium underground water sub-area	all water licences to take underground water, other than water licences to take underground water for stock or domestic purposes only	a meter
Condamine and Balonne Tributaries water management area, water management area zones CBT-01, CBT-02 and CBT-03	all water entitlements to take unsupplemented surface water, other than the following— (a) water entitlements to take overland flow water; (b) water entitlements to take unsupplemented surface water for stock or domestic purposes only; (c) water entitlements to take unsupplemented surface water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Condamine and Balonne Tributaries water management area, water management area zones CBT-04, CBT-05, CBT-06, CBT-07, CBT-08 and CBT-09	all water entitlements to take unsupplemented surface water, other than the following— (a) water entitlements to take overland flow water; (b) water entitlements to take unsupplemented surface water for stock or domestic purposes only; (c) water entitlements to take unsupplemented surface water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 October 2024 to 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device
Condamine and Balonne water management area, water management area zones CBU-01, CBU-02, CBU-03, CBU-04, CBU-05, CBU-06, CBU-07, CBU-08 and CBU-09	all water allocations to take unsupplemented surface water, other than water allocations to take overland flow water only	until 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device

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Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Condamine and Balonne water management area, water management area zones CBU-010, CBU-11, CBU-12, CBU-13, CBU-14, CBU-15, CBU-16, CBU-17, CBU-18, CBU-21 and CBU-22	all water entitlements to take unsupplemented surface water, other than the following— (a) water entitlements to take overland flow water only; (b) water entitlements to take unsupplemented surface water for stock or domestic purposes only; (c) water entitlements to take unsupplemented surface water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device
Cunningham Alluvium underground water sub-area	all water entitlements, other than the following— (a) water entitlements to take unsupplemented surface water for stock or domestic purposes only; (b) water entitlements to take unsupplemented surface water for public amenity or education premises purposes only; (c) water entitlements for which the annual volumetric limit is not more than 5ML	a meter
Dalrymple Creek Alluvium underground water sub-area	all water allocations to take underground water	a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Gowrie and Oakey Creek water management area, water management area zones GOU-01, GOU-02, GOU-03 and GOU-04	all water entitlements to take unsupplemented surface water, other than the following— (a) water entitlements to take overland flow water; (b) water entitlements to take unsupplemented surface water for stock or domestic purposes only	until 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device
Gowrie and Oakey Creek water management area, water management area zones GOU-05, GOU-06, GOU-07, GOU-08 and GOU-09	all water entitlements to take unsupplemented surface water, other than the following— (a) water entitlements to take overland flow water; (b) water entitlements to take water for stock or domestic purposes only; (c) water entitlements to take water for public amenity or education premises purposes only; (d) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device
Jimbour Creek Alluvium underground water sub-area	all water licences to take underground water, other than water licences to take underground water for stock or domestic purposes only	a meter
Lower Balonne water management area	all water entitlements to take unsupplemented surface water, other than water entitlements to take overland flow water only	until 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device

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Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Lower Balonne water management area	all water licences to take overland flow water only	until 30 November 2027—a meter
		from 1 December 2027—a storage meter and a telemetry device
Nobby Basalts underground water sub-area	all water entitlements, other than the following— (a) water entitlements to take unsupplemented surface water for stock or domestic purposes only; (b) water entitlements to take unsupplemented surface water for public amenity or education premises purposes only; (c) water entitlements for which the annual volumetric limit is not more than 5ML	a meter
Oakey Creek Alluvium underground water sub-area	all water allocations to take underground water	a meter
Toowoomba City Basalts underground water sub-area	all water licences to take underground water, other than water licences to take underground water for stock or domestic purposes only	a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Upper Condamine Alluvium (Tributaries) underground water unit, other than Oakey Creek Alluvium, Dalrymple Creek Alluvium, Jimbour Creek Alluvium and Cunningham Alluvium underground water sub-areas	all water entitlements to take underground water, other than the following— (a) water entitlements to take underground water for stock or domestic purposes only; (b) water entitlements to take underground water for public amenity or education premises purposes only; (c) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 October 2024—a meter
Upper Condamine Basalts underground water unit, other than Toowoomba City Basalts, Upper Hodgson Creek Basalts, Nobby Basalts underground water sub-areas	all water entitlements to take underground water, other than the following— (a) water entitlements to take unsupplemented surface water for stock or domestic purposes only; (b) water entitlements to take unsupplemented surface water for public amenity or education premises purposes only; (c) water entitlements for which the annual volumetric limit is not more than 5ML	from 1 October 2024—a meter

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Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Upper Condamine water management area, water management area zones UCU-01, UCU-02, UCU-03, UCU-04, UCU-05, UCU-06, UCU-07, UCU-08, UCU-09, UCU-10 and UCU-11	all water allocations to take unsupplemented surface water, other than the following— (a) water allocations to take overland flow water; (b) water allocations to take unsupplemented surface water for stock or domestic purposes only; (c) water allocations to take unsupplemented surface water for public amenity or education premises purposes only; (d) water allocations for which the annual volumetric limit is not more than 5ML	from 1 April 2025 to 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device
Upper Condamine water management area, water management area zones UCU-12, UCU-13, UCU-14, UCU-15 and UCU-16	all water allocations to take unsupplemented surface water, other than water allocations to take overland flow water	until 30 November 2025—a meter
		from 1 December 2025—a meter and a telemetry device
Upper Hodgson Creek Basalts underground water sub-area	all water licences to take underground water, other than water licences to take underground water for stock or domestic purposes only	a meter

Water Plan (Fitzroy Basin) 2011

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Comet water management area	all water allocations	a meter
Dawson Valley water management area	all water allocations	a meter
Don and Dee groundwater sub-area	all water licences to take underground water	a meter
Don and Dee Rivers and Alma Creek water management area	all water licences to take surface water, other than water licences to take surface water for stock or domestic purposes only	a meter
Fitzroy water management area, other than water management area zone Fitzroy B	all water allocations	a meter
Isaac Connors subcatchment area	all water licences, other than water licences to take water for stock or domestic purposes only	a meter
Lower Callide groundwater sub-area	all water entitlements	a meter
Nogoa Mackenzie water management area	all water allocations	a meter
Prospect Creek groundwater sub-area	all water licences	a meter
Theresa Retreat water management area	all water allocations	a meter
Upper Callide groundwater sub-area	all water licences	a meter

[s 8]

Water Plan (Gold Coast) 2006

Note—

The water management areas under the *Water Plan (Gold Coast) 2006* are identified in provisions of the Gold Coast Resource Operations Plan 2010 taken to be included in the water plan under sections 1259 and 1264 of the Act. A copy of the provisions is available on the department's website.

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Lower Nerang water management area	all water entitlements	a meter

Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Eastern Downs Marburg groundwater sub-area	water licence 100875	a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Gatton Esk Road Marburg groundwater sub-area	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licence 406711; (c) water licence 406717; (d) water licence 406722; (e) water licence 406725; (f) water licence 406732; (g) water licence 406735; (h) water licence 406738; (i) water licence 406751; (j) water licence 406755; (k) water licence 406761; (l) water licence 406807; (m) water licence 406867; (n) water licence 407196; (o) water licence 409175	a meter

[s 8]

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Gatton Esk Road Woogaroo groundwater sub-area	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licence 406711; (c) water licence 406717; (d) water licence 406722; (e) water licence 406725; (f) water licence 406732; (g) water licence 406735; (h) water licence 406738; (i) water licence 406751; (j) water licence 406755; (k) water licence 406761; (l) water licence 406807; (m) water licence 406867; (n) water licence 407196; (o) water licence 409175	a meter
Mulgildie North Hutton groundwater unit	all water licences	a meter
Mulgildie North Precipice groundwater sub-area	all water licences	a meter
Mulgildie South Precipice groundwater sub-area	all water licences	a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Surat Hutton groundwater sub-area	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 April 2025—a meter

Water Plan (Gulf) 2007

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Flinders River catchment area	all water entitlements	a meter
Gilbert River catchment area	all water entitlements	a meter

Water Plan (Logan Basin) 2007

Note—

The water management areas under the *Water Plan (Logan Basin) 2007* are identified in provisions of the Logan Basin Resource Operations Plan 2009 taken to be included in the water plan under sections 1259 and 1264 of the Act. A copy of the provisions is available on the department's website.

[s 8]

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Burnett Creek water management area	all water entitlements, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 December 2025—a meter
Christmas Creek water management area	all water allocations	a meter
Logan River water management area	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 December 2025—a meter
Running Creek water management area	all water allocations	a meter

Water Plan (Mary Basin) 2024

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Amamoor Creek subcatchment	<p>all water licences, other than the following—</p> <ul style="list-style-type: none"> (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML 	from 1 July 2030—a meter
Burrum River subcatchment	<p>all water licences, other than the following—</p> <ul style="list-style-type: none"> (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML 	from 1 July 2031—a meter
Cooloola Sandmass underground water management area	<p>all water licences, other than the following—</p> <ul style="list-style-type: none"> (a) water licence 190197; (b) water licence 190200 	a meter

[s 8]

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Deep Creek subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 April 2031—a meter
Glastonbury Creek subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 April 2031—a meter
Kandanga Creek subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2030—a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Lower Mary River subcatchment	all water licences, other than the following— <ul style="list-style-type: none"> (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML 	from 1 April 2031—a meter
Maroochy River subcatchment	all water licences, other than the following— <ul style="list-style-type: none"> (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML 	from 1 April 2031—a meter
Mid Mary River including Eel Creek subcatchment	all water licences, other than the following— <ul style="list-style-type: none"> (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML 	from 1 April 2031—a meter

[s 8]

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Mooloolah River subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2031—a meter
Munna Creek subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2031—a meter
Myrtle Creek subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2031—a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Noosa River and coastal streams north of the Noosa River subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2031—a meter
Obi Obi Creek subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2030—a meter
Pie and Calico Creeks subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2030—a meter

[s 8]

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Six Mile Creek subcatchment	all water licences, other than water licences to take water for stock or domestic purposes only	a meter
Tinana Creek subcatchment	all water licences, other than water licences to take water for stock or domestic purposes only	a meter
Upper Mary River subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2030—a meter
Wide Bay Creek subcatchment	all water licences, other than water licences to take water for stock or domestic purposes only	a meter
Widgee Creek subcatchment	all water licences, other than water licences to take water for stock or domestic purposes only	a meter

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Yabba Creek subcatchment	all water licences, other than the following— (a) water licences to take water for stock or domestic purposes only; (b) water licences to take water for public amenity or education premises purposes only; (c) water licences for which the annual volumetric limit is not more than 5ML	from 1 July 2030—a meter

Water Plan (Mitchell) 2007

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
the plan area	all water licences, other than water licences to take water for stock or domestic purposes only	a meter

Water Plan (Moreton) 2007

[s 8]

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Cressbrook Creek alluvial groundwater management area	all water licences, other than water licences to take water for stock or domestic purposes only	a meter
implementation area 1 for Lockyer Valley groundwater management area	all water licences, other than water licences to take water for stock or domestic purposes only	a meter

Water Plan (Pioneer Valley) 2002

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
the plan area	all water entitlements, other than water entitlements to take water for stock or domestic purposes only	a meter

Water Plan (Warrego, Paroo, Bulloo and Nebine) 2016

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Bulloo catchment area	all water entitlements to take surface water, other than the following— (a) water entitlements to take supplemented water; (b) water entitlements to take water for stock or domestic purposes only	a meter
Nebine catchment area	all water entitlements to take surface water, other than the following— (a) water entitlements to take supplemented water; (b) water entitlements to take water for stock or domestic purposes only	until 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device
Paroo catchment area	all water entitlements to take surface water, other than the following— (a) water entitlements to take supplemented water; (b) water entitlements to take water for stock or domestic purposes only	until 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device
Warrego catchment area	all water entitlements to take surface water, other than the following— (a) water entitlements to take supplemented water; (b) water entitlements to take water for stock or domestic purposes only	until 30 November 2027—a meter
		from 1 December 2027—a meter and a telemetry device

[s 8]

Water Plan (Wet Tropics) 2013

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
Mulgrave–Russell catchment area	all water entitlements, other than the following— (a) water entitlements to take water for stock or domestic purposes only; (b) water entitlements for which the annual volumetric limit is not more than 2ML	a meter

Water Resource (Whitsunday) Plan 2010

Column 1	Column 2	Column 3
Area under water plan	Relevant authorisation	Measurement device
subcatchment areas A, B, C and F	all water licences, other than the following— (a) water licences to take overland flow water; (b) water licences to take water for stock or domestic purposes only	a meter
subcatchment areas D and E	all water licences, other than the following— (a) water licences to take overland flow water; (b) water licences to take water for stock or domestic purposes only	from 1 December 2027—a meter

Other areas

Column 1	Column 2	Column 3
Area	Relevant authorisation	Measurement device
Bowen underground water area on plan CAS3065	all water licences, other than water licences to take water for stock or domestic purposes only	a meter
Burdekin underground water area on plan AP10054	all water licences, other than water licences to take water for stock or domestic purposes only	a meter

Schedule 11A Measurement requirements— information about water taken

section 111

[s 8]

Table 1—Requirements		
Column 1	Column 2	Column 3
Information to be given	When information to be given	Way information to be given
details of the following for the works through which the water is taken— (a) the works; (b) each measurement device attached to the works; (c) each other relevant authorisation held by the holder under which water is taken using the works; (d) each other person who takes water using the works	within 20 business days after each time the measurement device attached to the works is inspected under section 121B	in the approved form
details of each change to any of the following for the works through which the water is taken— (a) the works; (b) the relevant authorisations held by the holder under which water is taken using the works; (c) the persons who take water using the works	within 10 business days after the change	in the approved form
the reading from a meter, or record made by a telemetry device, attached to the works through which the water is taken at each time the meter or telemetry device is replaced	within 10 business days after the replacement	in the approved form
the reading from a meter, attached to the works through which the water is taken, of water taken in each water period stated in table 2 for the authorisation	within 10 business days after the water period ends	in the way stated in the measurement standards

Table 1—Requirements		
Column 1	Column 2	Column 3
Information to be given	When information to be given	Way information to be given
the record made by a telemetry device, attached to the works through which the water is taken, of water taken in each day	at the end of the day	in the way stated in the measurement standards

Table 2—Water periods for relevant authorisations	
Column 1	Column 2
Relevant authorisation	Water period
<p>relevant authorisation for taking water in any of the following areas—</p> <p>(a) the Border Rivers Alluvium (deep) underground water sub-unit under the <i>Water Plan (Border Rivers and Moonie) 2019</i>;</p> <p>(b) the Central Condamine Alluvium underground water sub-area under the <i>Water Plan (Condamine and Balonne) 2019</i>;</p> <p>(c) the Coastal Burnett groundwater management area under the <i>Water Plan (Burnett Basin) 2014</i>;</p> <p>(d) the Don and Dee groundwater sub-area under the <i>Water Plan (Fitzroy Basin) 2011</i></p>	<p>both of the following—</p> <p>(a) the period from 1 July of a year to 1 March of the following year;</p> <p>(b) the period from 1 July of a year to 30 June of the following year</p>
relevant authorisation for taking water in the Dawson Valley water management area under the <i>Water Plan (Fitzroy Basin) 2011</i>	the period from 1 October of a year to 30 September of the following year
relevant authorisation for taking water in the Lockyer Valley groundwater management area under the <i>Water Plan (Moreton) 2007</i>	the period from 1 May of a year to 30 April of the following year

[s 9]

Table 2—Water periods for relevant authorisations	
Column 1	Column 2
Relevant authorisation	Water period
relevant authorisation for taking water in the Bowen underground water area on plan CAS3065	both of the following— (a) the period from 1 April to 1 November of a year; (b) the period from 1 April of a year to 31 March of the following year
relevant authorisation not otherwise mentioned in this table	the period from 1 July of a year to 30 June of the following year

9 Amendment of sch 12 (Fees)

Schedule 12, items 20 and 21—

omit.

10 Amendment of sch 19 (Dictionary)

- (1) Schedule 19, definitions *approved meter*, *authorised meter validator*, *cessation date*, *cessation notice*, *faulty meter*, *meter use charge*, *non-urban metering standard*, *relevant management area*, *relevant person*, *transfer notice*, *validation certificate*, *validation inspection* and *works*—

omit.

- (2) Schedule 19—

insert—

associated document, for a compliance certificate for a measurement device, for part 11, see section 103.

compliance certificate, for a measurement device, for part 11, see section 103.

duly qualified person, for part 11, see section 104.

faulty, in relation to a measurement device, for part 11, see section 105.

faulty period, for a faulty measurement device attached to works through which water is taken under a relevant authorisation, for part 11, see section 103.

measurement standards, for part 11, see section 103.

telemetry device means an electronic device that records information received from a device that measures or records water volume or the level of water held in storage, and transfers the information to another device or thing.

transfer notice, for part 4, division 3, see section 37(2).

Part 3 **Amendment of State Penalties Enforcement Regulation 2014**

11 **Regulation amended**

This part amends the *State Penalties Enforcement Regulation 2014*.

12 **Insertion of new pt 7, div 3**

Part 7—

insert—

Division 3 Transitional provision for Water and Other Legislation Amendment Regulation 2024

[s 13]

32 Repealed infringement notice offences under Water Regulation 2016

- (1) This section applies in relation to—
 - (a) the commission of an offence before the commencement against the *Water Regulation 2016*, former section 110A(4) or (5) or 113(3); or
 - (b) the commission of an offence after the commencement against the *Water Regulation 2016*, former section 113(3) as applying under section 165 of that regulation.
- (2) Schedule 1, entry for the *Water Regulation 2016*, as in force before the commencement continues to apply in relation to the offence as if the *Water and Other Legislation Amendment Regulation 2024* had not been made.
- (3) Subsection (2) does not limit the application of the *Acts Interpretation Act 1954*, section 20.
- (4) In this section—
former, in relation to a provision of the *Water Regulation 2016*, means the provision as in force from time to time before the commencement.

13 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

Schedule 1, entry for *Water Regulation 2016*, entries for section 110A(4), section 110A(5) and section 113(3)—

omit, insert—

s 114(1)	2	10
s 117(1)	2	10
s 118(3)	2	10

Water and Other Legislation Amendment Regulation 2024
Part 3 Amendment of State Penalties Enforcement Regulation 2014

[s 13]

s 120(1)	2	10
s 121(2)	2	10
s 121B(2)	2	10
s 121C(4)	2	10

ENDNOTES

- 1 Made by the Governor in Council on 11 July 2024.
- 2 Notified on the Queensland legislation website on 12 July 2024.
- 3 The administering agency is the Department of Regional Development, Manufacturing and Water.

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