



*River Improvement Trust Act 1940*

# **River Improvement Trust Regulation 1998**

**Reprinted as in force on 19 February 2010**

**Reprint No. 2B**

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# Information about this reprint

This regulation is reprinted as at 19 February 2010. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

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

**Also see endnotes for information about—**

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

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

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

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

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# River Improvement Trust Regulation 1998

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# River Improvement Trust Regulation 1998

[as amended by all amendments that commenced on or before 19 February 2010]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *River Improvement Trust Regulation 1998*.

## Part 2 River improvement areas and trusts

### 3 Continuance in existence of certain river improvement areas and trusts

- (1) This section applies to each river improvement area mentioned in the first column of the schedule and the trust constituted for the area and mentioned in the second column of the schedule opposite the area.
- (2) The river improvement area and trust are continued in existence by this section.
- (3) The local government area or part of a local government area comprising the river improvement area is stated in the third column of the schedule opposite the river improvement area.
- (4) If the area comprising the river improvement area is stated by reference to a map, the chief executive and the trust concerned must make copies of the map available for public inspection free of charge at the office of the department at Brisbane and the office of the trust during normal business hours.

[s 3A]

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**3A Transfer of Douglas Shire River Improvement Trust assets and liabilities to Cairns River Improvement Trust**

- (1) This section applies to the assets and liabilities that, immediately before the commencement of this section, were assets and liabilities of the Douglas Shire River Improvement Trust.
- (2) On the commencement of this section, the assets and liabilities become the assets and liabilities of the Cairns River Improvement Trust.

**3B Changes to Boonah Shire River Improvement Area and Boonah Shire River Improvement Trust**

- (1) The Boonah Shire River Improvement Area is changed by adding the local government area of the Scenic Rim Regional Council, other than the part of the area that was, immediately before 15 March 2008, the local government area of the Boonah Shire Council.
- (2) The name of the Boonah Shire River Improvement Area is changed to the Scenic Rim Rivers Improvement Area.
- (3) The name of the trust constituted for the Boonah Shire River Improvement Area is changed to the Scenic Rim Rivers Improvement Trust.
- (4) From the commencement of this section—
  - (a) a reference in an Act or document to the Boonah Shire River Improvement Area is a reference to the Scenic Rim Rivers Improvement Area; and
  - (b) a reference in an Act or document to the Boonah Shire River Improvement Trust is a reference to the Scenic Rim Rivers Improvement Trust.

**4 Area comprised in Burdekin Shire Rivers Improvement Area**

The Burdekin Shire Rivers Improvement Area comprises the local government area of the Burdekin Shire Council.

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## **Part 3                      Administrative matters about trusts**

### **5                      Ordinary meetings**

A trust must meet as often as it considers necessary for the conduct of its business.

### **6                      Special meetings**

- (1) The chairperson of a trust may call a special meeting of the trust at any time.
- (2) The chairperson must call a special meeting if asked in writing to do so by at least 2 trust members.

### **7                      Notice of meetings**

- (1) The secretary of a trust must deliver to each trust member written notice of each meeting.
- (2) The notice must be delivered at least 3 whole business days before the meeting.
- (3) However the chairperson of the trust may direct the secretary to give shorter notice of a special meeting if the chairperson considers it necessary to do so having regard to the object of the meeting.

### **8                      Minutes**

- (1) A trust must keep minutes of its meetings.
- (2) The minutes must include the names of the trust members present at each meeting.
- (3) The minutes of a meeting must be signed by the chairperson of the trust at the next meeting.

[s 9]

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**9 Copy of minutes to be given to chief executive**

The secretary of a trust must give a copy of the minutes of a meeting of the trust to the chief executive within 2 weeks of the meeting.

**10 Payments to members**

- (1) Members of a trust are entitled to be paid the fees and allowances that may be decided by resolution of the trust.
- (2) The amounts of the fees and allowances must not be more than the amounts decided for the purpose by the Governor in Council and advised to the trust.

**11 Allowance for secretary**

A trust may pay the secretary of the trust the reasonable allowance decided by the trust having regard to the secretary's duties under the Act.

## **Part 4 Miscellaneous**

**12 Improvement notices**

- (1) Each improvement notice issued under section 11 of the Act by a trust must be numbered by the trust using a system that gives each notice a unique number.
- (2) Failure to comply with subsection (1) does not affect the validity of the notice.

**13 Register of improvement notices**

- (1) The trust must keep a register of improvement notices issued by it under section 11 of the Act.
- (2) The register must include a copy of each notice.

- (3) To the extent the following are not stated in the copy of the notice, the register must include the following for each notice—
  - (a) the name and address of the person to whom the notice is issued;
  - (b) the date of the notice;
  - (c) a description of the land to which the notice relates.
- (4) The trust must make the register available for public inspection free of charge at the trust's office during normal business hours.

#### **14 Annual budget—Act s 13**

For section 13(6) of the Act the prescribed date is 31 August in each year.

## **Schedule River improvement areas and trusts continued in existence**

section 3

<b>River improvement area</b>	<b>Trust</b>	<b>Local government area or part comprising river improvement area</b>
Cairns River Improvement Area	Cairns River Improvement Trust	the local government area of the Cairns Regional Council
Cardwell Shire River Improvement Area	Cardwell Shire River Improvement Trust	part of the local government area of the Cassowary Coast Regional Council as described on plan AP19392 held in the department
Clifton Shire River Improvement Area	Clifton Shire River Improvement Trust	part of the local government area of the Toowoomba Regional Council as described on plan AP19393 held in the department
Don River Improvement Area	Don River Improvement Trust	part of the local government area of the Whitsunday Regional Council as described on plan AP19394 held in the department
Herbert River Improvement Area	Herbert River Improvement Trust	the local government area of the Hinchinbrook Shire Council

<b>River improvement area</b>	<b>Trust</b>	<b>Local government area or part comprising river improvement area</b>
Ipswich Rivers Improvement Area	Ipswich Rivers Improvement Trust	the local government area of the Ipswich City Council
Johnstone Shire River Improvement Area	Johnstone Shire River Improvement Trust	part of the local government area of the Cassowary Coast Regional Council as described on plan AP19396 held in the department
Jondaryan Shire River Improvement Area	Jondaryan Shire River Improvement Trust	part of the local government area of the Toowoomba Regional Council as described on plan AP19397 held in the department
Pioneer River Improvement Area	Pioneer River Improvement Trust	part of the local government area of the Mackay Regional Council as described on plan AP19398 held in the department
Scenic Rim Rivers Improvement Area	Scenic Rim Rivers Improvement Trust	the local government area of the Scenic Rim Regional Council
Stanthorpe Shire River Improvement Area	Stanthorpe Shire River Improvement Trust	part of the local government area of the Southern Downs Regional Council as described on plan AP19399 held in the department

Schedule

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<b>River improvement area</b>	<b>Trust</b>	<b>Local government area or part comprising river improvement area</b>
Wambo Shire River Improvement Area	Wambo Shire River Improvement Trust	part of the local government area of the Western Downs Regional Council as described on plan AP19400 held in the department
Warwick Shire River Improvement Area	Warwick Shire River Improvement Trust	part of the local government area of the Southern Downs Regional Council as described on plan AP19401 held in the department
Whitsunday Rivers Improvement Area	Whitsunday Rivers Improvement Trust	part of the local government area of the Whitsunday Regional Council as described on plan AP19402 held in the department

# Endnotes

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## 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 19 February 2010. Future amendments of the River Improvement Trust Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

## 3 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

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

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

Reprint No.	Amendments to	Effective	Reprint date
1	none	26 June 1998	2 July 1998
1A	1999 SL No. 228	8 October 1999	11 October 1999

  

Reprint No.	Amendments included	Effective	Notes
1B	2007 SL No. 90	18 May 2007	
1C	—	20 May 2007	provs exp 19 May 2007
1D	2008 SL No. 63	15 March 2008	R1D withdrawn, see R2
2	—	15 March 2008	
2A	2008 SL No. 369	7 November 2008	
2B	2010 SL No. 13	19 February 2010	

## 5 List of legislation

### **River Improvement Trust Regulation 1998 SL No. 190**

made by the Governor in Council on 23 June 1998

notfd gaz 26 June 1998 pp 1036–7

commenced on date of notification

exp 31 August 2010 (see SIA s 56A(2) and SIR s 5 sch 3)

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

amending legislation—

### **Natural Resources Legislation Amendment Regulation (No. 2) 1999 SL No. 228 pts 1–2**

notfd gaz 8 October 1999 pp 559–60

commenced on date of notification

### **Water and Other Legislation Amendment Regulation (No. 1) 2007 SL No. 90 s 1, pt 2**

notfd gaz 18 May 2007 pp 345–8

commenced on date of notification

### **River Improvement Trust Amendment Regulation (No. 1) 2008 SL No. 63**

notfd gaz 14 March 2008 pp 1469–72

ss 1–2 commenced on date of notification

remaining provisions commenced 15 March 2008 (see s 2)

**Water and Other Legislation Amendment Regulation (No. 2) 2008 SL No. 369 pts 1, 4**  
notfd gaz 7 November 2008 pp 1319–21  
commenced on date of notification

**Environment and Resource Management and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 13 pts 1, 11**  
notfd gaz 19 February 2010 pp 407–9  
commenced on date of notification

## 6 List of annotations

**Change of name of certain river improvement areas and trusts**  
s 2 om 1999 SL No. 228 s 3

**Transfer of Douglas Shire River Improvement Trust assets and liabilities to Cairns River Improvement Trust**  
s 3A ins 2008 SL No. 63 s 4

**Changes to Boonah Shire River Improvement Area and Boonah Shire River Improvement Trust**  
s 3B ins 2008 SL No. 369 s 31

### **PART 5—TRANSFER OF ASSETS AND LIABILITIES OF MILLMERRAN SHIRE RIVER IMPROVEMENT TRUST**

**pt hdg** orig pt hdg sub 1999 SL No. 228 s 4  
exp 9 October 1999 (see s 16)  
prev pt hdg ins 2007 SL No. 90 s 4  
exp 19 May 2007 (see s 16)

**Transfer—Act, s 3(5)(c)**  
s 15 orig s 15 sub 1999 SL No. 228 s 4  
exp 9 October 1999 (see s 16)  
prev s 15 ins 2007 SL No. 90 s 4  
exp 19 May 2007 (see s 16)

**Expiry**  
s 16 orig s 16 ins 1999 SL No. 228 s 4  
exp 9 October 1999 (see s 16)  
prev s 16 ins 2007 SL No. 90 s 4  
exp 19 May 2007 (see s 16)

**SCHEDULE—RIVER IMPROVEMENT AREAS AND TRUSTS CONTINUED IN  
EXISTENCE**

amd 1999 SL No. 228 s 5; 2007 SL No. 90 s 5  
sub 2008 SL No. 63 s 5  
amd 2008 SL No. 369 s 32; 2010 SL No. 13 s 22

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