



Queensland

Water (Cape York) Amendment Regulation 2019

Subordinate Legislation 2019 No. 91

made under the

Water Act 2000

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[s 1]

1 Short title

This regulation may be cited as the *Water (Cape York) Amendment Regulation 2019*.

2 Regulation amended

This regulation amends the *Water Regulation 2016*.

3 Amendment of s 139 (Declared underground water areas—Act, s 1046)

- (1) Section 139(5)(a), ‘, the Cook underground water area and the Duck Farm underground water area’—

omit.

- (2) Section 139(5)(b)(i), ‘bore:’—

omit, insert—

bore;

- (3) Section 139(6), ‘, the Cook underground water area or the Duck Farm underground water area’—

omit.

4 Amendment of sch 4 (Prescribed entities)

Schedule 4—

insert—

40 an eligible person under the *Water Plan (Cape York) 2019*, section 32(6)

5 Amendment of sch 6 (Seasonal water assignments)

Schedule 6, entry for Lakeland groundwater management area—

omit.

6 Amendment of sch 9 (Assessable development or accepted development)

(1) Schedule 9, part 1—

insert—

*Water Plan (Cape York)
2019 plan area*

Works for stock or domestic purposes

Works to take overland flow water with a capacity of not more than 50ML situated in a catchment, other than the Normanby catchment, mentioned in schedule 2 of that plan

Works constructed to satisfy the requirements of—

(a) an environmental authority; or

(b) a development permit for carrying out an environmentally relevant activity

Repair or maintenance of any of the following works if the repair or maintenance does not alter the design of the works—

(a) existing works mentioned in section 28(c) and (d) of that plan;

(b) works constructed for the taking of, or interfering with, water under section 97 of the Act;

(c) works constructed under a development permit

(2) Schedule 9, part 2—

insert—

*Water Plan (Cape York)
2019 plan area*

An exempt bore

A water bore that is constructed—

(a) more than 200m from a watercourse, lake or spring; and

(b) more than 200m from a boundary of a parcel of land; and

(c) more than 400m from another water bore.

A water bore that is constructed more than 200m from a watercourse, lake or spring if—

- (a) the water bore is located within 200m of a boundary of a parcel of land (the ***neighbouring land***), other than the land on which the bore is being constructed, and the person constructing the bore—
 - (i) is the owner of the neighbouring land; or
 - (ii) has the written consent of the owner of the neighbouring land; or
- (b) the water bore (the ***new water bore***) is located within 400m of another water bore and the person constructing the new water bore—
 - (i) is the owner of the land on which the other water bore is situated; or
 - (ii) has the written consent of the owner of the land on which the other water bore is situated.

7 Amendment of sch 11 (Metered entitlements)

Schedule 11, entry for Lakeland groundwater management area, column 1—

omit, insert—

Lakeland water licence zones 1 and 2 of the Cook underground water management area under the *Water Plan (Cape York) 2019*

8 Amendment of sch 17 (Underground water areas)

- (1) Schedule 17, part 1, entries for the Cape York underground water area on plan WM3084, Cook underground water area on plan CAS3056 and Duck Farm underground water area on plan CAS3056—

omit.

- (2) Schedule 17, part 2, entries for the Cape York underground water area, Cook underground water area and Duck Farm underground water area—

omit.

ENDNOTES

- 1 Made by the Governor in Council on 6 June 2019.
- 2 Notified on the Queensland legislation website on 7 June 2019.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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