

Queensland



# **WATER INFRASTRUCTURE DEVELOPMENT (BURNETT BASIN) ACT 2001**

**Reprinted as in force on 2 January 2002  
(includes amendments up to Act No. 101 of 2001)**

**Reprint No. 1A**

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED  
LAST REPRINT BEFORE REPEAL  
See 2001 Act No. 32 s 11

# Information about this reprint

This Act is reprinted as at 2 January 2002. 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.

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

**Also see endnotes for information about—**

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

Queensland



**WATER INFRASTRUCTURE  
DEVELOPMENT (BURNETT BASIN)  
ACT 2001**

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**WATER INFRASTRUCTURE DEVELOPMENT  
(BURNETT BASIN) ACT 2001**

[as amended by all amendments that commenced on or before 2 January 2002]

**An Act to facilitate investigations into the feasibility of developing  
water infrastructure in the Burnett Basin, and for other purposes**

**PART 1—PRELIMINARY**

**1 Short title**

This Act may be cited as the *Water Infrastructure Development (Burnett Basin) Act 2001*.

**2 Definitions**

The dictionary in the schedule defines particular words used in this Act.

**3 Act binds all persons**

This Act binds all persons, including the State, and, in so far as the legislative power of the State permits, the Commonwealth and the other States.

## **PART 2—THE PROJECT, PRINCIPAL COMPONENT AND EIS**

### **4 Meaning of “the project”**

“The project” is the investigation into the feasibility of carrying out the following works—

- (a) the principal component;
- (b) upgrading the existing Jones weir;
- (c) new weirs at Barlil and Eidsvold.

### **5 Meaning of “principal component”**

The “principal component” is significant new and upgraded water storage and distribution infrastructure for cane irrigation in the Burnett Basin.

### **6 Principal component a significant project**

The principal component is a significant project under the *State Development and Public Works Organisation Act 1971*, section 29B.

### **7 Proponent must prepare an EIS for the principal component**

The proponent is, for the principal component, the proponent required to prepare an EIS under the *State Development and Public Works Organisation Act 1971*.

### **8 Terms of reference for the EIS**

(1) The aspects of the B2K terms of reference that deal with the principal component are—

- (a) the terms of reference for the EIS to be prepared by the proponent under the *State Development and Public Works Organisation Act 1971* for the principal component; and
- (b) taken to no longer be part of the B2K terms of reference.

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(2) The *State Development and Public Works Organisation Act 1971*, sections 29E and 29F—

- (a) were complied with in preparing the B2K terms of reference; and
- (b) do not apply for the principal component.

### **PART 3—ACCESS FOR INVESTIGATIONS**

#### **9 Application of pt 3**

This part applies only to an application by the proponent under the *State Development and Public Works Organisation Act 1971*, section 91C, in relation to the project.

#### **10 Relationship with State Development and Public Works Organisation Act 1971**

(1) Entry to land by the proponent for investigations in relation to the application is taken to be entry under the *State Development and Public Works Organisation Act 1971*, part 6, division 6.

(2) The *State Development and Public Works Organisation Act 1971*, section 91C(1) and (3), and any guidelines relating to the subsections, do not apply to the application.<sup>1</sup>

### **PART 3A—AMENDMENT OF WATER RESOURCE (BURNETT BASIN) PLAN 2000**

#### **10A Plan amended in pt 3A**

(1) This part amends the *Water Resource (Burnett Basin) Plan 2000*.

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<sup>1</sup> For guidelines, see the *State Development and Public Works Organisation Act 1971*, section 174.

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(2) This part has effect despite the *Water Act 2000*, chapter 2, part 3, division 2.<sup>2</sup>

**10B Amendment of s 11 (Burnett River basin and Burnett River)**

Section 11(2), ‘maintain’—

*omit, insert—*

‘provide for’.

**10C Amendment of sch 5 (Environmental flow objectives)**

(1) Schedule 5, part 2, section 1, table 6—

*omit, insert—*

**TABLE 6**

Column 1 Node	Column 2 APFD	Column 3 Mean annual flow %	Column 4 1.5 year ARI %	Column 5 5 year ARI %	Column 6 20 year ARI %
1	2.2	72	52	71	82
2	2.1	81	74	71	82
3	2.0	81	71	71	82
4	2.0	79	74	71	82
5	2.7	62	51	62	71
6	2.9	69	37	52	63
7	2.0	81	69	71	82
8	0.1	99	99	100	100
9	2.3	81	66	71	82
10	2.3	75	66	56	80
11	2.0	76	72	70	58
12	2.1	78	67	69	66

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<sup>2</sup> *Water Act 2000*, chapter 2 (Allocation and sustainable management), part 3 (Water planning), division 2 (Water resource plans)

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Column 1 Node	Column 2 APFD	Column 3 Mean annual flow %	Column 4 1.5 year ARI %	Column 5 5 year ARI %	Column 6 20 year ARI %
13	1.1	85	74	100	100
14	1.0	87	85	100	100
15	0.4	96	95	100	100
16	0.1	99	99	100	100
17	0.2	98	99	100	100
18	0.1	99	99	100	100
19	2.0	81	74	71	82.

(2) Schedule 5, part 2, section 3(a)—

*omit, insert—*

(a) node 1—79%;

### 10D Expiry of pt 3A

This part expires 6 months after it commences.

## **PART 3B—TRANSITIONAL PROVISIONS FOR WATER INFRASTRUCTURE DEVELOPMENT (BURNETT BASIN) AMENDMENT ACT 2001**

### 10E Further amendment or repeal of plan

The amendment of the *Water Resource (Burnett Basin) Plan 2000* by the *Water Infrastructure Development (Burnett Basin) Amendment Act 2001* does not affect the power, under the *Water Act 2000*, to further amend the plan or to repeal it.

### 10F Expiry of pt 3B

(1) This part expires 6 months after it commences.

*Water Infrastructure Development (Burnett Basin)  
Act 2001*

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(2) This part is a law to which the *Acts Interpretation Act 1954*, section 20A, applies.

## **PART 4—GENERAL PROVISIONS**

### **11 Expiry**

This Act expires on 31 December 2004.

## **SCHEDULE**

### **DICTIONARY**

section 2

**“B2K terms of reference”** means the terms of reference for an EIS for the Bundaberg 2000+ Project finalised by the Coordinator-General in May 2000 and publicly released in June 2000.<sup>3</sup>

**“EIS”** means an environmental impact statement.

**“principal component”** see section 5.

**“proponent”** means a company—

- (a) all the shares in which are wholly owned by the State; and
- (b) registered under the Corporations Law.

**“the project”** see section 4.

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<sup>3</sup> Copies of the B2K terms of reference are available from the department at Level 3, Executive Building, 100 George Street, Brisbane or on the internet at [www.sd.qld.gov.au/invest/majorprojects/projectinfo/ias/bundaberg/tor\\_bundaberg.pdf](http://www.sd.qld.gov.au/invest/majorprojects/projectinfo/ias/bundaberg/tor_bundaberg.pdf)

## 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 2 January 2002. Future amendments of the Water Infrastructure Development (Burnett Basin) Act 2001 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	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	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 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	6 July 2001

## 5 List of legislation

### **Water Infrastructure Development (Burnett Basin) Act 2001 No. 32**

date of assent 7 June 2001  
 commenced on date of assent  
exp 31 December 2004 (see s 11)

as amended by—

### **Water Infrastructure Development (Burnett Basin) Amendment Act 2001 No. 101**

date of assent 19 December 2001  
 commenced on date of assent

## 6 List of annotations

**Title** amd 2001 No. 101 s 3

### **PART 3A—AMENDMENT OF WATER RESOURCE (BURNETT BASIN) PLAN 2000**

**pt 3A** (ss 10A-10D) ins 2001 No. 101 s 4  
exp 19 June 2002

### **PART 3B—TRANSITIONAL PROVISIONS FOR WATER INFRASTRUCTURE DEVELOPMENT (BURNETT BASIN) AMENDMENT ACT 2001**

**pt 3B** (ss 10E-10F) ins 2001 No. 101 s 4  
exp 19 June 2002