

WATER LICENCE
Water Act 2000



Reference	36603R	Expiry Date	31/07/2022
Licensee	TOOWOOMBA REGIONAL COUNCIL		
Authorised Activity	The taking of underground water from Oakey Creek Alluvium with the point of take under Lot 7 on RP36475, Lot 6 on AG4200, Lot 5 on AG4200, Lot 73 on O1524, Lot 4 on RP88219, Lot 2 on RP88218, Lot 1 on RP36473, Lot 1 on RP867778, Lot 1 on RP192591, Lot 1 on RP40345, Lot 1 on RP196104 and Easement B CP851106.		
Authorised Purpose	Urban		
Nominal Entitlement	750 Megalitres		

This water licence is subject to the conditions endorsed hereon or attached hereto.

Under the *Sustainable Planning Act 2009* a development permit may be required for operational works to take or interfere with the water described in this licence. The licensee must ensure that the relevant development approvals have been obtained prior to installing or constructing new or additional operational works.

Given at Toowoomba this THIRTIETH day of JULY 2012.

sch4p4(6) Personal information

Daniel Hunt
Acting Director-General
Department of Natural Resources and Mines

Water Licence: 36603R
Expiry Date: 31/07/2022



Conditions: Schedule A

1.15

The water year is the period from 1st July to 30th June.

4.39

Water must not be taken under this authorisation unless a measuring device of a type approved by the chief executive to measure the volume of water taken is installed.

RTI DL RELEASE - DNRM

Water Licence: 36603R
Expiry Date: 31/07/2022



Conditions: Schedule B

SPEC01

This Water Licence is subject to the Water Sharing and Seasonal Water Assignment Rules prescribed under regulation for the Oakey Creek Groundwater Management Area.

RTI DL RELEASE - DNRM

Water Authorisation Details 36603R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled in the Water Entitlements Registration Database (WERD) on 19 July 2002 10:41AM



Page 1 of 3

Licence	36603R	Current Status	Issued
Licensee	JONDARYAN SHIRE COUNCIL	Expiry Date	30/06/2007
Date of Original Issue	15/04/1971	Authorisation Type	Bore Licence

Description of Works

Takes underground water by the construction and use of a subartesian bore
 Licensed Depth 36.6 metres
 Local Bore Name OAKEY TWS BORE NO 3
 Drilled Date 21/04/1971
 Location of Works Easement B CP851106

Purpose of Works Town Water Supply

Nominal Allocation 750 megalitres (Granted)
 (Refer to the "In-Conjunction Term" in the attached Schedule A)

Land Supplied Town of OAKEY and Town of JONDARYAN

Last Issued at TOOWOOMBA **on the** FOURTH **day of** SEPTEMBER 1997

Authorisation Details 36603R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:41AM

Page 2 of 3



Licence Terms Schedule A

- 3-2.010A** The chief executive or any person authorised by him shall have full and free access to the bore at all reasonable times for the purpose of carrying out any inspection or test of the bore and its fittings or of reading or repairing any water meter installed.
- 3-2.020A** The licensee shall carry out any work or make any alteration deemed necessary by the Chief Executive for the protection or proper maintenance of the bore.
- 3-2.030A** The licensee or his personal representative or his successor in interest shall notify the Chief Executive immediately of any change or divestment of interest in the land whereon the bore is constructed or proposed to be constructed.
- 3-2.200A** The licensee, after installing the bore, shall to the satisfaction of the Chief Executive beneficially use the water which is entitled to be withdrawn under this licence.
- 3-4.0102** The real property associated with this bore shall be The townships of Oakey & Jondaryan. .
- 3-4.011A** Water from this bore may only be used within the boundaries of the real property associated with it unless otherwise approved by the chief executive.
- 3-4.020** A water year shall be from 1st July to 30th June.
- 3-4.031** The aggregate nominal allocation of this and all other bores supplying the same associated real property shall be 750 megalitres per water year.
- 3-4.054** The announced allocation (the proportion of the aggregate nominal allocation which may be used in any water year) of this and other waterworks supplying the same associated real property shall be as approved by the chief executive.
- 3-4.100** Should the real property associated with this bore be sold in part or in whole, the allocation shall be redistributed, reduced or revoked in a manner determined by the chief executive.
- 3-4.130** The volume of water withdrawn in any water year shall not exceed the allocation.
- 3-5.018** The meter/s shall be installed to the satisfaction of the chief executive.

Authorisation Details 36603R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:41AM

Page 3 of 3



Licence Terms Schedule A (continued)

- 3-5.020 The water meter shall be maintained at the expense of the licensee..
- 3-5.022 The licensee shall ensure that the meter is not removed for any reason without the written approval of the chief executive and the licensee shall ensure that no action is taken which results in the meter failing to correctly measure the volume of water withdrawn by means of the licensed work.
- 3-5.030 The chief executive may calculate the volume of water withdrawn by any means that he deems appropriate.
- 3-5.040 The licensee shall maintain the bore in a sand free condition.
- 3-5.071 The licensee shall forward to the chief executive on request details of water use from the bore.
- 5-5.011R If equipped, this bore must be fitted with a water meter supplied by the licensee to the satisfaction of the Chief Executive.
- 5-6.005R This bore shall be operated in accordance with the requirements of the management guidelines for the Oakey Creek Groundwater Management Area.

End of Schedule A

Water Authorisation Details 52998R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled in the Water Entitlements Registration Database (WERD) on 19 July 2002 10:45AM



Page 1 of 3

Licence	52998R	Current Status	Issued
Licensee	JONDARYAN SHIRE COUNCIL	Expiry Date	30/06/2007
Date of Original Issue	20/01/1978	Authorisation Type	Bore Licence

Description of Works

Takes underground water by the construction and use of a subartesian bore
 Licensed Depth 33.5 metres
 Local Bore Name OAKLEY TWS BORE NO 1
 Drilled Date 07/10/1950
 Location of Works 2/RP88218

Purpose of Works Town Water Supply

Nominal Allocation 0 megalitres
 (Refer to the "In-Conjunction Term" in the attached Schedule A)

Land Supplied Town of OAKLEY and Town of JONDARYAN

Last Issued at TOOWOOMBA **on the** FOURTH **day of** SEPTEMBER 1997

Authorisation Details 52998R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:45AM

Page 2 of 3



Licence Terms Schedule A

- 3-2.010A The chief executive or any person authorised by him shall have full and free access to the bore at all reasonable times for the purpose of carrying out any inspection or test of the bore and its fittings or of reading or repairing any water meter installed.
- 3-2.020A The licensee shall carry out any work or make any alteration deemed necessary by the Chief Executive for the protection or proper maintenance of the bore.
- 3-2.030A The licensee or his personal representative or his successor in interest shall notify the Chief Executive immediately of any change or divestment of interest in the land whereon the bore is constructed or proposed to be constructed.
- 3-2.200A The licensee, after installing the bore, shall to the satisfaction of the Chief Executive beneficially use the water which is entitled to be withdrawn under this licence.
- 3-4.0102 The real property associated with this bore shall be the towns of Oakey & Jondaryan. .
- 3-4.011A Water from this bore may only be used within the boundaries of the real property associated with it unless otherwise approved by the chief executive.
- 3-4.020 A water year shall be from 1st July to 30th June.
- 3-4.031 The aggregate nominal allocation of this and all other bores supplying the same associated real property shall be 750 megalitres per water year.
- 3-4.054 The announced allocation (the proportion of the aggregate nominal allocation which may be used in any water year) of this and other waterworks supplying the same associated real property shall be as approved by the chief executive.
- 3-4.100 Should the real property associated with this bore be sold in part or in whole, the allocation shall be redistributed, reduced or revoked in a manner determined by the chief executive.
- 3-4.130 The volume of water withdrawn in any water year shall not exceed the allocation.
- 3-5.018 The meter/s shall be installed to the satisfaction of the chief executive.

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:45AM

Page 3 of 3



Licence Terms Schedule A (continued)

- 3-5.020 The water meter shall be maintained at the expense of the licensee..
- 3-5.022 The licensee shall ensure that the meter is not removed for any reason without the written approval of the chief executive and the licensee shall ensure that no action is taken which results in the meter failing to correctly measure the volume of water withdrawn by means of the licensed work.
- 3-5.030 The chief executive may calculate the volume of water withdrawn by any means that he deems appropriate.
- 3-5.040 The licensee shall maintain the bore in a sand free condition.
- 3-5.071 The licensee shall forward to the chief executive on request details of water use from the bore.
- 5-5.011R If equipped, this bore must be fitted with a water meter supplied by the licensee to the satisfaction of the Chief Executive.
- 5-6.005R This bore shall be operated in accordance with the requirements of the management guidelines for the Oakey Creek Groundwater Management Area.

End of Schedule A

Water Authorisation Details 83202R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled in the Water Entitlements Registration Database (WERD) on 19 July 2002 10:48AM



Page 1 of 3

Licence	83202R	Current Status	Issued
Licensee	JONDARYAN SHIRE COUNCIL	Expiry Date	30/06/2007
Date of Original Issue	29/03/1988	Authorisation Type	Bore Licence

Description of Works

Takes underground water by the construction and use of a subartesian bore
 Licensed Depth 24.3 metres
 Drilled Date 26/11/1987
 Location of Works ADJACENT TO L5 AG4200 ,WATTS,AUBIGNY (Historical)

Purpose of Works Town Water Supply

Nominal Allocation 0 megalitres
 (Refer to the "In-Conjunction Term" in the attached Schedule A)

Land Supplied Town of JONDARYAN and Town of OAKEY

Last Issued at TOOWOOMBA **on the** FOURTH **day of** SEPTEMBER 1997

Authorisation Details 83202R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:48AM

Page 2 of 3



Licence Terms Schedule A

- 3-2.010A** The chief executive or any person authorised by him shall have full and free access to the bore at all reasonable times for the purpose of carrying out any inspection or test of the bore and its fittings or of reading or repairing any water meter installed.
- 3-2.020A** The licensee shall carry out any work or make any alteration deemed necessary by the Chief Executive for the protection or proper maintenance of the bore.
- 3-2.030A** The licensee or his personal representative or his successor in interest shall notify the Chief Executive immediately of any change or divestment of interest in the land whereon the bore is constructed or proposed to be constructed.
- 3-2.200A** The licensee, after installing the bore, shall to the satisfaction of the Chief Executive beneficially use the water which is entitled to be withdrawn under this licence.
- 3-4.0102** The real property associated with this bore shall be the towns of Oakey and Jondaryan. .
- 3-4.011A** Water from this bore may only be used within the boundaries of the real property associated with it unless otherwise approved by the chief executive.
- 3-4.020** A water year shall be from 1st July to 30th June.
- 3-4.031** The aggregate nominal allocation of this and all other bores supplying the same associated real property shall be 750 megalitres per water year.
- 3-4.054** The announced allocation (the proportion of the aggregate nominal allocation which may be used in any water year) of this and other waterworks supplying the same associated real property shall be as approved by the chief executive.
- 3-4.100** Should the real property associated with this bore be sold in part or in whole, the allocation shall be redistributed, reduced or revoked in a manner determined by the chief executive.
- 3-4.130** The volume of water withdrawn in any water year shall not exceed the allocation.
- 3-5.018** The meter/s shall be installed to the satisfaction of the chief executive.

Authorisation Details 83202R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:48AM

Page 3 of 3



Licence Terms Schedule A (continued)

- 3-5.020 The water meter shall be maintained at the expense of the licensee..
- 3-5.022 The licensee shall ensure that the meter is not removed for any reason without the written approval of the chief executive and the licensee shall ensure that no action is taken which results in the meter failing to correctly measure the volume of water withdrawn by means of the licensed work.
- 3-5.030 The chief executive may calculate the volume of water withdrawn by any means that he deems appropriate.
- 3-5.040 The licensee shall maintain the bore in a sand free condition.
- 3-5.071 The licensee shall forward to the chief executive on request details of water use from the bore.
- 5-5.011R If equipped, this bore must be fitted with a water meter supplied by the licensee to the satisfaction of the Chief Executive.
- 5-6.005R This bore shall be operated in accordance with the requirements of the management guidelines for the Oakey Creek Groundwater Management Area.

End of Schedule A

Water Authorisation Details 83203R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled in the Water Entitlements Registration Database (WERD) on 19 July 2002 10:48AM



Page 1 of 3

Licence	83203R	Current Status	Issued
Licensee	JONDARYAN SHIRE COUNCIL	Expiry Date	30/06/2007
Date of Original Issue	29/03/1988	Authorisation Type	Bore Licence

Description of Works

Takes underground water by the construction and use of a subartesian bore
 Licensed Depth 24.7 metres
 Drilled Date 29/11/1989
 Location of Works ADJACENT TO L6 AG4200 ,WATTS,AUBIGNY (Historical)

Purpose of Works Town Water Supply

Nominal Allocation 0 megalitres
 (Refer to the "In-Conjunction Term" in the attached Schedule A)

Land Supplied Town of OAKEY and Town of JONDARYAN

Last Issued at TOOWOOMBA **on the** FOURTH **day of** SEPTEMBER 1997

Authorisation Details 83203R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:48AM

Page 2 of 3



Licence Terms Schedule A

- 3-2.010A** The chief executive or any person authorised by him shall have full and free access to the bore at all reasonable times for the purpose of carrying out any inspection or test of the bore and its fittings or of reading or repairing any water meter installed.
- 3-2.020A** The licensee shall carry out any work or make any alteration deemed necessary by the Chief Executive for the protection or proper maintenance of the bore.
- 3-2.030A** The licensee or his personal representative or his successor in interest shall notify the Chief Executive immediately of any change or divestment of interest in the land whereon the bore is constructed or proposed to be constructed.
- 3-2.200A** The licensee, after installing the bore, shall to the satisfaction of the Chief Executive beneficially use the water which is entitled to be withdrawn under this licence.
- 3-4.0102** The real property associated with this bore shall be the town of Oakey and Jondaryan. .
- 3-4.011A** Water from this bore may only be used within the boundaries of the real property associated with it unless otherwise approved by the chief executive.
- 3-4.020** A water year shall be from 1st July to 30th June.
- 3-4.031** The aggregate nominal allocation of this and all other bores supplying the same associated real property shall be 750 megalitres per water year.
- 3-4.054** The announced allocation (the proportion of the aggregate nominal allocation which may be used in any water year) of this and other waterworks supplying the same associated real property shall be as approved by the chief executive.
- 3-4.100** Should the real property associated with this bore be sold in part or in whole, the allocation shall be redistributed, reduced or revoked in a manner determined by the chief executive.
- 3-4.130** The volume of water withdrawn in any water year shall not exceed the allocation.
- 3-5.018** The meter/s shall be installed to the satisfaction of the chief executive.

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:48AM

Page 3 of 3



Licence Terms Schedule A (continued)

- 3-5.020 The water meter shall be maintained at the expense of the licensee..
- 3-5.022 The licensee shall ensure that the meter is not removed for any reason without the written approval of the chief executive and the licensee shall ensure that no action is taken which results in the meter failing to correctly measure the volume of water withdrawn by means of the licensed work.
- 3-5.030 The chief executive may calculate the volume of water withdrawn by any means that he deems appropriate.
- 3-5.040 The licensee shall maintain the bore in a sand free condition.
- 3-5.071 The licensee shall forward to the chief executive on request details of water use from the bore.
- 5-5.011R If equipped, this bore must be fitted with a water meter supplied by the licensee to the satisfaction of the Chief Executive.
- 5-6.005R This bore shall be operated in accordance with the requirements of the management guidelines for the Oakey Creek Groundwater Management Area.

End of Schedule A

Water Authorisation Details 87644R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled in the Water Entitlements Registration Database (WERD) on 19 July 2002 10:48AM



Page 1 of 3

Licence	87644R	Current Status	Issued
Licensee	JONDARYAN SHIRE COUNCIL	Expiry Date	30/06/2007
Date of Original Issue	17/01/1994	Authorisation Type	Bore Licence

Description of Works

Takes underground water by the construction and use of a subartesian bore
 Licensed Depth 25.3 metres
 Local Bore Name OAKY T.W.S BORE
 Drilled Date 28/09/1992
 Location of Works ADJACENT TO L7 RP36475 ,WATTS,AUBIGNY (Historical)

Purpose of Works Town Water Supply

Nominal Allocation 0 megalitres
 (Refer to the "In-Conjunction Term" in the attached Schedule A)

Land Supplied Town of JONDARYAN and Town of OAKY

Last Issued at TOOWOOMBA **on the** FOURTH **day of** SEPTEMBER 1997

Authorisation Details 87644R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:48AM

Page 2 of 3



Licence Terms Schedule A

- 3-2.010A** The chief executive or any person authorised by him shall have full and free access to the bore at all reasonable times for the purpose of carrying out any inspection or test of the bore and its fittings or of reading or repairing any water meter installed.
- 3-2.020A** The licensee shall carry out any work or make any alteration deemed necessary by the Chief Executive for the protection or proper maintenance of the bore.
- 3-2.030A** The licensee or his personal representative or his successor in interest shall notify the Chief Executive immediately of any change or divestment of interest in the land whereon the bore is constructed or proposed to be constructed.
- 3-2.200A** The licensee, after installing the bore, shall to the satisfaction of the Chief Executive beneficially use the water which is entitled to be withdrawn under this licence.
- 3-4.0102** The real property associated with this bore shall be the towns of Jondaryan and Oakey. .
- 3-4.011A** Water from this bore may only be used within the boundaries of the real property associated with it unless otherwise approved by the chief executive.
- 3-4.020** A water year shall be from 1st July to 30th June.
- 3-4.031** The aggregate nominal allocation of this and all other bores supplying the same associated real property shall be 750 megalitres per water year.
- 3-4.054** The announced allocation (the proportion of the aggregate nominal allocation which may be used in any water year) of this and other waterworks supplying the same associated real property shall be as approved by the chief executive.
- 3-4.100** Should the real property associated with this bore be sold in part or in whole, the allocation shall be redistributed, reduced or revoked in a manner determined by the chief executive.
- 3-4.130** The volume of water withdrawn in any water year shall not exceed the allocation.
- 3-5.018** The meter/s shall be installed to the satisfaction of the chief executive.

Authorisation Details 87644R

The information contained herein is NOT an OFFICIAL RECORD and its accuracy is NOT GUARANTEED. Data displayed at time of printing may not reflect "as Issued" Authorisation.

Compiled on 19 July 2002 10:48AM

Page 3 of 3



Licence Terms Schedule A (continued)

- 3-5.020 The water meter shall be maintained at the expense of the licensee..
- 3-5.022 The licensee shall ensure that the meter is not removed for any reason without the written approval of the chief executive and the licensee shall ensure that no action is taken which results in the meter failing to correctly measure the volume of water withdrawn by means of the licensed work.
- 3-5.030 The chief executive may calculate the volume of water withdrawn by any means that he deems appropriate.
- 3-5.040 The licensee shall maintain the bore in a sand free condition.
- 3-5.071 The licensee shall forward to the chief executive on request details of water use from the bore.
- 5-5.011R If equipped, this bore must be fitted with a water meter supplied by the licensee to the satisfaction of the Chief Executive.
- 5-6.005R This bore shall be operated in accordance with the requirements of the management guidelines for the Oakey Creek Groundwater Management Area.

End of Schedule A

DECISION NOTICE

Application for a Development Permit

Integrated Planning Act 1997



Queensland
Government
Natural Resources
and Water

Development Permit 405882

Lapse Date 01/02/2010

Applicant JONDARYAN SHIRE COUNCIL

Approval Information

The application to construct or install works which allow the taking of or interfering with the flow of water on land described as Lot 73 on O1524 is approved by this agency subject to the conditions endorsed hereon or attached hereto.

This development permit authorises the construction of operational works to take or interfere with water. However, the taking of, or interference with, water by the operation of the works may proceed only:

- in accordance with a current water entitlement or water permit given under the *Water Act 2000*; or
- where the taking of, or interference with, water is otherwise authorised under the *Water Act 2000*.

It is an offence for a person to take, supply or interfere with water without appropriate authority under the *Water Act 2000*.

Given at Toowoomba this TWELFTH day of FEBRUARY 2008.

sch4p4(6) Personal information

Scott Spencer
DIRECTOR-GENERAL
DEPARTMENT OF NATURAL RESOURCES AND WATER

Schedule of Assessment Manager Conditions

Description of Approved Works

Works Reference 29149

Construction of a Subartesian bore that taps the OAKEY CREEK ALLUVIUM.
Must be located on Lot 73 on O1524.

Part A - General Conditions of the Approval

D001

The works approved under this permit are to be completed by 1 February 2010.

D025

The permittee must provide a copy of the permit to any person contracted to construct the works approved by this permit.

DB04

The water bore must be constructed to tap only the aquifer(s) in the Oakey Creek Alluvium .

DB38

The water bore authorised by this permit must be constructed and maintained at all times in accordance with the edition of the standard "Minimum construction requirements for water bores in Australia" that is current at the time of construction. Any subsequent decommissioning of the water bore must also be carried out in accordance with the edition of that same standard that is current at the time of decommissioning.

Part B - Other Conditions of the Approval

SPEC01

This water bore must be located so that it is not less than 175 metres from bore RN 87429 located on Lot 73 on O1524 and not less than 400 metres from any other water bore on any other neighbouring properties.

END OF ASSESSMENT MANAGER CONDITIONS

APPEAL RIGHTS

The following are extracts from the *Integrated Planning Act 1997* which detail rights to make representations about certain conditions and other matters in this notice, and appeal rights regarding this decision.

Chapter 3, Part 5, Division 4 - Representations about conditions and other matters

3.5.16 Application of div 4

This division applies only during the applicant's appeal period.

3.5.17 Changing conditions and other matters during the applicant's appeal period

- (1) This section applies if the applicant makes representations to the assessment manager about a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 3.3.18(1).
- (2) If the assessment manager agrees with any of the representations, the assessment manager must give a new decision notice (the "**negotiated decision notice**") to -
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area - the local government.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice -
 - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must be in the same form as the decision notice previously given; and
 - (c) must state the nature of the changes; and
 - (d) replaces the decision notice previously given.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give a written notice to the applicant stating the decision about the representations.
- (6) Before the assessment manager agrees to a change under this section, the assessment manager must reconsider the matters considered when the original decision was made, to the extent the matters are relevant.

- (7) If the development approved by the negotiated decision notice is different from the development approved in the decision notice in a way that affects the amount of an infrastructure charge or regulated infrastructure charge, the local government may give the applicant a new infrastructure charges notice under section 5.1.8 or regulated infrastructure charges notice under section 5.1.18 to replace the original notice.

3.5.18 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make written representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the written representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the written representations are made within 20 business days after the day written notice was given to the assessment manager -
- (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1) - the balance of the applicant's appeal period restarts the day after the assessment manager received the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 3.5.17(5) - the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
 - (c) if the assessment manager gives the applicant a negotiated decision notice - the applicant's appeal period starts again the day after the applicant receives the negotiated decision notice.

Chapter 4, Part 1, Division 8 - Appeals to court relating to development applications

4.1.27 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following -
- (a) the refusal, or the refusal in part, of a development application;
 - (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a currency period;



- (e) a deemed refusal.
- (2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the "**applicant's appeal period**") after the day the decision notice or negotiated decision notice is given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

Chapter 4, Part 1, Division 10 - Making an appeal to court

4.1.39 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

4.1.40 Certain appellants must obtain information about submitters

- (1) If the applicant or a submitter for a development application appeals about the part of the application involving impact assessment, the appellant must ask the assessment manager to give the appellant the name and address of each principal submitter who made a properly made submission about the application and has not withdrawn the submission.
- (2) The assessment manager must give the information requested under subsection (1) as soon as practicable.

4.1.41 Notice of appeal to other parties (div 8)

- (1) An appellant under division 8 must, within 10 business days after the day the appeal is started (or if information is requested under section 4.1.40, within 10 business days after the day the appellant is given the information) give written notice of the appeal to the chief executive and -
 - (a) if the appellant is an applicant - the assessment manager, any concurrence agency, any principal submitter whose submission has not been withdrawn and any advice agency treated as a submitter whose submission has not been withdrawn; or
 - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal - the assessment manager, the applicant and any concurrence agency; or

- (c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given - the assessment manager and any entity that was a concurrence agency for the development application.
- (2) The notice must state -
 - (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 - that the person, within 10 business days after the day the notice is given, may elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

4.1.43 Respondent and co-respondents for appeals under div 8

- (1) This section applies to appeals under division 8 for a development application.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.
- (5) If the appeal is only about a concurrence agency response, the assessment manager may apply to the court to withdraw from the appeal.
- (6) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (7) A person to whom a notice of appeal is required to be given under section 4.1.41 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

4.1.45 How a person may elect to be co-respondent

- (1) An entity elects to be a co-respondent by lodging in the court, within 10 business days after the day the notice of appeal is given to the entity, a notice of election under the rules of court.
- (2) If a principal submitter is entitled to elect to become a co-respondent, any other submitter for the submission may also elect to become a co-respondent to the appeal.

4.1.46 Minister entitled to be party to an appeal involving a State interest

If the Minister is satisfied an appeal involves a State interest, the Minister may, by filing in the court a notice of election in the approved form, elect to be a party to the appeal.

4.1.47 Lodging appeal stops certain actions

- (1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.

Development Permit 405882



Queensland
Government
Natural Resources
and Water

- (2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

RTI DL RELEASE - DNRM

DECISION NOTICE

Application for a Development Permit

Integrated Planning Act 1997



Queensland
Government
Natural Resources
and Water

Development Permit 408890

Lapse Date 30/11/2010

Applicant TOOWOOMBA REGIONAL COUNCIL

Approval Information

The application to construct or install works which allow the taking of or interfering with the flow of water on land described as Lot 73 on O1524 is approved by this agency subject to the conditions endorsed hereon or attached hereto.

This development permit authorises the construction of operational works to take or interfere with water. However, the taking of, or interference with, water by the operation of the works may proceed only:

- in accordance with a current water entitlement or water permit given under the *Water Act 2000*; or
- where the taking of, or interference with, water is otherwise authorised under the *Water Act 2000*.

It is an offence for a person to take, supply or interfere with water without appropriate authority under the *Water Act 2000*.

Given at Toowoomba this FIFTH day of DECEMBER 2008.

sch4p4(6) Personal information

Scott Spencer
DIRECTOR-GENERAL
DEPARTMENT OF NATURAL RESOURCES AND WATER

Schedule of Assessment Manager Conditions

Description of Approved Works

Works Reference 31618

Construction of a Subartesian bore that taps the OAKEY CREEK ALLUVIUM.
Must be located on Lot 73 on O1524.
Local Bore Name Oakey Bore Number 7.

Part A - General Conditions of the Approval

D001

The works approved under this permit are to be completed by 30 November 2010.

D025

The permittee must provide a copy of the permit to any person contracted to construct the works approved by this permit.

DB04

The water bore must be constructed to tap only the aquifer(s) in Oakey Creek Alluvium .

DB38

The water bore authorised by this permit must be constructed and maintained at all times in accordance with the edition of the standard "Minimum construction requirements for water bores in Australia" that is current at the time of construction. Any subsequent decommissioning of the water bore must also be carried out in accordance with the edition of that same standard that is current at the time of decommissioning.

Part B - Other Conditions of the Approval

SPECO1: The replacement bore, works number 31618, authorised under this permit must be located so that it is not more than 20 metres from the existing authorised water bore number 83380.

END OF ASSESSMENT MANAGER CONDITIONS

APPEAL RIGHTS

The following are extracts from the *Integrated Planning Act 1997* which detail rights to make representations about certain conditions and other matters in this notice, and appeal rights regarding this decision.

Chapter 3, Part 5, Division 4 - Representations about conditions and other matters

3.5.16 Application of div 4

This division applies only during the applicant's appeal period.

3.5.17 Changing conditions and other matters during the applicant's appeal period

- (1) This section applies if the applicant makes representations to the assessment manager about a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 3.3.18(1).
- (2) If the assessment manager agrees with any of the representations, the assessment manager must give a new decision notice (the "**negotiated decision notice**") to -
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area - the local government.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice -
 - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must be in the same form as the decision notice previously given; and
 - (c) must state the nature of the changes; and
 - (d) replaces the decision notice previously given.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give a written notice to the applicant stating the decision about the representations.
- (6) Before the assessment manager agrees to a change under this section, the assessment manager must reconsider the matters considered when the original decision was made, to the extent the matters are relevant.



- (7) If the development approved by the negotiated decision notice is different from the development approved in the decision notice in a way that affects the amount of an infrastructure charge or regulated infrastructure charge, the local government may give the applicant a new infrastructure charges notice under section 5.1.8 or regulated infrastructure charges notice under section 5.1.18 to replace the original notice.

3.5.18 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make written representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the written representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the written representations are made within 20 business days after the day written notice was given to the assessment manager -
- (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1) - the balance of the applicant's appeal period restarts the day after the assessment manager received the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 3.5.17(5) - the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
 - (c) if the assessment manager gives the applicant a negotiated decision notice - the applicant's appeal period starts again the day after the applicant receives the negotiated decision notice.

Chapter 4, Part 1, Division 8 - Appeals to court relating to development applications

4.1.27 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following -
- (a) the refusal, or the refusal in part, of a development application;
 - (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a currency period;



- (e) a deemed refusal.
- (2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the "**applicant's appeal period**") after the day the decision notice or negotiated decision notice is given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

Chapter 4, Part 1, Division 10 - Making an appeal to court

4.1.39 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

4.1.40 Certain appellants must obtain information about submitters

- (1) If the applicant or a submitter for a development application appeals about the part of the application involving impact assessment, the appellant must ask the assessment manager to give the appellant the name and address of each principal submitter who made a properly made submission about the application and has not withdrawn the submission.
- (2) The assessment manager must give the information requested under subsection (1) as soon as practicable.

4.1.41 Notice of appeal to other parties (div 8)

- (1) An appellant under division 8 must, within 10 business days after the day the appeal is started (or if information is requested under section 4.1.40, within 10 business days after the day the appellant is given the information) give written notice of the appeal to the chief executive and -
 - (a) if the appellant is an applicant - the assessment manager, any concurrence agency, any principal submitter whose submission has not been withdrawn and any advice agency treated as a submitter whose submission has not been withdrawn; or
 - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal - the assessment manager, the applicant and any concurrence agency; or

- (c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given - the assessment manager and any entity that was a concurrence agency for the development application.
- (2) The notice must state -
 - (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 - that the person, within 10 business days after the day the notice is given, may elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

4.1.43 Respondent and co-respondents for appeals under div 8

- (1) This section applies to appeals under division 8 for a development application.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.
- (5) If the appeal is only about a concurrence agency response, the assessment manager may apply to the court to withdraw from the appeal.
- (6) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (7) A person to whom a notice of appeal is required to be given under section 4.1.41 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

4.1.45 How a person may elect to be co-respondent

- (1) An entity elects to be a co-respondent by lodging in the court, within 10 business days after the day the notice of appeal is given to the entity, a notice of election under the rules of court.
- (2) If a principal submitter is entitled to elect to become a co-respondent, any other submitter for the submission may also elect to become a co-respondent to the appeal.

4.1.46 Minister entitled to be party to an appeal involving a State interest

If the Minister is satisfied an appeal involves a State interest, the Minister may, by filing in the court a notice of election in the approved form, elect to be a party to the appeal.

4.1.47 Lodging appeal stops certain actions

- (1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.

Development Permit 408890



Queensland
Government
Natural Resources
and Water

- (2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

RTI DL RELEASE - DNRM

WATER LICENCE
Water Act 2000



Reference	36603R	Expiry Date	31/07/2022
Licensee	TOOWOOMBA REGIONAL COUNCIL		
Authorised Activity	The taking of underground water from Oakey Creek Alluvium with the point of take under Lot 7 on RP36475, Lot 6 on AG4200, Lot 5 on AG4200, Lot 73 on O1524, Lot 4 on RP88219, Lot 2 on RP88218, Lot 1 on RP36473, Lot 1 on RP867778, Lot 1 on RP192591, Lot 1 on RP40345, Lot 1 on RP196104 and Easement B CP851106.		
Authorised Purpose	Urban		
Nominal Entitlement	750 Megalitres		

This water licence is subject to the conditions endorsed hereon or attached hereto.

Under the *Sustainable Planning Act 2009* a development permit may be required for operational works to take or interfere with the water described in this licence. The licensee must ensure that the relevant development approvals have been obtained prior to installing or constructing new or additional operational works.

Given at Toowoomba this THIRTIETH day of JULY 2012.

sch4p4(6) Personal information

Daniel Hunt
Acting Director-General
Department of Natural Resources and Mines

Water Licence: 36603R
Expiry Date: 31/07/2022



Conditions: Schedule A

1.15

The water year is the period from 1st July to 30th June.

4.39

Water must not be taken under this authorisation unless a measuring device of a type approved by the chief executive to measure the volume of water taken is installed.

RTI DL RELEASE - DNRM

Water Licence: 36603R
Expiry Date: 31/07/2022



Conditions: Schedule B

SPEC01

This Water Licence is subject to the Water Sharing and Seasonal Water Assignment Rules prescribed under regulation for the Oakey Creek Groundwater Management Area.

RTI DL RELEASE - DNRM

Dear licence holder

An amendment to section 213 of the *Water Act 2000* has extended the expiry date of all water licences to 30 June 2111. We have amended the record of your water licence in our systems to reflect this new expiry date.

A copy of your water licence is attached. Please note the expiry date on the attached water licence will not reflect the new expiry date until there is a requirement to amend your water licence. At this point a new water licence will be produced with the expiry date 30 June 2111.

As a licence holder you are no longer required to apply to renew your water licence. However, please note that the annual water licence fee will still apply and will be invoiced in the month following the anniversary date of your water licence.

If you have any questions, please contact your local departmental office.

Yours sincerely

Chief Executive of the department administering the Water Act
Queensland Government