



Queensland

# Water Amendment Regulation (No. 3) 2006

## Subordinate Legislation 2006 No. 84

made under the

*Water Act 2000*

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**1 Short title**

This regulation may be cited as the *Water Amendment Regulation (No. 3) 2006*.

**2 Regulation amended**

This regulation amends the *Water Regulation 2002*.

**3 Amendment of s 3B (Restriction on taking water—Act, s 23)**

- (1) Section 3B(3) and (4)—  
*renumber* as section 3B(6) and (7).
- (2) Section 3B—  
*insert*—
- ‘(3) Also, subsection (1) does not apply to the holder if—
  - (a) SunWater is not releasing water from Bjelke-Petersen Dam; and
  - (b) the holder has not taken the total volume of water allowed to be taken under the holder’s announced allocation, adjusted for any seasonal water assignment for an allocation that applies to the holder; and
  - (c) the holder takes water under the following conditions from the stated reaches of Barambah Creek—
    - (i) at any time—
      - (A) between AMTD 189.5 and AMTD 182 (Dudley Sippel Weir); or
      - (B) between AMTD 141.6 (Ficks Crossing gauging station) and AMTD 85;
    - (ii) subject to subsection (4), if there is a flow of water greater than 100ML/day over Joe Sippel Weir—between AMTD 182 and AMTD 159 (confluence with Barker Creek);
    - (iii) subject to subsection (5), if Cherbourg waterhole and Murgon Weir are overflowing and there is a

flow of water greater than 44ML/day at AMTD 141.6—between AMTD 159 and AMTD 141.6.

- ‘(4) If the holder is taking water under subsection (3)(c)(ii), the holder must stop taking water from the stated reach of Barambah Creek if the flow of water becomes less than 20ML/day over Joe Sippel Weir.
- ‘(5) If the holder is taking water under subsection (3)(c)(iii), the holder must stop taking water from the stated reach of Barambah Creek if the flow of water becomes less than 20ML/day at AMTD 141.6.’.
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#### ENDNOTES

- 1 Made by the Governor in Council on 4 May 2006.
- 2 Notified in the gazette on 5 May 2006.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Natural Resources, Mines and Water.