



Queensland

# **Water Amendment Regulation (No. 3) 2006**

## **Explanatory Notes for SL 2006 No. 84**

made under the  
*Water Act 2000*

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## **General Outline**

### **Policy objectives of the subordinate legislation and how the policy objectives will be achieved**

#### **Background**

Due to a water shortage in the Barker Barambah Water Supply Scheme (BBWSS), an Emergency Notice and *Water Amendment Regulation (No.2) 2006* provided for an immediate restriction of water use, and a potential prohibition should the volume of water in the Bjelke-Petersen Dam (the Dam) fall below 4000ML, to apply to specified water allocation holders.

During the prohibition period, an exemption allows water users who take their water from particular parts of the watercourse to take water under certain conditions. However, no such exemption was provided for during the restriction period.

## **Purpose and Consequence**

The purpose of this regulation is to include an exemption (similar to that which currently operates during the prohibition period) during the restriction period, so that if rain falls in the near future whilst restrictions are in place, medium priority water allocation holders can access these inflows rather than have to wait until the prohibition period commences.

## **Achieving the Objectives**

The objectives will be achieved by an amendment to the *Water Regulation 2002* which will allow certain medium priority water allocation holders who—

- have not yet taken their total volume of announced allocation (adjusted for any seasonal water assignment); and
- take their water from specified parts of the BBWSS;

to take additional water;

- under certain flow conditions; and
- at times when water is not being released from the Dam.

## **Administrative costs**

No additional administrative costs will result from these amendments.

## **Fundamental Legislation Principles**

The regulation is consistent with fundamental legislative principles.

## **Consultation**

The Department of Natural Resources Mines and Water has consulted SunWater, the holder of the Resource Operations Licence for the BBWSS, who support the proposed amendment.

## Notes on Provisions

### Clause 1 Short title

Clause 1 provides for the short title of the subordinate legislation as the *Water Amendment Regulation (No. 3) 2006*.

### Clause 2 Regulation amended

Clause 2 states the regulation amends the *Water Regulation 2002*.

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

Clause 3 provides an exemption to the restriction on taking water if;

- (a) SunWater is not releasing water from the Bjelke-Petersen Dam;
- (b) the water allocation holder has not yet taken their volume of announced allocation, plus or minus any water under a seasonal water assignment; and
- (c) the water allocation holder has access to water within the described reaches of the BBWSS under certain flow conditions.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Natural Resources, Mines and Water.