

Australian Capital Territory

Water Resources (Fees) Revocation and Determination 2003 (No 2)*

Disallowable Instrument DI 2003 — 334

made under the

Water Resources Act 1998, Section 78 - Determination of Fees

1. Pursuant to section 78 of the *Water Resources Act 1998* (the Act) I **REVOKE** the Determination No DI 2003 – 164 notified on the ACT Government Legislation Register.
2. Under section 78 of the *Water Resources Act 1998* (the Act), I **DETERMINE** that the fees payable for the purpose of those sections specified in Column 1 and described in Column 2 shall be those fees specified in Column 4. These fees are to be paid as described in Column 5.
3. Explanatory notes (including the previous year's fee) are included in the Schedule. Explanatory notes are included at the end of the Schedule, where applicable. Headings and explanatory notes in the Schedule do not form part of the determination.
4. The fees determined in this schedule are payable to the ACT Government by the person(s) requesting the goods or services, as listed.
5. This Instrument commences on 1 January 2004.

Jon Stanhope
Minister for Environment

18 December 2003

*Name amended under Legislation Act 2001 s 60

THIS IS PAGE 1 OF SCHEDULE 1 TO THE DETERMINATION MADE BY THE MINISTER UNDER THE WATER RESOURCES ACT 1998.

Section	Type of licence or permit	Explanatory Notes Fee Payable \$ 1 July 2003 to 31 Dec 2003 (3)	Fee Payable \$ 1 Jan 2004 to 30 Jun 2004 (4)	Payment Requirements (5)
Section 28	Grant of a water allocation where the allocation relates to taking of water through a practice, which existed prior to 1 May 1998.	<i>Nil</i>	Nil	
Section 28	Grant of a water allocation where an allocation relating to taking of water through a practice which existed prior to 1 May 1998 is adjusted to more accurately represent the amount of water taken in line with the prior practice.	<i>Nil</i>	Nil	
Section 28	Grant of a water allocation in all cases except those specifically identified – per ML.	483.25	483.25	On a date set by the Environment Protection Authority
Section 35	Application fee for a licence to take water.	107.15	107.15	On application for a licence
Section 35	Licence to take water administration fee for each licence year relating to a licensed volume of up to 6 megalitres per year.	53.55	53.55	For the first year of a licence, the fee shall be paid in full on application for a licence and thereafter, on a date set by the Environment Protection Authority
Section 35	Licence to take water administration fee for each licence year relating to a licensed volume of more than 6 megalitres and up to 2000 megalitres per year.	107.15	107.15	For the first year of a licence, the fee shall be paid in full on application for a licence and thereafter, on a date set by the Environment Protection Authority

Minister's Initials _____

THIS IS PAGE 2 OF SCHEDULE 1 TO THE DETERMINATION MADE BY THE MINISTER UNDER THE WATER RESOURCES ACT 1998.

Section	Type of licence or permit	Explanatory Notes Fee Payable \$ 1 July 2003 to 31 Dec 2003 (3)	Fee Payable \$ 1 Jan 2004 to 30 Jun 2004 (4)	Payment Requirements
(1)	(2)			(5)
Section 35	Licence to take water administration fee for each licence year relating to a licensed volume of more than 2000 megalitres and up to 5000 megalitres per year.	429.65	429.65	For the first year of a licence, the fee shall be paid in full on application for a licence and thereafter, on a date set by the Environment Protection Authority
Section 35	Licence to take water administration fee for each licence year relating to a licensed volume of more than 5000 megalitres and up to 10000 megalitres per year.	1073.70	1073.70	For the first year of a licence, the fee shall be paid in full on application for a licence and thereafter, on a date set by the Environment Protection Authority
Section 35	Licence to take water administration fee for each licence year relating to a licensed volume of more than 10000 megalitres and up to 25000 megalitres per year	2148.50	2148.50	For the first year of a licence, the fee shall be paid in full on application for a licence and thereafter, on a date set by the Environment Protection Authority
Section 35	Licence to take water administration fee for each licence year relating to a licensed volume of more than 25000 megalitres per year	5370.75	5370.75	For the first year of a licence, the fee shall be paid in full on application for a licence and thereafter, on a date set by the Environment Protection Authority
Section 35	Licence to take water abstraction fee for water taken for the purposes of urban water supply and calculated on the basis of the water charged to users – per kilolitre	0.10	0.20	Payments to be made for water charged to users in each three month period ending on the last day of February, May, August and November each year and within 28 days of the end of the three month periods.

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THIS IS PAGE 3 OF SCHEDULE 1 TO THE DETERMINATION MADE BY THE MINISTER UNDER THE WATER RESOURCES ACT 1998.

Section	Type of licence or permit	<i>Explanatory Notes Fee Payable \$ 1 July 2003 to 31 Dec 2003 (3)</i>	<i>Fee Payable \$ 1 Jan 2004 to 30 Jun 2004 (4)</i>	Payment Requirements (5)
Section 35	Licence to take water abstraction fee for all water taken from surface water or ground water except for that supplied through the urban water supply network or surface water taken for use in the areas described in Schedule 2 - per kilolitre	<i>0.10</i>	0.20	On a date set by the Environment Protection Authority. In all cases, where fees relating to part of a month are due, each day's use will be taken to be equivalent to average daily use for that month and, where monthly meter readings are not available, the Environment Protection Authority shall estimate water use after consultation with the licensee.
Section 39	Three year driller licence application fee where the applicant does not hold an equivalent licence in a state in Australia.	<i>329.85</i>	329.85	On application
Section 39	Three year driller licence application fee where the applicant does hold an equivalent licence in a state in Australia.	<i>21.00</i>	21.00	On application
Section 44	Bore Construction Permit	<i>107.15</i>	107.15	On application
Section 47	Recharge licence Application Fee	<i>214.30</i>	214.30	On application for a licence
Section 47	Recharge licence yearly fee	<i>107.15</i>	107.15	For the first year of a licence the fee shall be paid on application for a licence and thereafter, on a date set by the Environment Protection Authority.

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THIS IS PAGE 4 OF SCHEDULE 1 TO THE DETERMINATION MADE BY THE MINISTER UNDER THE WATER RESOURCES ACT 1998.

Section	Type of licence or permit	<i>Explanatory Notes Fee Payable</i>	Fee Payable \$ 1 Jan 2004 to 30 Jun 2004 (4)	Payment Requirements (5)
(1)	(2)	<i>\$ 1 July 2003 to 31 Dec 2003 (3)</i>		

Section 69 Water control structures 107.15 107.15 On application
 – permit to construct etc

ML denotes megalitre
 "Licence year" means the first whole year of a licence or subsequent whole years.

Minister's Initials _____

Description of Area

The following lands comprise the area for the purposes of Schedule 1 of this Determination.

1. Any area which is, within the terms of the Territory Plan as in force from time to time, subject to a planning policy listed below:

- Residential land use policies;
- Commercial land use policies;
- Industrial land use policies;
- Community facility land use policies;
- Restricted access land use policies;
- Water feature land use policies;
- Municipal services land use policies;
- Entertainment, accommodation and leisure land use policies;
- Urban open space land use policies.

Any Section, of any Division, which is subject to the Residential land use policy and where the servicing of that Section has not yet begun, will be considered still outside the area.

2. The following lands, as identified in the book Maps of Canberra by Suburbs and ACT Districts, December 2002 edition:

District of Gungahlin

Exhibition Park in Canberra: blocks 366, 396, 466 and 467.

ACT Canine Association: blocks 429, 444 and 445.

Division of Duffy

Stromlo Housing Settlement: section 55 and that part of section 56 block 2 known as Stromlo Housing Settlement

Division of Fyshwick

Fyshwick Minor Industrial Area: all of sections 50, 60 and 61.

Division of Lyneham

Canberra Racecourse Precinct: all of sections 66, 69 and 70.

Exhibition Park in Canberra: block 5 of section 72, block1 of section 75 and all of section 61

Division of Weston

Australian Federal Police Service Centre: block 1 of section 82

School of Horticulture: all of section 96

Orana School Precinct: all of section 97

Minister's Initials _____

THIS IS PAGE 2 OF SCHEDULE 2 TO THE DETERMINATION MADE BY THE MINISTER UNDER THE WATER RESOURCES ACT 1998.

3. Any area which is, in terms of the Territory Plan as in force from time to time, subject to the 'Major Roads' land use planning policies, provided that the area is immediately adjacent to an area subject to one of the policies listed in section (1):above or an area listed in section (2) above.

4. Any area which is, in terms of the national Capital Plan as in force or existing at the date of commencement of this instrument, being the date of its publication in the Gazette, within the designated area known as 'Main Avenues and approach Routes', provided that the area is immediately adjacent to an area subject to one of the policies listed in section (1):above or an area listed in section (2) above.

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