

Water Resources (Fees) Determination 2022

Disallowable instrument DI2022–138

made under the

Water Resources Act 2007, s 107 (Determination of fees)

1 Name of instrument

This instrument is the *Water Resources (Fees) Determination 2022*.

2 Commencement

This instrument commences on 1 July 2022.

3 Determination of fees

The fee payable in respect of each matter listed in an item in column 3 of the schedule is the amount listed for that matter in column 5 and in the manner listed for that matter in column 6.

4 Payment of fees

A fee mentioned in the schedule is payable to the Territory by the person requesting the goods or services described in the schedule.

5 Fee exemption

- (1) No fee is payable for an application for a grant of a water access entitlement under section 20 of the *Water Resources Act 2007* if—
 - (a) the intended use of the water is to fulfil the Territory's commitments under section 6.05 of the *Basin Plan 2012* (Cwlth); or
 - (b) the intended use of the water is to participate in a registered measure involving the ACT's water resource plan area established under chapter 7 of the *Basin Plan 2012* (Cwlth).
- (2) Clause 5 (1) does not apply for a groundwater water access entitlement.

6 Definitions

In this instrument:

licence year means the first whole year of a licence or subsequent whole years.

repealed Act means the *Water Resources Act 1998*.

WAE means water access entitlement.

7 Revocation

This instrument revokes the *Water Resources (Fees) Determination 2021* (DI2021-71).

Shane Rattenbury MLA
Minister for Water, Energy and Emissions Reduction
22 June 2022

Schedule

(See s 3)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item number	Section of Act	Type of licence	Fee Payable 2021-22 \$	Fee Payable 2022-23 \$	Payment Requirements
1.1	s 111	Grant of a WAE where a person held a licence to take water under section 35 of the repealed Act but did not hold an allocation. The use of this WAE is restricted to a particular location.	<i>Nil</i>	Nil	
1.2	s 111 (surviving allocations)	Grant of a WAE where a person held a licence to take water under section 35 of the repealed Act and an allocation held under section 28 of the repealed Act that did not permit trade. The use of this WAE is restricted to a particular location.	<i>Nil</i>	Nil	
1.3	s 111 (surviving allocations)	Grant of a WAE where a person held a licence to take water under section 35 of the repealed Act and an allocation held under section 28 of the repealed Act that did permit trade. The use of this WAE is not restricted to a particular location.	<i>Nil</i>	Nil	
1.4	s 20	Grant of a WAE where use is not restricted to a particular location, in all cases except those specifically identified – per megalitre.	<i>840.00</i>	867.30	As specified in the entitlement.
1.5	s 20	Grant of a WAE to a utility from the Cotter or Googong water management areas. This WAE is limited to use through the Canberra/Queanbeyan urban water supply network.	<i>Nil</i>	Nil	
1.6	s 20	Grant of a WAE that is limited to stock and domestic purposes and is restricted for use at a particular location.	<i>Nil</i>	Nil	
1.7	s 20	Grant of a WAE on declared national land and that is restricted for use at a particular location.	<i>Nil</i>	Nil	
1.8	s 25 (Removal of location restriction)	Change of condition of a WAE from one that is restricted in location to one that is not restricted for use at a particular location – per megalitre.	<i>840.00</i>	867.30	As specified in the entitlement.
1.9	s 29	Application fee for a licence to take water.	<i>186.00</i>	191.80	On application for a licence.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item number	Section of Act	Type of licence	Fee Payable 2021-22 \$	Fee Payable 2022-23 \$	Payment Requirements
1.10	s 30	Licence to take water – administration fee for each licence year relating to a licensed volume of up to 1000 megalitres per year, except where a licensee has entered into a data collection and sharing agreement with the Environment Protection Authority.	481.00	496.45	For the first year of the licence, the fee shall be paid in full on application for a licence and thereafter, on a date specified in the licence.
1.11	s 30	Licence to take water – administration fee for each licence year relating to a licensed volume of up to 1000 megalitres per year, where a licensee has entered into a data collection and sharing agreement with the Environment Protection Authority.	Nil	Nil	For the first year of the licence, the fee shall be paid in full on application for a licence and thereafter, on a date specified in the licence.
1.12	s 30	Licence to take water administration fee for each licence year relating to a licensed volume of more than 1000 megalitres per year.	9,336.00	9,638.90	For the first year of the licence, the fee shall be paid in full on application for a licence and thereafter, on a date specified in the licence.
1.13	s 30	Licence to take water abstraction fee for water taken for the purposes of urban water supply and calculated on the basis of the water abstracted – per kilolitre.	0.650	0.67	Payments to be made for water charged to users in each three-month period ending the last day of February, May, August and November each year and within 28 days of the end of the three-month period.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item number	Section of Act	Type of licence	Fee Payable 2021-22 \$	Fee Payable 2022-23 \$	Payment Requirements
1.14	s 30	Licence to take water – abstraction fee for all water from surface water or groundwater except for that supplied through a water supply network – per kilolitre.	0.314	0.323	As specified in the licence. In all cases, where fees relating to a 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.
1.15	s 34	Three-year driller licence application fee where the applicant does hold an equivalent licence in a state in Australia.	186.00	191.80	On application.
1.16	s 38	Application fee for a bore work licence.	186.00	191.80	On application.
1.17	s 48	Application for a Recharge licence.	186.00	191.80	On application.
1.18	s 50	Recharge licence – yearly administration fee.	481.00	496.45	For the first year of the licence, the fee shall be paid on application for a licence and thereafter, on a date specified in the licence.
1.19	s 43	Application fee for a Waterway work licence.	186.00	191.80	On application.
1.20	s 26	Application fee for the transfer of a water access entitlement either permanently or for a period of time.	186.00	191.80	On application.

Note: The fees set out in column 3 are for comparison purposes only.