



Australian Capital Territory

# **Water Resources Regulation 2006**

**SL2006-14**

made under the

**Water Resources Act 1998**

**Republication No 3**

**Effective: 12 December 2006 – 31 July 2007**

Republication date: 12 December 2006

Last amendment made by SL2006-55

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Water Resources Regulation 2006*, made under the *Water Resources Act 1998* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 12 December 2006. It also includes any amendment, repeal or expiry affecting the republished law to 12 December 2006.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Water Resources Regulation 2006

made under the

**Water Resources Act 1998**

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R3  
12/12/06

Water Resources Regulation 2006  
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Australian Capital Territory

# Water Resources Regulation 2006

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made under the

**Water Resources Act 1998**

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**1 Name of regulation**

This regulation is the *Water Resources Regulation 2006*.

**3 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

**4 Exceptions to moratorium—Act, s 63B (12)**

- (1) The operation of the Act, section 28 (1) to (10) is not suspended in relation to a grant of a water allocation to a person if the water is to be used on unleased land that is subject to the territory plan land use policy B9 (urban open space).

*Note* The territory plan is available at [www.actpla.act.gov.au](http://www.actpla.act.gov.au).

- (2) The operation of the Act, section 28 (1) to (10) is not suspended in relation to a grant of a water allocation to a person if the water is to be used on land that—
- (a) is subject to the territory plan land use policy B15 (plantation forestry); and
  - (b) under that policy, may be used for outdoor recreation.
- (3) The operation of the Act, section 28 (1) to (10) is not suspended in relation to a grant of a water allocation to a person if the water is to be used on—
- (a) block 1544, district of Belconnen; or
  - (b) block 6, section 49, division of Kingston; or
  - (c) block 14, section 50, division of Kingston.

- (4) The operation of the Act, section 35 (1) to (4) is not suspended in relation to an application for a licence to take water if the water is to be used on unleased land that is subject to the territory plan land use policy B9 (urban open space).
- (5) The operation of the Act, section 35 (1) to (4) is not suspended in relation to an application for a licence to take water if the water is to be used on land that—
  - (a) is subject to the territory plan land use policy B15 (plantation forestry); and
  - (b) under that policy, may be used for outdoor recreation.
- (6) The operation of the Act, section 35 (1) to (4) is not suspended in relation to an application for a licence to take water if the water is to be used on—
  - (a) block 1544, district of Belconnen; or
  - (b) block 6, section 49, division of Kingston; or
  - (c) block 14, section 50, division of Kingston.
- (7) The operation of the Act, section 44 (1) and (2) is not suspended in relation to an application for a bore construction permit if the bore is to be used for the taking of water for use on unleased land that is subject to the territory plan land use policy B9 (urban open space).
- (8) The operation of the Act, section 44 (1) and (2) is not suspended in relation to an application for a bore construction permit if the bore is to be used for the taking of water for use on land that—
  - (a) is subject to the territory plan land use policy B15 (plantation forestry); and
  - (b) under that policy, may be used for outdoor recreation.

- (9) The operation of the Act, section 44 (1) and (2) is not suspended in relation to an application for a bore construction permit if the bore is to be used for the taking of water for use on—
- (a) block 1544, district of Belconnen; or
  - (b) block 6, section 49, division of Kingston; or
  - (c) block 14, section 50, division of Kingston.

**5 Exception to moratorium in relation to GDE works—Act, s 63B (12)**

- (1) The operation of the Act, section 28 (1) to (10) is not suspended in relation to a grant of a water allocation of water from Lake Ginninderra to a person if the water is to be used in relation to works that are—
- (a) part of the construction of the GDE; or
  - (b) related to the construction of the GDE.
- (2) The operation of the Act, section 35 (1) to (4) is not suspended in relation to an application for a licence to take water from Lake Ginninderra if the water is to be used in relation to works that are—
- (a) part of the construction of the GDE; or
  - (b) related to the construction of the GDE.
- (3) In this section:

**GDE**—see the *Gungahlin Drive Extension Authorisation Act 2004*, section 5.

*Note* Under the *Gungahlin Drive Extension Authorisation Act 2004*, section 6, the Minister may, in writing, declare that stated works are part of, or relate to, the construction of the GDE.



**6 Expiry**

This regulation expires on the expiry of the Act, section 63C (End of moratorium).

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

#### **Water Resources Regulation 2006 SL2006-14**

notified LR 1 May 2006

s 1, s 2 commenced 1 May 2006 (LA s 75 (1))

remainder commenced 2 May 2006 (s 2)

*Note* This regulation exp the day the Act, s 63C expires. The prescribed date is 1 September 2007 (see s 6 and Water Resources Act 1998 A1998-63 s 63C).

as amended by

#### **Water Resources Amendment Regulation 2006 (No 1) SL2006-46**

notified LR 26 October 2006

s 1, s 2 commenced 26 October 2006 (LA s 75 (1))

remainder commenced 27 October 2006 (s 2)

#### **Water Resources Amendment Regulation 2006 (No 2) SL2006-55**

notified LR 11 December 2006

s 1, s 2 commenced 11 December 2006 (LA s 75 (1))

remainder commenced 12 December 2006 (s 2)

### 4 Amendment history

#### **Commencement**

s 2 om LA s 89 (4)

#### **Exceptions to moratorium—Act, s 63B (12)**

s 4 am SL2006-46 ss 4-6; ss renum R2 LA

#### **Exception to moratorium in relation to GDE works—Act, s 63B (12)**

s 4A renum as s 5

#### **Exception to moratorium in relation to GDE works—Act, s 63B (12)**

s 5  
orig s 5  
renum as s 6  
pres s 5  
(prev s 4A) ins SL2006-55 s 4  
renum as s 5 SL2006-55 s 5

#### **Expiry**

s 6 (prev s 5) renum as s 6 SL2006-55 s 5

## Endnotes

5 Earlier republications

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### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 2 May 2006	2 May 2006– 26 Oct 2006	not amended	new regulation
R2 27 Oct 2006	27 Oct 2006– 11 Dec 2006	SL2006-46	amendments by SL2006-46

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