

Utilities (Licensing) Exemption 2019

Disallowable instrument DI2019–268

made under the

Utilities Act 2000, s 22 (Exemptions)

1 Name of instrument

This instrument is the *Utilities (Licensing) Exemption 2019*.

2 Commencement

This instrument commences on the day after its notification day.

3 Exemption

- (1) I exempt the Australian Capital Territory, as represented by the directorate that has responsibility from time to time for providing the non-potable water supply service detailed in clause 4 (the *directorate*), from the requirement for a licence in relation to a utility service.
- (2) This exemption is granted for the purpose described in clause 4 and under the conditions described in clause 5 of this instrument.

4 Purpose

This exemption is given to operate and evaluate the Inner North Reticulation Network (*INRN*), which sources stormwater from Flemington Road Pond, Dickson Pond, Lyneham Pond and EPIC Bore. This includes the reticulation, supply and sale of non-potable water supplied from the INRN.

5 Conditions

The directorate must comply with the following conditions:

- (a) each industry code that applies to the utility;
- (b) each technical code that applies to the utility;
- (c) a technical regulator's direction given under the *Utilities (Technical Regulation) Act 2014*;
- (d) provide an annual report for 2019-20, 2020-21 and 2021-22 detailing scheme performance and that includes monitored water quality parameters for the stormwater that enters the aquifer;
- (e) provide a triple bottom line assessment of the scheme that includes a cost-benefit analysis after 5 years in operation (2017-18 to 2021-22) and then every 5 years thereafter;

- (f) dedicate at least 1.5 full time equivalent staff to manage operation of the utility service; and
- (g) keep all records and documents necessary to enable it to meet any reporting requirements or any requirement to produce a record or document under the *Utilities Act 2000* or another condition of this instrument.

6 Revocation

This instrument revokes the *Utilities (Licensing) Exemption 2015 (No 1)* (DI2015-10).

Mick Gentleman MLA
Minister for the Environment and Heritage
10 December 2019