

Australian Capital Territory

Water Resources (Fees) Determination 2024

Disallowable instrument DI2024–9

made under the

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

EXPLANATORY STATEMENT

Section 107 of the *Water Resources Act 2007* (the *Act*) permits the Minister to determine fees for the Act.

The purpose of this instrument is to clarify a fee exemption to facilitate the Territory meeting its commitments under the *Basin Plan 2012* (Cwlth) (the *Basin Plan*).

The instrument clarifies that the exemption applies not only to any application fee but also to any fee for the grant of a water access entitlement (*WAE*), where the intended use of the water involves the Territory complying with commitments or participating in registered measures under the Basin Plan.

This instrument does not change or increase any other fees. The fees for goods and services under the Act for the 2023-24 financial year remain at the same levels set out in the previous *Water Resources (Fees) Determination 2023* (DI2023-128).

This fee exemption was first established in *Water Resources (Fees) Determination 2020* and applies where the entitlement would be granted (a) to provide the shared reduction amount for the southern Basin Australian Capital Territory zone under section 6.05 of the Basin Plan and/or (b) to facilitate the Territory's participation in water efficiency measures under chapter 7 of the Basin Plan.

There are currently no fees for applications for WAEs under section 20 of the Act. Currently, fees apply to the grant of certain WAEs under section 21 of the Act.

The instrument commences on the day after its notification day.

This instrument repeals the *Water Resources (Fees) Determination 2023* (DI2023-128).

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (a) a matter that is not of a legislative nature, including, for example, a matter of a machinery, administrative, drafting or formal nature.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.