

Australian Capital Territory

Water Resources (Fees) Determination 2024 (No 2)

Disallowable instrument DI2024–124

made under the

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

EXPLANATORY STATEMENT

This explanatory statement relates to the *Water Resources (Fees) Determination 2024 (No 2)* as presented to the Legislative Assembly. It has been prepared to assist the reader of the instrument. It does not form part of the instrument and has not been endorsed by the Assembly.

The Statement must be read in conjunction with the instrument. It is not, and is not meant to be, a comprehensive description of the instrument. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

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 determine the fees for goods and services under the Act for the 2024-25 financial year and to provide a fee exemption to facilitate meeting commitments under the *Basin Plan 2012* (Cwlth) (the *Basin Plan*).

The Water Abstraction Charge (WAC) which applied in the 2023-24 financial year have been increased by 3.00% for the 2024-25 financial year, as per the decision in the 2016-17 Budget.

The regulatory fees in the determination which applied in the 2023-24 financial year, have been increased by 3.85% for the 2024-25 financial year based on the wage price index (WPI) as per Government policy, plus an additional 0.35% as per the decision in the 2023-24 Budget.

All other fees in the determination which applied in the 2023-24 financial year, have been increased by 3.50% for the 2024-25 financial year based on the wage price index (WPI) as per Government policy.

The instrument includes an exemption from the payment of the Grant of Water Access Entitlement (**WAE**) fee where the intended use of the water involves the Territory complying with commitments under the Basin Plan.

This exemption relates to the Grant of WAE fee where the entitlement would be granted (a) to provide the shared reduction amount for the southern Basin Australian Capital Territory zone and/or (b) to facilitate the Territory's participation in the Murray-Darling Basin Water Efficiency Program – ACT Led Efficiency Project.

The instrument commences on 1 July 2024.

This instrument revokes the *Water Resources (Fees) Determination 2024* (DI2024-9).

A determination under section 107 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001* (the **Legislation Act**).

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced Government policy.

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.