

Water Resources Act 2007**EXISTING ALLOCATIONS OF A UTILITY**

The *Water Resources Act 2007* (the new Act) contains parts (Part 13 and Part 20) relating to the transition of existing allocations and licences to take water held by a utility.

Allocation

An allocation issued to a utility under the *Water Resources Act 1998* (the repealed Act) will be known as a surviving allocation under the new Act and will remain valid, as a surviving allocation for a period of up to 6 months after the commencement of the new Act. The utility may surrender the surviving allocation(s) to the Environment Protection Authority (EPA) before the end of the 6-month period and the EPA must grant a water access entitlement to the utility. If the utility does not surrender the surviving allocation(s) before the end of the 6 month period, they will automatically be taken to be surrendered and the EPA must grant to the utility a water access entitlement.

Water Access Entitlement

If the surrendered allocation was for surface water, then the water access entitlement (WAE) granted will also be for surface water. The WAE will state the utility's name, the amount of surface water that may be taken, the water management area to which the amount relates; and as no fee was paid by the utility for the allocation it will also state the place where water may be taken. If required, other details may be included on the WAE.

Amount Of Water In The WAE

The amount of water on the WAE will be the lesser of:

- (1) the volume of the surrendered allocation; and
- (2) the amount that is determined to be reasonable for existing use.

Existing Utility Licence

The licence to take water WU67 granted to the utility under s35 of the repealed Act is taken to remain in force under the new Act subject to the licence conditions, including expiry date.

