



DEPARTMENT OF
THE ENVIRONMENT,
CLIMATE CHANGE,
ENERGY AND WATER

Exemption from the requirement to hold a Licence to Take Water

Water Resources Act 2007

FACTSHEET

Issued: 17 September 2009

General Provisions

In the ACT, the Territory holds defined rights over water use. Most water use is governed by the purchase of water rights, known as Water Access Entitlements (WAE) and regulated through the issue of Licences to Take Water (Licences). Water taken from the ACTEW supply network and recycled water are not covered by these provisions.

The *Water Resources Regulation 2007* allows some instances where the Authority may permit a person to take water without holding a WAE or a Licence. Such cases are referred to as Exemptions from the Requirement to hold a Licence to Take Water. The full range of purposes for which an exemption may be issued are set out on the reverse of this Fact Sheet. This Fact Sheet deals primarily with extraction to support the land development and construction industry through three of those purposes, namely:

- the taking of water from a water body if it is to be used for road works or other construction (this includes land development but not generally dust suppression);
- the taking of water from a sediment retention pond for use in construction activities if a sediment and erosion control plan provides for the pond;
- the taking of surface water to be used to establish trees or shrubs for non-commercial purposes on rural or public land.

Exemption Conditions

Exemptions will only be issued to end users not their contractors. Construction contractors seeking water for construction activity such as the compaction of civil works are considered end users.

Conditions that may be imposed include:

- a requirement to accurately measure the volume of water taken;
- limitations on how, where and when water may be taken to maximise the efficiency of water use; and
- a requirement to pay the Water Abstraction Charge (WAC) for water taken;
 - extraction from erosion and sediment control ponds will not attract the WAC,
 - extraction of less than 1 mega litre will not generally attract the WAC, and
 - extraction of more than 1 mega litre will attract the WAC.

How much will it cost?

A \$130.15 application fee is payable for each Exemption from the Requirement for a Licence to Take Water application.

A Water Abstraction Charge (WAC) of 25 cents per kilolitre may also apply.

How can you apply for a licence?

Contact Canberra Connect on 13 22 81 during business hours and ask to speak with the Water Resources area or visit the DECCEW website at www.environment.act.gov.au to obtain the appropriate application forms.

Water Resources

For more information call Canberra Connect
on 13 22 81 or visit www.environment.act.gov.au



Water Resources Regulation 2007

Under section 6 of the *Water Resources Regulation 2007* the Environment Protection Authority may, in writing, exempt a person from the requirement to hold a licence to take water for any of the following:

- a) the taking of water from hard surfaces at premises if it is to be used at the premises (eg, collecting rainwater that falls on the surface of a car park at premises to irrigate part of the premises);
- b) the taking of water from a water body if it is to be used for road works or other construction (this includes land development);
- c) the taking of leachate, or run-off containing impurities, from landfill if it is to be used for irrigation or other reuse on the landfill to retain the impurities within the landfill;
- d) the taking of water from a water body on land if it is to be used for generating electricity for domestic use on the land and then returned to the water body;
- e) the taking of water from a sediment retention pond if a sediment and erosion control plan provides for the pond (can include both management of the pond for water quality purposes or the use of the water, for instance in establishing landscaping);
- f) the taking of water to be used for maintenance of stormwater drains or pipes;
- g) the taking of water to be used for geothermal heating or cooling systems;
- h) the taking of water to be used for testing a bore; or

- i) the taking of surface water to be used to establish trees or shrubs for non-commercial purposes on rural or public land.

The Authority may give an exemption only if satisfied that giving the exemption will result in improved environmental outcomes or other public benefit.

The exemption may be given subject to conditions and it may be given for a limited period.



Water Resources

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