

Water (Further Amendment) Bill

EXPLANATORY MEMORANDUM

Clause 1 states the main purposes of the Act—to enable an Authority to delegate its power to set tariffs and to enable the sale of unallocated water in certain water storages.

Clause 2 provides for commencement.

Clause 3 identifies the **Water Act 1989** as the Principal Act.

Clause 4 amends section 30 of the Act to provide that the object of a groundwater management plan is to include making sure the resources are managed so as to ensure their long term sustainability.

Clause 5 widens section 36 of the Act to enable bulk entitlements to be granted to water in any works of a person holding a water licence or a water and sewerage licence under the **Water Industry Act 1994**.

Clause 6 clarifies the power for a resource manager to be appointed under an Order granting a bulk entitlement.

Clause 7 deals with the Minister's power to appoint a storage operator and a resource manager in respect of a bulk entitlement.

Clause 8 widens section 46A to enable an Authority to permanently transfer a bulk entitlement in whole or in part to irrigators with the approval of the Minister. The Minister may only approve such a transfer if he or she is satisfied that the entitlement is surplus to the Authority's obligations to supply water.

Clause 9 corrects a minor inaccuracy in section 47B of the Act.

Clause 10 inserts new section 47D into the Act.

Proposed section 47D sets out the circumstances in which the Minister may sell unallocated water. If an entitlement to take water has been converted under section 47 and the entitlement is in respect of water in a storage which on 1 January 1995 was owned by the Rural Water Corporation and there is water in the storage that is not allocated to the converted entitlement, the Minister may declare that an amount of the water is unallocated. The Minister may only make such a declaration when he or she has determined that the flow of water out of the storage is adequate to protect the environment.

Clause 11 widens section 51 of the Act so that a licence to take and use water may be issued in respect of water from any works of an Authority or from any works of a person holding a water licence, a water and sewerage licence or a water headworks licence under the **Water Industry Act 1994**.

Clause 12 amends sections 64F and 64G of the Act which deal with records to take into account the amendments made by this Bill.

Clause 13 enables Authorities to delegate the power to set a tariff.

Clause 14 contains a Statute Law Revision provision.

Clause 15 contains a transitional provision.