

South Australia

# Water Resources Regulations 1997

under the *Water Resources Act 1997*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Water Resources Regulations 1997*.

### 3—Interpretation

In these regulations, unless the contrary intention appears—

*the Act* means the *Water Resources Act 1997*;

*prime bank rate* for a particular financial year means the corporate loan reference rate applied by the Commonwealth Bank of Australia for corporate lending on the first trading day of the Bank in that financial year.

## Part 2—The Water Well Drilling Committee

### 4—Appointment of members

- (1) The Water Well Drilling Committee must consist of at least four members appointed by the Minister of whom—
  - (a) one must be a hydrogeologist; and
  - (b) one must be a person who has extensive experience in designing wells; and
  - (c) one must be a person who has extensive experience as a well driller who has been selected by the Minister from a panel submitted by the South Australian branch of the Australian Drilling Industry Association; and
  - (d) one must be a person who has extensive experience in well drilling and who is not a public sector employee.
- (2) Any additional members appointed by the Minister must be persons who have knowledge or experience that will be of value to the committee in carrying out its functions.
- (3) The Minister may appoint suitable persons to be deputies to the members of the committee and a deputy to a member must be appointed in the same manner as the member was appointed and must have the same qualifications for membership of the committee.
- (4) A deputy may, in the absence of a member, act as a member of the committee.

### 5—Appointment of presiding member

The Minister must appoint a member the (*presiding member*) to preside at meetings of the committee and another member the (*deputy presiding member*) to preside at meetings of the committee in the absence of the presiding member.

## **6—Functions of the committee**

The committee has the following functions in addition to the functions prescribed by section 23(2)(a) of the Act:

- (a) to advise the Minister in relation to each application for the grant, renewal or variation of a well driller's licence;
- (b) to advise the Minister, at his or her request, in relation to the use of any machinery or equipment pursuant to a well driller's licence;
- (c) to advise the Minister and the Water Resources Council in relation to the operation of the Act and these regulations;
- (d) functions that are delegated to it by the Minister.

## **Part 3—Meters**

### **7—Supply and installation of meters**

- (1) In order to assess the quantity of water taken pursuant to a water licence the Minister may—
  - (a) supply and install a meter; or
  - (b) by written notice, direct the licensee to supply and install a meter.
- (2) The Minister may supply and install a meter and may require the owner of the land on which the meter is installed to pay the costs involved which will then become a debt due by the owner to the Minister.
- (3) A meter supplied by the Minister remains the property of the Minister unless the costs of supply and installation are paid by the owner of the land or the Minister transfers property in the meter to the owner of the land.

### **8—Meters owned by the Minister**

- (1) The owner of land on which a meter owned by the Minister is installed and the holder of the water licence in relation to which such a meter is installed are jointly and severally liable for rent for the meter at the rate prescribed in Schedule 2.
- (2) The Minister may enter land on which a meter owned by the Minister is installed to read, inspect, service, maintain, repair or replace the meter.

### **9—Meters owned by landowners**

- (1) The Minister may enter land on which a meter owned by the landowner is installed to read or inspect the meter.
- (2) The Minister may, by notice in writing, direct a landowner to service, maintain, repair, replace or adjust a meter owned by the landowner if in the Minister's opinion such action is necessary.

### **10—Provisions applying to meters generally**

- (1) Where a meter is used to measure the quantity of water taken pursuant to a water licence, it is a condition of the licence that—
  - (a) the licensee must not take water except through the meter;

- (b) the licensee must not adjust or alter the meter without the Minister's authority;
  - (c) the licensee must not damage or destroy the meter;
  - (d) the licensee must not—
    - (i) cut through or into a pipe to which this paragraph applies;
    - (ii) install a fitting providing access to the inside of a pipe to which this paragraph applies;
    - (iii) change the configuration of, remove, or interfere in any other way with, a pipe to which this paragraph applies,without the authority of the Minister.
- (1a) Subregulation (1)(d) applies to the pipe connecting the water resource from which water is taken to the meter and the pipe on the other side of the meter to (and including) the S bend in the pipe or, where there is no S bend, the first T junction or elbow in the pipe.
- (2) A person must not—
- (a) adjust or alter a meter without the authority of the Minister;
  - (ab) replace a meter without the authority of the Minister;
  - (b) damage or destroy a meter.
- (3) A person who owns land on which a meter is installed—
- (a) must not permit sand, soil or any other material to be deposited on or around the meter; and
  - (b) must not permit deposits of sand, soil or any other material to build up around the meter; and
  - (c) must keep vegetation cleared away from the meter; and
  - (d) must not—
    - (i) cut through or into a pipe to which this paragraph applies;
    - (ii) install a fitting providing access to the inside of a pipe to which this paragraph applies;
    - (iii) change the configuration of, remove, or interfere in any other way with, a pipe to which this paragraph applies,without the authority of the Minister.
- (3a) Subregulation (3)(d) applies to the pipe connecting the water resource from which water is taken to the meter and the pipe on the other side of the meter to (and including) the S bend in the pipe or, where there is no S bend, the first T junction or elbow in the pipe.
- (4) Where a meter has been damaged or destroyed, the person who owns the land on which the meter is installed must, at the written direction of the Minister, repair or replace the meter.

## 10A—Requirements as to installation, repair etc of meters

- (1) Where a person is required to comply with a direction under this Part to supply and install a meter or to replace a meter, the new meter must be rated by the manufacturer to an accuracy of at least plus or minus 2 per cent.
- (2) Where a person is required to comply with a direction under this Part to—
  - (a) supply and install a meter; or
  - (b) service, repair, replace or adjust a meter,the person must employ a competent person approved by the Minister to do the work and the work must be done in accordance with specifications approved by the Minister.
- (3) A person who is required to comply with a direction under this Part to service or repair a meter must ensure that only parts that are supplied or approved by the manufacturer of the meter are used.
- (4) Where a person is required to comply with a direction under this Part to maintain a meter, he or she must maintain the meter in accordance with specifications approved by the Minister.

## 11—Compliance with Part

- (1) A person who fails to comply with a direction of the Minister under this Part or who contravenes or fails to comply with a provision of this Part is guilty of an offence.  
Maximum penalty: \$1 250.
- (2) If a person fails to comply with a direction of the Minister under this Part or contravenes or fails to comply with a provision of this Part the Minister may enter the land concerned and take such action as the Minister thinks fit to remedy the contravention or failure and the Minister's costs will be a debt due to the Minister by the person who has contravened or failed to comply with the provision or failed to comply with the direction.

## Part 4—General provisions

### 12—Mount Lofty Ranges Watershed

The area delineated in Schedule 1 is prescribed for the purposes of the definition of the *Mount Lofty Ranges Watershed* in section 3(1) of the Act.

### 13—Rate at which drinking water etc may be taken

The rate of 100 litres per day is prescribed for the purposes of section 7(7) of the Act.

### 13A—Prescription of activity under section 9(3)(f)

- (1) Using water in the course of carrying on a business in an area referred to in subregulation (2) at a rate that exceeds the rate prescribed by a water plan that applies in the area or applies to, or in relation to, a water resource in the area is, if the water has been brought into the area by means of a pipe or other channel, prescribed as an activity under section 9(3)(f) of the Act.

- (2) The following are the areas for the purpose of subregulation (1):
- (a) the area bounded by the bold unbroken line in G.R.O. Plan No. 368/96 (Clare Valley—see *Gazette 25.7.1996 p171*);
  - (b) the area of the Mallee Proclaimed Region (see *Gazette 28.7.1983 p205* and *Gazette 9.1.1986 p19*);
  - (c) the area of the Musgrave Proclaimed Region (see *Gazette 12.3.1987 p596*);
  - (d) the area of the Southern Basins Proclaimed Region (see *Gazette 12.3.1987 p596*).

### **13AB—Prescription of commercial forestry activities under section 9(3)(f)**

- (1) Subject to subregulation (3), establishing or expanding a commercial forest in an area referred to in subregulation (4) is prescribed as an activity under section 9(3)(f) of the Act.
- (2) For the purposes of subregulation (1), the expansion of a commercial forest will be taken to include a situation where there is to be an increase—
- (a) in the land that is to be planted with trees for the purposes of a commercial forest; or
  - (b) in the number of trees per hectare for the purposes of a commercial forest.
- (3) Subregulation (1) does not apply where—
- (a) the commercial forest is situated, or to be situated, on a farm; and
  - (b) the total area of the commercial forest does not exceed, or will not exceed, 10% of the total area of land within the farm that is available for farm purposes.
- (4) The following are the areas for the purposes of subregulation (1):
- (a) the whole of the area of the District Council of Grant;
  - (b) the whole of the area of The District Council of Robe;
  - (c) the whole of the area of the Wattle Range Council;
  - (d) that part of the area of the Naracoorte Lucindale Council comprising the Hundreds of Fox, Coles, Townsend, Conmurra, Joyce, Spence, Robertson, Naracoorte, Jessie and Joanna;
  - (e) that part of the area of the Kingston District Council comprising the Hundreds of Mount Benson and Bowaka.
- (5) In this regulation—

**commercial forest** means a forest plantation where the forest vegetation is grown or maintained so that it can be harvested or used for commercial purposes (including through the commercial exploitation of the carbon absorption capacity of the forest vegetation);

**farm** means a place being used solely or predominantly for the business of agriculture, pasturage, horticulture, viticulture, animal farming or any other business consisting of the cultivation of soils, the gathering in of crops or the rearing of livestock, other than where the sole or predominant use is commercial forestry.

### **13B—Prescription of activity under section 9(4)(k)**

Using water in the course of carrying on a business in a catchment area at a rate that exceeds the rate prescribed by the relevant water plan is, if the water has been brought from a water resource in some other part of the catchment area specified in the plan by means of a pipe or channel, prescribed as an activity under section 9(4)(k) of the Act.

### **14—Notice to be given by relevant authority under sections 19 or 40**

- (1) The notices referred to in section 19(2) and 40(2) of the Act that are to be given to persons specified in the relevant water plan must be given by the relevant authority in accordance with section 157 of the Act.
- (2) The notices referred to in sections 19(2) and 40(2) of the Act must be given to the public by publication in a newspaper circulating generally throughout the State.
- (3) The notice must—
  - (a) set out relevant particulars of the application; and
  - (b) identify the land that will be affected by the grant or refusal of the application; and
  - (c) include an address at which a copy of the application can be inspected during normal business hours; and
  - (d) set out the text of regulation 15.

### **15—Requirements as to representations under section 19(3) or 40(3)**

Representations under section 19(3) or 40(3) of the Act must—

- (a) be in writing; and
- (b) be made within 20 business days after the notice referred to in regulation 14 is given to the person making the representations or, in the case of a member of the public within 20 days after the publication of the notice in a newspaper under regulation 14(2); and
- (c) state the name and address of the person making the representations; and
- (d) where two or more persons make the same representations, nominate one of them to represent the others for procedural purposes; and
- (e) state whether or not the person making the representation wishes to appear before the relevant authority to be heard in support of the representations.

### **16—Time for response by applicant**

- (1) Ten business days is prescribed for the purposes of section 19(5) and 40(5) as the period within which the applicant may respond to representations.
- (2) The period referred to in subregulation (1) may be increased by the relevant authority if, in its opinion in the circumstances of a particular case, that period is too short.

## 17—Conditions on well drillers' licences

The following conditions are prescribed under section 22(3) of the Act in relation to well drillers' licences:

- (a) the licensee must keep such records as the Minister directs in such manner and for such period as he or she directs;
- (b) the licensee must, at the direction of the Minister or an authorised officer, produce records referred to in paragraph (a) to the Minister or the authorised officer for inspection or copying;
- (c) the licensee must, at the direction of the Minister or an authorised officer, take samples of water or other material from a well being drilled by the licensee and must submit the samples to the Minister or the authorised officer for inspection and analysis;
- (d) the licensee must comply with directions given by the Minister in relation to the drilling, plugging, backfilling or sealing of a well or to the repair, replacement or alteration of the casing, lining or screen of a well if those directions are given to the licensee by the Minister or published in the Gazette;
- (e) the licensee must comply with the permit authorising the work that he or she is performing.

## 18—Condition attached to certain water licences

A water recovery licence granted under the *Water Resources Act 1990* (the *repealed Act*) that is taken to have been granted under the *Water Resources Act 1997* by virtue of clause 2(3) of Schedule 3 of that Act is subject to a condition that the Minister may vary the licence from time to time by notice in writing to the licensee if, in the Minister's opinion, the variation is necessary or desirable to more effectively regulate the use of water from the resource in accordance with the relevant water allocation plan and the *Water Resources Act 1997*.

## 19—Sale of water allocations by Minister

- (1) The Minister may sell water allocations by public auction or tender or, if either of those methods fail, by private contract.
- (2) The following provisions apply in relation to the sale by the Minister of a water allocation by public auction:
  - (a) the Minister must, by notice published in a newspaper circulating generally throughout the State, give at least 14 days notice of the time and place at which the auction will be held; and
  - (b) the Minister may refuse to sell an allocation if bidding for the allocation does not reach the reserve price fixed by the Minister.
- (3) The sale of a water allocation, whether by public auction or tender or by private contract, is subject to the Minister being prepared to endorse the allocation in accordance with the Act on a water licence held by the purchaser.

## 20—Requirement to provide information to Minister

- (1) South Australian Water Corporation and all other persons who provide reticulated water supply or sewerage services and all persons who provide water drainage services must, at the request of the Minister, provide the Minister with the following information:
  - (a) the location of the infrastructure used by the person to provide those services; and
  - (b) the materials used in the construction of the infrastructure; and
  - (c) the capacity of the infrastructure; and
  - (d) in the case of South Australian Water Corporation or any other person who provides reticulated water supply services—
    - (i) the source, volume and quality of the water flowing into reservoirs and other storage facilities used by the Corporation or other person; and
    - (ii) the volume and quality of water held in storage; and
    - (iii) the volume of water lost to evaporation or leakage from storage facilities; and
    - (iv) the volume and quality of water discharged from storage facilities for supply to consumers or for any other purpose; and
  - (e) in the case of South Australian Water Corporation or any other person who provides sewerage or other water drainage services—
    - (i) the volume and quality of the water in the sewerage or water drainage system; and
    - (ii) the volume and quality of water discharged from the sewerage or water drainage system;
  - (f) such other information as the Minister thinks fit.
- (2) Section 45(5) of the Act applies to the kinds of information referred to in subregulation (1) including information requested by the Minister under subregulation (1)(f).

## 21—Information to be included in annual reports of boards

- (1) The annual report prepared by a catchment water management board under section 75 of the Act must include the following information:
  - (a) the rate of remuneration of each employee of the board for the financial year to which the report relates and where an employee receives a package including a non-monetary component, the total value of the package and the value of each of the monetary and non-monetary components; and
  - (b) the amount of superannuation contributions by the board in the relevant financial year in respect of each employee; and
  - (c) the number of meetings (if any) that each member of the board has failed to attend during the relevant year and the reason given by the member for the failure; and

- (d) the persons (if any) to whom the board has delegated functions, powers or duties under section 66 of the Act and the nature of the functions, powers or duties delegated to each person; and
- (e) the nature of functions, powers or duties (if any) delegated to the board under the Act or any other Act and the person who delegated the function, power or duty.

## 22—Form of consent under section 123

The consent referred to in section 123(4) of the Act must be in a form approved by the Minister.

## 23—Interest on unpaid levy

- (1) Interest accrues on an unpaid levy and on an unpaid instalment of a levy from the date stated for payment of the levy or instalment in the notice under section 125 of the Act.
- (2) Interest accrues on unpaid interest at six monthly intervals from the date referred to in subregulation (1).
- (3) Interest accrues under this regulation at the prime bank rate for the relevant financial year.

## 24—Interest payable by councils

Interest accrues under section 137(1) of the Act from the date on which the instalment was payable under that section at the prime bank rate for the relevant financial year.

## 25—Expiry of certain licences

A water recovery licence granted under the *Water Resources Act 1990* (the *repealed Act*) that is taken to have been granted under the *Water Resources Act 1997* by virtue of clause 2(3) of Schedule 3 of that Act expires when the licence would have expired if the repealed Act had not been repealed.

## 26—Purposes for which land is used

The land use categories set out from time to time in the *Local Government (Land Use) Regulations 1989* under the *Local Government Act 1934* are prescribed under section 138(6) of the Act as the purposes for which land is used that may be the basis for the levy under that section.

## 27—Exemption in relation to water (holding) allocation

- (1) A person who is the holder of a water licence that—
  - (a) has been granted in respect of the underground water in a prescribed wells area referred to in subregulation (2); and
  - (b) is endorsed with a water (holding) allocation,is exempt from section 124 of the Act in respect of that part of the levy for the right to take water declared for the 2000/2001 financial year that is based on the quantity of water allocated by the water (holding) allocation.
- (2) The prescribed wells areas for the purposes of subregulation (1) are:
  - (a) Comaum—Caroline Prescribed Wells Area;

- (b) Lacepede Kongorong Prescribed Wells Area;
- (c) Naracoorte Ranges Prescribed Wells Area;
- (d) Padthaway Prescribed Wells Area;
- (e) Tatiara Prescribed Wells Area.

## **28—Exemption in relation to the Tintinara Coonalpyn Prescribed Wells Area**

- (1) Subject to subregulation (2), a person who is the holder of a licence that—
- (a) has been granted in respect of a well in the prescribed area; and
  - (b) is endorsed with a water (taking) allocation for irrigation purposes,
- is exempt from section 124 of the Act to the extent that the levy declared for the 2002/2003 financial year in relation to the licence was based on the right to take water for irrigation purposes under the licence.

- (2) An exemption under subregulation (1) is subject to the following conditions:

- (a) that the holder of the licence pay to the Minister an amount calculated as follows:

$$A = NA \times LR$$

Where

*A* is the amount to be paid

*NA* is the volume of water (expressed in megalitres) notionally allocated to the person for irrigation purposes for the area to which the licence relates taking into account the relevant circumstances referred to in Columns A, B and C of Table 1, being an amount determined by multiplying the notional volume of water allocated per hectare that applies under Column C of Table 1 (depending on the kind of crop identified in Column A of Table 1 and the irrigation system used by the holder of the licence identified in Column B of Table 1) by the number of hectares where water was authorised to be used for irrigation purposes in respect of the period of restriction

*LR* is the relevant levy rate (per megalitre) that applies under Column D of Table 1,

and if the holder of the licence was authorised to use water for more than one crop during the period of restriction, then there will be an amount payable with respect to each of the relevant circumstances that apply under Table 1;

- (b) that any amount payable under paragraph (a) be paid by the holder of the licence to the Minister by a date and in a manner specified by the Minister by a notice served on the holder of the licence after the commencement of this regulation.
- (3) Subject to subregulation (4), a person who is the holder of a licence that—
- (a) has been granted in respect of a well in the prescribed area; and
  - (b) is endorsed with a water (taking) allocation for industrial purposes or for aquaculture,

is exempt from section 124 of the Act to the extent that the levy declared for the 2002/2003 financial year in relation to the licence was based on the right to take water for industrial purposes or aquaculture (as the case may be) under the licence.

- (4) An exemption under subregulation (3) is subject to the following conditions:
- (a) that the holder of the licence pay to the Minister the amount specified in Table 2 in relation to his or her licence;
  - (b) that an amount payable under paragraph (a) be paid by the holder of the licence to the Minister by a date and in a manner specified by the Minister by a notice served on the holder of the licence after the commencement of this regulation.
- (5) For the avoidance of doubt, if in respect of a particular area covered by a licence within the ambit of subregulation (1) or subregulation (3) there was no authorisation to use water during the period of restriction for the relevant purpose, then no amount is payable under subregulation (2) or (4) (as the case may be) in relation to water authorised to be used for that purpose.
- (6) Subject to subregulation (7), a person who is the holder of a licence that—
- (a) has been granted in respect of a well in the prescribed area; and
  - (b) is endorsed with a water (taking) allocation for irrigation purposes,

is exempt from section 124 to the extent that the levy declared for the 2003/2004 financial year in relation to the licence is based on the right to take water for irrigation purposes under the licence.

- (7) An exemption under subregulation (6) is subject to the following conditions:
- (a) that the holder of the licence pay to the Minister an amount calculated as follows:

$$A = WA(LR + SL)$$

Where

*A* is the amount to be paid

*WA* is the amount of water (expressed in megalitres) allocated to the person for irrigation purposes under the licence for the 2003/2004 financial year

*LR* is the relevant levy rate (per megalitre) that applies under Column C of Table 3

*SL* is—

- (i) if the water allocation is from the unconfined aquifer—\$0.25 per megalitre of allocation;
- (ii) if the water allocation is from the confined aquifer—\$1.50 per megalitre of allocation,

and if the holder of the licence has an allocation that will relate to more than one crop during the 2003/2004 financial year (as determined by the Minister for the purposes of making the allocation), then there will be an amount payable with respect to each of the relevant circumstances that apply under Table 3;

- (b) that any amount payable under paragraph (a) be paid by the holder of the licence to the Minister by a date and in a manner specified by the Minister by a notice served on the holder of the licence after the commencement of the 2003/2004 financial year.
- (8) In this regulation—

*megalitre* means 1 000 kilolitres;

*period of restriction* means the period for which a restriction applied with respect to the prescribed area under section 16 of the Act during the 2002/2003 financial year;

*prescribed area* means the Tintinara Coonalpyn Prescribed Wells Area (see the *Water Resources (Tintinara Coonalpyn Prescribed Wells Area) Regulations 2000*).

**Table 1—Calculation of amount payable for irrigation purposes for 2002/2003**

A Type of crop	B Irrigation system used	C Notional allocation	D Levy rate \$/ML
Native Flowers	D	10.82	\$0.90
Lawn/Turf	S	8.46	\$1.04
Lucerne	C/S (< or = to 2,500mg/L)	7.69	\$0.95
	C/S (>2,500mg/L)	8.46	\$0.87
	T/F	9.29	\$0.79
Maize (Oct)	C	8.78	\$0.46
Olive (Fresh)	D/S (< or = to 2,500mg/L)	6.93	\$0.76
	D/S (>2,500mg/L)	8.13	\$0.64
Olive (Oil)	D/S (< or = to 2,500mg/L)	6.32	\$0.74
	D/S (>2,500mg/L)	7.39	\$0.64
Onion (Sep)	C	10.62	\$0.46
	T	12.10	\$0.40
Pasture/Dairy	C	9.95	\$0.88
Potato (Nov)	C	8.16	\$0.63
Potato ("Nadine")	C	8.96	\$0.58
Tomato (Nov)	Fr	11.03	\$0.74
Winegrape	D/S	3.34	\$1.20

- 1 D indicates a drip irrigation system  
C indicates a centre pivot irrigation system  
F indicates a flood irrigation system  
Fr indicates a furrow irrigation system  
S indicates a sprinkler irrigation system  
T indicates a travelling irrigation system
- 2 ML represents megalitres
- 3 mg/L represents milligrams per litre, a measure of salinity

**Table 2—Calculation of amount payable for industrial or aquaculture purposes for 2002/2003**

A Licence number	B Amount payable
25059	\$210.00
25087	\$25.20
25094	\$98.00
25032	\$14.44
25033	\$14.44
25063	\$3.50
25081	\$17.76

**Table 3—2003/2004 levy rate for irrigation allocation**

A Type of crop	B Irrigation system used	C Levy rate \$/ML
Native Flowers	D	\$0.95
Lawn/Turf	S	\$1.10
Lucerne	C/S (< or = to 2,500mg/L)	\$1.01
	C/S (>2,500mg/L)	\$0.92
	T/F	\$0.83
Maize (Oct)	C	\$0.48
Olive (Fresh)	D/S (< or = to 2,500mg/L)	\$0.80
	D/S (>2,500mg/L)	\$0.68
Olive (Oil)	D/S (< or = to 2,500mg/L)	\$0.79
	D/S (>2,500mg/L)	\$0.67
Onion (Sep)	C	\$0.49
	T	\$0.43
Pasture/Dairy	C	\$0.93
Potato (Nov)	C	\$0.67
Potato ("Nadine")	C	\$0.61
Tomato (Nov)	Fr	\$0.79
Winegrape	D/S	\$1.27

- 1 D indicates a drip irrigation system  
C indicates a centre pivot irrigation system  
F indicates a flood irrigation system  
Fr indicates a furrow irrigation system  
S indicates a sprinkler irrigation system  
T indicates a travelling irrigation system
- 2 ML represents megalitres

3 mg/L represents milligrams per litre, a measure of salinity

## 29—Exemption in relation to the Tintinara Coonalpyn Prescribed Wells Area—2004/2005

- (1) Subject to subregulation (2), a person who is the holder of a licence that—
- (a) has been granted in respect of a well in the prescribed area; and
  - (b) is endorsed with a water (taking) allocation for irrigation purposes,
- is exempt from section 124 to the extent that the levy declared for the 2004/2005 financial year in relation to the licence is based on the right to take water for irrigation purposes under the licence.
- (2) An exemption under subregulation (1) is subject to the following conditions:

- (a) that the holder of the licence pay to the Minister an amount calculated as follows:

$$A = WA (LR + SL)$$

where

*A* is the amount to be paid

*WA* is the amount of water (expressed in megalitres) allocated to the person for irrigation purposes under the licence for the 2004/2005 financial year

*LR* is the relevant levy rate (per megalitre) that applies under Column C of Table 1

*SL* is—

- (i) if the water allocation is from the Tolmer Management Area (Confined Aquifer)—\$1.50 per megalitre of allocation;
- (ii) if the water allocation is from any other area—nil,

and if the holder of the licence has an allocation that will relate to more than one crop during the 2004/2005 financial year (as determined by the Minister for the purposes of making the allocation), then there will be an amount payable with respect to each of the relevant circumstances that apply under Table 1;

- (b) that any amount payable under paragraph (a) be paid by the holder of the licence to the Minister by a date and in a manner specified by the Minister by a notice served on the holder of the licence after the commencement of the 2004/2005 financial year.

- (3) In this regulation—

*megalitre* means 1 000 kilolitres;

*prescribed area* means the Tintinara Coonalpyn Prescribed Wells Area (see the *Water Resources (Tintinara Coonalpyn Prescribed Wells Area) Regulations 2000*).

**Table 1—2004/2005 levy rate for irrigation allocation**

A Type of crop	B Irrigation system used	C Levy rate \$/ML
Native flowers	D	\$1.01
Lawn/Turf	S	\$1.17
Lucerne	C/S (< or = to 2,500mg/L)	\$1.07
	C/S (>2,500mg/L)	\$0.97
	T/F	\$0.88
Maize (Oct)	C	\$0.51
Olive (Fresh)	D/S (< or = to 2,500mg/L)	\$0.85
	D/S (>2,500mg/L)	\$0.72
Olive (Oil)	D/S (< or = to 2,500mg/L)	\$0.84
	D/S (>2,500mg/L)	\$0.71
Onion (Sep)	C	\$0.52
	T	\$0.46
Pasture/Dairy	C	\$0.99
Potato (Nov)	C	\$0.71
Potato ("Nadine")	C	\$0.65
Tomato (Nov)	Fr	\$0.84
Winegrape	D/S	\$1.35

- 1 D indicates a drip irrigation system  
C indicates a centre pivot irrigation system  
F indicates a flood irrigation system  
FR indicates a furrow irrigation system  
S indicates a sprinkler irrigation system  
T indicates a travelling irrigation system
- 2 ML represents megalitres
- 3 mg/L represents milligrams per litre, a measure of salinity

## Schedule 1—Mount Lofty Ranges Watershed

Commencing at the junction of the boundaries of the hundreds of Moorooroo, Jutland and Barossa;  
thence generally southerly and south-easterly along the boundary of the hundred of Jutland to a point in line with the north-western boundary of section 164, hundred of Jutland;  
thence north-easterly crossing road and through section 164 to the western corner of trigonometrical reserve, west of Single Tree Hill;  
thence north-easterly and south-easterly along the north-western and north-eastern boundaries respectively of the said trigonometrical reserve to its eastern corner;

thence south-easterly through section 164 and across road to the north-western corner of closed road west of section 163;

thence southerly along the western boundary of said closed road and its production across road to the north-eastern boundary of section 407;

thence south-easterly along the north-eastern boundaries of sections 407 and 406 to the northern corner of section 402;

thence south-easterly through sections 402 and 404 and across road to the intersection of the south-eastern boundary of section 404 with the south-eastern boundary of road through section 404;

thence south-westerly along the south-eastern boundary of section 404 and its production across road to the boundary of the hundred of Talunga;

thence generally south-westerly along the boundary of the hundred of Talunga to a point in line with the eastern boundary of section 6414, hundred of Tungkillio;

thence south-westerly across road and through section 6414, hundred of Tungkillio, to the south-eastern corner of section 6413;

thence westerly along the southern boundary of section 6413 and its production across road to the boundary of the hundred of Talunga;

thence generally south-westerly along the boundaries of the hundreds of Talunga, Onkaparinga and Kuitpo to a point in line with the north-eastern boundary of section 3514, hundred of Macclesfield;

thence generally south-easterly across road and along the north-eastern boundaries of sections 3514 and 3517, hundred of Macclesfield, crossing intervening closed road to the south-western boundary of road through section 3517;

thence generally south-easterly along the south-western boundary of road through sections 3517, 2987 and closed roads and north-east of section 2939 to a point distant 366 metres from the northern boundary of section 2977;

thence easterly across road and through section 2977 along a line parallel with the northern boundary of the said section for a distance of 122 metres;

thence south-easterly through section 2977 to a point on the southern boundary of the said section, distant 427 metres from the south-western corner of section 2976;

thence north-easterly through sections 2977, 2976 and 2975, crossing intervening closed road to the north-eastern corner of section 2975;

thence northerly along the western boundary of section 2978 to the north-western corner of the said section;

thence easterly along the northern boundary of section 2978 and across road to the western corner of section 2988;

thence generally north-easterly along the north-western boundaries of sections 2988 and 2979 and closed road, crossing intervening road to the southern boundary of section 2208;

thence generally north-easterly along the south-eastern boundary of road through sections 2208 and 2209 to the north-eastern boundary of section 2209;

thence generally south-easterly along the north-eastern boundary of section 2209 to a point distant 122 metres from the southern boundary of the said section;

thence south-easterly through section 38, crossing intervening roads to the north-eastern corner of section 2854;

thence south-easterly through section 2856 to the intersection of the eastern boundary of the said section with the south-western boundary of railway land;

thence south-easterly through section 2857 to a point on the southern boundary of the said section distant 91 metres from its south-eastern corner;

thence south-westerly through section 2851 at an included angle of 130 deg. for a distance of 549 metres;

thence south-easterly through section 2851 to the south-eastern corner of the said section;  
thence south-easterly across road and through sections 2921 and 2922, crossing intervening road to a point on the southern boundary of section 2922 distant 305 metres from the south-western corner of the said section;  
thence easterly along the southern boundary of section 2922 to a point distant 274 metres from the north-western corner of section 2925;  
thence south-easterly through sections 2925, 2923 and 2691 to a point on the south-eastern boundary of section 2691 distant 457 metres from the northern boundary of the said section;  
thence generally south-westerly along the south-eastern boundaries of sections 2691, 2697, 44, 2699, 2700, 2725, 2726, 2690 and 2727, crossing intervening roads to a point on the north-eastern boundary of section 2727 distant 305 metres from the north-western boundary of the said section;  
thence southerly through section 2727 to the eastern corner of section 2637;  
thence southerly through section 2639, crossing intervening roads to a point on the north-eastern boundary of section 2638 distant 396 metres from the south-eastern boundary of the said section;  
thence southerly through section 2638 to the southern corner of the said section;  
thence south-westerly along the south-eastern boundary of section 2685 to the western corner of section 2641;  
thence westerly through section 2685 to the western corner of the said section;  
thence south-westerly through section 2635 to the eastern corner of section 2636;  
thence generally westerly and north-westerly along the southern and south-western boundaries respectively of sections 2636 and 2646, crossing intervening road to the western corner of section 2646;  
thence north-westerly through sections 2647, 2648 and 2719, crossing intervening road to the northern corner of section 2719;  
thence generally northerly along the western boundaries of sections 2716, 1957, 1958 and 2974, crossing intervening road to a point on the south-western boundary of section 2974 distant 91 metres from the southern boundary of the said section;  
thence north-westerly across road and through sections 30 and 24 to a point on the western boundary of section 24 distant 152 metres from the southern boundary of the said section;  
thence north-westerly across road and through sections 1965 and 27 to the south-eastern corner of section 1961;  
thence westerly and northerly along the southern and western boundaries respectively of section 1961 to a point on the western boundary of the said section distant 244 metres from the northern corner of section 1962;  
thence north-westerly through sections 1962 and 1960, crossing intervening road to the western corner of section 2958;  
thence westerly across road and through section 2957 to the south-western corner of the said section;  
thence westerly along the southern boundary of section 56 to the boundary of the hundred of Macclesfield;  
thence south-westerly through section 2956 and across road to the south-eastern corner of section 56;  
thence generally north-westerly along the said hundred boundary to the junction of the boundaries of the hundreds of Macclesfield and Kondoparinga;  
thence generally south-westerly along the boundary of the hundred of Kondoparinga to the northern corner of section 1965, hundred of Kondoparinga;  
thence south-easterly along the north-eastern boundary of the said section to its eastern corner;

thence generally southerly along the eastern boundaries of sections 1965 and 1966 and across road to the north-eastern corner of section 1967;

thence westerly and south-westerly along the northern and north-western boundaries respectively of section 1967 to the northern boundary of section 1770, hundreds of Kondoparinga and Nangkita;

thence westerly and south-westerly along the northern and north-western boundaries respectively of the said section to a point on the said north-western boundary distant 730 metres from the north-western corner of the said section;

thence north-westerly through sections 218 and 217, hundred of Nangkita, crossing intervening road to the southern corner of section 198, hundred of Myponga;

thence generally westerly and southerly along the boundary of the hundred of Myponga to the junction of the boundaries of the hundreds of Myponga, Nangkita and Encounter Bay;

thence generally south-easterly along the boundary of the hundred of Encounter Bay to the junction of the boundaries of the hundreds of Nangkita, Goolwa and Encounter Bay;

thence generally easterly along the boundary of the hundred of Goolwa to a point on the northern boundary of section 253, hundred of Goolwa, distant 675 metres from the western boundary of the said section;

thence southerly through section 253 along a line parallel to and distant 675 metres from the western boundary of the said section to the southern boundary thereof;

thence generally easterly along the southern boundaries of sections 253 and 254 to the south-eastern corner of section 254;

thence south-easterly across road and through section 256 to the north-western corner of trigonometrical reserve, Mosquito Hill;

thence southerly along the western boundary of said reserve and its production through section 258, crossing intervening roads to the north-eastern boundary of section 228;

thence south-easterly and southerly along the north-eastern and eastern boundaries respectively of section 228 to its south-eastern corner;

thence southerly across road to the north-eastern corner of section 2095;

thence south-easterly through section 2095 and across road to the northern corner of section 2086;

thence south-westerly through sections 2086 and 2087 to the intersection of the south-western boundary of section 2087 with the centre-line of Currency Creek;

thence south-westerly through sections 2088, 2154, 2155 and 2162 to the south-western corner of section 2162;

thence south-westerly through section 2160 to the north-eastern corner of section 2167;

thence south-westerly through section 2167 to its south-western corner;

thence southerly along the western boundaries of sections 2173 and 2175, crossing intervening roads to the north-western corner of section 2231;

thence westerly across road and along the northern boundary of section 2232 to a point distant 225 metres from the north-eastern corner of the said section;

thence south-westerly through sections 2232, 2407 and 2406, crossing intervening roads to a point on the north-eastern boundary of section 2405 in line with the south-eastern boundary of section 2409;

thence south-westerly through section 2405 and along the south-eastern boundary of section 2409, crossing intervening road to the south-eastern boundary of road through section 2409;

thence north-westerly across road and through section 2409 to the north-western corner thereof;

thence north-westerly across road and through section 2413 to the north-western corner thereof;

thence north-easterly through section 182 and across road to the southern corner of section 305;

thence generally north-westerly along the south-western boundaries of sections 305, 306 and 129NW and across road to the southern corner of section 128;

thence generally westerly and north-westerly across road and along the southern and south-western boundaries of section 133S to the western corner of the said section;

thence north-westerly across road and along the south-western boundary of section 133N to a point in line with the southern boundary of section 162;

thence westerly across road to the southern corner of section 162;

thence generally southerly along the eastern boundaries of sections 293 and 145 to a point on the eastern boundary of section 145 distant 427 metres from the southern boundary of the said section;

thence south-westerly through sections 145 and 263 and across road to the northern corner of section 59;

thence south-westerly along the north-western boundary of section 59 to the southern corner of section 264;

thence westerly through section 139 to the western corner of the said section;

thence westerly across road to the southern corner of the western portion of section 265;

thence north-westerly along the south-western boundary of section 265 and across road to the southern corner of section 277;

thence generally north-westerly along the south-western boundary of waterworks land, parts sections 138, 159 and closed road to the western corner of section 159;

thence north-easterly along the north-western boundary of section 159 to the south-western corner of section 160;

thence north-westerly along the south-western boundary of section 160 to the western corner of the said section;

thence westerly across road to the north-eastern corner of section 157;

south-westerly along the south-eastern boundary of section 157 to the southern corner of the said section;

thence south-westerly through sections 111, 597 and 40, hundred of Encounter Bay, to the south-eastern corner of section 595;

thence westerly along the southern boundaries of sections 595 and 40 to the eastern corner of section 607;

thence north-westerly along the north-eastern boundary of section 607 to the northern corner of the said section;

thence south-westerly along the north-western boundaries of sections 607 and 170 to the western corner of section 170;

thence north-westerly across road and through sections 133 and A1 to a point on the western boundary of section A1 road and through sections 133 and A1 to a point on the western boundary of section A1 distant 488 metres from the south-western corner of the said section;

thence north-westerly through section A2 at an included angle of 205 deg. for a distance of 1463 metres;

thence north-westerly through section A2 to the south-western corner of section 709;

thence generally north-westerly along the south-western boundaries of sections 709, 708, 62, 61, 58, 78 and 91 and across road, crossing intervening roads to the boundary of the hundred of Encounter Bay;

thence generally south-westerly along the said hundred boundary to a point in line with the south-western boundary of section 61, hundred of Myponga;

thence generally north-westerly across road and along the south-western boundaries of sections 61, 62, 237, 328, 290, 241 and 70, hundred of Myponga, crossing intervening road to the south-western corner of section 70;

thence north-westerly through sections 69 and 599 to a point on the north-western boundary of section 599 distant 118 metres from the northern corner of the said section;

thence north-westerly across road and through section 67 along a line parallel with the north-eastern boundary of the said section for a distance of 122 metres;

thence westerly through section 67 at an included angle of 218 deg. for a distance of 274 metres;

thence north-westerly through section 67 and across road to a point on the south-eastern boundary of section 82 distant 103 metres from the southern corner of the said section;

thence south-westerly and north-westerly along the south-eastern and south-western boundaries respectively of section 82 to the western corner of the said section;

thence north-westerly along the south-western boundaries of sections 714 and 84 to the western corner of section 84;

thence across road and south-westerly along the south-eastern boundary of section 621 to the southern corner of the said section;

thence generally north-westerly and north-easterly across road and along the north-eastern and south-eastern boundaries of road through sections 651, 652 and 656 to the northern boundary of section 656;

thence generally north-easterly through section 147 along the boundary of waterworks land, part section 147, crossing intervening road to the eastern boundary of the said section;

thence northerly along the eastern boundary of section 147 to the north-eastern corner of the said section;

thence generally north-easterly along the south-eastern boundary of road through sections 625, 619, 620, 534, 530, 531, 532, 528 and 286, crossing intervening roads to a point on the said road boundary distant 335 metres from the south-western boundary of section 286;

thence north-easterly across road and through section 286 and across closed road to the western corner of section 287;

thence north-easterly along the north-western boundary of section 287 and across road to the north-eastern boundary of road through section 287;

thence north-easterly through sections 519, 518 and closed road to a point on the south-western boundary of section 316 distant 152 metres from the southern corner of the said section;

thence north-easterly through sections 519, 518 and closed road to a point on the south-western boundary of section 316 distant 152 metres from the southern corner of the said section;

thence north-easterly through sections 519, 518 and closed road to a point on the south-western boundary of section 316 distant 152 metres from the southern corner of the said section;

thence north-easterly through sections 316 and 545, crossing intervening road to a point on the south-western boundary of section 546 distant 305 metres from the southern corner of the said section;

thence north-easterly through sections 546 and 548 along a line parallel to the south-eastern boundaries of the said sections, crossing closed road and road to the eastern boundary of road through section 548;

thence generally northerly along the eastern boundary of road through sections 548, 552, 551 and 301 and its production across road to the boundary of the hundred of Myponga;

thence generally north-easterly along the boundaries of the hundreds of Myponga and Kuitpo to a point in line with the southern boundary of road south of trigonometrical reserve, Wickam Hill;

thence generally north-easterly crossing road and along the north-western boundary of section 1645 to the southern corner of section 1641;

thence generally north-westerly along the south-western boundary of section 1641 to the southern corner of section 1643;

thence north-westerly through section 1643 to the eastern corner of section 1642;

thence north-westerly through sections 1647 and 196 to a point on the north-western boundary of section 196 distant 244 metres from the north-eastern boundary of the said section;

thence north-westerly through section 197, crossing intervening roads to the eastern corner of section 655;

thence generally north-westerly along the north-eastern boundary of section 655; across road and along the south-western boundaries of sections 199, 735, 845 and 201 to the western corner of section 201;

thence north-easterly along the north-western boundary of section 201 for a distance of 335 metres;

thence north-westerly through section 816, crossing intervening roads to the south-eastern corner of section 822, hundreds of Kuitpo and Noarlunga;

thence north-westerly through the said section to its north-western corner;

thence north-westerly across road and through section 807, hundred of Noarlunga, crossing intervening road to the intersection of the northern boundary of the said section with the north-eastern boundary of road through section 807;

thence generally north-westerly along the north-eastern boundary of road through closed road and sections 735 and 734 to the western boundary of section 734;

thence northerly along the western boundary of section 734 to the south-eastern corner of section 722;

thence westerly along the southern boundary of section 722 to the eastern boundary of road through the said section;

thence generally north-easterly along the south-eastern boundary of road through sections 722, 711, 712, 702, 703, 694, 695, 684, 678, 679 and 672, crossing intervening roads to the north-eastern corner of section 679;

thence generally north-easterly along the north-western boundary of section 1408, crossing intervening roads to the south-western corner of section 1486;

thence northerly along the western boundaries of section 1486 and 673B to the south-western corner of section 273;

thence generally north-easterly along the north-western boundary of section 273, crossing intervening roads to the north-eastern corner of the said section;

thence generally north-easterly along the south-eastern boundary of road through sections 1640, 267, 270, 268 and 264 and north-west of sections 267 and 1059, crossing intervening roads to the eastern corner of section 264;

thence south-easterly across road and along the north-eastern boundaries of sections 266 and 1056 to the north-western corner of section 781;

thence generally north-easterly along the south-eastern boundary of road through sections 781, 784 and 785, crossing intervening road to the northern boundary of section 785;

thence generally easterly along the northern boundaries of closed road and sections 347, 348, 353 and 354, crossing intervening roads to the north-eastern corner of section 354;

thence northerly across road to the western corner of section 355;

thence generally north-easterly along the north-western boundaries of sections 355, 1506, 1505, 2878, 1512, 1504 and 283, crossing intervening road to a point in line with the western boundary of section 421;

thence northerly across road and along the western boundaries of sections 421 and 422, crossing intervening road to the north-western boundary of road south-east of section 418;

thence north-easterly along the said road boundary to the boundary of section 422;

thence continuing north-easterly through section 422 along the production of the said road boundary to the southern boundary of section 417;

thence generally easterly along the southern boundary of section 417 to the western corner of section 299;

thence easterly along the northern boundary of section 299 and across road to the eastern boundary of road through section 299;

thence north-easterly along the north-western boundary of section 299 to the northern corner of the said section;

thence north-easterly through Minister of Works land, part section 416, and across road to the south-eastern corner of section 1528;

thence westerly along the southern boundary of section 1528, crossing intervening road to the south-western corner of the said section;

thence generally north-westerly along the south-western boundaries of sections 1528, 1525, 1527, 49 and 48, crossing intervening roads to the centre-line of Adelaide to Melbourne railway;

thence generally westerly along said centre-line of railway to the boundary of the hundred of Noarlunga;

thence generally north-easterly and north-westerly along the boundaries of the hundreds of Noarlunga and Onkaparinga to a point in line with the north-western boundary of block 331, hundred of Onkaparinga;

thence north-westerly crossing road and through section 5653 to the western corner of section 5536;

thence south-westerly along the southern boundary of section 5537 to the southern corner of the said section;

thence north-westerly along the south-western boundary of section 5537 and across road to the boundary of the hundred of Onkaparinga;

thence generally north-easterly along the said hundred boundary to a point in line with the western boundary of waterworks land, part section 5394, hundred of Yatala;

thence north-easterly across said waterworks land and through section 5394, hundred of Yatala, crossing intervening road to the south-western corner of section 5405;

thence north-easterly through section 5404, crossing intervening road to a point on the north-western boundary of section 5405 distant 640 metres from the southern boundary of the said section;

thence generally north-easterly along the north-western boundaries of sections 5405, 5399 and 5398, crossing intervening roads to the north-eastern boundary of North East Road, Houghton;

thence generally westerly along the northern boundary of North East Road, crossing intervening roads to the north-eastern boundary of Range Road;

thence generally north-westerly along the north-eastern boundary of Range Road to the south-western boundary of section 5561;

thence generally north-easterly along the north-eastern boundary of road through sections 5561 and 5488 and north-west of sections 5488, 5489, closed road, sections 5454, 5456 and 5452, crossing intervening roads to the western corner of section 5452;

thence generally north-westerly along the north-eastern boundary of road south-west of and through section 5451 to the southern corner of section 717;

thence generally north-easterly along the north-western boundaries of sections 717 and 718, crossing intervening road to the north-western corner of section 718;

thence generally north-westerly along the north-eastern boundary of road through sections 2171, 2178, 2180, 2179 and 2169, crossing intervening road and closed roads to the eastern boundary of Taylor Road, Golden Grove;

thence generally northerly along the eastern boundary of Taylor Road to the southern corner of that portion of section 2169 contained (with other land) in certificate of title, register book, volume 4105 folio 258;

thence north-westerly and westerly along the boundaries of the said part section to the south-eastern corner of allotment 3 of Lands Titles Registration Office Filed Plan No. 8177;

thence generally north-westerly and generally south-westerly along the boundaries of allotment 2 of the said Filed Plan to the south-eastern corner of allotment A of Lands Titles Registration Office Road Plan No. 7639;

thence north-westerly along the south-western boundary of allotment A to the south-western corner of the said allotment;

thence south-westerly along the south-eastern boundary of allotment 1 of Lands Titles Registration Office Filed Plan No. 8177 to the north-eastern corner of allotment 4 of Lands Titles Registration Office Filed Plan No. 3495;

thence north-westerly along the north-eastern boundaries of allotments 4 and 3 to the northern corner of allotment 3;

thence westerly along the northern boundaries of allotments 2 and 1 of Lands Titles Registration Office Filed Plan No. 3495 to the north-western corner of the said allotment 1;

thence southerly along the western boundary of allotment 1 to a point in line with the southern boundary of section 2288;

thence westerly through allotment 14 of Lands Titles Registration Office Filed Plan No. 1102 and along the southern boundary of section 2288 to the north-eastern corner of section 2285;

thence northerly through section 2288 crossing allotment 14 of Lands Titles Registration Office Filed Plan No. 1102 to the south-western corner of section 3280 hundred of Munno Para;

thence north-easterly through section 3280 to a point on the north-eastern boundary of the said section distant 215 metres from its north-western corner;

thence north-westerly through section 4200 to the northern corner of section 3279;

thence generally north-easterly along the north-western boundaries of sections 4200 and 5774, crossing intervening roads to the northern corner of section 5774;

thence generally north-easterly along the north-western and northern boundaries of sections 5671, 4220, 4219, 4218, 4223, 4221, 4222, 4226, 4229, 4194, 4230 and 4231, crossing intervening roads to the northern corner of section 4231;

thence generally north-easterly along the south-eastern boundary of road through section 4363 and across road to the western corner of section 6382, hundred of Para Wirra;

thence north-easterly along the north-western boundary of section 6382, hundred of Para Wirra to the north-western corner of the said section;

thence easterly along the northern boundary of section 6382 to the north-eastern corner of the said section;

thence generally south-easterly along the eastern boundary of section 6382 and the north-eastern boundary of section 310 to the eastern corner of section 310;

thence south-westerly along the south-eastern boundary of section 310 to the northern corner of section 1698;

thence generally south-easterly along the north-eastern boundaries of sections 1698, 4, 1676, 1658, 1659, 1672, 105, 95 and 80, crossing intervening roads to the western corner of section 81;

thence north-easterly along the north-western boundary of section 81 to a point distant 549 metres from the eastern boundary of the said section;

thence northerly across road and through section 264 along a line parallel with the eastern boundaries of sections 81 and 264 to the north-eastern boundary of section 264;

thence south-easterly along the north-eastern boundary of section 264 to the western corner of section 413;

thence generally north-easterly along the north-western boundaries of sections 413, 414, 284, 286, 375 and waterworks reserve to the boundary of the hundred of Para Wirra;

thence generally north-westerly along the western and south-western boundaries of waterworks reserve and sections 173, 174, 153, 154, closed road, sections 161 and 162, hundred of Barossa, crossing intervening road to the south-western corner of section 159, hundred of Barossa;

thence generally north-easterly along the north-western boundaries of sections 159, 249, 250, 253, 214 and closed road to the north-western corner of section 214;

thence north-easterly along the north-western boundary of section 214 to the northern corner of the said section;

thence south-easterly along the north-eastern boundary of section 214 and across closed road to the northern corner of section 1;

thence north-easterly along the north-western boundary of section 3 to the boundary of waterworks land, part section 3;

thence generally south-easterly along the north-eastern boundary of waterworks land, part section 3, section 1, parts section 2, section 2524, closed road, part section 2525, sections 2526 and 21, to the northern corner of section 492;

thence north-easterly along the north-western boundary of section 165 to the northern corner of the said section;

thence south-easterly along the north-eastern boundary of section 165 to the southern corner of section 164;

thence south-easterly across road to the northern corner of section 141;

thence south-easterly along the north-eastern boundaries of sections 141, 142, 143 and 985, crossing intervening road to the eastern corner of section 985;

thence continuing south-easterly along the production of the north-eastern boundary of section 985, through section 984 and across road to the south-eastern boundary of road through section 984;

thence generally north-easterly along the south-eastern boundary of road through section 984, crossing intervening road to the western corner of section 35;

thence easterly through sections 35 and 569 to a point on the north-eastern boundary of section 569 distant 557 metres from the southern corner of section 2500;

thence north-easterly across road and through block 1181 to a point on the north-eastern boundary of the said block distant 488 metres from the western corner of section 309;

thence north-easterly through sections 309 and 967 to the eastern corner of section 967;

thence easterly through sections 963 and 37, crossing intervening roads to a point on the western boundary of section 38 distant 244 metres from the southern boundary of the said section;

thence generally northerly along the western boundaries of sections 38, 41, 42 and 39, crossing intervening road to the northern corner of section 39;

thence easterly through section 45, crossing intervening roads to a point on the western boundary of section 1104 distant 213 metres from the southern boundary of the said section;

thence north-easterly through section 1104 and across road to the western corner of section 49;

thence north-easterly through section 49 to the north-western corner of section 3115;

thence south-easterly through section 3115 to the north-western corner of section 1095;

thence south-easterly through section 1095 and across road to a point on the northern boundary of section 1120 distant 1048 metres from the north-western corner of the said section;

thence generally south-easterly along the north-eastern boundaries of sections 1120, 670, 1119 and closed road, crossing intervening road to the north-western boundary of section 3111;

thence north-easterly along the north-western boundary of section 3111 and its production through road to the boundary of the hundred of Barossa;  
thence generally north-easterly along the said hundred boundary to the intersection of the boundaries of the hundreds of Moorooroo, Jutland and Barossa, the point of commencement.

## Schedule 2—Fees

1	Application for a permit, other than a permit under item 1A	\$ 37.50
1A	Application for a permit to drill a well	\$60.00 plus a technical assessment fee of an amount not exceeding \$120 determined by the Minister after taking into account any advice from his or her department about the costs associated with assessing the application
2	Maximum fee for copies of documents under section 21 of the Act	\$1.05 per page
3	Application for well driller's licence—	
	(a) for a new licence	\$174.00
	(b) for the renewal of a licence	\$89.50
4	Application for the variation of a well driller's licence	\$133.00
5	Application for a water licence—	
	(a) where the licence is to replace a water recovery licence that is taken to be a water licence under the Act but has expired (see regulation 25) or to replace any other water recovery licence that was in force at any time within a period of three months immediately preceding the commencement of the Act	\$37.50
	(b) in any other case	\$155.00
6	Maximum fee for copies of water licences under section 32 of the Act	\$1.05 per page
7	Application to transfer water licence	\$300.00 plus a technical assessment fee as follows: (a) until 30 June 2005—\$100; (b) from 1 July 2005—\$200
8	Application to vary water licence on transfer of allocation	\$300.00 plus a technical assessment fee as follows: (a) until 30 June 2005—\$100; (b) from 1 July 2005—\$200
9	Additional fee where Minister directs an assessment by an expert under section 34(6) or section 39(2) of the Act (The expenses of the assessment are to be paid by the applicant in addition to this fee.)	\$128.00

10	Application to vary licence for any other reason	\$300.00 plus a technical assessment fee as follows: (a) until 30 June 2005—\$100; (b) from 1 July 2005—\$200
11	Application for notation on the register of water licences under section 47(5) and application for removal of notation under section 47(7)	\$6.00
12	Maximum fee for copies of submissions for financial assistance under section 64 of the Act	\$1.05 per page
13	Maximum fee for a copy of the annual report of a board under section 75 of the Act	\$1.20 per page
14	Fee for a copy of the State Water Plan or any amendments to the State Water Plan	\$1.20 per page
15	Maximum fee for copies of documents under section 100 of the Act	\$1.05 per page
16	Maximum fee for copies of documents under section 107 of the Act	\$1.05 per page
17	Maximum fee for copies of documents under section 115 of the Act	\$1.05 per page
18	Fee for copies of agenda or minutes of a meeting of the Council, a board or committee	\$1.20 per page
19	Rent for meter for a period of 12 months or less ending on 30 June— Nominal size of meter—	
	(a) less than 50mm	\$142.00
	(b) 50 to 100mm	\$206.00
	(c) 150 to 175mm	\$305.00
	(d) 200 to 380mm	\$347.00
	(e) 407 to 610mm	\$418.00
20	Fee for testing meter under section 126(4) of the Act	Estimated cost quoted by the Minister
21	Fee for reading meter at request of licensee	Estimated cost quoted by the Minister
22	Fee for transfer of licence, or of whole or part of water allocation of licence	\$36.25
23	Fee for providing information required by <i>Land and Business (Sale and Conveyancing) Act 1994</i>	\$17.40

## **Schedule 3—Special concession—River Murray prescribed watercourse**

### **1—Special concession**

Despite Schedule 2, the fee prescribed by item 8 of that Schedule is reduced to \$255 (inclusive of the technical assessment fee) in relation to the transfer of the whole or part of a water allocation if the following conditions are satisfied:

- (a) the receiving licence authorises the taking of water from the River Murray prescribed watercourse; and
- (b) the transfer is expressed to expire on (or before) 30 June 2005; and
- (c) either—
  - (i) the total water (taking) allocation to be endorsed on the receiving licence following the transfer will, when reduced in accordance with any restriction that applies under section 16 of the Act, be less than or equal to the water (taking) allocation endorsed on that licence on 1 July 2004; or
  - (ii) —
    - (A) a water (taking) allocation or allocations for a limited period or periods have been previously transferred to the receiving licence at any time between 1 July 2001 and 30 June 2004 (both dates inclusive); and
    - (B) the total water (taking) allocation to be endorsed on the receiving licence following the transfer will, when reduced in accordance with any restriction that applies under section 16 of the Act, be less than or equal to the greatest water (taking) allocation endorsed on that licence at any time between 1 July 2001 and 30 June 2004 (both dates inclusive).

## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1997	166	<i>Gazette 26.6.1997 p3221</i>	2.7.1997: r 2
1998	107	<i>Gazette 28.5.1998 p2420</i>	1.7.1998: r 2
1999	106	<i>Gazette 27.5.1999 p2912</i>	1.7.1999: r 2
2000	119	<i>Gazette 25.5.2000 p2832</i>	1.7.2000: r 2
2000	236	<i>Gazette 21.9.2000 p2203</i>	21.9.2000: r 2
2000	250	<i>Gazette 19.10.2000 p2770</i>	19.10.2000: r 2
2001	70	<i>Gazette 31.5.2001 p1994</i>	1.7.2001: r 2
2002	123	<i>Gazette 20.6.2002 p2668</i>	1.7.2002: r 2
2003	109	<i>Gazette 29.5.2003 p2281</i>	1.7.2003: r 2
2003	157	<i>Gazette 26.6.2003 p2833</i>	26.6.2003: r 2
2004	127	<i>Gazette 3.6.2004 p1740</i>	3.6.2004: r 2
2004	131	<i>Gazette 10.6.2004 p2183</i>	1.7.2004: r 2
2004	213	<i>Gazette 7.10.2004 p3837</i>	7.10.2004: r 2
<b>2005</b>	<b>19</b>	<b><i>Gazette 7.4.2005 p837</i></b>	<b>7.4.2005: r 2</b>

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>3.6.2004</i>
r 10		
r 10(1)	varied by 236/2000 r 3(a)	21.9.2000
r 10(1a)	inserted by 236/2000 r 3(b)	21.9.2000
r 10(2)	varied by 236/2000 r 3(c)	21.9.2000
r 10(3)	varied by 236/2000 r 3(d)	21.9.2000
r 10(3a)	inserted by 236/2000 r 3(e)	21.9.2000
r 10A	inserted by 236/2000 r 4	21.9.2000

r 13A	inserted by 236/2000 r 5	21.9.2000
r 13AB	inserted by 127/2004 r 4	3.6.2004
r 13B	inserted by 236/2000 r 5	21.9.2000
r 27	inserted by 250/2000 r 3	19.10.2000
r 28	inserted by 157/2003 r 4	26.6.2003
r 29	inserted by 213/2004 r 4	7.10.2004
Sch 2	substituted by 107/1998 r 3	1.7.1998
	substituted by 106/1999 r 3	1.7.1999
	substituted by 119/2000 r 3	1.7.2000
	substituted by 70/2001 r 3	1.7.2001
	substituted by 123/2002 r 3	1.7.2002
	substituted by 109/2003 r 4	1.7.2003
	substituted by 131/2004 r 4	1.7.2004
<b>item 1</b>	<b>varied by 19/2005 r 4(1)</b>	<b>7.4.2005</b>
<b>item 1A</b>	<b>inserted by 19/2005 r 4(2)</b>	<b>7.4.2005</b>
<b>item 7</b>	<b>varied by 19/2005 r 4(3)</b>	<b>7.4.2005</b>
<b>item 8</b>	<b>varied by 19/2005 r 4(4)</b>	<b>7.4.2005</b>
<b>item 10</b>	<b>varied by 19/2005 r 4(5)</b>	<b>7.4.2005</b>
<b>Sch 3</b>	<b>inserted by 19/2005 r 5</b>	<b>7.4.2005</b>

## Historical versions

3.6.2004  
1.7.2004  
7.10.2004