



# **Water Amendment (Interactions with Australian Capital Territory Water Resource Plans) Regulation 2014**

## **Select Legislative Instrument No. 180, 2014**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),  
Governor-General of the Commonwealth of Australia, acting with the  
advice of the Federal Executive Council, make the following regulation.

Dated 27 November 2014

Peter Cosgrove  
Governor-General

By His Excellency's Command

Simon Birmingham  
Parliamentary Secretary to the Minister for the Environment

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## **1 Name**

This is the *Water Amendment (Interactions with Australian Capital Territory Water Resource Plans) Regulation 2014*.

## **2 Commencement**

This instrument commences on 1 January 2015.

## **3 Authority**

This instrument is made under the *Water Act 2007*.

## **4 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Water Regulations 2008*

#### 1 After regulation 2.01

Insert:

#### 2.02 Effect of Basin Plan—exception for activities under Australian Capital Territory water resource plans

- (1) For section 38 of the Act, subsections 34(1) and 35(1) of the Act do not apply to an activity if:
  - (a) the activity is undertaken in accordance with a provision (a **relevant provision**) of an ACT interim water resource plan that, at the time the activity is undertaken, has not ceased to have effect; and
  - (b) the relevant provision relates to:
    - (i) surface water or ground water in a water resource plan area; and
    - (ii) a matter referred to in subsection 22(1) of the Act, other than water trading rules; and
  - (c) there is an inconsistency between the relevant provision and a provision of the Basin Plan.
- (2) In this regulation:

**ACT interim water resource plan** means any of the following, as in force on the day this regulation commences:

  - (a) the *Water Resources (Amounts of water reasonable for uses guidelines) Determination 2007 (No 1)* (ACT);
  - (b) the *Water Resources (Water available from areas) Determination 2007 (No 1)* (ACT);
  - (c) the *Water Resources (Water management areas) Determination 2007 (No 1)* (ACT).
- (3) This regulation is repealed on 31 December 2015.