

South Australia

## **Water Resources (Exemption) Variation Regulations 2004**

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 (Exemption) Variation Regulations 2004*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Water Resources Regulations 1997***

#### **4—Insertion of regulation 29**

After regulation 28 insert:

##### **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

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 7 October 2004

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