

# Border Rivers Water Supply Scheme

## Schedule of Fees and Charges

This schedule provides information on the fees and charges applicable for medium priority water customers (e.g. irrigators) in the Border Rivers water supply scheme (BRWSS). More information about the BRWSS is specified in the [Border Rivers and Moonie water plan](#).

Generally, the Queensland Government undertakes the necessary policy work and consultation with the public and stakeholders before a charge or fee is to be introduced or a significant change is made. In the past, the fees and charges listed in schedule 12 and 14 of the Water Regulation 2016 were generally indexed annually in line with the consumer price index (CPI) and subject to Governor in Council approval for introduction of the fees and charges through legislation.

However from 1 July 2022, the Queensland Government has a new mechanism for how fees are updated annually to reflect indexation. All regulatory fees in legislation have changed from fee dollars to fee units, with the fee unit value prescribed in the Acts Interpretation (Fee Unit) Regulation 2022. The fee unit value will be updated annually in line with the Government Indexation Rate (GIR). More information on this change is available from [Queensland Treasury](#).

On 1 July 2022, the water charges applicable to the BRWSS for the 2022/23 water year will be based on the fee unit specified in Schedule 14 of the Water Regulation 2016 (current as at 27 May 2022) and the GIR of 2.5 per cent.

*Charges are valid from: 1 July 2022 to 30 June 2023*

*This is the date that the charges apply unless otherwise specified.*

Charge	Rate	Fee (1 July 2022 to 30 June 2023)
Part A (fixed charge)	Per megalitre of water entitlement held	\$12.51 (excl. GST)
Part B (variable charge)	Per megalitre of water taken	\$15.32 (excl. GST)

The department issues an invoice to irrigators for water charges as per the water supply contract.

Part A fixed charges are calculated, invoiced and payable in advance, while Part B consumption charges are invoiced and payable in arrears of the usage period once water meter readings have been taken.

Other fees for additional services as specified below, will be invoiced and payable after performance of the service. Fees must be paid within 30 days after the date of the invoice.

Other fees relevant to water applications and lodgements are specified in [Schedule 12 of the Water Regulation 2016](#).

## Metering

Unless this requirement is waived by the resource operations licence holder (ROL holder<sup>1</sup>), a meter reasonably acceptable to the ROL holder must be acquired and installed at the cost of the customer, within the customer's nominated works or ROL holder works.

<sup>1</sup> The resource operations licence (ROL) to operate relevant water infrastructure in the BRWSS is held by the State of Queensland represented by the Department of Regional Development, Manufacturing and Water.

The customer may:

- a) install the meter themselves
- b) arrange for a third party to install the meter, or
- c) request the ROL holder to install the meter in accordance with relevant clauses below.

Any party installing a meter shall install the same correctly in accordance with the approval under the supply contract between the ROL holder and the customer.

The ROL holder has the right to require the replacement or upgrade of a meter already installed:

- a) at the ROL holder's cost, where such replacement or upgrading is necessary in the reasonable opinion of the ROL holder, or
- b) at the customer's cost, where the customer has breached the supply contract between the ROL holder and the customer e.g. failure to maintain the Customer's Nominated Works.

The customer must pay<sup>2</sup> the ROL holder the price stated if it is the fixed price, otherwise a reasonable price having regard to the cost (including administration and overhead costs) to the ROL holder in undertaking further service.

This is in relation to the following charges:

- a) if the customer is not in breach of the water supply agreement and the customer requests the ROL holder under this clause, then the ROL holder must provide:
  - (i) connection services (including the ROL holder's procuring and installing of a meter)
  - (ii) disconnection services (including the ROL holder's arranging for the removal of a meter)
  - (iii) extra meter reading services (involving the ROL holder's reading a meter in addition to a reading anticipated under the water supply agreement), or
  - (iv) meter testing services (including the ROL holder's procuring of the testing of a meter).
- b) further services that the ROL holder may offer from time to time, where:
  - (i) the ROL holder has indicated that it is prepared to offer the further services, and
  - (ii) the ROL holder has stated the terms of providing the further service, including the price and payment of a deposit.

Metering fees are determined based on the fee unit specified in **Schedule 12 of the Water Regulation 2016** and the GIR. These fees are outlined in the table below.

Metering fees/charges	Amount
Minimum charge	N/A
Connection services	Nil
Disconnection services	Nil
Extra meter reading services	\$91.33 per meter, and \$17.94 for each additional water meter on the same or an adjacent property
Meter testing services	\$82.10 per hour

## Termination

The termination amount is intended to represent a reasonable assessment of the loss of future profit, increased average operating costs, proportionate share of ongoing fixed costs and decommissioning costs likely to be incurred by the ROL holder. The ROL holder reserves the right to undertake a formal assessment of the termination amount, at the cost of the customer.

The termination amount must consider the relevant requirements of the **water charge rules**.

<sup>2</sup> The balance payable for Other Charges for Other Services shall be rendered in arrears after performance of the services.

## Waiving fees due to hardship

The Minister for Regional Development, Manufacturing and Water may decide to partly or completely waive a fee or charge in the Water Regulation 2016 if the Minister is satisfied the person is suffering hardship because of the effects of drought, flood, fire or another natural disaster or because of economic recession.

More information about natural disaster assistance can be found on the [Business Queensland website](#).

## Dispute resolution

If a dispute arises regarding a water entitlement under the BRWSS, either party (irrigator or department) may give written notice to the other party requesting to enter a dispute resolution process.

Within five business days of receiving this written notice, the recipient must designate a representative to facilitate dispute resolution discussions.

If a dispute is not resolved as a result of these discussions, either party may request the commencement of negotiations in good faith on a dispute resolution procedure, other than litigation or arbitration.

The parties must then discuss and agree to the following actions to resolve the dispute:

- the mode of proceeding, whether by negotiation, mediation, conciliation, expert appraisal, expert determination or mini-trial
- the responsibility for payment of the costs of the mode agreed
- the procedure and timetable for exchange of documents and other information relating to the dispute
- procedural rules and a timetable for the conduct of the selected mode of proceeding
- a procedure for selection and compensation of any neutral adviser, expert or mediator that may be employed by the parties in dispute.

Any party may terminate the dispute resolution procedure at any time and pursue other available remedies.

## GST

The customer and the ROL holder agree that:

- (a) all payments have been calculated without regard to GST
- (b) the ROL holder will comply with its obligations under the [Trade Practices Act 1974](#) when calculating the amount of any payment and the amount of any relevant payments will be adjusted accordingly
- (c) if the whole or any part of any payment is the consideration for a taxable supply for which the payee is liable to GST, the payer must pay to the payee an additional amount equal to the GST amount, either concurrently with that payment or as otherwise agreed in writing
- (d) any reference to a cost or expense in the water supply agreement excludes any amount for GST forming part of the relevant cost or expense when incurred by the relevant party for which that party can claim an input tax credit
- (e) the payee will provide to the payer a tax invoice if clause (c) applies.

## Further details

Full details of water charges, conditions, responsibilities and dispute resolution are contained within the water supply contract.

For more detail on contractual obligations between customers and the ROL holder, please contact the Department of Regional Development, Manufacturing and Water by phoning 13 QGOV (13 74 68) or emailing [waterservicessouth@rdmw.qld.gov.au](mailto:waterservicessouth@rdmw.qld.gov.au).