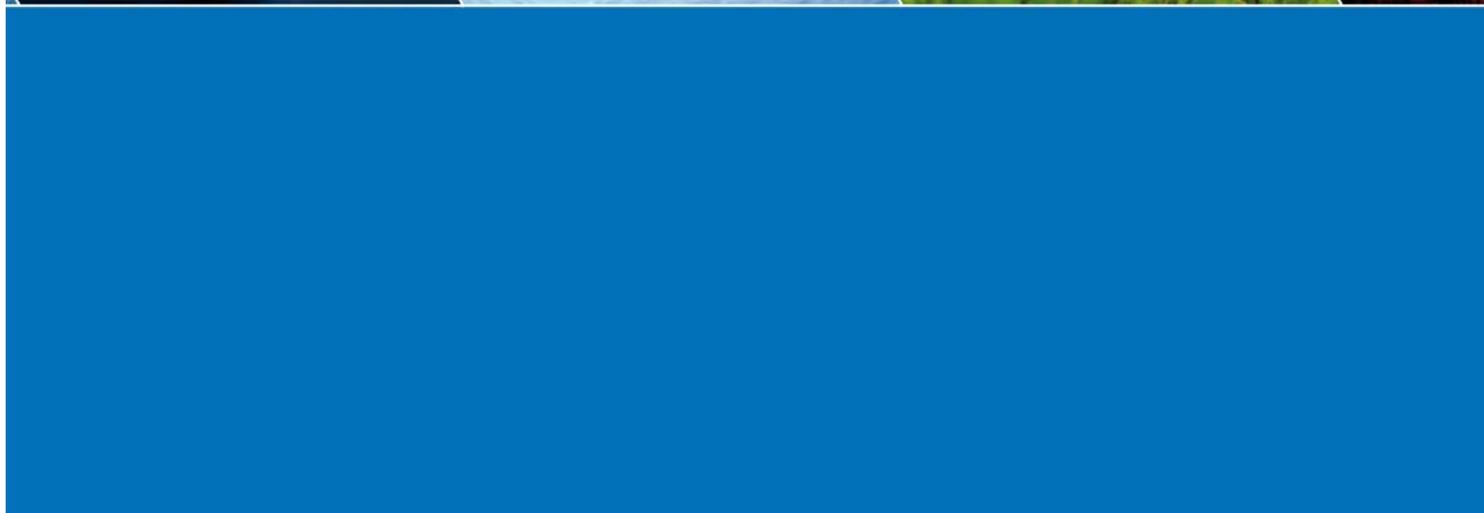


# PROPOSED PRICE REGULATION FOR WATER AND SEWERAGE SERVICE PROVIDERS OTHER THAN SA WATER

## APPENDICES

July 2012





## **APPENDIX A:**

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**Final Draft Pricing Order**

**WATER INDUSTRY ACT 2012 (SECTION 35)**

**PRICING ORDER**

**FOR THE REGULATORY PERIOD 1 JULY 2013 – 30 JUNE 2016**

Pursuant to s35(4) of the *Water Industry Act 2012* (**the Act**), the Treasurer hereby issues the following pricing order (**this Order**):

**1. INTERPRETATION**

1.1 Where a term used in this Order is defined in the Act, it has the meaning given in the Act.

1.2 In this Order, unless the contrary intention appears:

*determination* means a determination of the Commission under s35 of the Act and Part 3 of the *Essential Services Commission Act 2002* (**the ESC Act**) made in respect of retail services;

*drinking water retail service* means a retail service constituted by the sale and supply of water of a quality fit for human consumption;

*initial regulatory period* means the three year period commencing 1 July 2013;

*NWI Pricing Principles* means the National Water Initiative Pricing Principles 2010 agreed by Australian governments as the basis for setting water prices / charges in their jurisdictions, as amended or replaced from time to time;

*NWI Principles for Recovering the Costs of Water Planning and Management Activities* means the Principles for recovering the costs of water planning and management activities which form part of the NWI Pricing Principles, as amended or replaced from time to time;

*NWI Principles for the Recovery of Capital Expenditure* means the Principles for the recovery of capital expenditure which form part of the NWI Pricing Principles, as amended or replaced from time to time;

*NWI Principles for Urban Water Tariffs* means the Principles for urban water tariffs which form part of the NWI Pricing Principles, as amended or replaced from time to time;

*sewerage retail service* means the sale and supply of sewerage services for the removal of sewage.

**2. APPLICATION**

2.1 This Order is to take effect from 1 July 2012.

2.2 Part 3 of this Order is to apply to any determination.

2.3 Part 4 of this Order is to apply to a determination in respect of the following retail services for the initial regulatory period:

2.1.1 drinking water retail services provided by SA Water;

2.1.2 sewerage retail services provided by SA Water,

(such services referred to in Part 4 of this Order as 'a relevant service' or 'the relevant services').

### **3. ADOPTION OF NWI PRICING PRINCIPLES**

3.1 The Commission must adopt or apply the NWI Pricing Principles (other than the Principles for Recovering the Costs of Water Planning and Management Activities) when making a determination, to the extent that those, or any of those, principles are relevant to the determination in question.

3.2 In the case of a determination to which Part 4 of this Order applies, clause 3.1 applies subject to Part 4 of this Order.

### **4. SA WATER DRINKING WATER AND SEWERAGE RETAIL SERVICES**

4.1 The Commission must adopt or apply the following parameters, principles or factors when making a determination to which this Part applies:

4.1.1 The initial regulatory period must be adopted as part of the determination.

4.1.2 The determination must only determine the revenue which may be derived from the provision of such services.

4.1.3 The determination must determine separate revenue controls for drinking water retail services and sewerage retail services.

4.1.4 In respect of each relevant service, the determination may apply either a revenue cap control, an average revenue control, or a combination of both of those forms of revenue control.

4.1.5 The determination must not establish, or require the establishment of, a revenue control for a relevant service based on customer class or location.

4.1.6 The determination must include a mechanism which allows for the adjustment of the allowable revenue to be derived where the Commission determines there to be a relevant and material variation between forecast and actual rates of water consumption or sewerage connections.

4.1.7 The determination must adopt or apply the NWI Principles for the Recovery of Capital Expenditure, subject to the following:

4.1.7.1 the determination must adopt the initial regulated asset base for SA Water as at 1 July 2013 to be specified by the Treasurer in a subsequent pricing order issued under s35 of the Act;

4.1.7.2 the determination must allow SA Water to recover the efficient cost of assets to be acquired over the course of the initial regulatory period which are required to support activities that SA Water is required to provide in accordance with a direction under s6 of the *Public Corporations Act 1993*;

4.1.7.3 for the avoidance of doubt, the Commission must only adopt or apply Principle 6 of the NWI Principles for the Recovery of Capital Expenditure in relation to contributed assets that SA Water acquires after 1 July 2013.

4.1.8 The determination must adopt or apply Principle 1 of the NWI Principles for Urban Water Tariffs, subject to the following:

4.1.8.1 in relation to costs relating to externalities (including water planning and management), the determination must only allow SA Water to recover such costs as are attributable to and payable by SA Water in accordance with the law, including a direction under s6 of the *Public Corporations Act 1993*;

4.1.8.2 the determination must allow SA Water to recover such costs (less any relevant contributions to such costs that it receives) that are attributable to activities that SA Water is required to provide in accordance with a direction under s6 of the *Public Corporations Act 1993*, and are either:

- (i) specified in the relevant direction, or if not so specified,
- (ii) determined by the Commission to be efficient.

## 5. VARIATION

5.1 This Order may be varied by a subsequent pricing order issued under s35 of the Act.

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**JACK SNELLING M.P.**  
Treasurer

Date: June 2012

## **APPENDIX B:**

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### **Community Wastewater Management Systems (CWMS) - Local Government**

**Source:**

South Australian Department of Health and Local Government Association (LGA)(2006)(unpublished data)

**Community Wastewater Management Systems (CWMS)  
Local Government - South Australia**

<b>Council</b>	<b>No. of CWMS</b>
Adelaide Hills	6
Alexandrina	4
Barossa	7
Barunga West	2
Berri Barmera	6
Clare/Gilbert Vall.	3
Ceduna	2
Cleve	1
Cooper Pedy	1
Coorong	4
Copper Coast	3
Elliston	1
Flinders Rangers	3
Goyder	2
Grant	4
Kangaroo Island	3
Karoonda East M	1
Kimba	1
Kingston	1
Le Hunte	1
Light	4
Lower Eyre Pen.	4
Loxton/Waikerie	4
Mid Murray	23
Mount Barker	5
Mount Remark.	3
Murray Bridge	2
Naracoorte	1
Northern Areas	4
Onkaparinga	6
Pt Augusta	2
Pt Pirie	2
Renmark/Paringa	2
Robe	1
Roxby Downs	1
Streaky Bay	1
Southern Mallee	2
Tatiara	4
Tea Tree Gully	1
Tumby Bay	1
Wakefield	5
Wattle Range	3
Yankalilla	3
Yorke Peninsula	16
Outback Areas	15
<b>TOTAL</b>	<b>172</b>

## APPENDIX C:

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### Recycling and Stormwater Projects - Local Government

**Sources:**

Local Government Association (LGA)(2012)(unpublished data),  
Onkaparinga Council (2012)(pers. comm.); and  
Marsden Jacobs (2012) *Progress against the national target of 30% of Australia's wastewater being recycled by 2015*,  
<http://www.environment.gov.au/water/publications/urban/pubs/recycled-water-target-final-report.pdf>

Council	TYPE	Water (ML)
Adelaide Hills	CWMS	76
Alexandrina	CWMS	948
Barossa	CWMS	663
Berri Barmera	CWMS	482
Ceduna	CWMS	151
Clare & Gilbert Valley	CWMS	219
D.C. Cleve	CWMS	290
Coorong	CWMS	89
Copper Coast	CWMS	155
Goyder	CWMS	464
Karoonda	CWMS	137
Kangaroo Island	CWMS	36
D.C Kimba	CWMS	141
D.C. Kingston	CWMS	108
D.C. Wudinna	CWMS	124
D.C. Light	CWMS	41
D.C. Lower Eyre	CWMS	378
Loxton Waikerie	CWMS	198
D.C Mt Barker	CWMS	271
Mt Remarkable	CWMS	1,108
Northern Areas Council	CWMS	22
Port Augusta	CWMS	197
Renmark Paringa	CWMS	64
D.C. Robe	CWMS	443
Southern Mallee	CWMS	189
Streaky Bay	CWMS	48
City of Tea Tree Gully	CWMS	63
Tumby Bay	CWMS	730
Wakefield Reg	CWMS	120
Wattle Range	CWMS	214
Onkaparinga	CWMS	126
<b>TOTAL</b>		<b>8,408</b>
Salisbury	STORM	1,800
Onkaparinga	STORM	3,050
Playford	STORM	640
<b>TOTAL</b>		<b>5,490</b>
<b>GRAND TOTAL</b>		<b>19,986</b>

Note: CWMS = Community Wastewater Management Systems

## **APPENDIX D:**

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### **Local Government – Revenue Generation for Community Wastewater Management Systems (CWMS)**

**Source:**

South Australian Office for State/Local Government Relations (2012)(pers. comm.)

## **Local Government – Revenue Generation for Community Wastewater Management Systems (CWMS)**

### **Revenue raising power**

Section 155 of the *Local Government Act 1999* provides councils with the power to impose a service rate, a service charge or a combination of both, on land for a 'prescribed service' including 'the collection, treatment or disposal (including by recycling) of waste.'

A council providing Community Wastewater Management Systems (CWMS) within its area can apply a service charge or a service rate (or a combination of both) to establish, operate, maintain, improve and replace the CWMS over the full duration of its life.

A service charge can be applied to all land within the council area whereas a service rate can only be applied to rateable land, being land separately described in councils assessment record. Section 147 (2) of the *Local Government Act 1999* provides for the exemptions for land from the payment of rates. Land attracting a mandatory (or a discretionary) rebate of rates is still considered to be rateable.

Section 155 of the *Local Government Act 1999* provides the method by which councils can vary the service charge or rate. Where more than one CWMS exists, council may impose a different service charge or rate or it may aggregate the schemes and apply the same charge or rate to all residents connected to the CWMS and pool the revenue for use on any CWMS on an as need basis.

The State Government and the CWMS Management Committee<sup>1</sup> recommend the aggregation of CWMS within council areas, that is, applying the same service charge or rate for all residents and the pooling of revenue.

Section 155 (3) allows councils to vary a service rate or charge according to whether the land is vacant or occupied, or any other factor prescribed by regulations. The *Local Government (General) Regulations 1999* allow councils to utilise the *Code for Establishing and Applying Property Units as a Factor for the Imposition of Annual Service Charges for Community Wastewater Management Systems* which varies service charges based on estimated usage.

### **Application of Income**

Section 155 of the *Local Government Act 1999* places some restrictions on councils in relation to raising revenue for CWMS. A council must not seek to recover more revenue than that which is necessary to provide the service. Where funds are raised to meet the cost of future works they must be allocated to a specific reserve and applied for the purpose for which they were raised.

The *Local Government (General) Regulations 1999* specify that for the purposes of section 155(5) of the Act, the cost of capital (as understood as an economic concept) may be taken into account when determining the cost to the council of establishing, operating, maintaining, improving or replacing the relevant service.

### **Service charges and rates**

A service charge encompasses the principle of 'user pays' or 'fee for service' and is applied equally to all properties enjoying the service, whether rateable properties or not. A differential charge can be made for occupied against unoccupied land.

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<sup>1</sup> The CWMS Management Committee oversees the distribution of State and Federal funding to councils for CWMS services. It is managed by the Local Government Association, and consists of Local and State representatives (including the Environment Protection Authority, the Department of Health, the Department of Water, and the Office for State/Local Government Relations).

The value of the land is the basis for calculating a service rate. It is similar (except for the minimum rate provision) to the system that is used for council's general rates. A service rate can only be applied to rateable land and therefore all non-rateable properties would be exempt from CWMS fees (as they already are from council rates) if a rate was applied. If a rebate or remission for general rates is granted, then a comparable rebate/remission would apply to a CWMS rate.

### **Connection Fees**

Section 24 of the Public and Environmental Health (Waste Control) Regulations provides councils with the power to require connection to a CWMS. Any connection fees imposed then form part of the service rate or charge for the provision of this service. Where an owner wishes to connect to a CWMS, a council may apply a connection fee under Section 188 of the *Local Government Act 1999*, which provides councils with the power to impose fees and charges.

## **APPENDIX E:**

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### **Pricing Practice of Salisbury Council's Water Business**

**Source:**

City of Salisbury, pers. comm. (2012)

## Pricing Practice of Salisbury Council's Water Business

### Matters for Pricing Negotiations

The Standard price represents in broad terms that which is appropriate to recover the long run average cost (LRAC) and a return on investment (ROI). However, there will be many situations when it will be necessary to set prices that are at variance to the standard.

Negotiations will have reference to the following costing components:

- Short Run Marginal Costs (SRMC) – the extra cost in delivering the extra volume of water. Includes direct costs such as energy, chemicals, and other direct materials and labour.
- Long Run Marginal Costs (LRMC) – represent the SRMC plus administration and other indirect costs.
- Long Run Average Costs (LRAC) – comprises the LRMC plus depreciation and financing costs
- Return on Investment (ROI) – represents the return to Council on the funds it has invested in Salisbury Water after all costs have been considered.

It is important to recognise that while it is necessary to achieve revenue that exceeds the Long Run *Average* Cost to provide a return to Council, the LRAC is very sensitive to volume. Depreciation is the largest single cost component (approx. 40% of total costs) and effectively fixed over the long term. This means any additional sales at prices above the Long Run *Marginal* Cost (LRMC) provides a greater contribution to paying for depreciation and therefore reduces the LRAC.

### Unmetered Residential Properties

In 2011/12 Council introduced a fixed charge price for small (less than 300m<sup>2</sup>) residential properties where it is considered uneconomical to supply and read meters.

In 2012/13 it is proposed to broaden this concept by increasing the size of the allotments in this first tier to 350m<sup>2</sup>, and also introducing another tier for properties with an area of between 350m<sup>2</sup> and 500m<sup>2</sup>.

### Salisbury Water Pricing Policy

The following details the Salisbury Water Pricing policy for inclusion in Council's fees and charges document:

#### 1. Billing frequency

- a. Residential customers – 6 monthly
- b. Other customers – quarterly

#### 2. Pricing (based on 2011/12 prices)

##### *General*

- a. Administration charge – applied to all invoices on a pro rata basis unless specifically excluded below. \$50 per annum.

- b. Volume usage price - \$2.48 per kilolitre (Standard Price)

*Special Category Pricing*

- o *Small Properties - unmetered*

- i. Properties < 350m<sup>2</sup> (House and garden plumbed) – Fixed charge \$120 pa (inclusive of administration charge)
- ii. Properties < 350m<sup>2</sup> (Garden only plumbed) – Fixed charge \$100 pa (inclusive of administration charge)
- iii. Properties >350m<sup>2</sup> but < 500m<sup>2</sup> (House and garden plumbed) – Fixed charge \$160 pa (inclusive of administration charge)
- iv. Properties >350m<sup>2</sup> but < 500m<sup>2</sup> (Garden only plumbed) – Fixed charge \$130 pa (inclusive of administration charge)

- o *Individual Contracts negotiated on the basis of special circumstances.*

Negotiated contract prices may be considered in certain circumstances but must be developed and justified in consultation with the Financial Services Division and approved by the CEO. Contracts with an estimated annual value greater than \$100,000 must also be endorsed by the Salisbury Water Board.

## APPENDIX F:

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### Treated Waste Water Pricing Framework – Mt Barker

**Source:**

Mt Barker Council (2012)

[http://www.dcmtbarker.sa.gov.au/webdata/resources/files/Treated\\_Waste\\_Water\\_Pricing\\_Framework\\_as\\_at\\_5\\_July\\_2010.pdf](http://www.dcmtbarker.sa.gov.au/webdata/resources/files/Treated_Waste_Water_Pricing_Framework_as_at_5_July_2010.pdf), Accessed 11 June 2012.

## **Treated Waste Water Pricing Framework – Mt Barker**

### Guiding Principles

1. Water is a limited and valuable resource;
2. The value of all water sources including treated waste water needs to be recognised in pricing regimes;
3. Treated waste water has some restrictions on end use and requires statutory approval and responsible use by all users recognizing that the protection of public and environmental health is of paramount importance;
4. Supply of treated waste water by council will be via contracts entered into by council with customers, these place obligations on council and carry commercial risk exposure for council. Accordingly, council will need to manage the demand of all customers;
5. Council incurs substantial capital (establishment and renewal) and recurrent costs in the collection, processing, storage and supply of treated wastewater;
6. Legal requirements such as licensing and National Competition Policy must be upheld;
7. Any statutory charges relating to the supply and/or consumption of treated waste water are to be reflected in the price and the responsibility of the customer;
8. Pricing must be transparent and applied on a fair and objective basis; and
9. Selling treated waste water is to be undertaken by council on a commercial basis with a business development objective that returns environmental, economic and social benefits to the community.

### Base Price

The Base Price for treated waste water for all customers shall be \$1.61 per kilolitre from the date of adoption of this framework, except where this is not possible due to pre-existing arrangements (please refer to Transitional Arrangements).

The Base Price is to be reviewed by council on an annual basis (please refer to Annual Review and Adjustment).

### Criteria for Rebates

A rebate can be provided by council on the Base Price up to a maximum of 80%.

The extent of the rebate of the Base Price is to occur on a case by case basis, as determined by council in accordance with the following criteria (one or more may be applicable):

1. Customer loyalty/foundation customer status;
2. Capital contribution by the customer to the provision of trunk infrastructure that provides capacity for other potential customers, as distinct from individual customer augmentation;
3. The nature of the customer i.e. public/not for profit compared to private sector;

4. Volume of supply being committed to by the customer (the Annual Quantity) with the higher the Annual Quantity the higher the rebate;
5. Social/economic/environmental benefit(s) to the Mount Barker District and wider community;
6. Regularity of consumption per annum by the customer i.e. given seasonal variations it is highly preferable to have customers taking treated wastewater consistently all year round, not just during the high demand summer months;
7. The amount of storage capacity (meeting all necessary statutory requirements) that the customer provides on their site;
8. The duration of the commitment by the customer as reflected in the contract, the longer the duration of the term the higher the rebate; and
9. Other factors that may be determined by council (e.g. in accordance with stated objectives in the Council's strategic management plans). Such factors shall be clearly identified and documented in determining the applicable rebate.

#### Net Price

In circumstances where council determines to provide a rebate on the base price in accordance with this framework, then the Base Price less the rebate will equal the Net Price which is what the customer will be charged.

#### Excess Water Price

Where customers have committed to receive an Annual Quantity, the Net Price will be charged for all water supplied up to 5% above the Annual Quantity.

Any water supplied above that amount (the Excess Water) will be charged at the Base Price. The supply of Excess Water will be solely at the discretion of council to enable council to manage its overall commitments.

#### Annual Review and Adjustment

The Guiding Principles, Base Price, Criteria for Rebates and Excess Water Price (where there is a committed Annual Quantity) shall be reviewed by council annually, coinciding with the adoption of Council's Fees and Charges Schedule associated with the adoption of the Council Annual Business Plan.

Unless otherwise determined by council, the Base Price shall be adjusted annually and will be increased by the greater of:

- a) the percentage increase in the standard water price charged by SA Water for water to Commercial/Industrial users in the preceding year; and
- b) the percentage increase in the Consumer Price Index (8 capital cities) over the 12 month period ending closest to the preceding year for which data is available.

### Transitional Arrangements

Recognising that council has existing arrangements with a small number of customers, it will be necessary to transition such pricing over a period of time.

It is acknowledged that during the transition period pricing arrangements may not fall within the scope of this framework.

The maximum transition period shall be five years from the date of formal adoption of this framework by council, after which all pricing arrangements must be in accordance with this framework unless the existing arrangements with current customers mean that this timing is not achievable in which case the objective shall be to achieve accordance with this framework as soon as possible thereafter.

### Related Documents

This framework shall be read and applied in conjunction with council's:

- Model Water Supply Contract; and
- Treated Waste Water Customer Charter.

### Date of Revision of Framework

Revised by the District Council of Mount Barker on 18 January 2010.

## APPENDIX G:

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### Recycled Water Pricing Principles – Onkaparinga

**Source:**

City of Onkaparinga (2012), Water Proofing the South (WPS) water reuse role statement and management principles, Attachment 7.10, Agenda for the Council meeting held on 7 September 2010, [http://www.onkaparingacity.com/events/2010/09/07/council\\_meeting\\_7\\_september\\_2010.jsp?display\\_expiration=t](http://www.onkaparingacity.com/events/2010/09/07/council_meeting_7_september_2010.jsp?display_expiration=t), Accessed 11 June 2012.

# Water Proofing the South (WPS) water reuse role statement and management principles

## Attachment 7.10

City of Onkaparinga  
Agenda for the Council meeting to be held on 7 September 2010

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## Water reuse objectives

### Priority 1

#### Ecological systems

Harvest alternative water supplies to meet ecological requirement

- Maintain and enhance environmental flows
- Conserve the use of mains water, particularly Murray River and desalinated water
- Replace the use of mains water with alternative sources
- Reduce the impact of releasing stormwater to sea
- Maintain and enhance groundwater systems

### Priority 2

#### Priority rejuvenation

Use alternative sources of water to enable the rejuvenation of priority community spaces from community benefit

- Rejuvenate public spaces, parks and streets
- Create gateways and urban places
- Restore community facilities, sports grounds and schools
- Create a healthy and sustainable city

### Priority 3

#### Sustainable development

Use alternative sources of water to encourage sustainable growth and adaption

- Facilitate sustainable urban development
- Sustainable agriculture
- Sustainable industrial uses
- Residential needs

# Water allocation model

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## Priority 1

### Environmental requirements

Environmental flows, ASR, water allocations (WAPs)

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## Priority 2

### Water bank

Contingencies, emergency response, drought proofing, fulfilling contractual obligations

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## Priority 3

### Priority rejuvenation

Priority parks, streetscapes, gateways, open spaces, focal points, reserves, schools, and community facilities

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## Priority 4

### Sustainable development

Sustainable residential, viticulture, industry including growth and adaption

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## Priority 5

### Bulk sale of water surplus

To other providers/distributors to meet local demand

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Direct supply

Available water

Total water

The diagram illustrates a water allocation model with five priority levels. Priority 1 (Environmental requirements) is at the top. Priority 2 (Water bank) is below it. Priority 3 (Priority rejuvenation) is below that. Priority 4 (Sustainable development) is below that. Priority 5 (Bulk sale of water surplus) is at the bottom. A vertical double-headed arrow on the right side spans from the top of Priority 1 to the bottom of Priority 5, labeled 'Total water'. Another vertical double-headed arrow on the right side spans from the top of Priority 3 to the bottom of Priority 5, labeled 'Available water'. A third vertical double-headed arrow is positioned between Priority 3 and Priority 4, labeled 'Direct supply'.

# Water pricing model



**Potable water price**



**Upper bound limit**

based on National Water Commission guidelines:  
stormwater 80% and wastewater 70% of the cost  
of mains

inclusive of

**Contingency**

+

**Return**

for further expansion and enhancement of the  
system and rebates and subsidies to customers

+

**Variable costs**

Operation  
Maintenance  
Depreciation  
Subsidies/rebates

+

**Fixed costs**

Cost of scheme to council



## APPENDIX H:

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### National Water Initiative Pricing Principles

**Source:**

<http://www.environment.gov.au/water/publications/action/pubs/nwi-pricing-principles.pdf>

Accessed 11 June 2012.

# **National Water Initiative Pricing Principles**

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## **Introduction**

1. The National Water Initiative (NWI), agreed in 2004 by the Council of Australian Governments, is the national blueprint for water reform.
2. The NWI represents a shared commitment by governments to increase the efficiency of Australia's water use, leading to greater certainty for investment and productivity, for rural and urban communities, and for the environment.
3. Under the NWI, governments have made commitments to best practice water pricing including to:
  - (i) promote economically efficient and sustainable use of:
    - (a) water resources;
    - (b) water infrastructure assets; and
    - (c) government resources devoted to the management of water.
  - (ii) ensure sufficient revenue streams to allow efficient delivery of the required services;
  - (iii) facilitate the efficient functioning of water markets, including inter-jurisdictional water markets, and in both rural and urban settings;
  - (iv) give effect to the principle of user-pays and achieve pricing transparency in respect of water storage and delivery in irrigation systems and cost recovery for water planning and management; and
  - (v) avoid perverse or unintended pricing outcomes.
4. A stocktake on approaches to water charging was prepared by the Steering Group on Water Charges (SGWC)<sup>1</sup> identified three areas where differences in pricing approaches across jurisdictions were most marked:
  - (i) approaches to recovering capital expenditure;
  - (ii) approaches to setting urban water tariffs; and
  - (iii) approaches to recovering the costs of water planning and management.
5. The SGWC developed draft pricing principles in each of the above areas to assist jurisdictions in moving towards consistent approaches to pricing as required under the NWI (paragraphs 65 (iii) and 67 refer).
6. An additional set of pricing principles for recycled water and stormwater reuse have also been developed to assist states and territories to meet their commitments under paragraph 66 (ii) of the NWI to develop pricing policies for recycled water and stormwater reuse that are congruent with pricing policies for potable water.

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<sup>1</sup> The Steering Group on Water Charges was established by the National Water Initiative Committee to provide technical advice on water pricing to support the implementation of National Water Initiative pricing reforms.

7. These four sets of principles:
  - (i) the principles for recovering capital expenditure;
  - (ii) the principles for setting urban water tariffs;
  - (iii) the principles for recovering the costs of water planning and management; and
  - (iv) the principles for recycled water and stormwater reuseare collectively referred to in this document as the NWI pricing principles.
8. The NWI pricing principles do not limit the ability of governments to address equity issues related to the provision of water services.
9. These NWI pricing principles draw on those in the 1994 Council of Australian Governments (COAG) Water Reform Framework, the 1999 Tripartite agreement, and the NWI as well as the report of the Expert Group on Asset Valuation Methods and Cost Recovery Definitions for the Australian Water Industry (the Expert Group).
10. These principles have been agreed by Australian governments as the basis for setting water prices/charges in their jurisdictions. Governments agree that if a decision was made not to apply these principles in a particular case, the reasons for this would be tabled in parliament.
11. A review of the NWI pricing principles will be undertaken in 2010 to ensure consistency between the pricing principles and the Commonwealth *Water Act 2007*, as well as take into account any further changes required as a result of COAG water reforms.

# 1. Principles for the recovery of capital expenditure

## Background

1. Capital expenditure constitutes the major proportion of costs recovered through water charges. Capital expenditure includes expenditure: for replacement of existing assets; and to expand the stock of assets to meet increases in demand, meet required service standards, and any increases in regulatory obligations.
2. These principles apply only to capital expenditure incurred to provide water services. They do not cover capital expenditure incurred to provide wastewater services or stormwater services<sup>1</sup>.
3. The COAG pricing principles, upon which the NWI pricing principles are based provide for the use of a renewals annuity to fund future asset refurbishment/replacement (lower bound pricing), and a return of and on capital to reflect the cost of asset consumption and cost of capital (upper bound pricing). The COAG pricing principles are provided at Appendix A.
4. The Expert Group that played a role in developing the COAG pricing principles made a number of recommendations in their paper on asset valuation and cost recovery, including:
  - a) the adoption of the deprival value methodology for asset valuation for charging purposes;
  - b) that, as far as practicable, provision be made in charging arrangements for the loss of service delivery capacity<sup>2</sup> on the basis of full replacement cost;
  - c) to the extent that it is not practicable to charge on this basis, that, as a minimum, provision be made in charging arrangements for the preservation of the ongoing service delivery capacity based on the infrastructure annuity approach where users desire that the service delivery capacity in the assets continue.

## Approaches to providing for capital investment

5. The two main approaches used to calculate the revenue requirement for capital investments are:
  - a) the annuity approach; and
  - b) the Regulated Asset Base (RAB), or building blocks approach.
6. The annuity approach forecasts asset replacement and growth costs over a fixed period and converts these to a future annualised charge. The annuity approach is commonly applied to provide the cash requirements needed to renew non-financial assets over a medium to long-term time period.

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<sup>1</sup> Stormwater services refer to the stormwater transportation network as distinct from stormwater reuse as a water supply option.

<sup>2</sup> The Pricing Principles Steering Group interprets “loss of service delivery capacity” to mean depreciation.

7. The RAB approach includes an allowance for a return of capital (depreciation) and a return on capital<sup>3</sup>. Under the RAB approach the ‘building blocks’ equations are as follows:

Revenue requirement =  
Benchmark operating expenditure (including operations, maintenance, administration costs)  
+  
Return on capital (RAB)  
+  
Return of capital (RAB) or depreciation.

8. Where a water business is using a RAB approach to recover capital expenditure, a number of factors have an effect on the revenue requirement: determination of the initial value for the asset base; the process for rolling forward the asset base over time; and the assumptions used to calculate the WACC.
9. There are a number of matters that need to be considered in establishing the initial asset base. These include:
- a) the methodology used to value the initial asset base<sup>4</sup> (including decisions on whether and where to draw a ‘line in the sand’). In establishing this initial value, consideration is given to the extent to which past capital expenditure is deemed to be excessive for the needs of current users or was contributed by others and therefore excluded from the initial asset base; and
  - b) the way in which contributed assets are dealt with in the establishment of the initial, and the rolled forward, asset base<sup>5</sup>.
10. It is common practice for some jurisdictions to draw a ‘line-in-the-sand’ to differentiate between past (legacy) investment decisions and new investment decisions. Where a line in the sand is drawn, an opening RAB value is set (which essentially locks in the past rate of return on previous investments). The RAB is then updated (or rolled forward) each year to reflect prudent capital additions, disposals and depreciation<sup>6</sup>.
11. The principles distinguish between past (legacy) investment decisions made prior to the legacy date and new investment decisions made after the legacy date.
12. Some jurisdictions have not drawn a ‘line in the sand’ (defined a legacy date) and therefore do not currently differentiate between legacy investment decisions and new investment decisions.

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<sup>3</sup>The ‘return of capital’ applied to the capital value invested reflects annual consumption of economic benefit or service capacity and is referred to as depreciation. The ‘return on capital’ reflects the opportunity cost of the investment.

<sup>4</sup> The initial asset base may be valued in a number of ways, including through: Depreciated Replacement Cost (DRC); Depreciated Optimised Replacement Cost (DORC); Optimised Replacement Cost (ORC); Economic Valuation; Optimised Deprival Value (ODV); Depreciated Actual Cost (DAC); or using another recognised asset valuation method.

<sup>5</sup> Contributed assets are those assets that are provided/funded by water users, or provided/funded on behalf of users by a third party (e.g. governments).

<sup>6</sup> This approach is also known as the financial capital maintenance approach and is an application of the deprival value approach to establishing and updating the RAB. The deprival value approach was recommended by the Expert Group.

***Principle 1: Cost recovery for new capital expenditure***

13. For new or replacement assets, charges will be set to achieve full cost recovery of capital expenditures (net of transparent deductions/offsets for contributed assets and developer charges – refer to principle 6 – and transparent community service obligations)<sup>i, ii</sup> through either:
  - a) a return of capital (depreciation of the RAB) and return on capital (generally calculated as rate of return on the depreciated RAB); or
  - b) a renewals annuity<sup>iii</sup> and a return on capital (calculated as a rate of return on an undepreciated asset base (ORC)).
14. Where jurisdictions have drawn a ‘line in the sand’, this principle would apply only to new investment decisions made after the date the line in the sand was drawn (the legacy date). For investment decisions made prior to the legacy date, see principles 3 and 4.
15. The rate of return should be consistent with the Weighted Average Cost of Capital (WACC<sup>iv</sup>) with the cost of equity derived from the Capital Asset Pricing Model (CAPM).

*Notes:*

- i. Charges may be set to achieve up to full cost recovery of capital expenditures in the rural and regional sector where it is demonstrated that it is not practicable to move towards upper bound pricing as per the terms identified in clause 66 (v) of the NWI.
- ii. See also Principles 4 and 5.
- iii. To ensure revenue outcomes generally consistent with option (a), the renewals annuity should be structured as a sinking fund to include a provision on a forward-looking basis for the cost of replacing the relevant asset and/or asset components. In calculating the undepreciated asset base, the ORC should not include the renewals reserve.
- iv. The WACC return sought should be tuned to the RAB valuation methodology adopted. The WACC used should be consistent with the form of asset valuation methodology used (e.g. a nominal WACC applies to a historical cost valuation, and a real WACC applies to a current cost valuation). The use of replacement cost valuations can give rise to capital gains and losses measured against the Consumer Price Index (CPI). Where an asset value is used to determine revenue requirements, a systematic escalation in the value of assets above the increase in the CPI will give rise to a capital gain in real terms, all other things being equal. Where an asset on revaluation is subject to a systematic decrement in real terms, a capital loss will result. Where replacement cost valuations methods are used, the WACC will need to be adjusted to cater for systematic capital gains or losses.

### ***Principle 2: Valuation of new assets***

16. New and replacement assets<sup>i</sup> should be initially valued at efficient actual cost<sup>ii</sup>.

#### *Notes:*

- i. A new asset refers to any investment (be it on a new asset or a replacement asset) that occurs after the legacy date.
- ii. To avoid circularity in price setting the amount included in the RAB should not be based on the net present value of cash flows.

### ***Principle 3: Valuation of legacy assets***

17. Legacy assets<sup>i</sup> that are to be retained should be valued at Depreciated Replacement Cost (DRC); Depreciated Optimised Replacement Cost (DORC); Optimised Replacement Cost (ORC), indexed actual cost, Optimised Deprival Value (ODV)<sup>ii</sup> or using another recognised valuation method.

#### *Notes:*

- i. Legacy assets are those which existed as at the legacy date (see iii for a definition of the legacy date).
- ii. This is consistent with the findings of the expert group on asset valuation methods which stated that the deprival value approach to asset valuation should be adopted<sup>7</sup>.
- iii. The legacy date equates to the date where a line in the sand has been drawn. Where jurisdictions have not drawn a line in the sand, the legacy date will be no later than 1 January 2007 and may be in accordance with earlier dates as determined by governments or economic regulators.

### ***Principle 4: Recovery of legacy capital expenditure***

18. In respect of legacy<sup>i</sup> investment decisions, and on the assumption that assets are to be retained, charges will achieve cost recovery by way of a depreciation charge or annuity charge and a positive return<sup>ii</sup> on an asset value used for price setting purposes as at the legacy date<sup>iii</sup>. If assets are to be sold then they are to be valued at their net realisable value.

#### *Notes:*

- i. Legacy investment decisions are decisions made prior to the legacy date (refer to iii below for a definition of the legacy date).
- ii. The return earned should be no less than the return being achieved at the legacy date, and, if the return being earned before the legacy date is above the current WACC return, no more than the return being achieved at the legacy date.
- iii. The legacy date will be no later than 1 January 2007 and may be in accordance with earlier dates determined by governments or economic regulators. Once set, the legacy date should not change. Costs funded by governments after the legacy date should be reported through a transparent subsidy.

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<sup>7</sup> The deprival value is the value of future economic benefits that would be foregone if the entity is deprived of an asset. If the asset to be lost is to be replaced, it can be valued at its market value, replacement cost or reproduction cost, depending on the circumstances. If the asset is not to be replaced, then it should be valued at its economic value, which is the greater of either the net present value of the income expected to be earned from the asset, or the fair market value. The optimised deprival value is the lesser of the DORC and the economic value of the asset.

***Principle 5: Rolling forward asset values after the legacy date***

19. The RAB comprising prudent new investments and legacy investments should be rolled forward each year in accordance with the following formula, which can be expressed in nominal or real terms<sup>i</sup>:

$$\text{RAB}_t = (\text{RAB}_{t-1} + \text{Prudent Capital Expenditure}_t - \text{Depreciation}_t - \text{Disposal}_t \text{ (discarded assets)}).$$

(Where t = the year under consideration).

20. Where assets are optimised<sup>ii</sup>, they should not be subject to further optimisation unless there are relevant changes in market circumstances.
21. Where DRC or DORC is used as a basis for asset values, the RAB comprising new investments and legacy investments should be re-valued through an independent appraisal on a rolling basis in accordance with Accounting Policy Standards.
22. Where a renewals annuity is used, asset values should not be depreciated.

*Notes:*

- i. When applicable, CPI or other relevant indexation factor may be used.
- ii. The RAB should be adjusted for ‘unplanned’ excess capacity through optimisation (that is, delivery of an equivalent service that reflects least cost planning reflecting prudent engineering and technological advancements), where ‘unplanned’ excess capacity is capacity which is not the result of a planned level of utilisation.

***Principle 6: Contributed assets***

23. New contributed assets<sup>i,ii,iii</sup> (i.e. grants/gifts from governments and contributions from customers (e.g. developer charges)) should be excluded or deducted from the RAB or offset using other mechanisms so that a return on and of the contributed capital is not recovered from customers<sup>iv</sup>. If a renewals annuity is used, it should include provision for replacement of contributed assets.

*Notes:*

- i. For contributed assets other than developer charges, funding should be recognised as an asset contribution only where there is clear contractual or policy evidence that this funding was meant to be used to lower long-term prices.
- ii. For the purposes of principle 6, contributed assets exclude gifts or grants where there is clear contractual or policy evidence that charges be set to achieve full cost recovery, inclusive of the value of the gift or grant.
- iii. Equity injections should be distinguished from grants /gifts /contributions.
- iv. It is acceptable for principle 6 to apply to legacy contributed assets if adequate information is available to identify them.

## 2. Principles for urban water tariffs

### Background

1. These principles are developed for a situation where there are large monopoly water providers and an absence of water trading and associated competitive pressures to bring about efficient levels of cost recovery and associated tariff structures.
2. When water is traded as a commodity, the value (price) of water is set in the market, determined by the consumers' willingness to pay. The willingness of water users to pay for water is determined either by the profitability of the output derived from its use, whether agricultural or industrial, or from the value derived from household use, or by the value derived from its environmental use.
3. For a range of reasons, the operation of water trading in an urban context is limited, and in some cases, is likely to remain so due to physical limitations. When water cannot be traded, the water service availability and usage charges determine the cost of water to users. Throughout the principles the term 'service availability charge' is used to describe the access/connection/fixed charge and 'water usage charge' to describe the variable charge.
4. As urban water markets become subject to greater contestability it is likely that competitive pressures will have a greater role in determining water charges.
5. These principles apply only to charges levied to provide water services to urban users. They do not apply to charges levied to provide wastewater services or stormwater services<sup>1</sup>.

### Approaches to setting urban water tariffs

6. Charging structures adopted by urban water businesses generally comprised a service availability charge and a water usage charge, with the service availability charge determined as the residual component to be recovered to meet the revenue requirement after the revenue from water usage charges has been estimated. The usage component of the charge is generally set with reference to the long run marginal cost of supply, and may comprise of more than one tier (often referred to as an 'inclining block tariff').
7. Water charges in the urban water sector may be differentiated by supply nodes (nodal based pricing) or may be uniform across a supply network or geographical area ('postage stamp' based pricing). A nodal pricing approach identifies the cost of service delivery to individual customers, or groups of customers, within a given geographical area or supply node.
8. Water charges may also include up-front developer charges – to signal the infrastructure cost of servicing new developments or additions/changes to existing developments.

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<sup>1</sup> Stormwater services refer to the stormwater transportation network as distinct from stormwater reuse as a water supply option.

### ***Principle 1: Cost recovery***

9. Water businesses should be moving to recover efficient costs consistent with the National Water Initiative (NWI) definition of the upper revenue bound: ‘to avoid monopoly rents, a water business should not recover more than the operational, maintenance and administrative costs, externalities, taxes or tax equivalent regimes, provision for the cost of asset consumption and cost of capital, the latter being calculated using a Weighted Average Cost of Capital (WACC)’<sup>i</sup>.

#### *Notes:*

- i. Application of this principle would be in the context of commitments to full cost recovery in accordance with paragraph 66 of the NWI.

### ***Principle 2: Tariff structures***

10. Two-part tariffs (comprising a service availability charge and a water usage charge) should be used to recover the revenue requirement from retail residential and non-residential and bulk customers<sup>i,ii</sup>

#### *Notes:*

- i. Unless this is demonstrated to not be cost effective.
- ii. This does not preclude charging for peak capacity.

### ***Principle 3: Cost reflective tariffs***

11. The water usage charge should have regard to the long run marginal cost of the supply of additional water<sup>i</sup>.

#### *Notes:*

- i. On economic efficiency grounds the water usage charge should comprise only a single usage charge. However, governments may decide on more than one tier for the water usage charge for policy reasons, e.g. sending a strong pricing signal to encourage efficient water use; and having regard to equity objectives.

### ***Principle 4: Setting the service availability charge***

12. The revenue recovered through the service availability charge should be calculated as the difference between the total revenue requirement as determined in accordance with Principle 1 and the revenue recovered through water usage charges and developer charges.
13. The service availability charge could vary between customers or customer classes, depending on service demands and equity considerations. Unattributable joint costs should be allocated such that total charges to a customer must not exceed stand-alone cost or be less than avoidable cost where it is practicable to do so.

***Principle 5: Pricing transparency***

14. Urban water tariffs should be set using a transparent methodology, through a process which seeks and takes into account public comment, or which is subject to public scrutiny.

***Principle 6: Over recovery of revenue***

15. Where water usage charges lead to revenue recovery in excess of upper bound revenue requirements in respect of new investments, jurisdictions are to address the over recovery. In addressing the over recovery, revenues should be redistributed to customers as soon as practicable.

*Notes:*

- i. This principle recognises that in some cases, long run marginal cost may exceed average cost.

***Principle 7: Differential water charges***

16. Water charges should be differentiated by the cost of servicing different customers (for example, on the basis of location and service standards) where there are benefits in doing so and where it can be shown that these benefits outweigh the costs of identifying differences and the equity advantages of alternatives<sup>1</sup>.

*Notes:*

- i. Differential pricing may be achieved by upfront contributions, including developer charges.

***Principle 8: Setting developer charges***

17. Developer charges should reflect the investment in both new and existing assets required to serve a new development<sup>1</sup> and have regard to the manner in which ongoing water usage and service availability charges are set.

*Notes:*

- i. Where there are benefits beyond the boundary of the development, the developer charge should have regard to the share of capacity required to serve the development.

***Principle 9: Capping developer charges***

18. Developer charges should not exceed the costs of serving new developments which includes investment in both new and existing assets required to serve a new development.

***Principle 10: Revenue from developer charges***

19. To avoid over-recovery, revenue from developer charges should be offset against the total revenue requirement either by excluding or deducting the contributed assets from the RAB or by offsetting the revenue recovered using other mechanisms.

### **3. Principles for recovering the costs of water planning and management activities**

#### **Background**

1. Water planning and management aims to ensure the long term sustainability of the water resource, thereby enabling continued water use while maintaining the health of natural ecosystems<sup>1</sup>.
2. Conceptually, water planning and management activities can include a broad range of activities that are undertaken as a result of water use or may occur irrespective of water use (e.g. activities to reduce water pollution from land uses).
3. Water planning and management activities may be undertaken by a range of parties: including government agencies, water businesses (both government-owned and private), government bodies (e.g. catchment management authorities or natural resource management councils), non-government organisations and private landholders.
4. Water planning and management aims to provide clear rights to water while managing the negative external impacts of water use on other water users and the environment. These rights are provided to both consumptive users (e.g. rights to extract water for irrigation and stock and domestic use) and non-consumptive users (e.g. – rights for environmental flows). In providing these rights, water planning and management helps to address water users' obligation or duty of care to ensure their activities accord with environmental, social and economic objectives.

#### **National Water Initiative cost recovery context**

5. In the context of the NWI and for the purpose of cost recovery, water planning and management are those activities undertaken by, or on behalf of governments as a result of water use (or potential water use e.g. where a water access entitlement holder/licence holder is not using water) only. Water planning and management does not include activities undertaken to manage land-based impacts such as those associated with land clearing for example.
6. Water planning and management covers a wide range of activities to meet a wide range of demands for which the associated costs need to be allocated between water users and governments (representing the community) on the basis of cost sharing principles, noting that these principles do not preclude the total cost of a particular activity being allocated to one party. The activities may be of an operating (recurrent) and/or capital nature.
7. The water planning component of water planning and management is concerned with establishing transparent (statutory based) frameworks for ensuring an appropriate balance between economic, environmental and public benefit outcomes. It aims to

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<sup>1</sup> Water use, for the purposes of this definition refers to all forms of water use (including extractive and non-extractive water use).

ensure the future integrity of the resource by facilitating adjustments to the total consumptive pool in response to scientific input and establishing pathways to adjust for over-allocation and/or overuse. Water planning also provides the mechanism through which resource security outcomes are determined through the specification of shares in the consumptive pool and the rules to allocate these shares.

8. The water management component of water planning and management is concerned with operationalising water planning, including the implementation of statutory plans which aim to codify water management decisions to meet economic, environmental and social objectives, noting that water management has both strategic and operational dimensions. Water management activities also occur in water systems that do not have water plans.
9. In the context of the NWI, water planning and management involves activities:
  - a) to promote the long term sustainability of the resource and to maintain the health of natural ecosystems by minimising impacts associated with water extraction; and
  - b) that are necessary to manage the impacts of past, current and future patterns of water extraction; or
  - c) that are concerned directly with the hydrology of surface and groundwater systems (as opposed to wider catchment management activities, although there are close linkages); or
  - d) that protect the integrity of the entitlement system and the security of users' authorised access to water.
10. The activities broadly cover:
  - a) collecting and analysing data to gain a better understanding of the levels of extractions as well as the potential implications of extraction for the water system, and managing this data;
  - b) developing policies to manage the resource, including managing the interstate sharing of the resource;
  - c) developing plans and strategies/frameworks to allocate water among users and the environment, and to remediate impacts associated with water use;
  - d) implementing these plans/strategies/frameworks and monitoring compliance against the plans;
  - e) undertaking capital works, such as the modification of weirs to achieve environmental outcomes;
  - f) administering water entitlements, compliance, metering and trading systems.
11. Governments have committed in the NWI to publicly report the total cost of water planning and management and the proportion of the total cost of water planning and management (where water planning and management is defined in accordance with paragraphs 5 and 6 above) attributed to water access entitlement holders and the basis on which this proportion is determined (Paragraph 68 of the NWI refers).
12. The water planning and management activities framework (at Appendix B) provides the basis on which water planning and management activities can be classified on a consistent basis.

13. It is important to note that the costs of all activities listed in the water planning and management activities framework (at Appendix B) will not be fully recovered from water users. Charges for activities undertaken for the Government (such as policy development and Ministerial or Parliamentary services) are excluded. Costs of the remaining activities will be apportioned between water users and governments in accordance with Principle 4. Where costs are recoverable from water users, they will be tested for cost-effectiveness by an independent party in accordance with Principle 3.

***Principle 1: Water planning and management activities***

14. Water planning and management activities include the activities outlined in the water planning and management activities framework provided at Appendix B.

***Principle 2: Government activities***

15. Water planning and management charges levied on to water users should exclude the cost of activities undertaken for government such as policy development<sup>i</sup> and Ministerial or Parliamentary services<sup>ii</sup> (Paragraph 67 (ii a) of the NWI refers). These activities are marked with an asterisk in the activities framework provided at Appendix B, and the associated activity costs should be allocated entirely to governments.

*Notes:*

- i. Policy development includes the development and/or refinement of overarching policy frameworks designed to plan for, and manage water resources. Policy development will typically be characterised by the development of comprehensive strategies that articulate the long-term policy objectives for sustainable water management and the overarching policy and institutional framework for achieving these objectives. This includes overarching legislation (e.g. *Water Act 2000* (Qld), *Water Management Act 2000* (NSW), *Natural Resource Management Act 2004* (South Australia)) or overarching policy frameworks (e.g. the State Water Plan (Western Australia), *Securing our Future Together – White Paper* (Victoria) and the State Water Management Outcomes Plan (NSW)). Developing and refining statutory, catchment/valley/regional-level water plans or other secondary/subordinate legislation that operationalises water planning and management activities does not constitute policy development or a Ministerial or Parliamentary service and the associated activity costs should not be exempt from cost recovery.
- ii. Ministerial or Parliamentary services include reporting to parliament; advising parliament on issues where the agency has expertise; answering parliamentary questions; briefing Ministers and responding to Ministerial correspondence.

***Principle 3: Cost-effectiveness test***

16. Having identified water planning and management costs to be recovered from water users, in whole or in part, activities should be ‘tested’ for cost-effectiveness by an independent party and the findings of the cost-effectiveness review are to be made public.

***Principle 4: Cost allocation***

17. Costs are to be allocated between water users and governments using an impactor<sup>i</sup> pays approach.

*Notes:*

- i. An impactor is any individual, group of individuals or organisation whose activities generate costs, or a justifiable need to incur costs. The impactor pays approach seeks to allocate costs to different individuals, groups of individuals or organisations in proportion to the contribution that each individual, group of individuals or organisation makes to creating the costs, or the need for the costs to be incurred.

***Principle 5: Differentiation of costs***

18. Water planning and management costs are to be identified and differentiated by catchment or valley or region and by water source where practicable. Water planning and management charges should in turn, recover the costs of the activities concerned and be differentiated by catchment or valley or region and by water source (e.g. regulated, unregulated or groundwater sources) where practicable<sup>1</sup>.

*Notes:*

- i. It would not be considered practicable to differentiate water planning and management charges by catchment or valley or region where a jurisdiction can demonstrate that water planning and management costs do not vary significantly across catchments or valleys or regions or by water source, or it is excessively costly to determine costs at these levels. Where this is currently the case, a broader charge (such as a state-wide charge) may be applied.

***Principle 6: Community Service Obligations***

19. Where practical, jurisdictions should aim to reduce or eliminate subsidies or Community Service Obligations. Any shortfall between the revenue required to achieve cost recovery from water users and the total costs recovered through water charges, should be transparently reported.

## **4. Pricing principles for recycled water and stormwater use**

### **Background**

1. The National Water Initiative (NWI) specifies that States and Territories: “agree to develop pricing policies for recycled water and stormwater that are congruent with pricing policies for potable water, and stimulate efficient water use no matter what the source, by 2006” (paragraph 66 (ii) refers).
2. These principles are intended to assist States and Territories in meeting their commitments to paragraph 66 (ii) of the NWI. It is not expected that these principles should be applied to prices retrospectively. It is also not expected that these principles should take precedent over any existing principles jurisdictions may have developed for recycled water and stormwater use.
3. The principles are intentionally flexible in some areas due to the heterogeneous and evolving nature of recycled water and stormwater reuse products and the widely different scenarios under which these schemes are implemented.

### ***Principle 1: Flexible regulation***

4. Light handed and flexible regulation (including use of pricing principles) is preferable, as it is generally more cost-efficient than formal regulation. However, formal regulation (e.g. establishing maximum prices and revenue caps to address problems arising from market power) should be employed where it will improve economic efficiency.

### ***Principle 2: Cost allocation***

5. When allocating costs, a beneficiary pays approach — typically including direct user pay contributions — should be the starting point, with specific cost share across beneficiaries based on the scheme’s drivers (and other characteristics of the recycled water/stormwater reuse scheme).

### ***Principle 3: Water usage charge***

6. Prices to contain a water usage (i.e. volumetric) charge.

### ***Principle 4: Substitutes***

7. Regard to the price of substitutes (potable water and raw water) may be necessary when setting the upper bound of a price band.

### ***Principle 5: Differential pricing***

8. Pricing structures should be able to reflect differentiation in the quality or reliability of water supply.

***Principle 6: Integrated water resource planning***

9. Where appropriate, pricing should reflect the role of recycled water as part of an integrated water resource planning (IWRP) system.

***Principle 7: Cost recovery***

10. Prices should recover efficient, full direct<sup>i</sup> costs — with system-wide incremental costs (adjusted for avoided costs and externalities) as the lower limit, and the lesser of stand alone costs and willingness to pay (WTP) as the upper limit. Any full cost recovery gap should be recovered with reference to all beneficiaries of the avoided costs and externalities. Subsidies and Community Service Obligation (CSO) payments should be reviewed periodically and, where appropriate, reduced over time.

*Notes:*

- i. Direct costs include any joint/common costs that a scheme imposes, as well as separable capital, operating and administrative costs. This definition of direct costs does not include externalities and avoided costs.

***Principle 8: Transparency***

11. Prices should be transparent, understandable to users and published to assist efficient choices.

***Principle 9: Gradual approach***

12. Prices should be appropriate for adopting a strategy of ‘gradualism’ to allow consumer education and time for the community to adapt.

**COAG Water Resource Pricing Principles.**

1. Prices will be set by the nominated jurisdictional regulators (or equivalent) who, in examining full cost recovery as an input to price determinations, should have regard to the principles set out below.
2. The deprival value methodology should be used for asset valuation unless a specific circumstance justifies another method.
3. An annuity approach should be used to determine the medium to long term cash requirements for asset replacement/refurbishment where it is desired that the service delivery capacity be maintained.
4. To avoid monopoly rents, a water business should not recover more than the operational, maintenance and administrative costs, externalities, taxes or TERs [tax equivalent regime], provision for the cost of asset consumption and cost of capital, the latter being calculated using a WACC [weighted average cost of capital]. [Upper Bound pricing]
5. To be viable, a water business should recover, at least, the operational, maintenance and administrative costs, externalities, taxes or TERs (not including income tax), the interest cost on debt, dividends (if any) and make provision for future assets refurbishment/replacement (as noted in (3) above). Dividends should be set at a level that reflects commercial realities and stimulates a competitive market outcome. [Lower Bound pricing]
6. In applying (4) and (5) above, economic regulators (or equivalent) should determine the level of revenue for a water business based on efficient resource pricing and business costs. Specific circumstances may justify transition arrangements to that level.
7. In determining prices, transparency is required in the treatment of community service obligations, contributed assets, the opening value of assets, externalities including resource management costs, and tax equivalent regimes.

*Notes:*

- i. The reference to ‘or equivalent’ in principles 1 and 6 is included to take account of those jurisdictions where there is no nominated jurisdictional regulator for water pricing.
- ii. The phrase ‘not including income tax’ in principle 5 only applies to those organisations which do not pay income tax.
- iii. ‘Externalities’ in principles 5 and 7 means environmental and natural resource management costs attributable to and incurred by the water business.
- iv. ‘Efficient resource pricing’ in principle 6 includes the need to use pricing to send the correct economic signals to consumers on the high cost of augmenting water supply systems. Water is often charged for through a two-part tariff arrangement in which there are separate components for access to the infrastructure and for usage. As an augmentation approaches, the usage component will ideally be based on the long-run marginal costs so that the correct pricing signals are sent.
- v. ‘Efficient business costs’ in principle 6 are the minimum costs that would be incurred by an organisation in providing a specific service to a specific customer or group of customers, or the minimum amount that would be avoided by not provided the service to the customer or group of customers. Efficient business costs will be less than actual costs if the organisation is not operating as efficiently as possible.

**Appendix B:****A framework for classifying water planning and management activities**

This Appendix outlines a framework which classifies water planning and management activities. It is important to note that the costs of some of these activities will be allocated entirely to governments (e.g. water reform, strategy and policy). An asterisk (\*) denotes the activities where this is the case.

It should be noted also that there will be capital and corporate services costs associated with each of the activities listed in the framework.

Capital costs can include the provision of infrastructure (e.g. physical works such as streamflow gauging stations, monitoring bores and control weirs) and systems (e.g. water registers and water accounting systems).

Corporate services can include the delivery of corporate services (e.g. legal, IT, communications, human resources, financial management and records management) and corporate planning functions (business and strategic planning and reviewing performance against these plans).

**A. WATER REFORM, STRATEGY & POLICY (\*)****1. Development of intergovernmental agreements**

- a) e.g. the National Water Initiative, Murray-Darling Basin Agreement, Lake Eyre Basin Intergovernmental Agreement etc.

**2. Development of broad strategies for managing water**

- b) e.g. State Water Plan (Western Australia), Securing our Future Together – White Paper (Victoria), State Water Management Outcomes Plan (NSW).

**3. Development and/or refinement of overarching statutory instruments**

- c) e.g. Water Management Act 2000 (NSW), Water Act 2000 (Queensland).  
Overarching legislation does not include statutory-based, catchment/valley/regional-level water plans or other secondary/subordinate legislation that operationalises water planning and management.

**B. WATER PLANNING****1. Water resource planning**

- a) Development of water resource plans:
  - i. Cross border water plans - sharing and management (inc. allocation) of water resources in cross-border areas;
  - ii. Regional water plans - sharing and management of water resources between catchments where interconnectivity occurs (either naturally, or as a result of infrastructure, i.e. a pipeline);
  - iii. Catchment scale water plans - allocation and sustainable management of water resources (strategic and operational), including planning for current and future water use, environmental flow arrangements;
  - iv. Localised water plans - plans developed to address specific water resource problems (quantity or quality) at a local level;
  - v. Other water plans - plans developed at a local or catchment level to address other water management issues, such as water or floodplain harvesting or drainage issues;

- b) Operationalisation and implementation of plans:
  - i. development of rules for water sharing (including environmental shares);
  - ii. determining water availability and distribution (e.g. announced/seasonal allocations);
  - iii. establishing system operating rules, monitoring and reporting requirements etc.;
  - iv. storage and delivery of water to achieve environmental outcomes;
- c) Monitoring and evaluation of planning outcomes and progress against targets (including compliance);
- d) Review of water resource plans / development of new plans.

## **2. Environmental and ecosystem management planning**

- a) Development of environmental management plans where related to water resources (e.g. salinity, blue green algae, riverine management);
- b) Development of plans to manage water-dependent ecosystems (e.g. riverine zones, estuaries, wetlands).

## **C. WATER MANAGEMENT**

### **1. Measures to improve water use**

- a) Water use efficiency programs (irrigation, commercial, urban);
- b) Development of property level water management plans;
- c) Great Artesian Basin Sustainability Initiative;
- d) Flood Plain Management.

### **2. Construction of works** (not significant water supply infrastructure)

- a) Construction of weirs, replacement of bores etc., to achieve water management outcomes.

### **3. Environmental works**

- a) Works to reduce or remediate environmental impacts arising from water use.

## **D. WATER MONITORING & EVALUATION**

### **1. Monitoring and evaluation of water resources**

- a) Water resource monitoring:
  - i. Streamflow gauging;
  - ii. Groundwater bore monitoring (pressure and levels);
  - iii. Water quality monitoring (surface and groundwater resources).
- b) Water use monitoring:
  - i. Collection of water use information (metering, surveys).
- c) Water resource assessment:
  - i. Hydrological and hydraulic assessment;
  - ii. Water quality assessment (e.g. turbidity, nutrient monitoring, salinity, algal blooms etc);
  - iii. Surface water / groundwater interconnectivity;
  - iv. Effects of land use change, land clearing, climate change, etc.

### **2. Monitoring and evaluation of water dependent ecosystems**

- a) Monitoring and evaluation of riverine health (flow and non-flow elements), wetland health, estuary health.

## **E. INFORMATION MANAGEMENT & REPORTING**

### **1. Water resource accounting**

- a) Development of frameworks and systems;
- b) Data collection and processing.

### **2. Publication of water resource information**

- a) Water use statistics, water trading statistics, resource condition and assessment reporting, etc.

## **F. WATER ADMINISTRATION & REGULATION**

### **1. Administration of entitlements and permits**

- a) Granting of water allocations, entitlements and permits to users (incl. bulk water entitlements);
- b) Processing of applications and transactions;
- c) Management of bulk water entitlements;
- d) Ensuring compliance with licence and other conditions;
- e) Regulation of water-related works or developments (e.g. dams, bores, pumping equipment);
- f) Benchmarking costs and standards of water planning and management activities (where applicable).

### **2. Development of entitlement frameworks**

- a) Overland flow, interception, non-use 'entitlements'.

### **3. Administration of water trading arrangements**

- a) Development and regulation of trading frameworks;
- b) Facilitation and administration of water trading.

### **4. Business administration**

- a) Pricing review and implementation;
- b) Financial management and reporting (e.g. costing, revenue monitoring);
- c) Billing and debt management.

### **5. Administration of water metering arrangements**

- a) Development of metering requirements and standards;
- b) Implementation of metering requirements;
- c) On-going management of metering activities.

## **G. WATER INDUSTRY REGULATION**

### **1. Oversight of water businesses**

- a) Review of water business operations to ensure compliance with statutory requirements.