

WATER ACT 1912—REGULATION

(Water (Part 5—Drillers' Licences) Regulation 1995)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Water Act 1912, has been pleased to make the Regulation set forth hereunder.

KIM YEADON, M.P.,
Minister for Land and Water Conservation.

Citation

1. This Regulation may be cited as the Water (Part 5—Drillers' Licences) Regulation 1995.

Commencement

2. This Regulation commences on 1 September 1995.

Definitions

3. (1) In this Regulation:

“the Act” means the Water Act 1912.

(2) In this Regulation, a reference to a form is a reference to a Form set out in Schedule 1.

Classes of drillers' licences

4. (1) For the purposes of section 118A (1) (b) of the Act, the following 6 classes of drillers' licences are prescribed:

- (a) a *class 1 licence*, being a licence that allows construction of water level and water quality monitoring bores;
- (b) a *class 2 licence*, being a licence that allows construction of sub-artesian stock and domestic supply bores up to 152 mm nominal bore casing;

- (c) a *class 3 licence*, being a licence that allows the activities of a class 2 licence and also allows the construction of sub-artesian, screened and developed bores (with open hole, slotted casing or screen completion methods, including the use of a formation stabiliser, but not including gravel filter envelope completion techniques);
 - (d) a *class 4 licence*, being a licence that allows activities of a class 3 licence and also allows the use of gravel filter envelope completion techniques;
 - (e) a *class 5 licence*, being a licence that allows activities of a class 2 licence and also allows the construction of flowing and non-flowing bores that penetrate the sandstone aquifers of the Great Artesian Basin and the construction of flowing bores elsewhere in New South Wales;
 - (f) a *class 6 licence*, being a licence that allows activities of both a class 4 licence and a class 5 licence.
- (2) A driller's licence may restrict its holder to the use of one or more of the following drilling methods:
- (a) auger;
 - (b) jetting;
 - (c) cable tool;
 - (d) rotary air;
 - (e) rotary hydraulic;
 - (f) such other method as is specified in the licence.

Applications for drillers' licences

5. (1) For the purposes of section 118A (3A) of the Act:

- (a) the prescribed form of application for a driller's licence is Form 1; and
- (b) the prescribed fee to accompany an application for a driller's licence is \$44.

(2) The Ministerial Corporation must refund the fee if an application does not result in the issue of a licence.

Form of licence

6. For the purposes of section 118A (3A) of the Act, the prescribed form of driller's licence is Form 2.

8. Number of artesian bores:

*(a) constructed by me as a licensed driller:

*(b) on which I have worked as an employee of a licensed driller:

9. Number of bores:

*(a) pressure-cemented by me as a licensed driller:

*(b) pressure-cemented by me as an employee of a licensed driller:

10. The depth and location of:

*(a) deepest bore sunk by me as a licensed driller:

*(b) deepest bore on which I have worked as an employee of a licensed driller:

11. The make, type and capacity of plant now being operated by me are:

12. Description of drilling plants previously operated by me:

13. Names and addresses of drillers and/or drilling contractors for whom I have worked as a driller:

(NOTE: *Copies of testimonials or references from employers should be attached.*)

14. Other information relevant to this application:

*Strike out if inapplicable.

1995—No. 534

Form 2

(Cl. 6)

DRILLER'S LICENCE No.
(Section 118A, Water Act 1912)

..... of
(name) *(address)*

is licensed for a period of 3 years from the date of this licence to carry out work as a driller under section 118A of the Water Act 1912.

Class licence.

This licence is limited to the following drilling methods:

.....
.....
.....

Dated:

Signed
(For and on behalf of the Water
Administration Ministerial Corporation)

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EXPLANATORY NOTE

The object of this Regulation is to repeal and remake, without any major changes in substance, the provisions of the Water (Part 5) Drillers' Licences Regulation 1990. Part 5 of the Water Act relates to artesian wells and bore licences. Section 118A in Part 5 requires drillers to be licensed. The new Regulation deals with the following matters:

- (a) specifying different classes of drillers' licences (clause 4);
- (b) prescribing a form of application and the fee for a licence (clause 5);
- (c) prescribing a form of licence (clause 6);
- (d) other minor, consequential or ancillary matters (clauses 1–3 and 7).

This Regulation is made under Part 5 of the Water Act 1912, including section 118A (drillers to be licensed) and section 129 (the general regulation making power).

This Regulation comprises or relates to matters of a machinery nature.

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.
