

~~Let me add that the sale will not be finalised until all of the Governor in Council and ministerial approvals required are satisfied. As the responsible minister, I will not determine these approvals until such time as a probity investigation that is currently underway in relation to CLG and its associates is completed. This is expected by the end of July 2014.~~

~~Finally, the bill makes minor amendments to the Property Occupations Act 2014 to correct a drafting error. This bill is a reflection of the government's commitment to grow a four pillar economy and revitalise front-line services for families through red-tape reduction and delivers on the government's strong plan to ensure a brighter future for Queenslanders. I commend the bill to the House.~~

First Reading

~~**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney General and Minister for Justice) (12.30 pm): I move—~~

~~That the bill be now read a first time.~~

~~Question put—That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

Referral to the Legal Affairs and Community Safety Committee

~~**Mr DEPUTY SPEAKER** (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.~~

WATER LEGISLATION (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

Message from Governor

Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (12.30 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE

WATER LEGISLATION (MISCELLANEOUS PROVISIONS) AMENDMENT BILL 2014

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to amend the Water Act 2000, the Water Efficiency Labelling and Standards Act 2005 and the Water Supply (Safety and Reliability) Act 2008 for particular purposes

(Sgd)

GOVERNOR

Date: 3 JUN 2014

Tabled paper: Message, dated 3 June 2014, from Her Excellency the Governor recommending the Water Legislation (Miscellaneous Provisions) Amendment Bill 2014.

Introduction



Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (12.30 pm): I present a bill for an act to amend the Water Act 2000, the Water Efficiency Labelling and Standards Act 2005 and the Water Supply (Safety and Reliability) Act 2008 for particular purposes. I table the bill and the explanatory notes. I nominate the State Development, Infrastructure and Industry Committee to consider the bill.

Tabled paper: Water Legislation (Miscellaneous Provisions) Amendment Bill 2014.

Tabled paper: Water Legislation (Miscellaneous Provisions) Amendment Bill 2014, explanatory notes.

It is my pleasure to introduce the Water Legislation (Miscellaneous Provisions) Amendment Bill 2014, which will make critical changes to improve the state's powers to respond to and manage water supply emergencies and flood events before the start of the next wet season. The need for these amendments comes from dealing with real events during earlier wet seasons. All of us in this

parliament will recall the devastation of the 2011 floods in South-East Queensland and the event in 2013. The Newman government is determined to do all it can to mitigate the effects of future flood events on South-East Queensland homes and businesses. Whilst we cannot flood proof South-East Queensland entirely, we can act to reduce the impact of major flood events.

The bill will also amend the Water Act 2000 to improve the governance provisions for category 1 water authorities—that is, the Gladstone Area Water Board and the Mount Isa Water Board—and amend the Water Efficiency Labelling and Standards Act 2005 to align it with the Commonwealth act. The bill also makes minor amendments to the Water Act.

First, the bill amends the Water Act to streamline the emergency water supply declaration process to enable a more effective and timely response to short-term or immediate water supply emergencies. As the responsible minister, I can direct service providers to impose water restrictions under a water supply emergency declaration. However, the current act requires Governor in Council approval and gazettal to give effect to a declaration—a process that is time consuming and impractical for dealing with these types of situations.

In January 2013, heavy rainfall from Tropical Cyclone Oswald caused a spike in the levels of turbidity in the Brisbane River shutting down the water treatment plant at Mount Crosby, leaving some parts of Brisbane reliant on the water supplies in reservoirs at risk at the time the plant stopped operating. Due to the potential dire situation, the Premier and Seqwater urged residents to conserve water and only use it for essential needs—that is, drinking, cooking and bathing.

This bill removes the Governor in Council and gazettal requirements and provides for future declarations to have effect on their being made by the minister or on a later day stated in the declaration. The bill provides for a copy of the declaration to be given to affected service providers and, as soon as practicable after doing this, for a copy to be published in the gazette, maintaining a public record of the decision.

The bill also amends the Water Supply (Safety and Reliability) Act 2008 to provide for service provider emergency water restrictions to commence on the day they are announced, removing any delay in putting in place measures to manage the situation. The bill requires that, in these circumstances, service providers must give notice of the water restrictions to affected customers by radio or television broadcast or another form of electronic media.

It is important to note that a service provider such as QUU does not have the requirements that delay it in putting in place water restrictions that are imposed on me. A service provider can implement water restrictions immediately, whereas the minister has Governor in Council and gazettal requirements in making a declaration which may include emergency water restrictions.

Secondly, the bill amends the Water Supply (Safety and Reliability) Act to better manage the impacts of potential floods in South-East Queensland by enabling quicker decisions to temporarily draw down the water levels of Wivenhoe, Somerset and North Pine dams in response to existing or emerging flood events. As the responsible minister, I have powers to declare a temporary full supply level for a flood mitigation dam after obtaining and considering advice from the dam owner, and I can also have regard to other information including weather forecasts. These powers were enacted following recommendations of the Queensland Floods Commission of Inquiry and have proven an effective tool to assist in managing flood events in South-East Queensland.

In January 2013, declarations were made for Wivenhoe and North Pine dams to increase their flood storage capacity due to Tropical Cyclone Oswald, which caused widespread flooding in Central Queensland and parts of SEQ. During that wet season, I made temporary full supply level declarations for Wivenhoe Dam and North Pine Dam on a number of occasions, including on non-business days. History shows the limitations of the gazettal process, which could have delayed action at the dams to reduce the threat. The bill provides for future declarations to have effect when notice of them is given to the dam owner. A copy of the declaration will be published in the gazette as soon as practicable after it has been made, maintaining a public record of the decision.

There is also a need to clarify the steps for authorising alternative operating procedures before the next wet season. Approved flood mitigation manuals are in place for Wivenhoe, Somerset and North Pine dams. The dam owner, Seqwater, must operate these dams in accordance with the approved manuals during a flood event but may seek approval from the chief executive of my department to use a different operating procedure from that approved under the manual. The chief executive must consider the request and make a decision.

Communications, both ways, can be verbal and in most cases the process works. However, if the chief executive cannot be contacted within a reasonable time, the dam owner can adopt a different procedure—entitled an authorised alternative procedure—to manage the situation but must provide written explanation to the chief executive as soon as practicable. However, there is possible uncertainty about when Seqwater would be authorised to adopt such an alternative procedure where contact cannot be made with the chief executive officer or where contact is made but communication is lost before an answer is provided. The bill will ensure that, if Seqwater has attempted to contact the chief executive officer but has not received a response within a reasonable period, it can adopt an appropriate operating procedure to manage the dam during a flood event.

I turn to the amendments to the Queensland Water Efficiency Labelling and Standards Act 2005, known as the Queensland WELS Act. The bill upholds the Queensland government's commitment to maintain legislation that forms part of a national scheme for water efficiency labelling and standards. The WELS scheme is a national scheme that was established in 2005 by the Commonwealth Water Efficiency Labelling and Standards Act 2005, the Commonwealth act, with complementary state and territory legislation. It is supported by an intergovernmental agreement between the Commonwealth and all states and territories which sets out the roles and obligations of all parties. The Commonwealth is the regulator and administers the scheme on behalf of the parties to the IGA. The states and territories have little or no operational role but scheme changes cannot happen without the consent of a majority of states and territories.

The WELS scheme, through its water efficiency labelling, encourages water efficiency by providing information to consumers on the water efficiency of certain products at the point of sale. WELS products—showers and taps, toilets and urinals, washing machines and dishwashers—are star rated according to their water efficiency, similar to the energy efficiency ratings for electrical products. The higher number of stars the more efficient the appliance is. Consumers are well used to seeing the star ratings for both energy and water when buying products, and there is evidence that both registration and sales of four-star rated or better products have increased since the WELS scheme began.

In response to the independent review of the scheme in 2010, the Commonwealth, states and territories agreed to changes to the governance, compliance and administration of the scheme to improve the level of cost recovery from product registration fees and the introduction of civil penalty provisions. The Commonwealth act was amended in 2012 and 2013. The Queensland WELS Act should now be amended to mirror the changes to the Commonwealth act to ensure the scheme is nationally consistent.

The approach that has been taken to achieving consistency with the Commonwealth act is what is termed the applied provisions model of uniform legislation, which has also been adopted by other states and territories including New South Wales, Tasmania and South Australia. This model of uniform legislation applies the Commonwealth WELS legislation as laws of the state of Queensland. This model provides a high level of consistency between jurisdictions and has a number of other advantages including reducing red tape, equating to removing 34 pages from the Queensland statute book. This approach should negate the need for future amendments to the Queensland WELS Act. However, as with other jurisdictions, the amendments provide for the state to modify the effect of the Commonwealth act by subordinate legislation if required.

The bill will also improve governance arrangements for category 1 water authorities—the Gladstone Area Water Board and Mount Isa Water Board—which operate on a commercial basis similar to government owned corporations. The governance provisions under which the boards operate are in need of reform. The bill reduces red tape, removes spent provisions and better aligns the governance framework with commercial business practices.

In this regard the bill will, firstly, remove the requirement for the boards to advise the minister before buying or selling property of \$1 million or more; secondly, streamline the dividend recommendation and payment process to align with government owned corporations; thirdly, remove the separate process of resignation of the chair of the Gladstone Area Water Board and terms of appointment for the board's directors in favour of generic provisions; fourthly, require disclosure of money received for community service obligations in the board's annual financial reports; and, fifthly, remove requirements dealing with the establishment of category 1 boards. Finally, the bill makes minor amendments to the Water Act to include the local government area of Noosa shire in the definition of the SEQ region and to remove sections that refer to the former Queensland Water Commission following its abolition. I commend the bill to the House.

First Reading

Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (12.42 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.


Bill read a first time.

Referral to the State Development, Infrastructure and Industry Committee

Mr DEPUTY SPEAKER: Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

~~LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL~~

Introduction

 **Hon. DF CRISAFULLI** (Mundingburra—LNP) (Minister for Local Government, Community Recovery and Resilience) (12.43 pm): I present a bill for an act to an act to amend the City of Brisbane Act 2010, the Local Government Act 2009 and the Local Government Electoral Act 2011 for particular purposes, and to make minor and consequential amendments of the acts as stated in schedule 1. I table the bill and explanatory notes. I nominate the Transport, Housing and Local Government Committee to consider the bill.

~~Tabled paper: Local Government Legislation Amendment Bill 2014.~~

~~Tabled paper: Local Government Legislation Amendment Bill 2014, explanatory notes.~~

~~I am pleased to introduce the Local Government Legislation Amendment Bill 2014. The government's local government legislative reform program began in 2012 with the Local Government and Other Legislation Amendment Act 2012. That act began the process of erasing from the statute book the absurd one-size-fits-all approach to local government put in place by the former Labor government. Last year the Local Government and Other Legislation Amendment Act 2013 delivered another milestone on the road to empowerment of local communities and the local governments representing them.~~

~~The government went to the last state election with a clear platform to grow a four-pillar economy, deliver better infrastructure and better planning, revitalise front-line services for families and restore accountability in government. The government regards local governments as key players in the work necessary to achieving these goals. At the last election the government released the Empowering Queensland Local Government policy. The government has delivered on what it said in this document. Let me tick off for the record the local government reforms that have been delivered in this term:~~

- ~~• ensuring mayors and councillors are clearly in charge of their councils, tick;~~
- ~~• giving mayors, along with committee chairpersons and deputy mayors a voice on the appointment of senior executive employees, tick;~~
- ~~• allowing mayors to direct both CEOs and senior executive employees, tick;~~
- ~~• allowing local governments to hold voter polls to better inform council decision-making, tick—~~

~~and we all remember why that power was removed from local government, and wasn't that a very, very dark day?~~

- ~~• repealing the blatantly unfair requirement imposed by the Labor government that forced councillors standing as candidates for state parliament to automatically resign, tick;~~
- ~~• reinstating the body corporate status of local governments, tick;~~
- ~~• restoring joint local government arrangements so councils can share resources and cut costs for ratepayers, tick;~~
- ~~• significantly cutting red tape, saving councils money and manpower, for example, repealing the long-term community plan requirements, tick; and~~
- ~~• giving local people the choice about deamalgamation and consequently deamalgamating the local governments of Douglas, Livingstone, Mareeba and Noosa, tick.~~

~~Today I bring to the House the third critical component of reforms for local governments in Queensland, the Local Government Legislation Amendment Bill 2014. The bill delivers the final~~