



28 February 2014

The Research Director
State Development, Infrastructure and Industry Committee
Parliament House
George Street
Brisbane Qld 4000

Via email to: sdiic@parliament.qld.gov.au

Dear Committee Members

Water Supply Services Legislation Amendment Bill 2014

Thank you for the opportunity to provide comment on the Water Supply Services Legislation Amendment Bill 2014.

The Local Government Association of Queensland (LGAQ) along with its industry partner qldwater has worked closely with the Department of Energy and Water Supply (DEWS) on many key aspects of the Bill since the election of the Newman Government in March 2012. As a consequence, the Association is generally supportive of the overarching aims and objectives of the Bill.

Given the LGAQ supports the substantive commentary provided by qldwater on the Bill, the Association seeks only to note the following for the record:

➤ *Outcomes Focus Reform*

Due to the complexity and costs associated with previous regulatory arrangements, an outcomes driven and streamlined regulation and reporting regime has long been a key advocacy platform of the Association.

Additionally, and in line with the principles of the Local Government Act 2009, the LGAQ supports greater transparency in performance reporting and benchmarking across councils.

The new Key Performance Indicator (KPI) Framework will be a great step forward in this regard and the Association looks forward to how it can continue to work with DEWS and qldwater to ensure its successful implementation; and more critically, ensure its outputs can be used to inform better decision making at a local, regional and state level.

On the matter of implementation, in the Association's 2013 submission to the Discussion Paper on Queensland's Water Sector - a 30 Year Strategy, the LGAQ highlighted *the need to consider the capacity and capability of councils to credibly implement and provide any new reporting requirements*.

On this basis, the LGAQ is keen to work with the State Government to ensure that lower capacity councils (such as those in indigenous and rural / remote councils) are appropriately resourced and supported to be able to report against the new KPI Framework. Failing this,

there are likely to be significant data gaps which will be to the detriment of the outcomes sought by the State.

➤ *Removal of the Management Plan Framework*

As previously outlined, the Association is a strong advocate of an outcomes based approach to regulation. For this reason, the LGAQ supports the proposed amendments to the Water Supply (Safety and Reliability) Act 2008 that remove the mandatory requirements for System Leakage Management Plans, Drought Management Plans, Outdoor Water Use Conservation Plans and Strategic Asset Management Plans.

However, the LGAQ believes the move away from regulating strategic management plans should not necessarily remove the focus for fit for purpose strategic planning. Removal of the above aforementioned plans should not be promoted as an end in itself but rather as recognition of the need for councils to continue management planning in their own preferred and integrated format.

Whilst LGAQ recognises that it has a role, along with qldwater in assisting councils with this transition, the Association also urges the State to likewise consider its ongoing role in supporting councils with their planning activities - especially in the short to medium term. At a minimum, the Association believes that this new approach needs to consider the interaction with other current legislative planning requirements such as Drinking Water Quality Management Plans and Customer Service Standards.

➤ *Amendment to Section 121 of the Plumbing and Drainage Act 2002*

As the Committee may be aware the 'demarcation' conflict between the Plumbing and Drainage Act 2002 and the Water Supply (Safety and Reliability) Act 2008 has consumed considerable resources in negotiations and legal interpretation; and has been a long standing source of aggravation between councils and the plumbing industry.

In many council areas no plumbing services are available on site and attracting licenced plumbers can be difficult and costly. Additionally, quite often the nature of the work is not dissimilar to that already conducted as part of regular operations by an 'authorised officer' as already defined in the Water Supply (Safety and Reliability) Act 2008.

Whilst the Association is aware of claims about the risk to public health if the proposed amendments in the Bill are passed, the LGAQ believes these claims to be baseless given current legislative requirements associated with drinking water quality. Given councils are ultimately (and in most areas of the State) responsible for the provision of urban water supplies; and given the current pressure on council budgets, LGAQ believes councils are best placed to determine whether works should be conducted by a licensed plumber or a suitably qualified authorised officer.

In summary, LGAQ strongly supports the proposed amendments as drafted.

➤ *Improvement in the Operation of Councils and Distributor-retailers in South East Queensland*

The LGAQ supports the proposed amendments to increase the representation of elected members to the associated Boards of the South East Queensland water distributor entities.

The proposed amendments will allow shareholding councils much greater say in the operational aspects of the distributor entities, whilst maintaining the independence of the Board.

➤ *Reduction of Regulation – Recycled Water Providers*

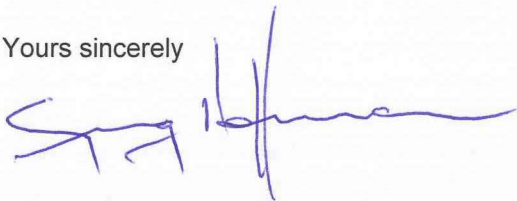
The LGAQ supports the reduction in regulation for low risk recycled water providers. In many instances, councils provide a low risk recycled water service, usually for irrigation purposes for their water and sewerage operations.

The proposed removal of the requirements for recycled water management plans under section 196AA of the *Water Supply (Safety and Reliability) Act 2008* for low risk schemes will reduce the administration burden placed on councils and also the cost of supplying this service to the community.

The LGAQ commends the Government on the reforms referenced in this Bill and also wishes to acknowledge the positive collaboration received through DEWS in discussing local governments' requirements.

Should further information on any aspect of the Association's response be required, please don't hesitate to contact Ms Simone Talbot, Manager Advocate on 3000 2246 or simone_talbot@lgaq.asn.au or Ross Kirkman, Senior Advisor on 3000 2237 or ross_kirkman@lgaq.asn.au.

Yours sincerely



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