

GLAMORGAN VALE WATER BOARD

RURAL WATER SUPPLY



Secretary Judy Seppanen & Alex Hill

ABN: 80 436 207 114

E-MAIL: secretary@gvwb.com.au

PHONE: 07 5426 6800

FAX: 07 5426 6865

19th March 2019

Committee Secretary

State Development, Natural Resources and Agricultural Industry Development Committee

Parliament House

George Street

Brisbane Qld 4000

Emailed: sdnraidc@parliament.qld.gov.au

Dear Committee Secretary

RE: Natural Resources and Other Legislation Amendment Bill 2019

On Monday, 4th March 2019 the Glamorgan Vale Water Board (GVWB) was advised by the Department of Natural Resources, Mines and Energy that on 26 February 2019 the Natural Resources and Other Legislation Amendment Bill 2019 was introduced into the Queensland Parliament. The Bill was referred to the State Development, Natural Resources and Agricultural Industry Development Committee (committee) for detailed consideration.

The proposed amendment bill will affect the Glamorgan Vale Water Board through its proposed changes to the Water Act 2000 and the Water Supply (Safety and Reliability) Act 2008.

We make the following comments in reference to the proposed changes in the Natural Resources and Other Legislation Amendment Bill 2019 which as per your email of 4th March proposes to amend water legislation to improve operational efficiency, strengthen compliance and enforcement provisions; ensure consistency with local government infrastructure charging notices; facilitate balanced gender representation on category 2 water authority boards and modernise the selection and appointment process for directors; reduce regulatory burden; and clarify the application of a number of provisions applying to category 1 and category 2 water authority boards.:

Part 3: Amendment of Water Act 2000

Clause 597 Board of Directors:

The original 597 use of must is more appropriate in this context than has used in the proposed amendment. We propose that no change is made to this clause.

A water authority must have a board of directors (a board).

Each water authority has a board of directors (a board).

Clause 598 A Role of board

Please confirm that Clause 598 A remains unchanged.

600 Appointment

(3) In recommending a person to the Governor in Council for appointment under subsection (1), or

appointing a person under subsection (2), the Minister must have regard to—

(a) providing balanced gender representation in the boards of water authorities; and

We believe that a more precise means to achieve the inclusive philosophy that this legislation requires the following should replace (a) above

a) providing balanced gender, multicultural and youth representation in the board of water authorities; and

Clause 602 Disqualification as director

We recommend that 603 (1) (a) from the original Water Act 2000

Clause 603 (1) (a) becomes mentally or physically incapable of satisfactorily performing the director's duties

be included in amended Clause 602.

Clause 604 Term

We recommend that 604 (3) from the original Water Act 2000

(3) If a person is appointed to fill a casual vacancy in the office of a director, the person is appointed only for the remainder of the director's term of office.

be included in the amended 604 Term. In the amendment wording the length of the term of a casual vacancy is unclear.

Clause 604 Term (4)

(4) Despite subsections (1) and (2), a director for a category 1 water authority continues holding office after the director's term of office ends until the day the director's successor is appointed under section 600.

We recommend that the above amendment apply to both Category 1 and Category 2 water authorities.

Clause 607 Vacancy in office

We recommend that the original 608 Casual vacancy from Water Act 2000

(a) the director dies during the director's term of office

be included in the proposed amended bill. The new amendment does not cover the circumstance when a director dies while in office.

Clause 609 Category 2 water authority board must seek and nominate suitable candidates.

(8) In this section—

suitable candidate means an appropriately qualified person suitable for appointment under this division as a director.

The definition of an appropriately qualified person is not contained in the Water Act 2000 or the Water Supply (Safety & Reliability) act 2008. This definition need to be clearly defined.

Clause 808A Taking water in excess of volume or rate allowed under water entitlement.

Definition of water entitlement is unclear. Does the term water entitlement only refer to the water provider or does it included the end consumer.

In conclusion the Glamorgan Vale Water Board recommends that the above comments and amendments be included in the Natural Resources and Other Legislation Amendment Bill 2019 to ensure that the Water Act 2000 and the Water Supply (Safety & Reliability) Act 2008 remain a concise and clear document for the legislation of Category 1 and 2 Water Authorities throughout the state of Queensland.

Yours Sincerely

Doc Hannah

Chairman

For **GLAMORGAN VALE WATER BOARD**