

Water Legislation Amendment Bill 2022

Submission No: 9
Submitted by: Urban Utilities
Publication: Making the submission and your name public
Attachments: No attachment

Submitter Comments:

Section 53AQ of the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 is recommended to be altered to make separate the requirements for the Distributor-Retailer to provide a map of its NetServ Connection Area and the separate requirement to maintain a map/document of its Water Supply (Safety and Reliability) Act 2008 Service Area. This is in line with the proposed Amendment Parliamentary Committee themes of looking for administrative efficiencies and updating/progressing the digital publishing of legislatively required documents. The Act as it was passed intended to create an efficiency by legislatively making the published NetServ Connection Area dual purpose to satisfy the documentation for the Connection Area and the Service Area within the one document, however it instead creates something that is administratively burdensome and complex. The conflict is that by necessity, the NetServ Connection Area and the Service Area cannot be the same thing. The NetServ Connection Area is intended to show the area where standard water connection applications will be approved if they satisfy the NetServ Standard Connection Criteria. In contrast, the Service Area is meant to show where the water service provider is providing services to existing connections. There are many existing connected properties that are not in areas that satisfy the NetServ standard connection criteria, for example legacy trickle feed properties in Lockyer Valley and many serviced rural or semi-rural properties that under Council planning schemes are permitted to be subdivided for urban use similarly are part of the existing Service Area but subdivision into a denser development configuration similarly does not satisfy the NetServ standard connection criteria. Similarly properties and areas that are exempted from all or part of the NetServ connection approval process are difficult to reconcile within the one Connection Area map, such as Commonwealth leases and Qld Priority Development Areas. These are part of the Service Area but not really part of the NetServ Connection Area since their connection processes and connection criteria are by other means. This makes NetServ Connection Area mapping quite complex in order to try to satisfy both requirements within the one document. It would be far more streamlined for:

1. S53AQ to separately require Distributor-Retailers to publish their Service Areas independent of the NetServ Connection Area. The detailed requirements could similarly be expanded in the related South East Queensland Customer Water and Wastewater Code administered by the Water Minister via Regulation, which is where it is regulated for Distributor-Retailers to also publish their Customer Charter and this would be a more logical place for Distributor-Retailers to publish their Service Areas next to their published Customer Charters.
2. S99BL(3) to be removed as it becomes redundant with the proposed change to S53AQ. This section requires connections outside the Connection Area to be treated as if they were within the Connection Area and for the Distributor-Retailer to update the NetServ Connection Area "as soon as practicable". This makes this administratively burdensome in having to keep updating NetServ in this way and with a Connection Area that does not clearly demarcate the areas that will be assessed under the NetServ Connection Criteria and those areas that were simply existing connections made previously, or in the future, that coincidentally happen to sit outside the 10-15 year planned urban growth area such as the Council LGIP Priority