



Queensland

Water Supply (Safety and Reliability) Regulation 2011

Explanatory Notes for SL 2011 No. 13

made under the

Water Supply (Safety and Reliability) Act 2008

General Outline

Short title

Water Supply (Safety and Reliability) Regulation 2011

Authorising law

Section 641 of the *Water Supply (Safety and Reliability) Act 2008*.

Policy objectives and the reasons for them

The objective of the legislation is to give effect to transitional arrangements for the *Water and Other Legislation Amendment Act 2010*.

The *Water and Other Legislation Amendment Act 2010* introduced new regulatory arrangements into the *Water Supply (Safety and Reliability) Act 2008* to regulate coal seam gas water that may impact on the drinking water supplies of a drinking water service provider (coal seam gas recycled water) for the purpose of protecting public health.

These regulatory arrangements expand the existing recycled water regulatory framework to include coal seam gas recycled water. As such, recycled water providers that supply coal seam gas recycled water are required to have an approved recycled water management plan, or an interim recycled water management plan (where the interim period applies), unless they have no material impact on the drinking water supplies of a drinking water service provider.

Achievement of policy objectives

Section 641 of the *Water Supply (Safety and Reliability) Act 2008* provides transitional arrangements for existing CSG recycled water schemes if, within 4 months after the commencement of the *Water and Other Legislation and Amendment Act 2010*, the relevant environmental authority for the scheme is prescribed under a regulation.

This transitional arrangement provides that where the environmental authority for an existing CSG recycled water scheme is prescribed by regulation, the drinking water conditions of the relevant CSG environmental authority are taken to be an approved interim recycled water management plan for the existing CSG recycled water scheme.

The interim period, within which an interim recycled water management plan may apply, for an existing CSG recycled water scheme to which section 641 applies, begins on commencement of the regulation. As such, the CSG recycled water provider for an existing CSG recycled water scheme, for which the relevant environmental authority is prescribed by regulation, is required to have a full recycled water management plan at the end of the interim period, namely one year after the commencement of the regulation.

This regulation achieves the policy objective by prescribing an environmental authority for an existing CSG recycled water scheme to which these transitional arrangements will apply.

Note: An *existing CSG recycled water scheme* means a recycled water scheme under which recycled water that was coal seam gas water was supplied before 1 December 2010 by its disposal under a coal seam gas environmental authority under the *Environmental Protection Act 1994*.

Drinking water conditions are conditions of the authority that relate to the augmentation of drinking water supplies of a drinking water service

provider; and are identified in a notice given to the recycled water provider for the scheme by the regulator.

Consistency with policy objectives of authorising law

The regulation is consistent with the main objectives of the *Water Supply (Safety and Reliability) Act 2008*, which is to provide for the safety and reliability of water supply. It simply provides transitional arrangements for an existing CSG recycled water scheme for the purpose of new regulatory requirements introduced through the *Water and Other Legislation Amendment Act 2010*.

Inconsistency with policy objectives of other legislation

The regulation is not inconsistent with the policy objectives of any other legislation. It simply provides transitional arrangements for an existing CSG recycled water scheme for the purpose of new regulatory requirements introduced through the *Water and Other Legislation Amendment Act 2010*.

Benefits and costs of implementation

The regulation benefits the existing CSG recycled water provider as the requirement to prepare an interim recycled water management plan will not apply. There will be no additional cost to Government arising from the implementation of this regulation.

Consistency with fundamental legislative principles

The regulation is consistent with fundamental legislative principles.

Consultation

Consultation has been undertaken with the existing CSG recycled water provider, Australia Pacific LNG Pty Limited the holder of the environmental authority to which this regulation applies.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Environment and Resource Management.

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