

South-East Queensland Water (Distribution and Retail Restructuring) and Another Regulation Amendment Regulation (No. 1) 2013

Explanatory notes for SL 2013 No. 236

made under the

South East Queensland Water (Distribution and Retail Restructuring) Act 2009
Sustainable Planning Act 2009

General Outline

Short title

South East Queensland Water (Distribution and Retail Restructuring) and Another Regulation Amendment (No.1) 2013

Authorising law

Section 53(11) and 102 of the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009*
Section 251 and 763 of the *Sustainable Planning Act 2009*

Policy objectives and the reasons for them

The purpose of the regulation is to:

- (a) extend the mandatory delegation under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* of distributor-retailer's concurrence powers for water and sewerage aspects of development approvals to their participating councils from 28 February 2014 to 30 June 2013; and
- (b) to extend the related concurrence powers for distributor-retailers under the *Sustainable Planning Act 2009* for water and sewerage aspects of development approvals to their participating councils from 28 February 2014 to 30 June 2013.

Achievement of policy objectives

The policy objectives will be achieved by the making of the *South-East Queensland Water (Distribution and Retail Restructuring) and Another Regulation Amendment Regulation (No.1) 2013* which will:

(a) prescribe for the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the 30 June 2014 as the final day in which particular functions of a distributor-retailer must be delegated to the distributor-retailer's participating local government;

and

(b) prescribe for the *Sustainable Planning Act 2009* that concurrence powers for distributor-retailers for water and sewerage applies to development applications received before 1 July 2014.

Consistency with policy objectives of authorising law

The regulation is consistent with the objectives:

(a) of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* which for the South-East Queensland region includes improving water supply coordination and management and improving the management of water and wastewater infrastructure;

(b) of the *Sustainable Planning Act* which includes seeking to achieve ecological sustainability by managing the process by which development takes place and managing the effects of development on the environment.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Benefits and costs of implementation

The Government has committed to facilitating economic development across Queensland.

The regulation extends the current mandatory delegation of distributor-retailer's concurrence powers for water and sewerage aspects of development approvals. This will support the ongoing assessment of these aspects of development approvals.

There are no budgetary costs to the Government.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with the fundamental legislative principles of the *Legislative Standards Act 1992*.

Consultation

Consultation meetings with the distributor-retailers, their participating local governments, the Property Council of Australia, the Urban Development Institute of Australia, the Housing Institute of Australia and the Queensland Master Builders Association, and the Council of Mayors SEQ have occurred.

All stakeholders consulted support the extension of the mandatory delegation until 30 June 2014.

The Office of Best Practice Regulation has confirmed that a Regulatory Impact Statement is not required.