

Water Amendment Regulation (No. 1) 2016

Explanatory notes for SL 2016 No. 21

made under the

Water Act 2000

General Outline

Short title

Water Amendment Regulation (No. 1) 2016.

Authorising law

Section 691 of the *Water Act 2000*

Policy objectives and the reasons for them

The objective of the *Water Amendment Regulation (No. 1) 2016* is to dissolve the Pioneer Valley Water Board to allow for its conversion to alternative institutional structures.

Achievement of policy objectives

The Pioneer Valley Water Board is a category 2 water authority under the *Water Act 2000* that supplies water for irrigation to sugar cane farmers in its authority area. Pioneer Valley Water Board requested its dissolution to allow for it to be converted to alternative institutional structures.

The *Water Act 2000* allows for a regulation to dissolve a water authority and its authority area for the purpose of its conversion to an alternative institutional structure, including a cooperative.

The *Water Amendment Regulation (No. 1) 2016* will achieve the policy objective by amending the *Water Regulation 2002* to provide for the dissolution and allow the Pioneer Valley Water Board to convert to its preferred alternative institutional structure of a two tier co-operative consisting of Pioneer Valley Water Cooperative Limited and Pioneer Valley Water Mutual Cooperative Limited. Both of these new entities were registered in accordance with the *Cooperatives Act 1997*; Pioneer

Valley Water Cooperative Limited on 16 June 2005, registration number QC 0278, and Pioneer Valley Water Mutual Cooperative Limited on 29 August 2013, registration number QC 0326.

Consistency with policy objectives of authorising law

The amending regulation is consistent with the policy objectives of the authorising law as it simply facilitates the dissolution of a category 2 water authority as is provided for under the *Water Act 2000*.

Inconsistency with policy objectives of other legislation

The amending regulation is consistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

There is no alternative means of dissolving the Pioneer Valley Water Board. As it is established under the *Water Act 2000*, it is appropriate that its dissolution occurs in accordance with the process under the *Water Act 2000*.

Benefits and costs of implementation

The key benefit of implementing this policy objective is a reduction in the number of category 2 water authorities in Queensland and the corresponding governance oversight provided by the Department of Natural Resources and Mines. Pioneer Valley Water Board also intends to gain operational efficiencies by its conversion away from a statutory body framework and the related statutory obligations of this framework.

Consistency with fundamental legislative principles

The *Water Amendment Regulation (No. 1) 2016* is consistent with fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

Ratepayers in the authority area of the Pioneer Valley Water Board have been consulted regarding new distribution contracts which are to apply after dissolution, and were previously balloted regarding the dissolution.