

# Water Reform and Other Legislation Amendment Bill 2014

Amendments during consideration in detail to be moved by  
The Honourable the Minister for Energy and Water Supply

## 1 After clause 51

Page 81, after line 13—

*insert—*

### **Part 6A**                      **Amendment of South-East Queensland Water (Distribution and Retail Restructuring) Act 2009**

#### **51A Act amended**

This part amends the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

#### **51B Amendment of s 99BRAK (Power to amend)**

(1) Section 99BRAK(5)(c)—

*omit, insert—*

(c) the distributor-retailer may give the applicant an infrastructure charges notice under part 7, division 3, subdivision 3 if the notice relates to the amended condition.

(2) Section 99BRAK—

*insert—*

(5A) If an infrastructure charges notice is given under subsection (5)(c) for a water approval, the notice replaces any existing infrastructure charges notice in effect for the approval.

**51C Amendment of s 99BRCI (When charge may be levied and recovered)**

Section 99BRCI(3), ‘distributor-retailer may give the infrastructure charges notice only’—

*omit, insert—*

infrastructure charges notice must be given

**51D Amendment of s 99BRCJ (Limitation of levied charge)**

Section 99BRCJ—

*insert—*

(3A) Also, the demand generated by development mentioned in subsection (2)(b)(iii) may be included if—

- (a) an infrastructure requirement applies to the land on which the development will be carried out; and
- (b) the infrastructure requirement was imposed on the basis of development of a lower scale or intensity being carried out on the land.

**51E Amendment of s 99BRCK (Requirements for infrastructure charges notice)**

Section 99BRCK(1)(f), ‘details of’—

*omit, insert—*

information about

**51F Amendment of s 99BRCR (Necessary infrastructure condition for other infrastructure)**

Section 99BRCR(3)—

*omit, insert—*

- (3) However, the distributor-retailer may impose a condition under subsection (2) only if the development infrastructure services a connection consistent with the assumptions stated in the water netserv plan about the type, scale, location, timing or intensity of future development.

**51G Amendment of s 99BRCT (Offset or refund requirements)**

Section 99BRCT(3)(b)—

*omit, insert—*

- (b) the distributor-retailer must refund the applicant an amount equal to the difference between the establishment cost of the trunk infrastructure and the amount worked out by applying the adopted charge to the connection.

**51H Amendment of s 99BRCW (Restriction if connection completely in connection area and future connection area)**

Section 99BRCW(2)(a)—

*omit, insert—*

- (a) for trunk infrastructure to be provided earlier than planned in the water netserv plan—the additional establishment cost that would be incurred by the distributor-retailer in providing the trunk infrastructure earlier than planned;

**2 After clause 51**

Page 81, after line 13—

*insert—*

## **Part 6B                      Amendment of Sustainable Planning Act 2009**

### **51I Act amended**

This part amends the *Sustainable Planning Act 2009*.

### **51J Amendment of s 976B (Existing development approvals)**

- (1) Section 976B(4), ‘and (6)’—  
*omit, insert—*  
to (10)
- (2) Section 976B—  
*insert—*
- (7) Subsection (8) applies to the development approval if—
  - (a) it is a development approval to which section 959E applies because of section 959E(1); and
  - (b) any change to the approval is to a water connection aspect of the approval.
- (8) A distributor-retailer may give an infrastructure charges notice under the SEQ Water Act, chapter 4C, for the development approval as if the development approval were a water approval under that Act.
- (9) The SEQ Water Act, chapter 4C, applies to the giving of an infrastructure charges notice under subsection (8)—
  - (a) as if a reference in that Act to an amendment to a condition of a water approval were a reference to a change

to, or extension of, the development approval; and

(b) with any other necessary changes.

(10) However, an infrastructure charges notice given under subsection (8) must relate only to the change to, or extension of, the development approval.

(11) In this section—

***water connection aspect*** see section 959A.

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