



Queensland

# Queensland Reconstruction Authority Amendment Regulation (No. 2) 2011

## Explanatory Notes for SL 2011 No. 182

made under the

*Queensland Reconstruction Authority Act 2011*

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## General outline

### Short title

The short title of the Regulation is the *Queensland Reconstruction Authority Amendment Regulation (No. 2) 2011* (the Amendment Regulation).

### Authorising law

Section 96 of the *Queensland Reconstruction Authority Act 2011* (the Act).

### Policy objectives and the reasons for them

The Act commenced on 21 February 2011 to establish the Queensland Reconstruction Authority (the Authority) and provide for appropriate measures to ensure Queensland effectively and efficiently recovers from the impact of the disaster events of flooding and Tropical Cyclone Yasi which occurred during the period December 2010 to February 2011.

The Toowoomba Pipeline, which forms part of the water grid, sustained approximately \$16 million worth of damage resulting from heavy rainfall and flooding in January 2011. Repair and restoration of the Toowoomba

Pipeline is required to ensure remediation works are completed prior to the next wet season.

### **Achievement of policy objectives**

Section 96 of the Act allows the Authority to undertake works. This section applies if the Minister is satisfied that, for the effective and efficient carrying out of the Authority's reconstruction function, it is necessary or desirable for the particular works to be undertaken by the Authority. A regulation may direct the Authority to undertake the works.

The Amendment Regulation will direct the Authority to undertake works, specifically the Toowoomba pipeline remediation works, to facilitate repair and restoration of the Toowoomba Pipeline following damage resulting from the floods caused by heavy rains in January 2011.

### **Consistency with policy objectives of authorising law**

The Regulation is consistent with the main objects of the Act, that is, to provide measures to assist with the rebuilding and recovery of Queensland communities affected by disaster events. The approval of the Toowoomba pipeline remediation works will facilitate the repair and restoration of the Toowoomba Pipeline.

### **Alternative ways of achieving policy objectives**

Directing the Authority to undertake works under the Amendment Regulation was considered the quickest and most effective means of repairing and restoring the Toowoomba Pipeline.

### **Benefits and costs of implementation**

The Toowoomba Pipeline sustained approximately \$16 million worth of damage during the heavy rainfall and flooding in January 2011. The Toowoomba Pipeline forms part of the water grid, and repair and restoration of the damaged pipeline is necessary to ensure remediation works are completed prior to the wet season.

## **Consistency with fundamental legislative principles**

No breaches of fundamental legislative principles have been identified in relation to the Amendment Regulation.

## **Consultation**

Consultation has been undertaken with LinkWater, as well as effected local councils including the Toowoomba Regional Council and Somerset Regional Council.

Government agencies have also been consulted, including the Department of Environment and Resource Management and the Office of the Coordinator-General.

## **Notes on provisions**

*Clause 1* sets out the short title of the regulation.

*Clause 2* provides that the regulation amends the *Queensland Reconstruction Authority Regulation 2011*.

*Clause 3* amends section 3(2) of the *Queensland Reconstruction Authority Regulation 2011* by replacing the reference to “the schedule” with “schedule 1”.

*Clause 4* inserts a new section 5 into the *Queensland Reconstruction Authority Regulation* which states that the Authority is directed to undertake particular works under section 96 of the Act. Subsection (2) provides that the Authority must undertake the works stated in schedule 2.

*Clause 5* amends the schedule (Map of Grantham reconstruction area) by renumbering it as schedule 1.

*Clause 6* inserts a new schedule 2. Schedule 2 provides for works to be undertaken by the Authority. The title of the works is Toowoomba pipeline remediation works and the works are described as all works necessary for the repair and restoration of the water pipeline known as the Toowoomba pipeline operating between Lake Wivenhoe and Lake Cressbrook, to the extent the works relate to damage resulting from the floods caused by heavy rains in January 2011.

#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of the Premier and Cabinet.

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