



New South Wales

Water Management Amendment (Central Coast Council) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows—

- (a) to amend the *Water Management Act 2000* as follows—
 - (i) to provide that Central Coast Council (the **Council**) is no longer a water supply authority,
 - (ii) to provide for the transition from the Council levying service charges, including for water, sewerage and drainage, under the *Water Management Act 2000* to levying special rates or charges for the same services under the *Local Government Act 1993* like other councils,
- (b) to amend the *Local Government Act 1993* to enable the Council to use special rates and charges received for water supply or sewerage services under the *Local Government Act 1993* to provide either water supply or sewerage services,
- (c) to amend the *Independent Pricing and Regulatory Tribunal Act 1992* to provide that the Independent Pricing and Regulatory Tribunal (**IPART**) continues to have standing reference to determine the pricing for certain services provided by the Council, including water supply and sewerage services, but excluding stormwater drainage services,
- (d) to repeal the *Central Coast Water Corporation Act 2006*,
- (e) to make consequential amendments to other legislation.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Water Management Act 2000 No 92

Schedule 1[1] provides that the Council is no longer a water supply authority. Once the Council is not a water supply authority, the Council will provide water, sewerage, drainage and related services under the *Local Government Act 1993* in the same way other councils currently do.

Schedule 1[2] provides for transitional arrangements, including by providing that—

- (a) the Council will continue to levy and recover charges for water, sewerage and drainage services under the *Water Management Act 2000* until 30 June 2025, and
- (b) the Council will levy drainage service charges for stormwater until 30 June 2026.

Schedule 2 Amendment of Local Government Act 1993 No 30

Schedule 2[1] enables the Council to use money received from special rates and charges for water supply or sewerage services for both water supply and sewerage services. Generally, money received by a council from a special rate or charge may only be used by the council for the purpose for which the rate or charge was levied.

Schedule 2[2] inserts a transitional provision.

Schedule 3 Amendment of Independent Pricing and Regulatory Tribunal Act 1992 No 39

Currently, water supply, sewerage, stormwater drainage and related services provided by the Council are government monopoly services under the *Independent Pricing and Regulatory Tribunal Act 1992* and IPART has standing reference to determine the pricing for those services provided by the Council as a water supply authority. **Schedule 3[2]** gives IPART standing reference to determine the pricing for government monopoly services provided by the Council once the Council is no longer a water supply authority, except in relation to stormwater drainage services.

Schedule 3[4] continues the application of an existing IPART determination that currently applies to the Council as a water supply authority. The determination sets the maximum prices the Council may charge for water, wastewater, stormwater drainage and other services. The determination will apply to the Council in relation to the Council's provision of services under the *Local Government Act 1993* until 30 June 2026 in the same way it applies to the Council as a water supply authority under the *Water Management Act 2000*.

Schedule 3[3] inserts a standard provision that enables savings and transitional regulations to be made as a consequence of any amendments to the *Independent Pricing and Regulatory Tribunal Act 1992*.

Schedule 3[1] makes an amendment consequent on the repeal of the *Central Coast Water Corporation Act 2006*.

Schedule 4 Repeal

Schedule 4 repeals the *Central Coast Water Corporation Act 2006*.

Schedule 5 Consequential amendments

Schedule 5 makes consequential amendments to the following legislation—

- (a) the *Energy and Utilities Administration Act 1987*,

- (b) the *Industrial Relations (National System Employers) Order 2009*,
- (c) the *Water Management (General) Regulation 2018*.