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15 January 2008

Mr D Challen
Secretary
Department of Treasury and Finance
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Secretary		
Deputy Secretary		
Branch Head	GS	
Preparing Officer	KE	
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Dear Mr Challen,

FUTURE REGULATION OF THE TASMANIAN WATER AND SEWERAGE SECTOR - PART A - PROPOSED POSITION PAPER

I refer to your letter of 30 November 2007 and my letter of 4 December 2007 in regard to response timeframes for submissions in respect to the above discussion paper.

The Council has now had an opportunity to formally consider the contents of the paper at its meeting of 14 January 2008. The Council has acknowledged the State Government's intention to reform the regulatory framework for the water and sewerage sector and notes the report on Future Regulation of the Tasmanian Water and Sewerage Sector.

The review and reform initiative provides the State Government with an ideal opportunity to establish a proactive and responsive regulatory environment for the water and sewerage sector into the future. In order to achieve this objective, Council provides the following suggestions and comments:-

- it is noted that the Regulatory Framework proposes the establishment of an "Economic Regulator" to oversee compliance and achievement of legislative objectives;
- the purpose, scope and outcome for the role of the "Economic Regulator" are not sufficiently detailed in the paper and should be clearly stated so as to provide context to the proposed Regulatory Framework;

- it appears that no one Minister or Government Department is accountable and responsible for the overall strategic direction and regulatory control of the Water and Sewerage Sector under the proposal; it is considered that this needs to be the responsibility of a single Minister;
- insufficient consideration appears to have been given in the paper to the relationships required between the separately identified areas of "regulatory responsibility"; it is considered essential that this is clearly stated for the benefit of all parties;
- the proposed arrangement for the regulatory management and operations appear multi-layered, complex and unwieldy; this approach may result in a delay with regard to reform, service improvement and the quality of service delivery;
- importantly, the paper fails to consider efficiency options which could rationalise and streamline the regulation of the water and sewerage sector – for example scope clearly exists to bring together the various regulatory areas and agencies under a single co-ordinated regulatory entity.

In considering the discussion paper the Council expressed its deep concern that the paper has failed to address in any detail way how LUPAA interfaces with the Regulation Framework. The Council considers that there is a clear need for land use planning matters to be interwoven with future water and sewerage scheme development which is currently provided in this sector by Local Government.

On behalf of the Council I thank you for the opportunity to provide input into the review and I look forward to further involvement as part of this important review process. I would also appreciate your considered views on the suggestions that the Council has made in this submission.

Yours sincerely



Andrew Paul
GENERAL MANAGER

cc: Mr Allan Garcia, Chief Executive Officer, Local government Association of Tasmania.