



Queensland Government
Treasury

**EIGHTH ANNUAL REPORT TO THE
NATIONAL COMPETITION COUNCIL**

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Part 1 – Competition Principles Agreement

1. LEGISLATION REVIEW

1.1 Background

Under Clause 5 of the *Competition Principles Agreement* (CPA), the Queensland Government, along with all other jurisdictions, is required to review, and where appropriate reform, all existing legislation (as at June 1996) that included restrictions on competition. The guiding principle is that legislation should not restrict competition unless it can be demonstrated that:

- the benefits of the restriction to the community as a whole outweigh the costs; and
- the objectives of the legislation can only be achieved by restricting competition.

The CPA also requires jurisdictions to:

- examine all new legislation that restricts competition and provide evidence that the proposed new legislation is consistent with the guiding principle as outlined above; and
- systematically review all legislation that restricts competition at least once every 10 years to ensure the legislation remains consistent with the guiding principle.

The deadline for completing the review and reform of existing legislation was 31 December 2000. In November 2000, the Council of Australian Government (CoAG) agreed to extend the deadline for the completion of the legislation review and reform program to 30 June 2002. Satisfactory implementation of reforms by the due date may include, where justified by a public interest assessment, having in place a firm transitional arrangement that may extend beyond the revised deadline.

In November 2000, CoAG also agreed that, in assessing whether the threshold requirement of Clause 5 has been achieved, the NCC should consider whether the conclusion reached in a review report is within a range of outcomes that could reasonably be reached based on the information available to a properly constituted review process. Within the range of outcomes that could reasonably be reached, it is a matter for the responsible government to determine what policy is in the public interest.

The *Agreement to Implement the National Competition Policy and Related Reforms* requires jurisdictions, when proposing new national regulatory standards through Ministerial Councils and other national standards-setting bodies, to set such standards in accordance with the CoAG Principles and Guidelines for National Standard Setting and Regulatory Action. The Commonwealth Office of Regulation Review (ORR) provides advice to the NCC on jurisdictions' compliance with the principles and guidelines.

1.2 Scheduled Reviews

All jurisdictions were required to develop a timetable for reviewing all existing legislation (as at June 1996) that included restrictions on competition. All jurisdictions are also required to report annually on progress in relation to that timetable. Queensland has essentially completed its review and reform of legislation on the timetable. Details in relation to progress on the outstanding legislation as identified in the NCC's 2003 assessment and 2004 assessment framework is included below.

1.3 Priority Review Legislation

1.3.1 Liquor Act 1992

In 2003, the NCC assessed Queensland as not meeting its CPA obligations with respect to the review and reform of the Liquor Act in relation to arrangements for the sale of bulk takeaway liquor. In 2004, the NCC is seeking information on whether the Government has undertaken appropriate action to meet its CPA obligations in this area.

As outlined in previous reports to the NCC, the Queensland Government contends it has completed its review and reform obligations in relation to the regulation of takeaway liquor. A properly constituted review process was followed and the current arrangements, with a number of key changes (replacing the public needs test with a public interest test and freeing up club and restaurant sales), were found to be in the public interest. It does not believe that any further action is necessary in this regard and is seeking to have the 5 percent permanent reduction in its 2003-04 payments rescinded and no further penalties applied.

1.3.2 Agricultural and Veterinary Chemicals (Queensland) Act 1994

In 2003, the NCC assessed the Commonwealth Government as not having met its CPA obligations in relation to legislation establishing the national AgVet chemicals code. Because reform of the national code was delayed, reform of State and Territory legislation that automatically adopts the national code was not completed and the NCC therefore also assessed State and Territory Governments as not having met their CPA obligations in relation to the AgVet Code legislation. For 2004, the NCC is seeking a report on progress with the review and reform of this legislation.

The relevant amendments to Commonwealth legislation have now been made, and commenced on 8 October 2003 with the proclamation of the *Agricultural and Veterinary Chemicals Legislation Amendment Act (C'wealth) 2003*. These amendments to the Federal AgVet Code flow through directly into the State/Territory AgVet Code legislation as the relevant State/Territory AgVet Code legislation automatically "picks up" the Federal Code and any changes to it. Hence, as is also the case with the other States/Territories, Queensland does not need to enact any consequential amendments to comply with its NCP obligations in relation to this legislation.

1.3.3 Agricultural Chemicals Distribution Control Act 1966

The NCC is seeking advice as to whether the 2002 amendments to Agricultural Chemicals Distribution Control Act 1966 to complete the NCP-related reforms have been proclaimed.

The previously un-proclaimed sections of this Act commenced on 14 December 2003.

1.3.4 Fisheries Act 1994

In 2003, the NCC assessed Queensland as advanced in meeting its CPA clause 5 obligations in relation to the Fisheries Act 1994. However, the NCC identified the following four recommended reforms as incomplete and is seeking advice for its 2004 assessment on reform progress in relation to these matters:

- *replacing the variety of vessel and occupational licences with a single fishery access licence — implementation is subject to a further review that is under way;*
- *increasing the recovery of fishery management costs from fishers and reducing cross-subsidies between fishers — implementation is subject to a further review that is under way;*
- *removing the minimum quota holding for the Spanner Crab fishery — proposed to be removed in 2004 subject to the preparation of and consultation on a regulatory impact statement.*
- *removing the need for prior approval of quota transfers because this restriction is not necessary to maintain the quota register.*

Single Fishery Access Licence

A full review of fishery licensing arrangements has been undertaken with the view to implementing the Review's recommendations. The review will result in the abolition of over 3,000 licences of various types without impacting on current access rights. This includes the abolition of tender vessel licences, some fishery symbols, assistant fishery licences and crew licences.

The recommendation to increase the term of licences to greater than one year was not endorsed by the Qld Government. The one year term for all licences will be retained at this stage and until QFS is confident that recently introduced and proposed management plans demonstrate sustainability objectives are being met. That is, where it is identified no future major changes are required in a fishery, the term of licence may be extended to longer periods (i.e. for the life of the Management Plan itself).

In regard to the recommendation to remove the commercial fisher licence, the Queensland Government considers that there is sufficient justification for enforcement and monitoring purposes to retain some form of identification system for commercial fishers. Therefore, it is proposed that the requirement for a commercial fisher licence be replaced with a simple commercial fisher registration.

Fishery Management Cost Recovery

The Queensland Government has adopted a "Whole of Government" approach to addressing issues relating to cost recovery and cross subsidisation. QFS has undertaken a full review of service costs and fees associated with these services in accordance with NCP compliant principles previously endorsed by the Queensland Government.

In regard to strategies to achieve cost recovery and reduce cross-subsidisation, legal opinion has thus far prevented QFS implementing the recommendations resulting from

the 2000 Fisheries Act review. Legal advice from the Queensland Crown Law Office has expressed significant concerns (particularly in respect of Constitutionality validity) about proposed changes to the fee structure that have been developed by QFS and which are NCP-compliant. QFS is currently liaising further with legal representatives to attempt to develop a schedule of fees that is both legally acceptable (especially on Constitutional grounds, that is to say, compatibility with section 90 of the Constitution) and which also meets NCP principles. This may involve seeking advice from respected external senior counsel.

Once this advice has been received, Government will consider the recommendations with a view to implementing cost recovery under a legal and constitutionally valid licensing framework and schedule of fees which are NCP-compliant and which also meet the Government's cost recovery targets.

The target date for legislative implementation will be undertaken at the earliest opportunity, but timing is dependant on resolution of the legal position in the first instance.

Queensland will provide further advice to the NCC on the progress of this matter. This will be co-ordinated by Queensland Treasury.

Spanner Crab Minimum Quota Holding

In its 2003 progress report, Queensland advised that minimum quota holdings and quota transfers for the spanner crab fishery would be maintained for the time being for administrative efficiency reasons, but were expected to be removed in 2004. However, these requirements were removed from the Spanner Crab Management Plan in line with the original Review recommendations earlier than expected, with effect from 31 October 2003.

Quota Transfers Prior Approval

The Queensland Government did not accept the recommendation to remove the need for prior administrative approval of quota transfers. It adopted this position because it considered that prior approval is necessary to prevent persons convicted of offences under the legislation from avoiding suspension of their quota by transferring the quota to an associated person or entity.

However, upon further examination, it has been decided that prior approval is not necessary to achieve the desired outcome. It has been agreed within DPI to remove the requirement for prior approval of quota transfers from the *Fisheries Act 1994* at the first opportunity. The timing of this will be dependent on the positioning of Primary Industries legislation within the Queensland Government's overall legislative program.

However, as a miscellaneous "Primary Industries Legislation Amendment" (PILA) Bill is proposed for 2004, this is a suitable legislative vehicle for this amendment. The timing of this amendment Bill is yet to be determined by the Queensland Government and will depend on overall legislative priorities, but is expected to be in the second half of 2004. Queensland will provide advice to the NCC on the progress of the amending legislation.

1.3.5 Sawmills Licensing Act 1936

The NCC is seeking advice on progress with repeal of this Act as recommended by the Review.

It is proposed to include a provision for the repeal of the *Sawmills Licensing Act 1936* as part of a miscellaneous 'Primary Industries Legislation Amendments Bill' during 2004. The timing of this Bill is still to be determined and will depend on the Government's overall legislative priorities. However, it is anticipated that the 'PILA Bill' will be drafted prior to 30 June 2004, although it may not have been introduced into the Legislative Assembly by that date. Queensland will provide advice to the NCC on the progress of the repeal legislation, and in the first instance, will advise the NCC when approval has been given for the drafting of the PILA Bill.

1.3.6 Transport Operations (Passenger Transport) Act 1994 (taxis)

In its 2003 Assessment, the NCC assessed Queensland as not meeting its CPA obligations in relation to the legislation regulating taxis and hire cars in that there was no progress up to mid-2003 in reducing barriers to entry. For 2004, the NCC is seeking an update on any actual or proposed reforms of the taxi and hire car legislation since mid-2003.

In August 2003, the Queensland Government met its CPA obligations by endorsing the reforms recommended by the Review Report. Implementation is now under way as follows:

- regular release of new licences will result from the improved review mechanism which is being developed to ensure the supply of taxi numbers matches the demand using performance criteria focused on waiting time. It is expected that this will result in regular increases in the number of taxi service licenses. This includes the present consideration of an additional 100 licenses in Brisbane over the next 12 months;
- the review mechanism will be applied regularly (annually where possible) to every taxi service area in the state thus ensuring review of how well supply is meeting demand;
- stretch, high luxury limousines, specialty, veteran and classic vehicles will be able to operate without a license. This will open the market to a wide range of new operators and will provide a wider range of choice to consumers and increase competition; and
- the requirement for a taxi or limousine service license to provide tours in passenger cars is being removed.

In addition, the Government is committed to review and reform, and is presently in discussion with the community and the taxi industry to amend and reduce regulation to allow a range of new and flexible services (possibly new vehicles) to be provided to meet consumer demand.

1.3.7 Transport Infrastructure Act 1994 (Rail Safety)¹

The NCC is seeking a report on progress with the Bill to implement the recommendations of the Review of rail safety provisions and other matters in the Transport Infrastructure Act 1994.

The Review of the Rail Safety legislation recommended retaining the existing rail safety regulatory arrangements. The Transport Infrastructure and Another Act Amendment Bill 2003, which amended the *Transport Infrastructure Act 1994*, was passed on 8 September 2003. It was assented to on 18 September 2003 and commenced on 1 December 2003. It included amendments to reflect the recommendations of the New South Wales inquiry into the 1999 Glenbrook rail accident and to clarify the role of the Chief Executive in the regulation of rail safety. A copy of the Review Report is to be made available on the Queensland Transport website at www.transport.qld.gov.au

1.3.8 Transport Infrastructure (Ports) Regulation 1994 — Transport Infrastructure Act 1994 (activities outside ports)

In its 2002 assessment, the NCC stated that “while Queensland’s legislation review and reform activity does not fulfil CPA clause 5 commitments, the impact on competition may be negligible. In as much as the restrictions in the other legislation which mirror these restrictions are in the public interest there is no need for further NCP action from Queensland in relation to the Transport Infrastructure Act.” The NCC indicated it was awaiting the Government’s response to the review of the Land Act 1994. For 2004, the NCC is asking whether Queensland is proposing any changes in this regard.

In light of the NCC’s assessment that the impact on competition may be negligible, there is no need for further NCP action from Queensland, and the restrictions identified in the Land Act do not relate to port activities,² Queensland does not propose to make any changes. As with occupational therapists and speech pathologists (see below), Queensland would argue that it should not be assessed as non-compliant in relation to the review and reform of this legislation because of the essentially insignificant nature of the restriction.

Under the *Statutory Instruments Act 1992*, all subordinate legislation expires on 1 September first occurring after the tenth anniversary of its making. As a result, the Transport Infrastructure (Ports) Regulation 1994 is due to expire in 2004. The current plan is to remake the Regulation as it currently stands with only minor amendments and clarifications. During this process, the proposed changes will be examined and if necessary, may be subject to a Regulatory Impact Statement.

¹ The reference to the Transport Infrastructure (Rail) Regulation 1996 in the title of this item has been removed as the Regulation does not relate to rail safety issues. The Regulation relates to the obligations of person on railways, abandoned property, vehicles, annual levy and evidence. Amendments to the Transport Infrastructure (Rail) Regulation 1996 last occurred in 2003 in regard to non-competition issues -- injurious and nuisance behaviour (i.e. spitting).

² The restrictions identified in the Land Act relate to pastoral leases, not port-related activities.

1.3.9 Health practitioner legislation (practice restrictions):

Chiropractors and Osteopaths Act 1979; Dental Act 1971; Dental Technicians and Dental Prosthetists Act 1991; Medical Act 1939; Optometrists Act 1974 / Optometrists Registration Act 2001; Physiotherapy Act 1964; Physiotherapists Registration Act 2001; Podiatrists Act 1969; Podiatrists Registration Act 2001

The NCC is seeking on progress with this legislation, including any significant amendments required by Parliament.

The *Health Legislation Amendment Act 2003* was passed and assented to in October 2003. The amendments in the *Health Legislation Amendment Act 2003* implement the recommendations of Public Benefit Tests undertaken in connection with the review of core practices and dentistry reforms.

The amendments did not remove the restrictions on the practice of pharmacy contained in the *Pharmacists Registration Act 2001* (which were preserved from the repealed *Pharmacy Act 1976*). These restrictions will be assessed when a planned further consideration of the new drugs and poisons legislation takes place. The deferral will have no significant impact on the provision of pharmaceutical services and is consistent with the recommendations of the COAG Senior Officials' Working Group (established after the Wilkinson review). The Working Group supported the Wilkinson Review recommendation (that legislative requirements restricting the practice of pharmacy to registered pharmacists be retained) but as an interim measure, to be revisited at the same time as other retained legislation.

The core practices reforms commenced on the date of assent of the *Health Legislation Amendment Act 2003*. The amendments arising from the review of restrictions on the practice of dentistry will commence on 1 July 2004 to allow sufficient time for implementation of the amendments that provide for the registration of dental auxiliaries.

1.3.10 Nursing Act 1992

The Review of the Nursing Act 1992 was completed in August 2003. The NCC is seeking a report on progress with legislation amendments in response to the Review's findings.

Cabinet authorisation for the preparation of the amendments to the *Nursing Act 1992* was given in October 2003. The proposed amendments are consistent with the Review recommendations and will be included in a *Health Legislation Amendment Bill* that is expected to be introduced in the second half of 2004. The continuation of the current restrictions until that time will have no significant impact on the provision of nursing or other professional services.

1.3.11 Occupational Therapists Act 1979

In 2002, the NCC assessed Queensland as not meeting its CPA obligations in relation to the Occupational Therapists legislation in that it provides for reservation of title. The NCC acknowledged that the adverse impacts on competition are considered small. The NCC is seeking information as to whether Queensland intends to alter its legislation in this regard.

The *Occupational Therapists Act 1979* was repealed and replaced by the *Occupational Therapists Registration Act 2001*. Queensland does not intend to amend the Act to remove the restrictions on title as the impact on competition, if any, is acknowledged by the NCC as being small. Protection of title is a basic consumer protection measure and is common in health practitioner legislation in Australia. To alter the legislation to address what is an essentially insignificant restriction on competition in the context of the occupational therapy market would represent introducing competition for its own sake, an approach clearly not consistent with CPA requirements. Therefore, Queensland would argue that it should not be assessed as non-compliant in relation to the review and reform of this legislation. To insist on doing so risks trivialising the important NCP reform process.

1.3.12 Speech Pathologists Act 1979

In 2002, the NCC assessed Queensland as not meeting its CPA obligations in relation to the Speech Pathologists legislation in that it provides for reservation of title. The NCC acknowledged that the adverse impacts on competition are considered small. The NCC is seeking information as to whether Queensland intends to alter its legislation in this regard.

The *Speech Pathologists Act 1979* was repealed and replaced by the *Speech Pathologists Registration Act 2001*. Queensland does not intend to amend the Act to remove the restrictions on title as the impact on competition, if any, is acknowledged by the NCC as being small. Protection of title is a basic consumer protection measure and is common in health practitioner legislation in Australia. As with occupational therapists, Queensland would argue that it should not be assessed as non-compliant in relation to the review and reform of this legislation because of the essentially insignificant nature of the restriction.

1.3.13 Pharmacy Act 1976

In its 2003 progress report, the Queensland Government anticipated introducing reforms in 2003. The NCC is seeking an update on these reforms, including whether they are consistent with recommendations of the CoAG Senior Officials' Working Group (established after the Wilkinson review) relating to removing numerical restrictions on ownership and amending pecuniary interest provisions.

The *Pharmacy Act 1976* was repealed and replaced by the *Pharmacists Registration Act 2001*. States and Territories were advised in July 2003 that the CoAG Senior Official's Working Group's response to the recommendations of the National Review of Pharmacy Regulation (the Wilkinson Review) would not be considered by CoAG, and that States and Territories should proceed to develop their own responses to the Review.

Queensland is working to progress the matter with a view to achieving a nationally consistent approach to pharmacy ownership and is continuing to monitor developments in other States and Territories before developing its response to the Wilkinson Review.

1.3.14 Health Act 1937 (drugs and poisons)

The NCC is seeking a report on progress with the review and reform of this legislation which was incomplete owing to interjurisdictional processes (implementation of the recommendations of the Galbally review).

Queensland had proposed to enact legislation to adopt the Commonwealth *Therapeutic Goods Act 1989*. This is no longer necessary as the policy objective of the proposed legislation will be able to be achieved by way of Commonwealth legislation to be enacted under a Treaty for the regulation of therapeutic products that has been entered into between the Australian and New Zealand Governments.

Legislative amendments to implement the other reforms arising from the National Review will be made by 30 June 2004.

1.3.15 Legal Practitioners Act 1995

The NCC is seeking a report on progress with the review and reform of this legislation which was incomplete owing to interjurisdictional processes.

The *Legal Profession Act 2003* (yet to be proclaimed) is based on the latest draft of the national model laws. It provides for the first stage of the reforms in the areas of admission, national practice, conduct rules, complaints and discipline, the financial arrangements and incorporated legal practices.

It also provides for structural changes to the complaints and disciplinary regime to make it more independent, accountable and effective, viz:

- the establishment of the new Legal Services Commission, with an independent investigative capacity to deal with all complaints;
- a new Legal Practice Tribunal chaired by a Supreme Court Judge;
- a new Legal Practice Committee to hear less serious charges; and
- a single admissions board.

Interest on solicitors' trust accounts will be brought under government control to ensure a more rigorous, accountable and transparent process is applied for the use of this money.

The commencement of the new arrangements will depend on the relevant appointments and associated structural arrangements being administratively put in place.

The explanatory notes for the Bill included the following statements.

“Where the national model laws proposals are still to be finalised for consideration by SCAG, it is proposed that the reforms be implemented in two stages: ..It is expected that the remaining reforms (including in the areas of trust accounts, client agreement and costs review, fidelity cover, multi-disciplinary practices and foreign lawyers) would be included in a second Bill next year with any further changes that are desirable for consistency with the final national model laws approach.”

1.3.16 Health Act 1937 (hairdressing)

The NCC is seeking an update on progress with the amending legislation to implement the recommendations of the review of this legislation..

The *Public Health (Infection Control for Personal Appearance Services) Act 2003* was passed in October 2003. The commencement date of the Act has been fixed for 1 July 2004 to allow sufficient time for implementation of the reforms.

1.3.17 Pawnbrokers Act 1984; Second-hand Dealers and Collectors Act 1984

The NCC is seeking an update on progress with new legislation to, among other things, implement the recommendations of the review of the Pawnbrokers and Second-hand Dealers legislation.

The combined *Second-hand Dealers and Pawnbrokers Act 2003* was assented to on 22 October 2003.

1.3.18 Travel Agents Act 1988

The NCC is seeking a report on progress with the review and reform of the Travel Agents legislation which was incomplete owing to interjurisdictional processes.

Queensland is reviewing steps to implement the recommendations that the current licence exemption threshold be lifted to \$50,000 and the exemption for Crown owned business entities be removed.

1.3.19 Auctioneers and Agents Act 1971 (maximum commissions for auctioneers and real estate agents); Property Agents and Motor Dealers Act 2000

The NCC is seeking an update of the Government's consideration of regulatory options in relation to commissions.

Amendments to *Property Agents and Motor Dealers Regulation 2001* to give effect to de-regulation of motor dealing and auctioneering commissions and buyers' premiums was approved by Governor-in-Council on 20 November 2003 and gazetted on 21 November 2003.

Regulation of maximum commissions for real estate agents and auctioneers of residential property are to continue. It is proposed a further review of the regulation of real estate commissions is to be undertaken in July-August 2004 in order to further apprise the NCC of progress in implementing the original NCP recommendation to deregulate all commission scales.

1.3.20 Workcover Queensland Act 1996 (monopoly insurance provision)

In 2003, the NCC assessed the review and reform of Queensland's workers compensation legislation as incomplete on the basis that it decided it could not complete its assessment pending the outcome of a Productivity Commission Inquiry commissioned by the Commonwealth Government. For 2004, the NCC is seeking information on whether Queensland is considering any further changes to workers compensation insurance arrangements, especially relating to monopoly provision.

In respect its National Competition Policy obligations regarding workers' compensation, the Queensland government contends that it has met all undertakings regarding both the spirit and the letter of the COAG agreed requirements for NCP review arrangements.

As reported in both the 2001 and 2002 reports, an NCP review of the *Workcover Queensland Act 1996* was undertaken in 2000 and examined nine provisions which potentially restricted competition. An Inter-departmental committee undertook the review following a full Public Benefit Test conducted by independent consultants.

The key recommendations of the report were discussed in detail in the 2002 report and are as follows:

- that the requirement contained in the *Workcover Queensland Act 1996* that employers must maintain accident insurance for their workers be retained;
- that the public monopoly for the Queensland workers' compensation system be retained;
- that Q-COMP become a completely separate entity from WorkCover to ensure independent regulation of the market;
- that the current self-insurance licensing criteria be retained from 21 May 2001 for a further three years at which time the full impact of self-insurance on the Queensland workers' compensation market can be better assessed; and
- that the self-insurance criteria be reviewed in three years' time from 2001.

In accordance with the requirements of the review process, the findings of the PBT and submissions by stakeholders and interested parties to the review were considered and weighed against the Competition Principles Agreement, in particular clause 5 – *that restrictions on competition should arise only if the benefits to the community exceed the costs, and that the objectives of the legislation can only be achieved by restricting competition*. In reaching the above position, the review committee concluded that in respect to the matter of the legislated monopoly there is, on balance a clear case for a net community benefit from its continuation.

It must be noted that in respect to the case for demonstration of net public benefit for both monopoly provision and premium controls, Queensland has a consistent record of maintaining comparable benefit levels and full access to Common Law in a fully funded scheme with the lowest average premium rate of any state jurisdiction.

The required legislation to give effect to the key findings of the review was passed by the Queensland parliament in May 2003 to take effect from 1 July 2003. This action fulfilled the Queensland Government's commitment to the review of Workers' compensation in line with the timeframe for completion agreed by COAG.

Further, the NCC in its 2003 assessment states that it cannot complete its assessment relating to monopoly provision and premium controls in view of possible implications for workers compensation flowing from changes to public liability insurance in several jurisdictions and the yet to be completed Productivity Commission inquiry into possible national frameworks for workers compensation and OHS. Given this stated position, it is inappropriate that any monetary penalty should be considered pending a full evaluation of the final recommendations and jurisdictional response.

Monopoly Provider issues

Public goods/externalities -In providing the Queensland response to issues canvassed by the NCC in the 2003 report, the following observation was made: *Competing insurers with limited workers compensation portfolio holdings within a jurisdiction may in fact be inclined to select for good claims performance in order to gain or maintain competitive advantage, thus leaving poorer performing employers exposed to increased difficulty and cost in obtaining mandatory insurance cover.*

This outcome has been supported as desirable in the 2003 assessment, however the issue needs to be considered in its entirety. Poor claims performance is relative and is not always due entirely to factors within the control of the employer. For instance certain industries and occupations have greater inherent risks than others and competing insurers may in fact select against these high risk groups leaving them exposed to increased premiums resulting from smaller, high risk portfolios. As a consequence this could see significant increases in costs and a resultant lessening of their competitiveness over the cost structures prevailing in the high scale monopoly environment.

Economies of scope - outsourcing

The impact of economies of scope has also been cited as being potentially available within monopoly environments through the outsourcing of activities such as premium collection and claims management. It cannot be assumed however that savings will automatically flow from outsourced arrangements. The introduction of the profit element and the necessity for provision of services in a geographically diverse and widely populated jurisdiction such as Queensland may mitigate any anticipated savings or economies.

Multiple product offerings - Similarly, the value of a wide insurance product range in achieving cost reductions by private insurers has been identified as significant by the Council and not available to monopoly insurers. A counter argument is of course the expertise gained from the development of expert systems for the delivery and evaluation of a dedicated product and a discreet range of services. There are also the economies and market power of the monopoly provider in negotiating favourable arrangements with medical rehabilitation and other service providers.

Contrary to the view expressed by the NCC in respect of the motivation for the monopoly insurer to pass on savings in the form of reduced premiums, the direct nexus between economic performance and the fixed costs of overheads such as workers' compensation are more likely to produce such a result in a government monopoly environment than in the case of large private insurers with the imperative to improve returns for shareholders.

Information asymmetry

While the issue of *information asymmetry* is a factor in respect of workers' compensation insurance, it is not as significant a matter in the Queensland environment as suggested in the NCC assessment. Factors such as a single database record for all employers and a detailed individual claims and underwriting history mean that well informed profiles of individual employers are available in assessing premiums.

Risk Profiles While industry based premium rates are the basis of the calculation of premium, a five year individual claims history is used in calculation of an individual premium rate for each employer with a discount of 50% of the industry rate being possible. The extensive and historical nature of the data and the availability of data mining and matching techniques provide a comprehensive capacity for monitoring of fraud from both a claims and policy underwriting perspective.

In respect of the Queensland experience, rather than restricting benefits and access to Common Law damages in order to control premiums, average premium rates have been progressively reduced over the last five years at the same time as benefit levels have been increased and full unfettered access to Common Law has been maintained.

Rehabilitation

Changes introduced as a direct outcome of the NCP review have seen the establishment of an independent regulatory authority with responsibility for overseeing and determining adequate standards for rehabilitation delivery by WorkCover and self-insurers. They also have an audit and assessment role and a case review function and are responsible for reporting performance to the portfolio Minister via a Board of Directors.

Summary

While recognising the differing views expressed by the NCC in respect of the a number of the outcomes of the review of Queensland workers' Compensation legislation, there have been no compelling arguments advanced which would in any way justify the view that Queensland has not met both the spirit and the detail of its undertakings.

Further, none of the arguments advanced provide any proven alternative to the revised Queensland scheme of arrangements when considered against Clause 5 of the Competition Principles Agreement.

By any assessment, Queensland has in place a fair, responsive scheme that balances the rights of injured workers with the need for competitive and affordable premiums for employers. The scheme delivers benefit levels comparable with other jurisdictions, maintains unfettered access to common law while delivering the lowest average premium rate in Australia for the last four consecutive years and has majority stakeholder support for the revised arrangements resulting from the reform process.

To make fundamental changes to such a successful scheme solely to accommodate what are unproven views of alternative delivery models would be irresponsible at this juncture.

Further, the NCC in its 2003 assessment states that it cannot complete its assessment relating to monopoly provision and premium controls. The possible implications for

workers compensation flowing from changes to public liability insurance in several jurisdictions and the yet to be completed Productivity Commission inquiry into possible national frameworks for workers compensation and OHS are cited as the reason. Given this stated position, it is inappropriate that any monetary penalty should be considered pending a full evaluation of the final outcomes and recommendations and any related jurisdictional responses.

The matters of the outsourcing of claims management by WorkCover and review of the criteria for Self-Insurance licensing were identified in the NCP review process as matters for further consideration. The Government at that time deferred these reviews for three years in order that the impact of successive changes then only recently introduced to the scheme could be assessed.

The review of these competition elements of the Queensland workers' compensation scheme will now proceed for completion in the 2004/05 financial year.

1.3.21 Superannuation (State Public Sector) Act 1990

In 2003, the NCC assessed Queensland as not meeting its CPA obligations in relation to its public sector superannuation legislation³ on the basis that the Act underpins monopoly provision of superannuation. In 2004, the NCC is seeking to know whether the Government intends to consider the introduction of choice of superannuation provider.

In 2003, Queensland completed a public benefit test (PBT) of restrictions in its public sector superannuation legislation in accordance with its obligations under clause 5 of the CPA. It is considered that this PBT adequately addressed the dual test outlined in clause 5, in that:

- (a) the PBT demonstrated a clear net benefit to the community as a whole. Whilst it is recognised that the report focused on the benefits and costs for the Government and its employees, this is considered appropriate given that these parties are the greatest stakeholders for these arrangements; and
- (b) as outlined in the PBT report, one of the objectives of the legislation is to ensure equitable access of Queensland public sector employees to a superannuation scheme that maximises benefits to members. The report highlighted the significant advantages of QSuper membership in that the current arrangements provide retirement outcomes for Queensland public sector employees which are superior to those that would otherwise be available to them.

The following information is provided in response to the NCC's questioning the extent to which the Queensland's review considered the interests of other parties and the community as a whole:

- (i) **Remaining employees** – Although it is considered that the likely transfer of employees to alternative providers under a choice model would be small (see (iv)

³ The legislation which governs public sector superannuation in Queensland comprises the *Superannuation (State Public Sector) Act 1990* and *Parliamentary Contributory Superannuation Act 1970*

below), the likely impact if the transfer of employees were significant was considered. If a significant transfer of members were to occur, this would reduce the existing economies attained by the QSuper Fund. Employees who remained in the scheme would likely be worse off, due to increased fees and transactional costs. A drain of employees would also impact upon the actuarial basis of QSuper, with potential detriment to existing benefit levels and cost assumptions of QSuper's defined benefit account and self-insurance arrangements;

- (ii) **Transferring employees** -- On average, there is no evidence to suggest that employees who elect to leave QSuper would be any better at selecting a fund than the QSuper Trustees. It is possible and even likely that employees will select a fund on the basis of marketing or promotional activity, rather than fundamental product elements such as benefit design, insurance coverage, fees, investment risk and performance. Consequently, the most likely outcome would be that transferring employees will be no better off than under the current arrangements and are likely, on average, to be worse off.

The superannuation industry is relatively new, offering complex products in an environment of constant review and legislative change. The industry as a whole has not yet demonstrated the attributes of a mature, prudent, well run industry. Furthermore, there is concern in the marketplace that the Australian Prudential Regulatory Authority (APRA) is unable to properly regulate providers. This fear has been realised with the devastating failure of several superannuation funds, with workers losing their accrued entitlements. APRA's own submission on superannuation to the Productivity Commission's NCP Review in 2001 acknowledges these supervisory challenges:

"...superannuation is unlike any other sector prudentially regulated by APRA. The most significant distinction is that in the bulk of cases, unlike the situation in the banking or insurance sectors, the credit, market or operational risks arising from a fund's activities are borne directly by the fund members.

Furthermore, the complexity and lack of transparency in disclosure within the industry represents a challenge for individuals to select between alternative providers. APRA's report to the Productivity Commission also states:

"Despite its size, growth and significance, it is fair to say that community understanding of superannuation is not high, in part due to the nature of the product, as well as the constant changes that have characterised superannuation arrangements over the years."

APRA's statement highlights the asymmetry of information between superannuation providers and the community, revealing a significant market failure. Consequently, it is difficult for individuals, with confidence, to ensure that they obtain the right balance of risk and return. At this point in time, the Commonwealth Government's Financial Services Reform regime has not been fully developed to ensure adequate disclosure of fees and charges. The Commonwealth's inability to pass certain sections of the Financial Services Reform Regulations is of particular concern, and is one of the reasons that choice of fund has not progressed in the Federal arena. These conditions continue to exist, with no indication that the current deficiencies in disclosure are being resolved.

- (iii) **Queensland Government** -- The Queensland Government (and by extension, taxpayers and the wider community who ultimately fund government expenditure) would be worse off under a choice model, as it would need to make contributions to a range of superannuation providers. This would increase expenses for Queensland Government agencies, particularly in the areas of payroll administration and liaison with numerous funds. These costs would be exacerbated if employees were able to periodically change their provider. If choice was introduced, the Queensland Government would also bear the cost of amending existing legislation and informing relevant stakeholders of the changes.

From a human resources perspective, the Queensland Government through the Government Superannuation Office provides all the necessary superannuation information to employees, including a comprehensive seminar program. If employees move to providers with lower levels of support, this may increase the burden on agencies to assist their employees with information regarding their superannuation.

Queensland's current superannuation arrangements allow continuity of membership for employees transferring between Queensland Government agencies, which is a common occurrence. Under a choice model, the size of some Queensland agencies would make it administratively impossible for employees to nominate their personal choice of provider. Consequently, employees would be limited to a range of providers, which may not include the member's preferred fund. Further, it is likely that the range of available providers would vary from agency to agency, particularly for employers such as statutory authorities and Government-owned corporations. This would make it difficult for employees to consolidate their accumulated entitlements into one fund throughout their career. Further, this loss of portability may impact upon employees' death and disablement insurance coverage, which contains implicit qualifying periods.

As QSuper operates on a cost recovery basis, the Government does not raise any revenue from the scheme. If management of Queensland's superannuation arrangements were handled by the private sector, the Government would need to pay an administrator to run the Fund. The costs of this model would ultimately be borne by taxpayers. Further, as the Government bears the investment risk for the defined benefit scheme, it would be at the mercy of the appointed investment manager. For these reasons, the Government has a vested interest in the prudent management and supervision of the scheme, and so has valid reasons for retaining control of the administration.

Finally, a potential inequity of benefit outcomes could arise from the varied provision of superannuation across agencies, for employees who are otherwise remunerated in a consistent manner. This has potential implications for industrial relations in the State, where superannuation entitlements and other employee benefits are part of a delicate balance in employee remuneration.

- (iv) **Superannuation Industry** -- In its 2003 assessment, the NCC stated that QSuper's Public Benefit Test focussed on the cost-benefit calculus for the Fund and its members, rather than on the broader market impact for the provision of superannuation services. This approach is not considered unreasonable, given that the Fund and its members are the primary stakeholders under the current

arrangements. Further, it has been assessed that the employer and member demand for alternative arrangements is very low, providing limited potential gains for the private sector.

Employees who contribute to QSuper already have a significant amount of choice. Individuals are able to choose between a defined benefit account and 4 investment options within an accumulation account. This range is scheduled to be expanded in the near future, reflecting the industry's move towards asset class investment options. QSuper offers a comprehensive suite of products that satisfy employee needs through the accumulation phase and into retirement, and this is provided at one of the lowest fee rates of Australian superannuation funds.

Whilst Queensland Government employees have a significant amount of choice under QSuper, few seek to change from the default option, and those that do are demonstrating a strong aversion to risk. Since the introduction of transfer arrangements between QSuper defined benefit and accumulation accounts in 2000, only 1.3% of contributing employees have exercised this choice. For accumulation account holders, only 5% of funds have been directed to an investment option more aggressive than the default.

The relatively small uptake of product choice within QSuper is despite a State-wide seminar campaign to explain these new benefit and investment options, together with ongoing seminar and marketing programs. Market research in 2003 highlighted that 38% of accumulation account holders had fully considered the range of investment options available to them and were satisfied with the default option selected by the Trustees. A further 51% of those that were surveyed advised that they were happy to leave investment decisions to QSuper. These results demonstrate that employees are comfortable with the product choice that they currently have and are confident with the QSuper Trustees' ability to make appropriate investment decisions.

Whilst all funds experience some leakage, QSuper maintains a very high retention rate. For employees leaving the Queensland Government before age 55, around only 10% of funds are transferred to other superannuation providers. The majority of this outflow is likely due to individuals wishing to consolidate their superannuation monies with contributions from their new employer. For those of retirement age, around 15% of monies is transferred to other funds. QSuper's research has shown that most retiring employees who transfer to other funds, do so on the recommendation of financial planners, who are primarily remunerated on a commission basis. Retiring employees also transfer part of their account balance to other funds to seek post-retirement products not offered by QSuper, such as complying pensions. However, these outflows do not reflect on employee satisfaction with QSuper products and services during their public sector employment.

QSuper receives very few requests from employees wanting to direct contributions to alternative providers during the contribution phase of membership. Upon termination of employment, a small minority elect to transfer to other providers, mainly for reasons not associated with QSuper's performance or product design. Consequently, it is considered that very few employees would be likely to exercise choice of superannuation provider if it were offered during their employment.

Those who have terminated employment already have the ability to transfer their QSuper entitlements elsewhere.

QSuper's PBT indicated that, whilst it is a large fund, it is relatively small in the broader market context, comprising 1.78% of the Australian superannuation market. Upon review, QSuper's current fund balance of \$11 billion overstates the potential gain for private sector providers, as it includes post-employment monies that are already subject to competition. Further, it is unlikely that defined benefit account holders would exercise an option to move to a private sector accumulation account, given that only a very limited number have opted to do so within QSuper, and this number has decreased rapidly since 2000 when it was introduced, even though the option was widely promoted at that time and since. On this basis, the potential gain for private sector providers is very small, as it would be limited to employed members holding a QSuper accumulation account. This category holds \$1.8 billion of the QSuper funds under management, which represents only 17% of the QSuper Fund and 0.3% of the superannuation market (\$548.5 billion at September 2003 quarter, Source: APRA website). Even then, experience to date provides evidence that only a small proportion of this category would actually choose to do so.

The NCC's 2003 assessment recognised that the overall impact of the current restriction is difficult to determine. Whilst it is acknowledged that the private sector would realise some gains if the restriction were removed, there is much evidence to suggest that these gains would be very small. It is clear to the Queensland Government that the benefits of the current restriction far outweigh any existing costs, or potential costs, to the community from alternative models of provision.

Queensland's Obligations under NCP

The State's obligations under clause 5 of the NCP framework are to review restrictive legislation in order to:

- clarify the objectives of the legislation;
- identify the nature of the restriction on competition;
- analyse the likely effect of the restriction on competition and the economy generally;
- assess and balance the costs and benefits of the restriction; and
- consider alternative means for achieving the same result including non-legislative approaches.

The Queensland Government has developed a substantial public benefit case in respect of its superannuation legislation that addresses each of these issues. The NCC has not accepted these findings, despite its acknowledgement that the overall impact of the restriction is difficult to determine, and QSuper is able to choose investment managers and administrative providers. Without providing any evidence in support of its position, the NCC appears to have adopted the position that competition, through choice of provider in this instance, is justified for its own sake. This would appear to be inconsistent with the fundamental principles of NCP which requires a consideration of the cost and benefits to the community as a whole.

Under the terms of the NCP agreement, restrictions on competition are allowed if it is in the public interest. It is necessary to consider the community as a whole, including the Government, providers and taxpayers. Queensland's review of superannuation has considered all stakeholders and demonstrated a very clear net public benefit to retain the current restriction.

A significant portion of QSuper could not readily be detached from Government control. QSuper's defined benefit scheme is intertwined with its accumulation account. Consequently, the defined benefit portion of QSuper could not be outsourced unless the Government was to sell the whole business. The NCP obligations do not require the Government to sell, privatise or contract out a whole business. Consequently, it could be argued that a major portion of Queensland's superannuation arrangements is not subject to review.

Choice of Fund

As stated earlier, Queensland's existing superannuation arrangements represent a significant amount of choice in terms of benefit design and investment options. QSuper's investment choice enables employees to meet their individual superannuation needs and preferences by providing them with the ability to choose how their superannuation is invested. Choice already exists for all departing employees.

There is no evidence to suggest that Queensland public sector employees, on average, incur any costs or suffer any detriment from restrictions in their choice of fund. Further, it is certainly not clear that the introduction of choice for these employees would give rise to a net public benefit, particularly when existing disclosure rules would not enable them to make an informed choice. At this time, the Queensland Government and representative unions are concerned that public sector employees would be at risk of exercising poor choice and move to superannuation funds that do not perform as well in terms of investment returns, risk and cost.

Australian employers do not have to offer any choice of fund. The community standard is to pay employer contributions according to an industrial framework. This model represents the widespread use of corporate and industry superannuation funds. Queensland is particularly concerned that the NCC, by insisting on jurisdictions providing choice irrespective of the costs and benefits, will provide support for the Commonwealth Government to use competition payments to force a policy on the States and Territories which it has been unable to advance through normal Parliamentary processes.

The Queensland Government contends that the provision of superannuation remains an internal matter for the Government and is central to staff remuneration.

Conclusion

Queensland has demonstrated that the potential market benefits from offering choice of fund to its public sector employees would not outweigh the likely costs to be borne by Queensland taxpayers, the Government and its employees. The NCC's rejection of these findings has not adequately been justified, which suggests that there is an attempt to impose a particular outcome without adequate concern or regard to community costs.

Whilst there may be some employees that wish to make their own superannuation arrangements, they are considered to be in a small minority. Both the Government and unions believe that there is a fiduciary responsibility to ensure that all employees are provided a low cost savings environment through QSuper. There is strong support from Queensland public sector employers and employees and their representative unions for the current arrangements, which are stable in their existing form.

Any changes to the current arrangements could have significant industrial relations and economic implications for the Queensland public sector, which would be detrimental to the broader community.

1.3.22 Funeral Benefit Business Act 1982

The NCC is seeking advice of the progress of legislation to implement the recommendations of the Review of the Funeral Benefit Business legislation.

Amendments to the *Funeral Benefit Business Act 1982* to implement the recommendations of the review of this legislation were included in the legislation which established the new *Second-hand Dealers and Pawnbrokers Act 2003* which was assented to on 22 October 2003.

1.3.23 Credit Act 1987

The NCC is seeking advice of whether reform completion is likely?

As previously advised, the Act will be repealed when the final legal case is completed. When this will occur is unknown and beyond the control of the Queensland Government. The impact on competition of provisions in this Act, if any, is likely to be very trivial as the number of loans still remaining under its control since it was replaced by the Consumer Credit Code in 1996 is likely to be very small. It is over 7 years since any new loans were subject to this Act and the type of loan it regulated generally had terms of 5 years or less. Other than one outstanding court case, the Act has ceased to operate. Queensland would argue that it should be listed as “complete” on the review and reform schedule.

1.3.24 Gambling Legislation

Keno Act 1996; Charitable and Non-profit Gambling Act 1999; Gaming Machine Act 1991; Wagering Act 1998 (TAB)

The NCC is seeking advice on the recommendations of the final Review Report for Queensland’s gambling legislation and the Government’s response.

The Review of the Queensland’s gambling legislation was completed in December 2003. It recommended the current restrictions on competition be retained as they are in the public interest. As a result no legislative amendments are necessary. The Report is available at <http://www.treasury.qld.gov.au/office/knowledge/docs/ncp/index.shtml>

1.3.25 Interactive Gambling (Player Protection) Act 1998

The NCC has listed this legislation as incomplete owing to delays caused by interjurisdictional processes. Reform completion depends on resolution of Australian Government legislation.

This legislation was considered as part of the overall review of Queensland's gambling regulation and any restrictions found to be in the public interest. In any event, any further consideration of issues covered by this legislation cannot be progressed until the interim ban imposed on interactive gambling by the Commonwealth, which is totally beyond the Queensland Government's control, is addressed. For both these reasons, this legislation should not be included as an outstanding matter for assessment of Queensland's progress.

1.3.26 Grammar Schools Act 1975

The NCC is seeking information on the nature of reform in relation to the Grammar Schools legislation and its timing.

An initial Review was completed in September 1997. A second review in 2002 recommended removing the minimum financial requirement for the establishment of a Grammar School. A third review, completed in March 2003, considered the impact of other legislation for the accreditation of non-State schools and the financial administration of grammar schools. The NCC was advised of the outcome of the review in 2003 and that the resulting Bill was expected to be introduced and debated in August/September 2003. Queensland can now advise that the legislation was amended in late 2003 under the *Grammar Schools and Other Legislation Amendment Act 2003*.

1.3.27 Child Care Act 1991; Child Care (Child Care Centres) Regulation 1991 and Child Care (Family Day Care) Regulation 1991

The NCC is seeking confirmation that Act and Regulations come into effect on 1 September 2003.

The *Child Care Act 2002* (which repealed the *Child Care Act 1991*) and the *Child Care Regulation 2003* (which repealed the *Child Care (Child Care Centres) Regulation 1991* and the *Child Care (Family Day Care) Regulation 1991* both commenced on 1 September 2003. The identified restrictions in the new legislation were subject to a Public Benefit Test conducted in accordance with the Competition Principles Agreement and a Regulatory Impact Statement (RIS) was also prepared in accordance with the Queensland Statutory Instruments Act. The restrictions were found to be in the public interest. An extensive public consultation process did not elicit any adverse feedback from the child care sector and related stakeholders on the proposed regulatory framework.

1.3.28 Surveyors Act 1977

The NCC is seeking information on the progress of the Surveyors legislation which was introduced into Parliament in 2003.

The Surveyors Bill 2003 was introduced to Parliament on 27 May 2003 and the Act was passed by Parliament and assented to in October 2003. The new Act retains the current model for regulation of surveyors based on competency rather than qualifications, and makes other reforms based on the outcomes of the review and consultation. Regulations to give effect to the amendments are scheduled to be introduced by end June 2004 with the new Act commencing at that time.

1.4 Non-Priority Review Legislation

In its 2004 assessment, the NCC is seeking an update of the status of the following non-priority legislation in which review and reform activity was incomplete at the time of the 2003 assessment.

1.4.1 Consumer Credit Legislation

Consumer Credit (Qld) Act 1994, Consumer Credit Regulation 1995, Consumer Credit Code

The key recommendations of the national review of consumer credit legislation were to:

- maintain the current provisions of the Code and, as per the Post Implementation Review, review the definitions of the Code to ensure that the terms 'conditional sale agreements', 'terms sale of land', 'tiny terms contracts' and 'solicitor lending' were brought within the scope of the Codes; and*
- provide for a simplified "Schumer Box" format containing essential financial information to enhance the disclosure provisions within the Code.*

A consultation review document relating to the definitions is being prepared by Queensland and when complete, will be released for consultation. A discussion paper relating to the "Schumer Box" has been prepared by NSW.

The Office of Regulation Review has advised preparation of a Regulatory Impact Statement is not necessary. A paper containing proposed amendments has been agreed to by the Working Party established to facilitate the implementation of the review's recommendations. It is proposed to seek Queensland Cabinet approval to commence technical redrafting of the Code in order to implement the NCP recommendations.

1.4.2 Financial Intermediaries Act 1996

The Act provides prudentially-based supervision of cooperative housing societies, terminating building societies and other similar entities. It had been proposed to repeal the Act without review on the expectation that the supervision of all such institutions would be transferred to the Australian Government following the establishment of APRA. However, some cooperative housing societies do not meet the solvency requirements for transfer. The Act is being retained pending a long term policy solution for the administration of co-operative housing societies.

The Act was included in the original 1996 Legislation Review Timetable in line with the Queensland Government policy at the time that an Act should be listed based on a preliminary assessment that it may contain potentially restrictive provisions, even

relatively minor restrictions. The more detailed identification of restrictive provisions which forms part of the review process was not undertaken because it was expected that the Act would be repealed. Because of the delays encountered in transferring regulatory responsibilities to APRA, it was recently decided to examine the legislation more closely. That examination suggests any potentially restrictive provisions are designed to perform normal prudential functions and are not designed to restrict competition per se. This and the fact that the popularity of the entities it regulates has declined markedly in the face of greater responsiveness and product diversity in the housing finance market (it has never been more than a very small part of the market in Queensland anyway), means any impact on competition that may exist is small and decreasing. For these reasons, with the NCC's agreement, it is proposed to remove the Act from the review and reform schedule. It would still be the Government's intention to repeal the Act when circumstances permit.

1.4.3 Land Act 1994

The 1999 Review of this Act examined two restrictions: prohibiting corporations from holding perpetual leases for grazing or agricultural purposes; and limiting the number of living units that non-freehold land owners may aggregate.

As previously advised, following completion of the Review, in 2001 the Government directed further consultation with targeted groups. At the time of this report, the Government has not yet made a decision in response to the Review recommendations.

1.4.4 Trade Measurement Act 1990

A national review was undertaken in two stages (with Queensland as the lead agency):

- *Stage 1 concluded that most restrictions were justified, but recommended further investigation on a restriction on the sale of non-prepacked meat; and*
- *Stage 2 involved undertaking a Public Benefit Test (PBT) in relation to the sale of non-prepacked meat.*

On 28 November 2003, the Standing Committee of Officials on Consumer Affairs (SCOCA): approved the Final PBT Report in relation to the sale of non-prepacked meat and endorsed its recommendations; and recommended the Final Report and its recommendations to the Ministerial Council on Consumer Affairs (MCCA) for approval and public release.

The Final PBT Report recommends that:

- the definition of meat be reviewed to determine whether it should expressly include seafood and poultry and to clarify when specialised meat products cease to be meat for the purposes of the restriction;
- Trade Measurement Victoria commence the review within twelve months; and
- the Trade Measurement Advisory Committee (TMAC) be involved in the review and decision-making process.

The Final Report has received Review Committee and TMAC approval and has been noted by the Queensland Cabinet and endorsed by SCOCA for referral to MCCA for

final approval and endorsement out-of-session. It is proposed the Final PBT Report will be publicly released after final approval and endorsement by MCCA.

1.4.5 Trustee Companies Act 1968

A combined review, co-ordinated by New South Wales, is being undertaken in conjunction with the development of new uniform trustee company legislation. A draft Trustee Corporations Bill and NCP Review Report was prepared on the basis that the Commonwealth Government, through the Australian Prudential Regulatory Authority (APRA) would undertake prudential supervision of trustee companies in accordance with a previous agreement between the States and the Commonwealth Government. However, the Commonwealth Government has recently declined to do so. The Standing Committee of Attorneys-General (SCAG) is reviewing its position in this context and the State Attorneys are to make further representations on the issue to the Commonwealth Attorney-General. The timing of any legislative changes would be subject to the resolution of these issues through SCAG. The delay in completing review and reform of this legislation is entirely due to the Commonwealth's decision, at the very last minute, to abrogate the previous agreement. The situation is further complicated in that a number of jurisdictions have disbanded their previous regulatory structures in anticipation of the agreed outcome and would need to reconstitute State-based regulation duplicating that provided by APRA. For these reasons, Queensland believes it and other States and Territories should not be penalised by the NCC when it is undertaking its 2004 assessment in relation to this legislation.

1.5 New Legislation

Clause 5(5) of the CPA requires all proposals for new primary and subordinate legislation that restricts competition to be accompanied by evidence that the legislation is consistent with the clause 5 guiding principle. For its 2004 assessment, the NCC is seeking further information to that provided in jurisdictions' 2003 reports on their "gatekeeping" arrangements -- in particular, the roles and responsibilities of their gatekeeping mechanism, its powers, reporting obligations and the types of legislation it assesses. In this respect, the NCC is seeking detailed information on whether: all legislation that contains non-trivial restrictions on competition is subject to formal regulatory impact assessment of all legislation; there are published guidelines for conducting regulation impact analysis; impact assessment guidelines specifically embody the CPA clause 5 guiding principle; there is independent body that advises on and monitors compliance; and there are processes in place to ensure that all agencies adhere to gatekeeping requirements?

Queensland's gatekeeping arrangements, which were outlined in its 2003 progress report as follows, comply fully with the State's NCP obligations under Clause 5(5) of the CPA. Under the Queensland Government's gatekeeping arrangements, all new (including amending) legislation that restricts competition must be subjected to a public benefit test prior to its consideration by Cabinet. The type and scope of each review is determined in accordance with the Queensland Government's *Public Benefit Test Guidelines* issued by Queensland Treasury, which also monitors compliance.

In addition to the NCP gatekeeping requirements for all new primary and subordinate legislation, under the *Statutory Instruments Act 1992*, any proposed subordinate legislation which is likely to impose appreciable costs on the community or a part of the

community must have a Regulatory Impact Statement (RIS) prepared before the legislation is made. The Act includes guidelines on what must be included in the RIS. The section of the Act relating to the conduct of RIS is administered by the Business Regulation Review Unit (BRRU) within the Department of State Development, which also provides more detailed guidelines and advice on the conduct of RIS.

Queensland has established processes for ensuring rigorous analysis of new legislation that restricts competition and does not support there is a need to establish a separate regulatory impact assessment body to demonstrate compliance with CPA clause 5. Queensland Treasury and BRRU provide specific advice on regulatory matters to Cabinet through established Cabinet processes. As stated in its 2003 progress report, the requirement for a separate independent body is beyond the scope of the CPA and should not form part of the NCC's assessment criteria for 2004 or in the future.

As part of Queensland's gatekeeping arrangements, all Departments are required to consider interjurisdictional consistency (or harmonisation) when assessing regulatory impacts.

In 2003, 97 Acts and 303 Regulations (excluding Proclamations and significant appointments) were enacted. As part of Queensland's gatekeeping requirements, all draft legislative proposals are examined to ensure that any potential restrictions on competition are identified.

If a potential restriction, which imposed an appreciable impact on the community, was identified, a public benefit test and/or a regulatory impact assessment was carried out on the restriction. Restrictions were only retained if it was held that they were necessary to achieve the objects of the legislation and were in the public interest. Attachment 1 lists all legislation passed during 2002 and, where applicable, describes the potential impacts on competition. Table 1.1 summarises the number of new Acts and subordinate legislation which were examined as part of the gatekeeping process during 2003.

Table 1.1: New legislation gatekeeping

Status	Acts	Subordinate Legislation
Legislation assessed as administrative only; or no restrictions identified; or restriction identified but has no appreciable impact on competition.	76	267
Restriction(s) identified but RIS* or PBT** not undertaken – restriction assessed to be justified to meet health or social objectives.	2	2***
RIS or PBT undertaken	19	34****
Total	97	303

*RIS - Regulatory Impact Statement; ** PBT - Public Benefit Test; *** May not include instances where the subordinate legislation supports principal legislation which was subject to a PBT; **** May include instances where a combined PBT was undertaken of the principal and subordinate legislation.

2. COMPETITIVE NEUTRALITY

2.1 Background

Under Clause 3 of the CPA, each jurisdiction is required to consider applying competitive neutrality principles to its significant business activities where it can be demonstrated that the benefits to the community would outweigh the costs. Competitive neutrality means that government businesses should not enjoy any net competitive advantage over their competitors simply as a result of their public sector ownership. Each government is free to determine its own agenda for the implementation of competitive neutrality principles. There have been no significant further developments in the coverage of the application of competitive neutrality principles to State Government business activities.

2.2 Competitive Neutrality Implementation Progress

2.2.1 TAFE

The implementation of competitive neutrality to Queensland's 15 TAFE Institutes has effectively been completed through the application Full Cost Pricing to:

- all Competitive Purchasing Programs when competing head to head with a private provider; and
- all corporate and single subscriber Fee-For-Service activities, when competing head to head with a private provider.

No complaints have been received from 14 of the Institutes. The Southbank Institute of TAFE has advised that it has received one complaint which is still under consideration but expected to be resolved at the local level.

2.2.2 Forestry

The NCC is seeking information on the profitability of DPI Forestry in 2002-03, how profitable is it expected to be over the next three years or more, and if it not expected to meet its cost of capital, why not? The NCC is also querying whether the Government has taken action to implement a higher standard of disclosure of timber prices assumed for valuation purposes and whether DPI Forestry will face local taxes equivalent to those faced by private forest owners?

Profitability

Details of DPI Forestry trading surplus, profits (stated in accordance with AAS 35) and return on assets for 2002 – 2003 and indicative figures for subsequent 3 years are provided in Table 2.1.

Table 2.1: DPI Forestry Profitability

	2002-03	2003-04	2004-05	2005-06
Trading Surplus ¹	\$34.9M	\$29.8M	\$20.8M	\$24.5M
Profit from ordinary activities after interest payments and income tax ²	\$285.3M	-\$184.8M	\$42.5M	\$46.2M
Return on Assets (RoA) ³	26.8%	-13.3%	4.1%	4.3%
Economic Rate of Return (ERR) ⁴	29.2%	-12.2%	4.5%	4.7%
5 year Average RoA	10.8%	6.8%	6.6%	6.7%

1. Represents the operating surplus before interest, tax and unrealised increment in value of plantation

2. Calculated as revenue from ordinary activities (ex AAS 35) less expense from ordinary activities less borrowing cost expense less tax expense.

3. Calculated as:
$$\frac{\text{Profit} + \text{borrowing expense}}{\text{Opening asset value}}$$

4. Calculated as:
$$\frac{\text{Trading surplus} + \text{Depreciation} + (\text{Creditors} * \text{WACC}) + (\text{Closing asset value} - \text{Opening asset value})}{\text{Opening asset value}}$$

In previous responses on this issue, DPI Forestry highlighted the potential future sensitivity in return on asset figures following a shift to the net present value methodology for forest valuation purposes (in line with accounting standard AAS 35). Much of this volatility has its origins in factors both historic and external to the forestry agency (e.g. changes in resource quality arising from historic management decisions and/or market conditions) thus significantly limiting its suitability as a performance measure in the short term. This volatility is clearly evidenced in RoA and ERR figures provided for 2002–03 and 2003-04.

In respect to the issue of DPI Forestry's cost of capital, this is reviewed on an annual basis in conjunction with the Queensland Audit Office. As a consequence of this process, a real cost of capital for DPI Forestry in the range of 6 – 7.5% has been established. Although current RoA's fall within this range, as previously outlined such figures are heavily influenced by factors both historic and external to the agency. Accordingly DPI Forestry's management focus is on enhancing the performance of the business in the context of the business re-investment decision, essentially plantation establishment. DPI Forestry considers that cost of capital is the key driver in this regard, and reviews its major plantation program using IRR and NPV analysis with the cost of capital as "hurdle rate" and discount rate respectively. Such analysis is however complex and imprecise, as it generally requires significant extrapolation and assumption, particularly with respect to future prices and the operational translation of results of tree breeding R&D and their interactions.

A 2003 external benchmarking study undertaken of DPI Forestry's major exotic pine re-establishment program supported internal analysis indicating that the current investment program is meeting or exceeding cost of capital target.

Disclosure of timber prices for valuation purposes

DPI Forestry's 2002-2003 Yearbook incorporated an analysis of the sensitivity of the net market value of plantations to changes in prices received for plantation products and changes in the weighted average cost of capital (See Table 2.2).

Table 2.2: Net Market Value Sensitivity

		Effect on Net Market Value -- 2003 (\$'000)
Discount Rate change	+1%	-143,000
	-1%	+175,000
Price change	+5%	+73,000
	-5%	-73,000

Subject to a review of any stakeholder feedback on these reporting enhancements and audit consultation, consideration will also be given to including in future years reports a statement to the effect that *“DPI Forestry’s long-term commercial contract arrangements are established via competitive processes (for new sales) and incorporate 5 yearly price review provisions. These commercial-in-confidence contract arrangements are underpinned by regular competitive sales of plantation material to maximise market signals. Market signals arising from these competitive sale processes, along with a range of factors such as changes in resource quality, utilisation standards, values of comparable domestic and overseas forest and timber products, end-user market trends and surveys and relativity between values and movements in the CPI, and other published timber indices are incorporated into the aforementioned five yearly price review processes. Contract arrangements also incorporate provisions for a formal dispute resolution process as part of price review arrangements”*.

DPI Forestry contends that for reasons previously advised (2003), and in recognition that prices assumed for valuation purposes reflect those actually paid by customers under commercial contract arrangements, that the disclosure of detailed pricing information used for valuation purposes may inadvertently confer commercial benefit to one or more of DPI Forestry customers or competitors.

Local Government Rates/Equivalents

DPI Forestry recently advised the Local Government Association of Queensland of its intentions to initiate discussions with Queensland Treasury in regard to payment of local government rates on land purchased for plantation establishment. Recently, however, DPI Forestry’s strategic focus has shifted from land purchase to land rental arrangements, and by entering into such arrangements DPI Forestry will not be advantaged through its current exemption from local government rates.

2.2.3 Public Trust Office

In 2003, the Queensland Government reported that the Public Trust Office had implemented actions recommended in the Public Benefit Test, that is: introducing full cost pricing; transparent Community Service Obligation (CSO) funding; and eliminating cross-subsidies. The remaining element of the package of reforms was the establishment of an appropriate capital structure by way of the necessary accounting segregation of the Common Fund.

In March 2003, the Queensland Government considered a submission in respect of the reform of the Public Trust Office noting recommended actions which would address the remaining reforms and introduce the accounting segregation of the Common Fund with effect from July 2003.

The accounting segregation of the Common Fund commenced on 1 July 2003 and completes the framework for fully transparent accounting for the activities of the Public Trust Office.

The trend towards greater demand for the services of Public Trust Office generally, and in particular the services to clients who have a disability has continued. The structure and systems now firmly established at the Public Trust Office will allow the close monitoring of the continued achievement of competitive neutrality benefits whilst providing a sound mechanism for the delivery of the Queensland Government's social justice objectives.

2.3 Complaints

The NCC is seeking information on complaints received and complaints resolved during 2003.

2.3.1 Complaints to the Queensland Competition Authority

The Queensland Competition Authority (QCA) received one competitive neutrality complaint during 2003. The QCA received a written complaint from Legalco Management Pty Ltd (Legalco) on 2 June 2003 alleging a breach of the principle of competitive neutrality by CITEC CONFIRM (CITEC), the Environmental Protection Agency (EPA) and the Office of State Revenue (OSR) of the principle of competitive neutrality.

Legalco alleged that EPA and OSR were unwilling to provide Legalco with online access to the Environmental Management Register (EMR), Contaminated Land Register (CLR) and the Land Tax Certificates Register (LTC) (collectively called the Registers) while at the same time allowing such access exclusively to CITEC, a declared significant business activity for the purpose of the competitive neutrality provisions of the *Queensland Competition Authority Act 1997* (Act).

The QCA reported the results of its investigation in February 2004. It found no evidence that there is a government policy or procedure that restricts access to government information databases in general, or the information databases of OSR and EPA in particular, solely to CITEC. Rather, access is determined by the relevant agencies according to their individual circumstances, with security of access and cost prime considerations in this regard. Accordingly, the Authority concluded:

- (a) that there has been no breach of the principle of competitive neutrality by CITEC; and
- (b) had EPA and OSR been subject to the competitive neutrality provisions of the Act, the Authority is of the view that their actions would also not have been in breach of the principle of competitive neutrality.

The report of the QCA's investigation is available at www.qca.qld.gov.au

2.3.2 Complaints to Queensland Treasury

Queensland Treasury received a number of inquiries during 2003, but none have resulted in formal competitive neutrality complaints being lodged. A number of initial

inquiries were referred to the relevant agencies which were resolved following preliminary discussions. Two issues were referred by the Australian Government Competitive Neutrality Complaint Offices – both are being examined but relate to regulatory or legislation review matters, rather than the operations of Queensland Government businesses.

2.3.3 Other Complaints

In 2003, Queensland provided information on a complaint lodged by Stabilised Pavements of Australia (SPA) against Main Roads commercial operations unit, RoadTek. An investigation by Ernst & Young found there had been no breach of competitive neutrality principles. Nevertheless, Main Roads management met with SPA in early December 2003 to clarify concerns. Following that meeting, it is expected that there will be no further action from SPA over the issue. The initial complaint was based on a perceived pricing advantage to RoadTek in the current arrangements for purchase of cement. To alleviate this perception, the Department is instigating new purchasing arrangements for cement - a standing offer arrangement available to all potential tenderers bidding for Main Roads' open competition work, and a second standing offer arrangement for use by RoadTek in all other Main Roads' work. The Department has received legal advice supporting this approach. SPA will be advised when the new arrangements come into effect.

3. STRUCTURAL REFORM

3.1 Background

Under Clause 4 of the Competition Principles Agreement, before introducing competition to a sector traditionally supplied by a public monopoly, or privatising a public monopoly, jurisdictions are required to review a range of structural reform matters related to commercial objectives, natural monopoly considerations, regulatory functions, competitive neutrality, community service obligations, price and service regulation and corporate finance matters. Each jurisdiction is free to determine its own agenda for the reform of public monopolies.

3.2 Structural Reform Progress

No new structural reform matters emerged during 2003.

4. PRICES OVERSIGHT

4.1 Background

Clause 2 (Prices Oversight of Government Business Enterprises) of the Competition Principles Agreement requires each State and Territory to consider establishing independent sources of prices oversight where these do not exist. The independent source of prices oversight must have the following characteristics:

- (a) it should be independent from the government business enterprise whose prices are being assessed;
- (b) its prime objective should be one of efficient resource allocation, but with regard to any explicitly identified and defined community service obligations imposed on a business enterprise by the government or legislature of the jurisdiction that owns the enterprise;
- (c) it should apply to all significant government business enterprises that are monopoly, or near monopoly, suppliers of goods or services (or both);
- (d) it should permit submissions by interested persons; and
- (e) its pricing recommendations, and the reasons for them, should be published.

In fulfilment of this obligation, Queensland established the Queensland Competition Authority (QCA) in 1997 with the above characteristics.

4.2 Government Monopoly Business Activities

In Queensland, prices oversight applies to:

- (a) State and local government business activities which are monopolies or near monopolies that have been declared by the Premier and the Treasurer to be Government Monopoly Business Activities; and
- (b) Private sector water suppliers (including the jointly owned State/local government company SEQWater).

In the reporting year, the Premier and the Treasurer declared the bulk water storage and distribution activities of the Townsville-Thuringowa Water Supply Board (trading as NQWater). The Premier and the Treasurer have previously declared the following activities to be Government Monopoly Business Activities:

- the bulk water storage, water distribution and retail reticulation and drainage activities of SunWater;
- the bulk water storage, water delivery and treatment services and supply of water by Gladstone Area Water Board;
- the bulk water storage and water distribution activities of the Mt. Isa Water Board; and
- the water and sewerage services provided by the largest eighteen local governments in Queensland (i.e. Brisbane, Gold Coast, Rockhampton, Townsville, Toowoomba, Ipswich, Logan, Caboolture, Cairns, Caloundra, Harvey Bay, Mackay, Maroochy, Noosa, Pine Rivers, Redland, Thuringowa and Bundaberg).

4.3 Pricing Investigations

Pricing complaints received, or dealt with, in the past year include:

- (a) a complaint that the Maroochy Shire Council's water and sewerage business, Maroochy Water Services, is monopoly pricing;
- (b) a company alleging the Brisbane Water's charges to industrial customers constitute a monopoly rent and are indicative of cross subsidisation; and
- (c) a company alleging the prices charged by Townsville Port Authority are unreasonably high when compared with other ports in Australia.

Treasury is in the process of investigating the substance of claims (a) and (b). In relation to claims (c), it was found that there was insufficient evidence to warrant a referral and full pricing investigation by the QCA.

The Gladstone Area Water Board was referred in 2000 to the QCA by the Premier and the Treasurer for an investigation into its pricing practices. The QCA published its Final Report in September 2002 and the Premier and the Treasurer accepted the Report's recommendations. These recommendations are now being implemented. One of the recommendations was for a review of the GAWB's prices in 2004. This review has commenced.

Related to prices oversight investigations but not part of the formal regime, are investigations undertaken by the QCA pursuant to section 10 (e) of the *Queensland Competition Authority Act 1997*. These investigations are undertaken at the direction of the Premier and the Treasurer and may relate to any matter regarding the implementation of competition policy. The following investigations were completed, or progressed, in this reporting year:

- (a) in January 2003, the Ministers directed the QCA to identify the general pricing principles which should underpin the treatment of investments made in response to extraordinary circumstances such as drought, with specific reference to the circumstances pertaining to the Gladstone Area Water Board. The QCA is expected to release a draft report in March 2004; and
- (b) the QCA released its final report "*Burdekin Haughton Water Supply Scheme: assessment of certain pricing matters relating to the Burdekin irrigation area*" in March 2003. This report deals with issues relating to claims by irrigators that they have made capital contributions to the Scheme and are therefore entitled to concessional pricing.

5. THIRD PARTY ACCESS

5.1 Background

Access to the services provided by electricity and gas pipeline infrastructure is governed by the respective uniform national access codes for these industries.

Access to services provided by other facilities is governed by either Part 5 of the *Queensland Competition Authority Act 1997* or Part IIIA of the *Trade Practices Act 1974*.

5.2 Services covered by the Queensland Competition Authority Act 1997

The services which have been declared under the Act are:

- (a) the rail transportation service provided by the use of Queensland Rail's track infrastructure; and
- (b) the coal loading and unloading services provided by the use of the Dalrymple Bay Coal Terminal.

5.3 Recent Activities

In the past reporting year the Government did not receive any applications for the declaration of services under the QCA Act.

The QCA received, for its approval, a draft access undertaking for the declared services of Dalrymple Bay Coal Terminal. The QCA released an Issues Paper in August 2003 and is currently assessing a range of matters.

6. LOCAL GOVERNMENT

6.1 Introduction

As outlined in previous reports to the NCC, the Government's strategy for applying NCP reforms to Queensland local governments initially focussed on the largest business activities through the application of competitive neutrality reforms to the significant business activities (SBAs) of the 18 largest local governments. This represents over 80% of local government business activity in Queensland.

The largest 18 local governments have demonstrated excellent progress in applying competitive neutrality reforms to their SBAs and have subsequently also demonstrated substantial progress in applying competitive neutrality reforms to their smaller business activities.

While legislative arrangements only required the largest 18 governments to examine the cost effectiveness of reform, the Government made available \$150 million (in 1994/95 dollars) in incentive payments to councils who considered and/or implemented the NCP reforms. To date some \$133 million⁴ in incentive payments have been made to local governments. A further \$8.07 in payments have recently been recommended by the Queensland Competition Authority⁵.

Three years ago, the Government re-focussed its attention on NCP reforms in smaller local governments. Through the Business Management Assistance Program (BMAP), smaller to medium sized local governments received direct assistance and training from skilled consultants in implementing the NCP reforms. This program proved highly successful in significantly improving the reform take up of these smaller councils.

In summary, the good progress being achieved in NCP reform in Queensland is due to a combination of a number of factors including:

- the financial incentives available to local governments which implement such reforms under the \$150 million Local Government Financial Incentive Package (LGFIP);
- the benefits being achieved by local governments as a result of undertaking the reforms; and
- the training and support initiatives provided by the Department of Local Government and Planning (DLGP), the Queensland Competition Authority (QCA) and the LGAQ, especially through BMAP.

The State Government has also put in place a comprehensive legislative framework to support its local government NCP reform program through the *Local Government Act (1993)* (LGA). This framework was supplemented by amendments to the *Income Tax Assessment Act 1936* which removed certain impediments to the corporatisation of local government business activities. Initially only the business activities of the largest 18 local governments were required by legislation to adopt the reforms. Competitive roads business activities of local councils are required to adopt the Code of Competitive

⁴ This figure includes indexation.

⁵ The QCA is responsible for assessing the progress of Local Governments in implementing the reforms set out in the competition agreements.

Conduct and amendments have been recently made to the LGA to also require local governments' building certification activities to adopt the Code.

Local governments have commenced or made a binding commitment to the competitive neutrality reform in 664 business activities. Most councils have established competitive neutrality complaint mechanisms for these activities as required under the LGA.

6.2 Competitive Neutrality

Attachment 2 contains the summary of all local government businesses currently undertaking competitive neutrality reform. The table indicates the type of reform being taken, their progress with regard to the implementation of full cost pricing and other pertinent details. For the purposes of interpreting Attachment 2, the QCA has given a rating to each council based on how many of these elements are in place. The ratings are:

"All"	–	100% of the elements of full cost pricing have been implemented
"Most"	–	75% or greater of the elements of full cost pricing have been implemented
"Many"	–	50% or greater of the elements of full cost pricing have been implemented
"Some"	–	25% or greater of the elements of full cost pricing have been implemented
"None"	–	0% or greater of the elements of full cost pricing have been implemented
"Not achieving FCP"	–	businesses that may have made significant changes to their financial and accounting systems in implementing the reforms, however they are not yet recovering sufficient costs to meet the minimum revenue requirement

6.2.1 Reform Progress

Type 1 Businesses

Type 1 SBAs are those identified under the LGA that generate expenditure in excess of \$31.4 million for combined water and sewerage activities, or \$18.8 million in the case of other activities. The LGA requires that such businesses must implement at least full cost pricing (FCP) within the business activity. To date, nine Type 1 SBAs have been identified and all of them have implemented 100% of the elements of FCP (see Attachment 2).

Eight of the Type 1 SBAs have been successfully commercialised. Commercialisation requires the council to set in place various competitive neutrality adjustments such as the inclusion of tax equivalence into costs. The business is required to be run as a separate business unit of the council and various accounting separations are required.

The remaining council activity has successfully applied full cost pricing to its operation. FCP is a more methodical and complete version of full cost recovery. FCP requires the inclusion of tax equivalence and the generation of a return on capital. However, the application of FCP does not require the activity to develop the same level of managerial autonomy from the council that commercialisation does.

All nine Type 1 SBAs have established an appropriate complaints mechanism for hearing competitive neutrality. No competitive neutrality complaints were made against the Type 1 SBAs.

Type 2 Businesses

Type 2 SBAs are those identified under the LGA that generate expenditure in excess of \$9.4 million for water and sewerage activities, or \$6.2 million in the case of other activities. To date 22 such activities have been identified⁶ (see Attachment 2). Progress is as follows:

- 16 of these SBAs have implemented all the elements of FCP (up from 11), and;
- 6 of these SBAs have implemented most of the elements of FCP.

Nineteen of these SBAs have been commercialised while the remaining three businesses are implementing Full Cost Pricing.

All of the existing Type 2 SBAs have instituted a competitive neutrality complaints process. No competitive neutrality complaints have been made against Type 2 businesses to date.

Type 3 Businesses

Type 3 businesses are those businesses whose annual expenditure exceeds \$200,000 and are considered to be in competition with the private sector. The benchmark level of reform for a Type 3 business is the adoption of the Code of Competitive Conduct (the Code).

Where councils opt to apply the Code to the business in question, they are bound to abide by the Code pursuant to s764 of the LGA. Furthermore, the LGA requires any competitive roads businesses of councils to apply the Code. As stated earlier amendments are currently being considered to ensure building certification businesses are also subject to the code.

As of 1 July 2003, there were 203 Type 3 businesses applying the Code. One business advised it had commercialised.

Of these 203 Type 3 businesses applying the code:

- 100 have provided evidence that all elements of FCP were being applied to the business (up from 69);
- 22 indicated that they were applying most of the elements of FCP to the business;
- 30 indicated that they were applying many of the elements of FCP to the business;
- 7 indicated that they were applying some of the elements of FCP to the business;
- 35 were found to not meet the requirements of full cost recovery;
- 9 did not provide sufficient information to make a determination regarding their current progress with regard to the implementation of the various elements of full cost pricing or full cost recovery.

⁶ This figure has increased by 1 since last year with the inclusion of Cairns Works.

Non Type 3 Businesses

Non-Type 3 businesses are those businesses that generate greater than \$200,000 in expenditure each year and are not considered to be in direct competition with the private sector. These businesses are not required to apply any of the NCP reforms, however the Queensland Government encourages them to do so through the LGFIP.

To the 1st of July 2003 there were 430 non-Type 3 businesses that had applied the Code. Of these 430 businesses:

- 255 provided evidence that they had implemented all of the elements of full cost pricing (up from 90);
- 56 indicated that they had implemented most of the elements of full cost pricing;
- 49 indicated that they had implemented many of the elements of full cost pricing;
- 22 indicated that they had implemented some of the elements of full cost pricing;
- 25 were found to not yet be meeting the requirement of full cost recovery;
- 23 did not provide sufficient information to make an effective assessment regarding their implementation of full cost pricing or full cost recovery;

6.3 Competitive Neutrality Complaint Process

An amendment to the LGA in December 1997 created the framework for the complaint and accreditation processes for local government business activities to which competitive neutrality reforms are applied. This was modelled on the processes applying at the State Government level, including the role of the QCA. In essence, once a competitive neutrality reform has been applied to any local government business activity, the local government must establish a process to deal with complaints about breaches of competitive neutrality. Details of the processes required were outlined in Queensland's 1999 annual report to the NCC.

Of the 664 businesses subjected or committed to competitive neutrality reform to date:

- 637 local government business activities are subject to a complaint processes (up from 561); and
- no evidence has been provided of a valid complaints process for the remaining business activities (28). This statistic is sharply down from last years report citing 99 businesses without an appropriate complaints process.

6.4 Community Service Obligations

Where Local Government Businesses commit to reform, the LGA and the Local Government Finance Standard require them to identify, cost and fund any Community Service Obligations (CSO) associated with the running of their business activities.

Significant Business Activities

In relation to the Significant Business Activities (SBA), those designated as Type 1 or Type 2 businesses, all businesses have put in place appropriate policies to identify, cost and fund CSOs.

Type 3

In relation to the treatment of CSOs within the competitive Type 3 businesses:

- 188 have appropriate policies in place to identify, cost and fund CSOs;
- 14 have identified CSOs that are yet to be appropriately substantiated;
- 2 have not put in place an appropriate policy to identify, cost and fund CSOs.

Non-Type 3

In relation to the treatment of CSOs within the non-competitive Non-Type 3 businesses:

- 389 have appropriate policies in place to identify, cost and fund CSOs;
- 21 have identified CSOs that are yet to be appropriately substantiated;
- 1 has identified and costed a CSO yet is not receiving funding from council for the provision of the CSO;
- 2 have identified CSOs, yet have not yet costed or funded them;
- 16 have not put in place an appropriate policy to identify, cost and fund CSOs.

Part 2 – Conduct Code Agreement

7. TRADE PRACTICES

7.1 Background

Section 51(1) of the *Trade Practices Act 1974* provides for conduct, which would normally be an offence under the restrictive trade practice provisions of the Act, to be permitted if it is specifically authorised under Commonwealth, State and Territory Acts.

Clause 2(1) of the *Conduct Code* obliges jurisdictions to advise the Australian Competition and Consumer Commission (ACCC) in writing of legislation which relies on section 51(1) of the *Trade Practices Act 1974* within 30 days of the legislation being enacted.

Queensland is required to identify new legislation or provisions in legislation which rely on section 51(1) and to confirm the ACCC has been notified accordingly.

7.2 Trade Practices Exemptions

Queensland has not passed any legislation relying on the section 51(1) exemption during 2003.

Part 3 – Agreement to implement the National Competition Policy and Related Reforms

8. ELECTRICITY REFORMS

The NCC has indicated it will consider the coordinated approach taken by governments in establishing a fully competitive National Electricity Market (NEM) as part of its 2004 assessment. In particular, the NCC is seeking information from all NEM governments on their progress in meeting commitments in relation to:

- *derogations from the National Electricity Code; and*
- *maximising the potential for competition in the retail market.*

8.1 Code derogations

For its 2004 assessment, the NCC is seeking information on existing derogations, in particular, details of all existing derogations, the timetable for their expiration and explanation of the continued need for any ongoing derogations.

8.1.1 Forward Looking Loss Factors

In December 2002, Queensland obtained an extension of an existing derogation from the Code relating to the calculation of intra-regional loss factors.

This derogation allowed Queensland to calculate loss factors on a forward looking basis, based on load and generation data predicted for the next financial year. At the time, the Code required that loss factors be calculated using load and generation data from the previous financial year.

On 3 October 2002, the ACCC authorised the application of loss factors across the NEM in a forward looking manner similar to that undertaken by Queensland, with intended implementation from 1 January 2004.

Without an extension to the derogation, Queensland would have been required to revert to the use of backward looking loss factors for a limited time at considerable expense. The ACCC therefore authorised an extension of Queensland's derogation until the earliest of either the implementation of NEM-wide forward looking loss factors, or 31 December 2004.

The application of forward looking loss factors across the NEM commenced on 1 January 2004 and accordingly, the Queensland derogation has now ceased to apply.

8.1.2 Technical Derogations

In December 2002, Queensland obtained an extension of existing derogations from the Code relating to the technical standards under Chapter 5.

This extension was obtained on the basis of a review of the Code's technical standards (Review) being undertaken by NECA, originally scheduled for completion in mid-2003.

In the absence of an extension of the derogations, there was the risk that the Queensland network operators (Powerlink, Energex and Ergon Energy) would be unable to comply with the existing technical requirements of the Code. To obviate this risk, the network operators would need to undertake significant system upgrades which, depending on the outcome of the Review, may have proven to be superfluous.

There was a demonstrable public benefit in avoiding this outcome and no evidence the derogations had in any material way detracted from the effective operation of an efficient and interconnected national market. This had been borne out by the widespread acceptance of the need for the Review itself and the existence of similar technical derogations in all other NEM jurisdictions.

The ACCC therefore authorised an extension of Queensland's derogation until the earlier of 31 December 2004 or 12 months from the beginning of the day the revised technical standards were implemented through the Code.

On 26 February 2003, the ACCC authorised changes to the Code to establish a structured hierarchy of system, access, performance and plant standards for connecting to the network. These rules replaced the technical standards which previously applied.

From 16 November 2003, the Code incorporates two clear and consolidated sets of standards. Accordingly, the Queensland derogations from Chapter 5 will cease to apply from 16 November 2004.

8.2 Retail market competition

In its 2003 assessment, the NCC recommended a 25 percent suspension of Queensland's competition payments on the basis Queensland agreed to consider the early introduction of contestability for customers consuming between 100-200 megawatt hours per year (tranche 4A) and to undertake a further review of full retail contestability. The NCC has indicated an expectation that these matters will be settled prior to the 2004 assessment and is seeking information on progress accordingly.

The NCC is also seeking information on the role and effect of the Benchmark Pricing Agreements (particularly in relation to greater retail contestability in the electricity market) and on the future funding and delivery of community service obligations and the role and method of establishment of regulated retail tariffs.

8.2.1 Full Retail Contestability

Queensland has consistently supported and introduced reforms which promote and facilitate competition, for the purposes of encouraging the economic development of this State. Within this overall framework of support for the introduction of competitive reforms, Queensland has always sought to provide a sound foundation for reforms. In particular, it is the policy of the Queensland Government to undertake cost-benefit analysis (CBA) on proposed reforms, including prior to the introduction of retail contestability.

Queensland's approach is consistent with clause 1.3 of the Competition Principles Agreement (Competition Agreement) which states that where the Competition Agreement calls "for the benefits of a particular policy or course of action to be balanced against the costs of the policy or course of action", equity considerations including CSOs, government policies and the interests of consumers are to be taken into account.

Other Australian Governments have similarly adopted this approach to the reform of certain sectors and industries. In many cases, Governments have chosen to defer reforms on the basis that the reforms would incur net dis-benefits.

Retail contestability in Queensland has been progressively introduced to customers in tranches. Of the approximately 8,500 total eligible contestable customers, over 3,100 (or 37%) have switched to the market.

Tranche	Eligible Customers (No.)	Date of Contestability
1 (>4GWh)	88	March 1998
2 (>0.4GWh)	518	October 1998
3 (>200MWh)	7,837	July 1999
Total	8,443	

As the NCC would be aware, Queensland has chosen to defer the introduction of retail competition for domestic and small business customers (full retail competition or 'FRC') on the basis of a CBA undertaken in late 2001 which clearly demonstrated that the benefits of its introduction would be far outweighed by its costs. The CBA's conclusions and Queensland's deferral of FRC have been discussed at some length with the NCC in recent years.

While Queensland has deferred FRC, it has ensured that this policy is compatible with the efficient operation of the wholesale market and the delivery of competitively priced and secure electricity supply to Queensland customers.

We note the extensive discussions that have occurred between Queensland and the NCC with respect to the methodology applied in carrying out the CBA and the support provided by the Premiers of the other NEM jurisdictions with respect to Queensland's interpretation of its reform requirements.

Further to these discussions, Queensland advises that:

- The Ministerial Council on Energy (MCE) in its "Report to the Council of Australian Governments on the Reform of Energy Markets" (Report) (dated 11 December 2003) has recommended that:
 - the MCE supports the further introduction of retail competition across the national energy market, noting that its implementation must be guided by local circumstances, particularly the need to protect consumers.
 - in all jurisdictions where FRC is operating, retail price caps will be aligned to costs, and the need for the caps will be reviewed periodically.

This Report reflects the agreed position of the Commonwealth, all States and Territories on these issues and lends further support to Queensland's interpretation

of its reform requirements under the Competition Agreements – crucially, the ability to consider and be guided by costs and customer impacts when assessing and implementing reform policy.

- As has previously been publicly stated, Queensland will again this year undertake an examination of the costs and benefits of the introduction of FRC. It is intended that the CBA and any ultimate decision regarding the further extension of retail competition in Queensland will be guided by consideration of a range of viable retail and network pricing frameworks.

The Queensland Government requests a meeting with the Council to discuss the proposed Terms of Reference for the CBA on FRC and to brief the NCC on the methodology intended to apply in the course of Queensland's examination of this issue.

8.2.2 Tranche 4A

In February 2004, the Queensland Government announced the extension of retail competition to over 7,000 small business customers with energy consumption between 100MWh and 200MWh per annum from 1 July 2004 (referred to as tranche 4a or 'T4a'). The number of customers in this tranche is growing at a rate of 3% per annum in Ergon Energy's supply area and 5% per annum in ENERGEX's supply area.

The decision to introduce T4a and the framework to support its implementation was based on a CBA which demonstrated that the introduction of T4a is a marginal economic decision. The outcomes are estimated as follows:

Costs of Introducing Retail Competition to T4a	\$4.53M
Benefits of Introducing Retail Competition to T4a	\$4.33M
Benefit Cost Ratio	0.95

Note: Costs and Benefits are estimated over a five-year period.

In particular:

- the costs of introducing T4a are estimated at \$4.53 million – primarily covering systems costs incurred by the businesses and meter purchase costs incurred by customers entering the contestable market.
- the benefits are estimated at \$4.33 million – primarily represented by the competition induced benefits reflected in lower wholesale energy prices as retailers compete to supply contestable customers with lower priced electricity.

Although T4a is a marginal proposition with the costs slightly outweighing the benefits, Queensland may support its introduction in light of the relatively small absolute quantum of costs involved, and the possibility of non-quantifiable benefits (customer choice and improved product and service offerings) becoming available.

Additionally, the costs of T4a have sought to be minimised through the adoption of a transfer and trading framework similar to that applying to those Queensland customers currently eligible for contestable supply (i.e. those consuming more than 200 MWhs per annum). This reduces the costs associated with implementing new protocols and

procedures as well as minimizing the system changes required by market participants, assisting in a timely introduction.

Queensland believes that the introduction of T4a will provide the opportunity for a considerable number of business customers to achieve price savings and represents a significant enlargement of the retail market in Queensland - with almost 50% of Queensland's load being eligible for contestability.

A commencement date for T4a of 1 July 2004 has been recommended to allow adequate time for the development of cost reflective network prices, implementation of systems changes by participating businesses, regulatory amendments and a public awareness campaign.

8.2.3 Community Service Obligations

The NCC has sought information under its assessment framework on the delivery and funding of electricity Community Service Obligations (CSOs) and the role and method of establishment of regulated retail tariffs.

In Queensland, the CSO obligation arises because the Government has elected to provide a system of regulated uniform tariffs (UT) for non-contestable customers (referred to as 'franchise customers'). The two host retailers, Ergon Energy and ENERGEX, are responsible for purchasing electricity from the wholesale market to service and supply franchise customers.

The UT arrangements provide for customers in the same customer class (e.g. domestic, business, industrial, etc) to pay the same per unit charge regardless of the customer's location. Queensland's geographically dispersed population and consequently, supply network, has meant that historically, UT revenue has not been sufficient to cover the costs of supplying many customers, particularly those in regional and remote areas of the State. For example, it is estimated that price deregulation and removal of Government subsidies would result in the average domestic household's bill in Coastal Queensland increasing on an annual basis from \$771 to up to \$900 (17% increase) and in the remoter area of North and Far North Queensland, from \$825 to up to \$2045 (148% increase).

These and similar outcomes result in a net CSO payment from the Government to the franchise retailers to overcome the shortfall in revenue associated with franchise customer supply.

The CSO is calculated as the difference between the revenue received from franchise customers and the retailer's costs associated with supplying electricity to franchise customers. The Queensland Government receives from the retailers the revenue received from the franchise customers and in turn pays each retailer the costs of supplying franchise customers. The costs associated with supplying franchise customers include:

- energy purchase costs;
- network costs (transmission and distribution);
- ancillary service costs;
- National Electricity Market Management Company (NEMMCO) pool fees;

- the costs of renewable energy certificates; and
- a retail margin.

The UT can be considered as a “bundled” price to cover all these cost elements. With the exception of energy purchase costs, these cost elements are considered “pass through costs” as they are set by agreed mechanisms or by independent bodies such as the Queensland Competition Authority and the Australian Competition and Consumer Commission. The arrangement for the purchase of energy is discussed in more detail below.

The UT is reviewed periodically by the Queensland Government and in recent years has been adjusted annually to reflect CPI.

8.2.4 Energy Procurement

The NCC has sought specific comment under its assessment framework on the role and effect of the electricity Benchmark Pricing Agreement (BPA), particularly in relation to greater retail contestability in the electricity market. Energy procurement arrangements (EPAs) such as the BPA, are entered into as a formal arrangement to ensure that Ergon Energy and ENERGEX purchase wholesale electricity to supply the franchise customer load on a commercial and efficient basis. Queensland is currently in the process of introducing a new EPA referred to as Long Term Energy Procurement (LEP).

As with all prior EPAs, the current arrangement sits outside the wholesale electricity market and is competitively neutral in that the retailer is permitted to contract with generators, irrespective of whether they are private or Government-owned. The EPA ensures that the actual purchasing and hedging of energy remains the sole responsibility of the retailers – the Government in no way participates or interferes in this function.

As part of the LEP, the Government benchmarks contracts purchased by Ergon Energy and ENERGEX against a range of publicly available and retailer-specific data to ensure the retailers’ contracts are efficiently priced. The EPA also involves the transfer of risk to the retailers for exposure to the wholesale pool, thereby placing incentives on the retailers to actively manage pool price outcomes.

The LEP requires the retailers to enter the financial market and secure contracts for risk mitigation purposes (or face potential losses from remaining unhedged). The EPA therefore supports the development of wholesale contract market mechanisms as it requires the retailer to bid for financial contracts and encourages generators to offer contracts, reinforcing and enhancing the underlying liquidity in the market. As stated above, the arrangement is competitively neutral in that the retailer is able to choose its preferred counter-party, irrespective of whether that counter-party is Government or privately owned.

Since the NEM commenced in 1998, Queensland has seen investment in more than 2,500 megawatts (MW) of generation capacity, equal to more than \$3 billion of the \$5 billion invested in electricity generation NEM-wide. Of this, around 70% has been undertaken by private sector proponents, including:

- Millmerran Power Project - \$1.5 billion.
- Callide C (50% of \$887 million) – approximately \$443 million.

- Tarong North (50% of \$652 million) - \$326 million.
- Oakey - \$150 million.
- Roma - \$31 million.

This corresponds to significant levels of investment in generation by the private sector and is not representative of a market that creates barriers to new investment and entry as suggested by commentators such as the Energy Market Review Panel (the Parer Review) to which the NCC has referred in its assessment framework.

Indeed, the EPAs and their impact on wholesale and financial market outcomes were misunderstood by the Parer Review which called for their abolishment on the grounds that, similar to the Electricity Tariff Equalisation Fund (EETF) in NSW, it suppressed market signals and reduced contract market availability. Queensland does not consider the comparisons made between the BPA and EETF to be justifiable. In particular:

- unlike the EETF, the LEP sits outside the wholesale market. It is a contract between supplier and major customer (the Government). The LEP does not influence the way in which retailers source hedge cover or provide any disincentive for generators to offer cover to the market;
- the EPA requires the retailer to enter the financial market and secure contracts for risk mitigation purposes (or face potential losses from remaining unhedged). Under the EPA, if a retailer chooses to be exposed to the pool rather than seek hedge cover, that retailer faces the financial risk of that decision. The EPA therefore supports the development of wholesale contract market mechanisms as it requires the retailer to bid for financial contracts and encourages generators to offer contracts, reinforcing and enhancing the underlying liquidity in the market, rather than reducing it.

In contrast, the EETF acts as a regulatory hedge (similar to vesting contracts) where the NSW Government requires mandatory participation by State owned retailers and generators (excluding participation by non-NSW generation entities) and thus displaces possible contracting of private market participants and reduces the liquidity of the financial contracts market; and

- further, under EETF, both NSW-owned retailers and generators bear the risk that the imposed/regulated strike price is not achieved, whereas under the EPA the risk of the negotiated strike not being achieved lies with the retailers solely (thus encouraging competitively priced hedging activity).

The EPA and EETF have been established for different purposes, each delivers significantly different market impacts. The LEP and the previous BPAs mimic market outcomes that would occur in a fully deregulated retail market. Queensland extends an invitation to the NCC to be briefed on the LEP.

9. GAS REFORMS

State and Territory governments' gas commitments under NCP arise from the Agreement to Implement the National Competition Policy and Related Reforms, the Competition Principles Agreement (CPA) and other agreements on related reforms for the gas sector (gas agreements). For its 2004 assessment of gas reform progress, the NCC is seeking information on a few outstanding issues in relation to:

- *legislation review and reform;*
- *full retail contestability (FRC); and*
- *implementation of gas quality standards.*

9.1 Legislation review and reform

9.1.1 Submerged lands legislation

The NCC is seeking advice on progress with amendments to Queensland submerged lands legislation to reflect the changes to the Commonwealth legislation.

The Petroleum (Submerged Lands) Act 1967 (Cth) is the principal legislation used to administer petroleum industry activities in Commonwealth offshore waters. The Commonwealth is in the process of rewriting the Petroleum (Submerged Lands) Act 1967 which will include changing the name to the Offshore Petroleum Act. At this stage, the Bill should be tabled in Federal Parliament during the Winter 2004 sittings. The State will undertake to introduce mirror legislation subsequent to the enactment of the Commonwealth Act.

The Petroleum (Submerged Lands) Amendment Act 2003 (Cth) received Royal Assent in December 2003. The Act establishes the National Offshore Petroleum Safety Authority (NOPSA) which will regulate safety in Commonwealth waters and State and Northern Territory coastal waters. NOPSA will commence operation on 1 January 2005.

In 2004, the State will amend the Petroleum (Submerged Lands) Act 1982 to confer powers and functions on NOPSA. The amending legislation is also required in advance of commencement of the main provisions of the rewritten Commonwealth Act to ensure that cross-references to State laws remain valid.

Minor consequential amendments may be required also to the Gas Supply Act 2003 as a result of changes to definitions and titles in the Commonwealth Act. It is understood that these minor changes will be coordinated by the National Code Registrar in liaison with the Commonwealth Government and Queensland is awaiting further advice in this regard.

9.1.2 On-shore acreage management legislation

For 2004, the NCC is seeking on progress with reviewing and reforming Queensland's acreage management legislation.

The Petroleum and Gas (Production and Safety) Bill underwent an extensive review during 2003 and is currently being finalised. This review resulted in the adoption of a tender process to apply to the future grant of all onshore exploration acreage in

Queensland. The integrity of the tender process is to be enhanced requiring strict compliance with the work program submitted in response to the tender. The size of production tenures is to be increased but the criteria for the grant have been changed to ensure that only the area of identified reserves are included in the area. This will ensure that no excess acreage with the potential for additional discoveries is present in a production tenure. This change is consistent with the intent of the Upstream Industry Working Group's reforms in relation to acreage management.

At this stage, it is intended to seek Cabinet's authority to introduce the Bill to Parliament and have it introduced in May 2004.

9.2 Full retail contestability

In its 2003 NCP assessment, the NCC noted Queensland's intention to delay FRC in gas and seek agreement to this delay by all other jurisdictions as required by the 1997 Intergovernmental Agreement on Gas. For 2004, the NCC is seeking information on the responses from other jurisdictions and advice on Queensland's final decision in regards to full retail contestability.

The Queensland Government engaged independent consultants, McLennan Magasanik Associates Pty Ltd, to conduct a Cost Benefit Analysis (CBA) on the introduction of FRC in the Queensland reticulated gas market. This analysis concluded that the costs of introducing Gas FRC to the Queensland reticulated gas market would significantly outweigh the benefits, with the estimated marketing and system costs of \$115M far exceeding the estimated efficiency benefits of just \$31 million. The study was released for public consultation and no material issues were raised in relation to the report or its findings. A copy of the CBA Report was provided to the NCC as part of the 2003 assessment.

On 10 October 2003, the Minister for Innovation and Information Economy and Minister with responsibility for Energy, the Honourable Paul Lucas MP, wrote to all relevant jurisdictions seeking their approval, in accordance with the Natural Gas Pipelines Access Agreement 1998, for amendments to the State's access legislation. As noted in Minister Lucas' letter, the timing of this request for approval was a result of the State wishing to conclude a rigorous CBA before determining the State's position, rather than prejudge the outcomes of that assessment.

Victoria, South Australia, Tasmania, Western Australia and the Northern Territory have advised that they accept Queensland's final decision not to introduce with full retail contestability, with that decision open to review in 2007. New South Wales had not responded as at 8 April 2004. However, the Commonwealth has advised that it does not endorse Queensland not progressing the introduction of FRC. In this letter, the Commonwealth Minister, the Honourable Ian MacFarlane MP, acknowledges that other jurisdictions have used various methods to continue to maintain their franchised load arrangements and regulate prices to small consumers, while still introducing FRC. Queensland continues to correspond with Minister MacFarlane, urging a reconsideration of the Commonwealth's position.

The Queensland Government is strongly supportive of competition reforms where public benefits can be demonstrated and this is reflected in Queensland's support of the Ministerial Council on Energy (MCE) decision of 11 December 2003, to undertake further reforms across the energy markets.

It should be noted that in its decision, the MCE indicated its understanding of the necessity to consider local circumstances and particularly to ensure customer protection, clearly stating:

“The MCE supports the further introduction of retail competition across the national energy market, noting that its implementation must be guided by local circumstances, particularly the need to protect consumers.”

Queensland agrees with the MCE that it is important to place FRC and its importance, within the context of each jurisdiction. For example, an average domestic customer in Queensland uses approximately 13 Gigajoules of gas per annum, whereas in Victoria an average domestic customer uses approximately 65 Gigajoules per annum. In Queensland, there are approximately 150,000 gas customers who use less than 100 Terajoules per annum. In New South Wales, there are approximately 1,000,000 equivalent gas customers. The small market size and low volume usage of these Queensland customers make FRC a great deal less viable than in other jurisdictions. The net estimated cost of \$84 million represents a cost per customer of \$560.00. Plainly there is not a benefit for Queensland’s small gas market of very low volume users. For these customers FRC would be an ongoing impost.

Queensland’s decision not to implement gas FRC is entirely consistent with the *Competition Principles Agreement*. Queensland has considered the costs and benefits and taken the interests of consumers into account when determining the appropriateness of FRC for the Queensland gas market.

The Queensland Government has supported gas market competition with policy initiatives such as the Queensland 13% Gas Scheme which is designed to develop new gas sources and gas infrastructure, as well as reduce the growth in greenhouse emissions.

Outcomes of Queensland 13% Gas Scheme initiatives already include the State’s growing coal seam gas industry which will supply around 30 percent of Queensland’s gas in 2004 and is providing field on field competition together with the Townsville Power Station and Gas Delivery Project which is facilitating a new gas pipeline from Moranbah to Townsville.

Queensland has a vibrant gas market growing at around 4.3 percent per annum and 90 percent of that market is contestable. In recognition of Queensland’s gas market growth potential and changing circumstances, the Queensland Government has previously committed to re-examining the costs and benefits of FRC for the remaining 10 percent of the gas market in 2007.

9.3 Gas quality standards

The NCC is seeking advice on progress made in implementing a national gas quality standard being developed by the Australian gas industry, including details on how the standard is to be implemented and a timetable for full implementation.

The Australian Standard AS4564-2003”Specification for General Purpose Natural Gas” was implemented by regulation in Queensland on 1 October 2003. Some exemptions under Section 1.1.2 of that Specification have been agreed to, but will cease when Queensland natural gas is supplied to interstate markets.

10. WATER REFORMS

10.1 Rural Water Pricing

For the 2004 assessment, the NCC is seeking information on rural water pricing in relation to the following:

- *full cost recovery;*
- *asset valuation;*
- *dividends;*
- *natural resource management costs;*
- *cross subsidies;*
- *community service obligations;*
- *licence enforcement and cost recovery; and*
- *consumption based charging.*

10.1.1 Cost Recovery

In its 2004 assessment framework, the NCC refers to the five-year price paths established in October 2000 aimed at ensuring that most of Queensland's 27 government-owned irrigation schemes managed by SunWater achieve full cost recovery by 2005-06. The framework also refers to the Queensland Government's request to SunWater to reduce its costs by 15 per cent by 2004.

For the 2004 NCP assessment, the NCC is looking for a report on improvements in cost recovery achieved via the rural price paths and SunWater's cost reduction measures. In doing so, Queensland should advise which schemes will achieve full cost recovery by the end of the price path and which will not. For the schemes that will not achieve full cost recovery via the 2000 price path, Queensland should provide timeframes for full cost recovery (where full cost recovery is achievable). Queensland should also report on its progress with the development of new prices to apply from 2005.

Rural water price paths have been developed to allow the phased implementation of water price increases to comply with full cost recovery requirements (lower bound). Most SunWater rural water supply schemes are either at, or will reach, lower bound cost recovery by 2004/05.

To reflect this phased approach, water supply schemes have been categorised as:

- Category 1 - Projects that will reach cost recover by 2001;
- Category 2(a) - Projects that will reach cost recovery by 2004;
- Category 2(b) - Projects that will reach cost recovery by 2006-07; and
- Category 3 - Projects that will require ongoing Government support beyond 2004.

Note: A small number of projects have been categorised as Category 2(b) and given a price path until 2005/2006 or 2006/2007 to achieve cost recovery. These projects are either projects which would otherwise have been classified as Category 3 or are areas

where the price paths are sympathetic to the impacts of dairy industry deregulation and the downturn in sugar prices in affected schemes.

In 2000/01, approximately 53% of nominal allocation in Queensland was at or above lower bound. There are six such Category 1 water supply schemes and four segments of other schemes with Category 1 price paths.

Category 2 schemes - which will reach at least lower bound by 2004-05, 2005-06 or 2006-07 - represented 41% of nominal allocation in SunWater schemes in 2000-01. There are eleven Category 2 schemes and seven segments of other schemes with Category 2 price paths.

Several Category 3 schemes are on price paths to about 50% of lower bound by 2004-05 - transparent CSO payments apply. They are Dawson Channel, Central Lockyer and Mortonvale Pipeline, Lower Lockyer, Pie Creek, Three Moon Creek, and Maranoa - which represent approximately 6% of nominal allocations.

Price paths for Callide and Eden Bann Weir schemes remain outstanding. The hydrological nature of the Callide scheme is very difficult to model and until this modelling is completed it is not possible to prepare a price path. Hydrological modelling is essential to gain an accurate understanding of allocations in the system, which is necessary to correctly apportion costs to users. This matter will be addressed as part of future SunWater rural water pricing arrangements.

Eden Bann Weir price path was to be finalised in 2003; however, Fitzroy ROP (implemented January 2004) has only recently converted the 3096 ML of entitlements to water allocations. Users will pay for meters to be installed in 2004-05 and future rural water pricing arrangements will apply from 2005-06.

Timeframes for outstanding schemes cannot be determined until the end of the current consultation on SunWater pricing. A decision will be made post 2004.

In summary, approximately 94% of SunWater's nominal allocations of rural water are at, exceed or on paths to reach minimum financial viability (lower bound). Thus, twenty-eight of the thirty-four segments, with individual price paths, comply with full cost recovery requirements.

Rural water price paths were based on efficient costs as assessed by independent consultants, which required SunWater to achieve a 15% cost saving over 4 years. The 2002-03 SunWater Annual Report declares that overall costs in irrigation schemes were contained to within 2% of the best practice benchmarks - 2% better than the 2001-02 performance and 13% better than at corporatisation in 2000-01.

Queensland released a discussion paper on future SunWater rural water pricing arrangements, in November 2003. Consultation on the paper will continue through to August 2004 to allow any decisions that may flow from the National Water Initiative to be taken into account when making policy decisions.

10.1.2 Asset Valuation

The NCC is seeking information on whether water businesses are applying appropriate asset valuation methods and earning a non-negative real rate of return on the written-down replacement cost of their assets?

The price paths do not use asset valuations (except in the calculation of asset renewals) or rates of return because only benchmarked lower bound costs were calculated. Pricing in schemes above lower bound were kept constant in real terms. Queensland endorses depreciated optimised replacement cost (DORC) methods, currently favoured over optimised deprival value (ODV).

In April 2003, the Queensland Competition Authority determined that a weighted average cost of capital (WACC) of 8.27% was the maximum non-monopoly rate of return chargeable to commercial customers in the Burdekin Haughton water supply scheme. Asset valuation and return on assets are policy issues which will be considered by Government as part of the determination of the next rural water price paths.

10.1.3 Dividends

The NCC is seeking information on whether dividend payment policies and any dividend distributions by water and wastewater businesses reflect commercial reality and simulate a competitive market outcome?

Section 159 of the *Government Owned Corporations Act 1993* outlines the process and timing for SunWater (as well as other government owned corporations) to consult with the shareholding Ministers in the recommendation of dividends. As a result, the SunWater Board consults with the shareholding Ministers each year before making a recommendation on the payment of a dividend. Once a dividend recommendation is made, it is negotiated between SunWater and the relevant shareholding Ministers' Departments.

As a part of recommending an appropriate dividend, the SunWater Board considers the group after-tax profit position (excluding any unrealised impacts from revaluation of non-current assets), consolidated group year-end cash position, projected cashflows (including capital investment and long term infrastructure asset replacement and refurbishment) and prudent working capital requirements. In recent years, shareholding Ministers have agreed that a range of items be removed from the Net Profit After Tax upon which SunWater calculates its dividends. These items include the backlog of maintenance on infrastructure assets (transitional issue), unspent renewals annuity and unspent CSO funding for dam safety and resource management.

For the 2002-03 financial year, SunWater paid a dividend of \$3.58 million. The shareholding Ministers have agreed with the SunWater board that a significant portion of this dividend is to be reinvested by SunWater into community projects throughout regional Queensland which will enhance water management and the health of rivers. For example, some of the 2002-03 dividend will be applied to the Claire Weir project to construct a new fishway on the Burdekin River.

10.1.4 Natural Resource Management Costs

The NCC is seeking information on whether the costs of natural resource management requirements imposed on and incurred by water businesses are transparently passed on through prices charged to water users?

At the time of the 2001 assessment, Queensland applied an annual volumetric charge for some water harvesting licences, which was capped at 500 megalitres. Queensland did not, however, provide detailed information on the extent of cost recovery and the application of consumption-based pricing principles for rural water licence charges because charges were then under review. In the 2001 assessment, the NCC considered that the capped charge was unlikely to provide sufficient incentive for efficient water use by those using more than 500 megalitres.

For the 2004 assessment, the NCC is seeking information on the rural water charges levied by the Department of Natural Resources, Mines and Energy. The information should show how the charges appropriately reflect the costs of processing and administering (including enforcing) the various activities, and whether the charges offer consumption-based incentives consistent with efficient water use.

Unsupplemented water charges were in the past paid by only some categories of users – mostly water harvesting licences in supplemented areas. In 2003 charges were replaced with an interim water harvesting charge of \$3/ML and \$50 annual water licence fees. The water harvesting charge applies to all water harvesters historically charged and, significantly, the 500 ML charging cap was removed. The annual water licence fee applies to all unsupplemented licence holders.

In 2004, interim water harvesting charges and water licence fees will be reviewed as part of the *Review of the Value of Water* being coordinated by Department of Natural Resources, Mines and Energy. This review involves external consultancies to investigate the scarcity value of water, externalities, and water resource management costs - including licensing, monitoring and enforcement costs. The review will also inform future SunWater rural water pricing arrangements through determining what proportion of these costs should be met by the various types of users, including SunWater customers.

10.1.5 Cross Subsidies

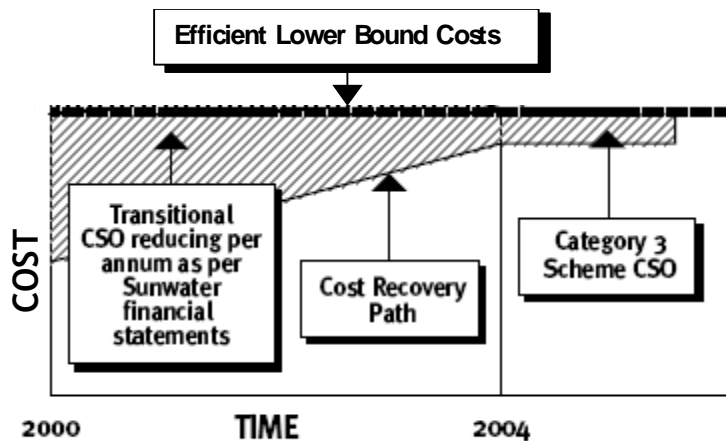
The NCC is seeking information on whether cross-subsidies that are not consistent with efficient service provision have been eliminated or, at a minimum, is the objective and quantum of remaining cross-subsidies transparently reported?

SunWater price paths separate channel and river segments within individual schemes, based on the different cost of service delivery, which removes inefficient cross-subsidies. Benchmarked efficient costs were used to set price paths, ensuring that prices reflect the cost of running individual schemes. Overhead costs are apportioned to schemes based on set methodologies to ensure consistency between schemes and to avoid cross-subsidisation.

10.1.6 CSO payments

Under Queensland's 2000 price path, annual subsidy payments to Sunwater's rural irrigation schemes were to be reduced by \$7 million over five years (leaving an annual subsidy of about \$1.5 million after 2006). Queensland indicated that SunWater would advise the value of the annual subsidy to each scheme in its annual reports. For the 2004 assessment, the NCC is looking for Queensland to show that CSOs provided to SunWater for delivering services at a price below efficient cost are transparent. Queensland should also show that these subsidies are reducing over time, as envisaged by the 2001 price path.

CSO payments are publicly reported in SunWater Annual Reports and will reduce over the price paths based on a model of benchmarked efficient costs rather than actual costs.



The CSO paid to SunWater in 2002/03 was \$8.2M, a reduction from \$9.4M in 2001/02 and \$11.6M in 2000/01.

In 2002/03, CSO payments to SunWater for each water supply scheme were:

Water Supply Scheme	CSO (\$)	Water Supply Scheme	CSO (\$)
Barker Barambah	57,368	Lower Lockyer Valley	498,752
Bowen Broken Rivers	14,068	Macintyre Brook	116,789
Boyne River and Tarong	130,704	Maranoa River	16,045
Bundaberg	2,719,125	Mareeba Dimbulah	649,716
Burdekin Haughton	0	Mary River	362,139
Callide Valley	256,878	Nogoa Mackenzie	0
Central Lockyer Valley	529,912	Pioneer River	379,257
Chinchilla Weir	11,520	Proserpine River	0
Cunnamulla	0	St George	243,666
Dawson Valley	880,957	Three Moon Creek	194,873
Eton	496,394	Upper Burnett	69,513
Julius Dam	0	Upper Condamine	175,241
Logan River	163,150	Warrill Valley	212,880
Lower Fitzroy	0	Total	8,178,947

10.1.7 Licence Enforcement and Cost Recovery

The NCC is seeking information on whether there is a robust assessment of the cost of processing and enforcing arrangements for licensing water users and do licence fees fully recover this cost?

As mentioned in 10.1.4 above, unsupplemented water licence holders are subject to an interim \$50 annual licence fee to cover some of the costs associated with licensing. The interim water licence fee will be reviewed as part of the Review of the Value of Water being coordinated by Department of Natural Resources, Mines and Energy.

This review involves external consultancies to investigate the scarcity value of water, externalities, and water resource management costs. A significant component of the review of water resource management costs involves assessing the costs associated with water licensing, including monitoring and enforcement costs. The review will also determine what proportion of these costs should be met by users and how they should be recovered.

10.1.8 Consumption-based Pricing

In its 2001 assessment, the NCC found that pricing by SunWater's rural water services reflected consumption-based pricing principles consistent with CoAG commitments. For the 2004 assessment, the NCC is seeking advice on any changes in these arrangements since the 2001 assessment.

All SunWater water supply schemes use a two-part tariff water-charging model, including a volumetric consumption-based component. The price paths are based on nominal volumetric water allocations and forecast announced volumetric allocations. Under existing price paths users are charged a Part A tariff based on their nominal allocation (permanent) and a Part B tariff per ML of metered water deliveries (to a maximum of announced allocation).

Individual water supply schemes/segments were modelled and unique Part A and B charges were determined for each scheme. Part A charges represent about 70% of revenue and are designed to meet the fixed costs of operating and maintaining water supply infrastructure and service, regardless of water availability -- without sufficient fixed revenues, SunWater's water ability to maintain supply capacity would erode. Part B charges contribute 30% of revenues, which approximates the variable cost to SunWater of delivering announced allocations.

10.2 Urban Water and Wastewater

While the focus of the 2004 assessment is on rural water reform, and the NCC's 2004 assessment framework does not seek specific information on urban water reform progress, the following progress report is provided for information.

10.2.1 Background

The Queensland Government's overall approach to implementing CoAG water reforms for local government utilises the *Local Government Act 1993*, which outlines reforms to be undertaken and considered by local governments with Type 1 and Type 2 business activities. There are 18 local governments with such businesses, which account for over 84% of water connections in Queensland.

The remaining 107 smaller local governments were encouraged to undertake the reforms through the \$150 million Local Government National Competition Policy

Financial Incentive Package. Final payments from the Financial Incentive Package are being made to councils in June 2004. Additionally until 2003, the Business Management Assistance Program (BMAP) provided the services of skilled consultants to help smaller to medium sized councils undertake the reforms. BMAP proved successful in greatly increasing the adoption of the CoAG water reforms within these smaller councils.

Water reforms undertaken by the largest 18 local governments have been largely complete for some time now. The frameworks to ensure full cost recovery and consumption based pricing are in place and these larger councils are now grappling with more complicated technical issues associated with ongoing compliance, monitoring of the reforms and achieving appropriate market rates of return on capital.

As a result of the Government's multi-pronged approach to urban water reform and Local Governments willingness to embrace the reforms; 91% of all water connections in Queensland are now paying for water through a two part or multi part inclining block tariff and the impending introduction of Rockhampton's two-part tariff will raise this figure to 92%. Specifically, 69% of connections are now subject to a two part tariff whilst a further 22% are subject to a multi part inclining block tariff. The remaining connections retain some form of fixed allocation (either fixed or unit based) with an additional excess consumption component.

In 1996 and 1997, the Queensland Government made amendments to the *Local Government Act 1993* to outline a framework for the implementation of CoAG water reforms by Queensland local governments. The *Local Government Act 1993* outlines a three-tiered approach to the implementation of CoAG water reform by categorising councils into either Type 1 and Type 2 business activities or other councils.

The expenditure thresholds to identify Type 1 and Type 2 business activities were carefully considered to capture the majority of the Queensland population and water businesses and to give the maximum reform benefits given the nature (size, scope and function) of local government in Queensland. Type 1 and Type 2 activities include an expenditure threshold to catch water and sewerage operations as they increase in size over time. Currently, the councils who are captured under the definition of Type 1 and Type 2 business activities are the largest 18 local governments in Queensland. Revenue from the largest 18 local governments' water and sewerage services equates to the vast majority of total annual expenditure in local government water activities and over 84% of water connections in Queensland.

All councils outside the largest 18 local governments (the remaining 107 councils) are not legislatively required to implement CoAG water reforms, although the adoption of CoAG water pricing and tariff reforms is strongly encouraged through the voluntary Code of Competitive Conduct and the *Local Government NCP Financial Incentive Package* (FIP). The Queensland Government is firmly of the view the adoption of CoAG water reforms should be a decision of individual councils, taking account of the circumstances of their own communities and only where implementation of CoAG water reforms has a clear public benefit.

Of the various water businesses monitored for this report the vast majority are now achieving full cost recovery, representing over 98% of monitored connections.

Attachment 3 contains a complete list of water and sewerage charging arrangements for those councils with greater than 1000 water connections.

Attachment 4 provides a summary of the level to which the businesses in question have adopted costing reforms. For significant business activities the extent to which full cost pricing has been adopted is listed, for other businesses the lower level of reform, full cost recovery, is examined. Attachment 5 further examines whether the businesses have investigated the existence of CSO and cross subsidies. The return on capital is also listed.

Additionally, throughout the following sections regarding full cost pricing, the following approach has been taken. For the purposes of determining the proportion of reform achieved, the QCA in its series of annual assessments considered a number of factors. These factors were:

- the recovery of direct costs;
- the recovery of indirect costs;
- the development of a method for allocating administrative and overhead costs;
- the valuation of assets via the deprival method;
- the adoption of an appropriate method of depreciation for assets;
- the appropriate treatment of contributed assets;
- optimisation of the asset base;
- the appropriate treatment of taxation equivalents (Full Cost Pricing Only), and;
- the recovery of a return on capital (Full Cost Pricing Only);

The QCA has given a rating to each council based on how many of these elements are in place. The ratings are:

“All”	–	100% of the elements of full cost pricing/recovery have been implemented
“Most”	–	75% or greater of the elements of full cost pricing/recovery have been implemented
“Many”	–	50% or greater of the elements of full cost pricing/recovery have been implemented
“Some”	–	25% or greater of the elements of full cost pricing/recovery have been implemented
“None”	–	0% or greater of the elements of full cost pricing/recovery have been implemented

General Note - Information in this section regarding councils outside the largest 18 local governments is provided to demonstrate the commitment of individual councils to consider improvements in the financial performance of their own water and sewerage businesses. However, the Government notes the decision of these individual councils to undertake reviews of the CoAG reform options is entirely voluntary.

10.2.2 Councils Operating Significant Business Activities.

Tariff Arrangements

Of the 18 local governments with significant water/wastewater businesses all but two have implemented either a two part tariff or a multi part inclining block tariff. In light of various jurisdictions’ debating the merits of multi-part inclining block tariffs the Queensland Government has provided an additional distinction in this report between the different tariff structures. Currently 6 of the 18 local governments operating significant water businesses operate a multi-part inclining

block tariff. A further 10 utilise the more typical two-part tariff. The remaining 2 councils, Rockhampton and Townsville, do not have a two-part tariff in place at this stage.

In Townsville's case, council has resolved not to implement a two part tariff for its residential consumers. The Queensland Government has requested that Townsville keep this situation under review.

Rockhampton has resolved to adopt a transitional price path aligned to its meter installation program. This price path incorporates a year of dummy billing to customers prior to putting in place a two part tariff in 2005. Further details of Rockhampton's price path arrangements are available on request.

Full Cost Pricing/Recovery

Of the Significant Business Activities, all are now achieving full cost recovery. As most of these businesses are commercialised they are measured against the higher reform level of Full Cost Pricing for the purposes of the Financial Incentive Package. Against these criteria:

- 12 have implemented all the elements of Full Cost Pricing;
- 4 have implemented most of the elements of Full Cost Pricing;

Rates of Return on Capital

The specific rates of return on capital for each of the Significant Business Activities are listed within Attachment 4. All Significant Business Activities (with the exception of Brisbane and Toowoomba) earned positive rates of returns, however a number fell short of the 6.5-9% target rate determined by the Department of Local Government and Planning. A number of these reduced returns are likely the result of drought conditions and the consequent water restrictions that have been in place across much of the State.

In Toowoomba and Brisbane's case, they were not assessed by the QCA this year as they are not eligible for payments from the FIP. QCA will however be collecting this data for the 2005 assessment.

10.2.3 Greater than 5000 Water Connections (outside largest 18 Councils)

Tariff Arrangements

Twelve (12) local councils have over 5000 water connections but are outside of the largest 18 local governments (i.e. not defined as a Type 1 or Type 2 business activity). Progress in the area of CoAG water pricing principle reforms for these 12 councils is as follows:

- Redcliffe, Gladstone, Cooloola, Burdekin and Whitsunday all have a multi part inclining block tariff in place;
- Maryborough, Livingstone, Warwick, Beaudesert and Burnett have a two part tariff in place. As advised in earlier reports "The Caves" water scheme in Livingstone

Shire continues to utilise a fixed charge only. The scheme is uneconomical to meter and comprises only a few hundred connections;

- Mount Isa had previously completed a two part tariff report. The report found that the implementation of a two part tariff was not cost effective, and the council has resolved not to implement on this basis;
- Douglas has completed a two part tariff report, council has yet to consider its findings; and
- Johnstone has resolved not to implement a two part tariff.

Full Cost Recovery

All water businesses outside the big 18 but with above 5000 water connections achieved all of the elements of full cost recovery.

Rates of Return on Capital

All water business outside the big 18, but with above 5000 water connections, earned positive rates of return. All businesses except Whitsunday earned rates of return within or above the Department of Local Government's target rate. Whitsunday's rate of return was reported as 4.3%. The complete listing of the various rates of returns is shown in Attachment 4.

10.2.4 Councils with between 1000 – 5000 water connections.

Tariff Arrangements

The make up of councils with between 1000 and 5000 water connections has altered substantially this year. A number of councils have either entered this category for the first time or fallen out of the category due to population contraction, or in the cases of Douglas and Whitsunday, population growth.

- 8 Councils have implemented a multi part inclining block tariff;
- 12 have implemented a two part tariff, and;
- 15 do not have a two part tariff in place, of these:
 - Broadsound had previously resolved to implement a two part tariff and has yet to do so;
 - 10 councils have conducted two part tariff reviews that found implementation would not be cost effective;
 - A further 4 councils have not conducted a two part tariff review. These are Cook Shire Council, Mount Morgan Shire Council, Murweh Shire Council and Roma Shire Council.
 - In the case of Mount Morgan, Department of Local Government and Planning officers assisted council officers in preparing a report. This report indicated that a two part tariff would not be cost effective however it is not clear whether this report was presented to council;

- Cook and Murweh Shire Councils have only recently moved into the 1000+ category of water businesses.

Full Cost Recovery

Water businesses with more than 1000, but less than five thousand connections greatly improved their performance in terms of full cost recovery this year.

- 26 businesses have achieved “All” of the elements of full cost recovery;
- 3 have achieved “Most” of the elements of full cost recovery;
- 2 have achieved “Many” of the elements of full cost recovery;
- 1 has achieved “Some” of the elements of full cost recovery, and;
- 3 council’s level of achievement was unable to be determined due to insufficient information being provided regarding particular revenues and costs.

Rates of Return

All businesses that supplied sufficient information (34) earned positive rates of return with only 4 businesses not earning a rate of return in line with, or exceeding, the Department of Local Government and Planning’s target of 6.5-9%.

10.2.4 NQ Water

NQ Water is similar to a joint local government and as such is not currently assessed by the QCA. Correspondence with NQ Water’s Chief Executive Officer indicates that NQ Water remains committed to the full implementation of full cost pricing. NQ Water has advised that it is substantially achieving full cost recovery to the extent that:

- NQ Water recovers direct and indirect costs associated with supply;
- valuation of assets is based on the deprival method;
- depreciation of assets is based on the deprival value allocated over the assets useful life;
- a rate of return, equivalent to the industry benchmark, is earned; and
- CSOs are identified, costed and funded.

AEC economic consultants are being retained to develop the new pricing model to incorporate a two part tariff and any remaining full cost recovery reforms. This process has been ongoing for 12 months and further details regarding the proposed structure of the new pricing model will be made available as soon as the Government is advised.

10.2.5 Trade Waste Charging

Attachment 6 contains information collected as part of the Local Government Comparative Information report. As per discussions with the National Competition Council earlier this year, information has for the first time been collected by the Government on trade waste charging arrangements of Local Government Sewerage Businesses. Previously attention had only been given to the Big 18 Local Government in terms of trade waste charging arrangements.

In summary, the data indicates that almost all larger councils in urban and regional areas have put in place some form of trade waste charging regime. The details of their charging are listed within Attachment 6. As indicated in last year's supplementary report to the NCC, smaller councils have not implemented trade waste charging where they lack any major generators of trade waste.

In relation to the data collected for the comparative information report:

- 14 local governments did not submit information returns (down from 22 last year);
- 32 (up from 28 last year) local governments indicated that they had a trade waste charging regime in place, and;
- 79 local governments indicated that they did not have a trade waste charging regime in place.

All large or very large urban and regional councils (13 in total as per the Australian Classification of Local Governments) now have a trade waste charging regime in place. The remaining 19 councils with trade waste charging regimes in place are predominantly medium urban sized councils and very large or large rural agricultural councils.

10.2.6 Community Service Obligations and Cross Subsidies

The *Local Government Act 1993* requires the largest 18 local governments with significant water and sewerage business activities to identify and publicly report any cross subsidies that exist between different classes of customers and to identify and publicly report any Community Service Obligations (CSOs).

For the remaining 107 councils with water and sewerage businesses that are not considered significant (i.e. generate expenditure less than \$8.6 million), the identification and reporting of CSOs and cross subsidies is not required under legislation. However, the FIP provided a financial incentive for the councils to undertake such an analysis while it was in operation.

In terms of Community Service Obligations (CSOs) all businesses, with one exception, have put in place some form of policy to identify, cost and fund CSOs. All significant business activities have in place robust processes to deal with CSOs. In the 5000+ water connection category all but two councils have sufficiently robust processes – the two exceptions being Burnett and Whitsunday. In both cases the QCA has raised some technical questions regarding the costings of these CSOs. The two councils are expected to provide further information or modify their costings in the near future. Particular details of these discrepancies are listed in Attachment 5.

Within the 1000-5000 connection category 24 councils have robust processes in place. A further 9 have put in place processes whose calculations have been questioned by the QCA. Only one council, Belyando appears not to have taken any action in regards to the identification, costing and funding of CSOs.

Since the last report, some progress has been made in the area of cross subsidy identification and reporting. Last year only 10 businesses outside of the largest 18 local

governments had examined cross subsidies. This year that figure has risen to 19. Significant work still needs to be done in this area, however the relatively recent publication and release of simplified guidelines for the identification and calculation of cross subsidies is expected to bring this figure up further.

10.2.7 Summary

Trade waste charging regimes are in place within the all larger urban and regional councils and a number of larger rural and medium urban and regional councils have adopted suitable trade waste charging regimes. Meanwhile improvements to the Local Government Comparative Information Report have substantially improved transparency of Community Service Obligation provision in Councils.

In the area of cross subsidy identification and reporting further progress is required amongst the smaller councils. The Government is in the process of writing to these councils to make them aware of the existence of the new guidelines and offering assistance in their implementation.

In terms of full cost recovery it appears that almost every water business in Queensland with over 1000 connections is achieving full cost recovery. Finally, over 91% of all connections in Queensland are now priced via a two part or multi part inclining block tariff. The remaining councils have largely proved their case that the implementation of a two part tariff is not cost effective.

10.3 Water Management

10.3.1 Water Entitlement Systems

In assessing whether jurisdictions are meeting their obligations in relation to establishing water entitlement systems in accordance with CoAG obligations, the NCC has indicated it will use the following criteria:

- *water entitlements should be linked to a robust adaptive resource planning system;*
- *water entitlements should be clearly specified so as to promote efficient trade within the social, physical and ecological constraints of the catchments;*
- *water entitlements should be specified over the long term, exclusive, enforceable and enforced, transferable and divisible to provide for sustainability and community needs and to reflect the scarcity value of water;*
- *water users should have the highest possible level of security in terms of the nature of the entitlement, and absolute security of ownership;*
- *Governments may provide compensation where, for example, reductions in reliabilities or other parameters are abrupt or extensive, but the CoAG 1994 water reform agreement does not require them to provide compensation. Consequently, whether compensation is provided is not currently relevant to the assessment of compliance; and*
- *Any constraints on the capacity to trade water entitlements should be based on a sound public benefit justification and minimise impacts on efficient trading.*

At its 29 August 2003 meeting, CoAG agreed to develop a National Water Initiative which will include a framework for a nationally compatible system of water access entitlements. In this context, the NCC is seeking a report from all jurisdictions for its 2004 assessment on:

- progress with developing water management plans, including the anticipated timing for completing the plans for the water sources nominated on each jurisdiction's agreed implementation program. Specific to Queensland, the NCC has also requested advice on the significance of the water sources for which water resource and resource operations plans will remain to be completed after 2005.;
- progress with converting existing water allocations to new entitlement systems;
- their systems for registering water entitlements, including how these recognise third party interests (such as the interests of financial institutions); and
- the consistency of their water entitlement arrangements with CoAG obligations.

Water Management Plans – Converting Existing Entitlements to Allocations

In Queensland, the water management planning process entails the preparation of Water Resource Plans (WRPs) which are made under the *Water Act 2000* as subordinate legislation. The Act provides a process by which the plans are implemented and individual entitlements⁷ are converted to tradeable water allocations through an implementation plan known as a resource operations plan (ROP). ROPs give practical effect to the water allocation security objectives and environmental flow objectives specified in the WRP. Once the ROP is approved, existing water entitlements specified in the plan are converted to water allocations.

The final ROPs for the Burnett and Fitzroy Basin were approved in May and December 2004 respectively. Between them, these plans resulted in the creation of approximately 2,600 tradeable water allocations with a total volume of 750,000 megalitres. A list of progress in the development of WRPs and ROPS in other catchments is provided in Table 10.1. Queensland intends releasing drafts of a further 7 ROPS during 2004.

By 30 June 2005, it is anticipated that WRPs will have been completed for 91% of the state's land area and will be in development for a further 2.4%. As at 30 June 2005, WRPs are expected to be in place for most of the State's major river systems, with the exception of the Moreton, Wet Tropics and Whitsunday regions. At such time, work will have formally commenced on preparing the Moreton and Whitsunday plans, with preparation of the Wet Tropics Plans scheduled to commence late in 2005. Work also will be underway on amending the Burnett, Burdekin and Fitzroy WRPs to include the management of groundwater.

The Moreton Water Resource Plan covers the Brisbane and Pine river systems, which include the water supply storages for Brisbane and surrounding cities. Ninety percent of water used in the region is for urban and industrial purposes. The region has approximately 570,000 ML/annum of available urban and industrial water supplies of which 410,000 ML/annum has been allocated for use. This compares with urban and industrial water usage of about 340,000 ML/annum. In this context, the river and groundwater systems of the Moreton catchments are very significant to this State as

⁷ In Queensland, the term 'water entitlements' is used to refer to the current mix of water licences, water allocations and interim water allocations.

water sources. For this reason, the Moreton Water Resource Plan will entail an unparalleled level of consultation, investigation and analysis. This is due to the high level of water development that has already occurred and associated water availability relative to water demands and human resource considerations.

A major project called the southeast Queensland Regional Water Supply Strategy covering more than twenty local government areas has commenced. It will address issues of water sharing and water security to support regional development. The outcomes will have a major bearing on water distribution in the region and significantly affect water allocation outcomes for WRPs in the Moreton Region when balancing human and environmental water needs. This will necessarily mean that the Moreton Plan cannot be finalised prior to 30 June 2005.

The Whitsunday Water Resource Plan will cover the Proserpine and O'Connell river systems. The only storage of significance in the proposed Whitsunday plan area is Peter Faust Dam, a 491,400ML storage that supplies water to the towns of Bowen, Proserpine, Whitsunday and Midge Point as well as to the district's sugar mill and cane farms. The O'Connell River system is free of major impoundments and water demands are largely limited to the use of base flows for supplementary irrigation of sugar cane. The Whitsunday Water Resource Planning process is currently at the stage of data collection and hydrology model development, with the formal planning process scheduled to commence in the next 6 months.

The Wet Tropics Water Resource Plan covers the major north Queensland coastal rivers from the Herbert in the south to the Daintree in the north. The region receives the state's highest average annual rainfalls and, as a consequence, its rivers tend to be strongly perennial. Associated with the high rainfall, most of the area's crops tend to be rain fed; however, there are significant areas of bananas and other tropical fruits that are irrigated in the drier months of the year. The region's towns tend to draw their water supplies directly from river flows, without the need for impoundments. The only major water storage in the proposed Wet Tropics plan area is Koombaloo Dam (used exclusively for hydro-electric power generation), which is located on the headwaters of the Tully River. The river systems of the Wet Tropics are highly significant in terms of their environmental values and local significance as water supply sources for urban and agricultural uses. However, the relative abundance of water compared to demand has meant that the Wet Tropics Water Resource Plan has been assigned a lower level of priority than those parts of the State where existing and future consumptive pressures on the water resources are greater.

By 30 June 2005, Queensland expects to have completed nine ROPs covering 23% of the State's land area. A further seven ROPs will be in various stages of development. The ROPs that will be in development will include that for the Burdekin River system, which contains the state's largest irrigation scheme. The Burdekin, together with the Logan and Mary river systems are significant sources of water supplies for both agriculture and urban/industrial uses. The Calliope, Gulf, Mitchell and Georgina and Diamantina catchments, for which ROPs also will be still in development, currently support little consumptive water use and the corresponding ROPs will largely define processes for dealing with unallocated water identified as being available in the respective WRPs.

Queensland's current timetable for implementing water resource and ROPs provides a realistic and achievable program for the roll out of water reforms. While a reasonable

body of work will remain outstanding as of June 2005, it is not practicable to accelerate the process without compromising the quality of the science and/or community confidence in the process.

Table 10.1: WRPs and ROPs -- Milestones and Targets

Plan Area	STAGE 1 - Water Resource Plans			STAGE 2 - Resource Operations Plans		
	Announced Preparing draft	Draft plan released	Final plan approved	Announced Preparing draft	Draft plan released	Final plan approved
Barron	N/A	20 Dec 01	19 Dec 02	29 Jan 03	Apr 04 ^o	Dec 04 ^o
Border Rivers	N/A	8 Jul 02	5 Dec 03	8 Jul 02	Mar 05 ^o	Jun 05 ^o
Boyne	24 Apr 99	23 May 00	14 Dec 00	24 Mar 01	8 Dec 01	24 Jun 03
Burdekin	17 Jan 02	Jun 04 ^o	Dec 04 ^o	Jun 04 ^o	Jun 05 ^o	Dec 05 ^o
Burnett	N/A	26 Jun 00	14 Dec 00	20 Feb 02	2 Dec 02	29 May 03
Calliope	24 Apr 99	Jan 05 ^o	Jul 05 ^o	Aug 05 ^o	May 06 ^o	Nov 06 ^o
Condamine-Balonne	N/A	3 Dec 03	Jun 04 ^o	3 Dec 03	Mar 05 ^o	Jun 05 ^o
Cooper Creek	N/A	17 Dec 99	7 Feb 00	N/A	N/A	N/A
Fitzroy	N/A	3 Sep 1998	23 Dec 99	23 Nov 00	2 Dec 02	9 Jan 04
Gulf	6 Jun 03	Oct 04 ^o	Apr 05 ^o	Oct 04 ^o	Jun 05 ^o	Dec 05 ^o
Georgina and Diamantina	21 Nov 01	3 Nov 03	Apr 04 ^o	3 Nov 03	Dec 04 ^o	Jul 05 ^o
Logan	21 Nov 01	Mar 05 ^o	Mar 06 ^o	Jul 05 ^o	Oct 06 ^o	Sep 07 ^o
Mary	20 May 02	Sep 04 ^o	Jun 05 ^o	Mar 05 ^o	Jun 06 ^o	Sep 07 ^o
Mitchell	24 Feb 99	Oct 04 ^o	Apr 05 ^o	Oct 04 ^o	Jun 05 ^o	Dec 05 ^o
Moonie	19 Nov 98	8 Jul 02	5 Dec 03	8 Jul 02	Jun 04 ^o	Dec 04 ^o
Moreton	Mar 04 ^o	Mar 06 ^o	Oct 06 ^o	Jul 06 ^o	Sep 07 ^o	May 08 ^o
Pioneer	N/A	18 Dec 01	20 Dec 02	29 Jan 03	May 04 ^o	Dec 04 ^o
Warrego/Paroo/ Bulloo/Nebine	19 Nov 98	8 Jul 02	5 Dec 03	8 Jul 02	Jun 04 ^o	Dec 04 ^o
Wet Tropics	Dec 05 ^o	Jul 06 ^o	Jan 07 ^o	2007 ^o	2008 ^o	2008 ^o
Whitsunday	Aug 04 ^o	Aug 05 ^o	Feb 06 ^o	Feb 06 ^o	Jul 06 ^o	Jan 07 ^o

^o Indicates target date

Water Entitlement Registers

The Water Allocations Register has been established and is operational. The register records the details of the approximately 2,600 water allocations so far created. The register is operated by the Queensland Resource Registry, the same entity responsible for the land titles register, and all dealings in respect of water allocations are dealt with in the same manner as land dealings and the same quality assurance procedures apply. The register may be searched by the public.

The register records the registered proprietor of the allocation, the nominal volume and various conditions, which vary depending on whether the allocation is a supplemented allocation (i.e. supplied from infrastructure) or unsupplemented. The register also allows for the recording of interests in water allocations, in the same way as interests may be recorded in land. Accordingly, a third party with an interest in a water allocation may register a mortgage or caveat over the allocation.

Where water allocations are created under a ROP (from the conversion of an existing entitlement), persons with an interest in the converting entitlement (or the land to which it is attached) have the opportunity to register their interest prior to the allocation being created. This allows the interest holder a period of time to register a mortgage over the water allocation before the allocation can be sold to a third party and ensures priority.

In the Fitzroy, an intention to record an interest was lodged by financiers (or other interest holders) in respect of 572 of the 910 allocations created. In the Burnett approximately 900 notices were recorded in respect of the 1694 allocations in that basin.

Consistency with CoAG obligations

Queensland's water entitlement arrangements under the *Water Act 2000* are fully consistent with the relevant CoAG obligations. Under the Act, water allocations are:

- separated from land title;
- transferable, in that they may be traded independently of land, in accordance with the trading rules prescribed in the governing ROP;
- specified in terms of volume;
- guaranteed for the 10-year life of the WRP, with compensation payable if a change is made to the plan that reduces the value of the allocation during the life of the plan;
- protected by water allocation security objectives specified in the WRP, which both estimate and protect the reliability of being able to take water under the allocation;
- recorded in the same way as land titles on a public register; and
- can be used as security, with capacity for third parties to register their interest in the allocation.

10.3.2 Water for the Environment

CoAG senior officials determined that the 2004 assessment would include a stocktake of progress on environmental allocations against jurisdictions' agreed implementation programs to ensure States and Territories are on track to meet CoAG's 2005 deadline. Therefore, the NCC has indicated that for 2004, each jurisdiction should:

- *report on its progress in implementing water management arrangements for river and groundwater sources against the 2005 CoAG deadline for substantial completion of environmental allocations on governments' agreed implementation programs, including:*

- a list of all draft and final water management plans, and details of the stage of development of plans in progress (including when the plan and implementation arrangements are likely to be completed);
 - copies of a representative sample of completed water management plans or web addresses for completed plans; and
 - details of how the sample of water management plans (and related arrangements) address the obligations in the CoAG water reform agreement and the ARMCANZ/ANZECC national principles, including the extent to which the plans provide appropriate allocations to the environment (having regard to the seasonality, frequency, magnitude and duration of flow events).
- if the water allocated for environmental purposes for particular river and groundwater sources is significantly different from that recommended by the best available science, provide information on:
 - the process used to determine the environmental allocations, including the composition of reference groups and a summary of the information made available to the affected community;
 - the environmental risks posed by the environmental water allocations, including an estimate of the extent to which the environmental allocations are likely to affect the achievement of a healthy working river; and
 - the nature of, and case, for socioeconomic tradeoffs from recommended environmental allocations.

Specifically in relation to Queensland, the NCC is also looking for Queensland to have finalised the Condamine–Balonne Basin WRP (including appropriate environmental outcomes) and the ROP. Queensland should show that it has:

- finalised plans for the implementation of the event based environmental flow rules, as recommended by the scientific review panel, to provide appropriate flow for the ecological assets (including the Narran Lakes and Culgoa national parks) in consultation with the local community and stakeholders;
- provided an opportunity for the Murray–Darling Basin Commission Independent Audit Group to comment on the water resource plan, and considered the audit group’s comments in finalising the plan;
- explained, in line with the requirements of the Water Act 2000, how the final water resource plan addresses issues raised during public consultations, and adopted monitoring arrangements to evaluate the performance of the plan; and
- committed to the further research recommended by the scientific review, particularly to refine the environmental flow requirements.

Since the 2003 assessment, significant milestones have been achieved in implementing the State’s water planning timetable include the completion of the Border, Moonie and Warrego/Paroo/Bulloo/Nebine WRPs plans and the Fitzroy ROP. Table 10.1 details existing final and draft WRPs and ROPs and of the timeline for plans that are in progress or proposed.

Copies of all final and draft WRPs and ROPs are available on the Department’s web site at <http://www.nrm.qld.gov.au/wrp/index.html>

Under the *Water Act 2000*, WRPs must be prepared based on the best scientific information available. In all water resource planning processes undertaken to date, Technical Advisory Panels (TAPs) have been appointed to provide the scientific information required as input into the development of the water resource plan. The Technical Advisory Panels usually are comprised of external experts with skills and knowledge in a wide range of disciplines relating to physical and biological riverine processes. Key areas of expertise would typically include the following:

- Environmental hydrology (including surface water, subartesian water and overland flow relationships);
- Aquatic ecology (including floodplain, waterhole and wetland ecology);
- Riparian and aquatic vegetation;
- Water quality;
- Hydrogeology;
- Fluvial geomorphology; and
- Coastal and estuarine processes (coastal catchments).

The TAP assessments typically occur in three phases, which consist of:

1. An assessment of the current condition of the river or aquifer system;
2. Identification of hydrologic indicators of river health relevant to the particular river or aquifer system; and
3. An assessment of the ecological and geomorphological consequences associated with possible future water allocation and management scenarios.

The reports prepared by the TAP are typically published in association with the draft of the WRP in order to inform discussion on the allocation and management strategies contained in the draft plan. Copies of published TAP reports are available on the Department of Natural Resources, Mines and Energy web site.

The first phase of the TAP assessment involves a literature review and fieldwork to assess the current ecological and geomorphological conditions. Generally, these assessments occur on a reach-by-reach basis and relate current conditions and trends to expected conditions. The TAP is required to relate changes in flow regime to changes or trends in river/aquifer condition. In addition, this phase of the TAP assessment also identifies critical aquatic ecosystems and areas of unique conservation value.

Phase 2 of the assessment identifies the key flow characteristics relevant to maintaining ecosystem health (eg seasonality, frequency, magnitude and duration). Ecosystem health is typically described in terms of attributes such as geomorphology, aquatic vegetation, riparian vegetation, aquatic macroinvertebrates and fish.

The phase 3 assessments evaluate how changes in flow characteristics resulting from possible future allocation and management strategies would impact on riverine health. To date, these assessments have been based primarily on a process of benchmarking. Benchmarking involves determining relationships between levels of departure from the natural flow regime and environmental condition. These relationships are determined from assessment of a range of benchmark sites subject to varying degrees of flow

modification. Levels of departure from the natural flow regime are quantified in terms of key hydrological indicators.

The environmental flows benchmarking technique provides a framework for analysis of existing and predicted future environmental conditions and the river's environmental flow requirements. The Cooperative Research Centre for Freshwater Ecology (CRCFE) endorsed this technique in its review of Queensland's environmental flow assessment methodology in February 2000.

The output of the benchmarking process is a relationship between river health and key flow statistics and is generally presented using risk assessment diagrams. These diagrams have been used to give a graphical representation of the likely extent/risk of ecological change as a result of changes in a particular flow statistic from natural. Flow statistics and condition assessments for benchmark sites are used to indicate the likely degree of environmental impact that would result from a given change to a particular flow statistic. In this manner, an indication can be given as to the level of ecological risk that would be associated with various levels of water resource allocation or different management scenarios. Flow statistics for existing developments are also shown plotted on the risk assessment diagrams. This final phase of the TAP assessment provides a clear outline of how water allocation and management strategies presented in a draft WRP will deliver on environmental flow requirements.

In preparing a WRP, the Minister must consider existing water entitlements and the State's future water requirements. As such, the assessments undertaken by the TAP occur in parallel with assessments of the existing and future economic demands for the allocation of water for consumptive purposes. In considering options for meeting future consumptive water requirements, the Government has adopted a philosophy that gives priority to making better use of existing sources (e.g. through water trading, efficiency improvements and water recycling) before the allocation of additional water is contemplated. Furthermore, the development of additional water infrastructure needs to be consistent with Treasury guidelines, which require economic and financial viability to be demonstrated.

When the Minister finalises a WRP, under section 51 of the *Water Act 2000*, a report must be produced on issues raised during the consultation process and how the issues have been addressed. In accordance with previous commitments made to the NCC, these section 51 consultation reports include background information on the Plan, a summary of the issues raised during public consultation, the implications of the Plan, and a discussion of those aspects that significantly differ from the publicly exhibited draft Plan. Where development of a Plan contains trade-offs between environmental water requirements and economic requirements for water, the basis and implications of such trade-offs are explained in the consultation reports. Given that the majority of Queensland's rivers and aquifer systems are not heavily allocated, in many instances, economic requirements for water have been accommodated at very low levels of environmental risk (e.g. Barron and Pioneer water resource plans).

Condamine Balonne Water Resource Plan

In July 2002, the Queensland Government commissioned an independent review of the science underpinning the assessment of the current and future ecological condition of the Lower Balonne River system. The review was undertaken by an independent

Scientific Review Panel, which consisted of Professor Peter Cullen (Chairman), Professor Russell Mein and Dr Richard Marchant.

Over a period of six months, the Scientific Review Panel sought public and scientific submissions, and liaised closely with the community through a Lower Balonne Community Reference Group, to ensure everyone's opinion and information about the ecology, workings and management of the river system was properly considered. In accordance with its Terms of Reference, the Scientific Review Panel prepared a report for the Queensland Government summarising its findings in January 2003. In summary, the Review:

- *identified four important ecological assets in the Lower Balonne that need to be managed, including:*
 - a) *the biota of the rivers & distributary channels of the Lower Balonne and their associated wetlands,*
 - b) *the internationally recognized Narran lakes,*
 - c) *the National Parks of the Culgoa floodplain, and*
 - d) *the Darling River itself.*
- *found that the rivers and wetlands of the Lower Balonne system are presently in a reasonable ecological condition, but this condition is expected to deteriorate if the present capacity to extract water from the system should actually be exercised.*
- *noted that there are significant economic and social benefits to the community from the irrigation developments of the Lower Balonne, and that the irrigation community itself recognised the importance of protecting these natural areas from significant degradation.*
- *highlighted that the challenge for Government is to use the best available science to ensure management provides a wetting regime appropriate to protect these important ecological assets, and yet provide the maximum amount of water for irrigation that is possible without causing significant degradation of the system.*
- *considered that it is possible to reduce any impacts to acceptable levels by careful management of floods that ensures the various wetland assets, including the Narran lakes and the Culgoa National Parks, receive appropriate wetting.*
- *recommended that better management of flow events be achieved through close consultation with the community, given the need for a cooperative approach to manage the large number of extraction points and individuals involved.*
- *noted that although flow is seen as the most important stress in this system, there are other factors that can affect the health of the Lower Balonne that will need to be managed effectively. These include, for example, existing land use practices (that can affect runoff and contaminant or sediment loads), and operation of instream weirs and dams (that can affect flows and fish movement).*

In December 2003, the Minister for Natural Resources and Mines released a draft WRP, and an associated Overview Report, for the Condamine Balonne catchment for public review and submissions closing February 2004. At the same time that the draft Plan was released, the Department of Natural Resources and Mines gave public notice of the intention to commence the preparation of an ROP for the Condamine-Balonne

catchment. Under Queensland legislation, an ROP is the principle mechanism by which a WRP is implemented.

The release of the draft Condamine Balonne WRP followed many months of intensive and detailed consultations with the local community and stakeholders to develop event-based environmental flow rules and other management strategies for the Lower Balonne, as recommended by the Scientific Review Panel that was chaired by Professor Peter Cullen.

To assist in these consultations, the Minister convened a Lower Balonne Community Reference Group that was made up of stakeholders from the Lower Balonne region, including irrigators and graziers from Queensland and New South Wales, local government representatives, members of the Indigenous Community and environmental stakeholders.

This Group and/or its various sub-committees met at least fortnightly between May and December 2003 to develop its proposal for a draft Plan that addressed the recommendations of the Scientific Review Panel. In developing and finalising its proposal, the Group itself convened a number of public meetings in the Lower Balonne area. It also sought comments from the Scientific Review Panel, particularly in relation to the wetting regimes for the Narran Lakes. In its reply on the Community Reference Group's draft proposal, the Scientific Review Panel stated that:-

- *Given our current understanding of alternative feeding areas we believe it is likely the birds will be able to feed under this regime ,and so we believe the wetting regime proposed is a reasonable interim solution until further information is available from the Narran lakes project.*
- *This watering strategy seems appropriate to provide protection for the Narran lakes until further information becomes available. We have not seen the modelling showing its impact on the Culgoa floodplain wetting, and the relevant agencies still need to specify appropriate wetting regimes to protect these other ecological assets. The report does not specifically consider the impacts on the Darling river or the channels of the LB floodplain but we believe they will be advantaged by the proposed regime.*

Following this advice from the Scientific Review Panel, the Group then unanimously agreed to submit its proposal to the Minister for his consideration when preparing the draft WRP.

The Minister also consulted with two other Ministerial Advisory Committees made up of representatives from the middle and upper reaches of the Condamine River catchment. These Committees also each developed proposals that were submitted to the Minister for his consideration when preparing the draft WRP.

The Department of Natural Resources and Mines were involved in over thirty public meetings, workshops and briefing sessions that were held throughout the Condamine-Balonne catchment, including in New South Wales, about the draft WRP. A number of special inter-agency briefings were also held in both Brisbane and Sydney, including with the Murray-Darling Basin Ministerial Council's Independent Audit Group (IAG).

As a number of public workshops were postponed until after the Queensland Government elections in February 2004, the Minister decided to extend the deadline for the receipt of public submissions until 19 March 2004. After this time, all public submissions – including those received from other agencies, the IAG, stakeholder groups and individual members of the public – will be taken into account by the Minister when finalising the WRP.

It is anticipated that the Condamine Balonne WRP will be finalised mid 2004, subject to the issues raised in the submission process. In addition, it is expected the Condamine Balonne ROP will be finalised in mid 2005.

Based on the proposals developed by the Lower Balonne Community Reference Group and the two Ministerial Advisory Groups, the draft Condamine-Balonne WRP included a number of important and innovative features to address the recommendations of the Scientific Review Panel:

- the inclusion of ecological outcomes that specifically recognise the four ecological assets identified by the Scientific Review Panel;
- the implementation of an event-based flow management approach that restricts daily extractions by irrigators from environmentally important flow events in order to provide improved flow outcomes for the four ecological assets;
- the establishment of a “water Bank” concept that provides irrigators with an opportunity to offset their reduced extractions by allowing them to take some additional water during very large, less environmentally important, flow events.;
- the commitment to establishing enhanced flow monitoring, prediction and reporting systems to support real-time water sharing decisions, as well as subsequent analysis and operational refinement;
- the inclusion of a small cutback in all water harvesting entitlements in order to provide for some development of sleeper and dozer licences, thereby ensuring no increase in the overall amount of water taken;
- the regulation of overland flow extractions throughout the catchment, including the introduction of licensing requirements and conditions (including restrictions that prevent the present capacity to extract water to actually be exercised) in the Lower Balonne that recognise the importance of integrating the management of water harvesting and overland flow water extractions on the floodplain; and
- the establishment of Management Advisory Councils, including for the Lower Balonne, that would be representative of all community stakeholders and be responsible for advising the Minister and the department on the implementation and day-to-day operation of event-based management, monitoring, prediction and research.

In their review of the Lower Balonne system, the Scientific Review Panel also identified a number of priority areas of research that it considered necessary to inform water resource planning in the future, particularly in relation to the ecological function and flow requirements for the Narran Lakes and Culgoa floodplain systems. The Department of Natural Resources and Mines was integral in developing and supporting

a major scientific study that has been underway on the Narran Lakes since April 2003, as well as a recently approved scoping study on the Lower Balonne floodplains. For example, in 2003/04 departmental surveyors and hydrographers undertook a complete ground and waterway survey of the entire Narran Lakes system, which led to improved predictions of the way in which the lakes were likely to fill and spill. These predictions were subsequently validated during the small flow event that occurred into the Narran Lakes in January 2004.

The draft WRP proposes that approved measuring devices must be used to measure the volumes of water taken by all water licences and water allocations, as well as overland flow extractions from floodplains, in the WRP area. Metering of water extractions will assist in enhanced levels of compliance monitoring, reporting and overall management of the resource throughout the catchment, particularly with respect to compliance with the water sharing rules and diversion limits. It will also lead to improved information being available for future assessments, and assist in assessments of the effectiveness of the WRP's strategies in achieving its outcomes.

The draft WRP proposes that monitoring and annual reporting be undertaken to collect information that will be used to undertake ongoing assessments of whether the requirements of the WRP and the ROP are being complied with, as well as to review whether the WRP is achieving its outcomes. The requirement in the draft WRP for an annual report, combined with its metering and other water monitoring requirements, will support the periodic assessment and demonstration of Queensland's compliance with the Murray-Darling Basin Cap. Coupled with ongoing research, information from monitoring programs will also assist in improving the understanding of the matters affecting the health of riverine and associated systems in the basin.

In addition to the annual report, the draft WRP proposes that after five years the Minister prepare a special report that includes information about:

- the accuracy of flow gauging in the WRP area;
- community views on the implementation of the WRP;
- the appropriateness of the WRP's performance indicators for achieving its outcomes;
- progress in the research and monitoring of the WRP's outcomes for the Narran Lakes and the Culgoa floodplain; and
- the effectiveness of the flow event management rules in achieving the WRP's outcomes.

Based on consideration of the information in the above report, the Minister may decide to initiate a formal review of the WRP in accordance with the provisions and requirements of the *Water Act 2000*.

A copy of all the documents referred to above is available on the department's website at: <http://www.nrm.qld.gov.au/wrp/condamine.html>

10.4 Water Trading

For the 2004 assessment of progress in relation to interstate and intrastate water trading, the NCC is seeking information on:

- *current trading rules and zones (including the trading rules in water management plans);*
- *legislative and institutional arrangements;*
- *the mechanisms in place to avoid adverse environmental impacts from trade on river and groundwater health;*
- *restrictions on trade (including restrictions in water management plans), including:*
 - *the physical, social or ecological reasons for the restrictions; and*
 - *a robust public benefit case for restrictions that are not aimed at protecting the environment or ensuring the practical management of trading;*
- *recent (intrastate and interstate) trade, including the value, volume, location and nature (for example, permanent versus temporary trades, transfers from lower to higher value uses) of trades; and*
- *the availability of market information (including on price) and trading mechanisms (such as water exchanges).*

In addition, specifically in relation to Queensland, the NCC for Queensland to:

- *report on developments in the permanent water trading trial;*
- *report on the trading rules in subsequently completed resource operations plans;*
- *report on the expected extent of demand for water trading in the water sources for which resource operations plans will remain to be completed after 2005;*
- *confirm that the demand for trading in the areas not intended to be covered by a water resource plan and resource operations plan is low and commit to considering the implementation of water management (including trading) arrangements if demand increases;*
- *report on the timeliness of approval processes for applications to trade (in the Burnett Basin as well as in the schemes covered by the permanent trading trial); and*
- *outline developments in water trading mechanisms and the availability of market information.*

10.4.1 Current trading rules and zones

Trading rules, referred to as water allocation change rules, are set out in the ROP for each basin. ROPs have been approved for the Burnett Basin and the Fitzroy Basin. Typically the rules specify permitted changes and prohibited changes to the location from which water can be taken, the nominal volume of the water allocation and the priority group and purpose of the water allocation.

For physical reasons, trading is limited to the catchment covered by the ROP. The plan area itself may be broken into zones –based on hydrological considerations. Generally

speaking, a water allocation will allow the holder to take water from anywhere within the zone. This allows the allocation to be sold to another water user within the zone and no change is necessary to the allocation for the purchaser to be able to take water.

If the water is to be traded to someone in a different zone, then the allocation may be changed in accordance with the rules in the ROP. The plan will usually include pre-tested volumes of water that may be traded from zone to zone, without impacting on reliability of supply and the achievement of environmental flow objectives. If the change can be made within these limits then the change will be approved. If the change would cause the limits to be exceeded, then an individual assessment and the public advertisement of the application are required.

10.4.2 Legislative and institutional arrangements

The *Water Act 2000* provides the legislative framework for the creation and trading of water allocations. It establishes a water resource planning process, which results in catchment-based water resource plans and the implementing ROPs. These plans result in the creation of tradeable water allocations and specify the rules govern trading, to protect both users and the environment. The *Water Regulation 2002* also provides an interim trading regime whereby the holders of interim water allocations may trade their allocations to other land. This process applies in those areas prescribed by the regulation – presently in the Mareeba-Dimbulah Water and Mary River Supply Schemes.

The majority of supplemented water supply schemes within Queensland are now managed (under resource operations licences or interim resource operations licences) by the government owned corporation SunWater. Within these schemes, it is the holder of the resource operations licence that is responsible for temporary trading of water allocations (termed seasonal water assignments).

The Department of Natural Resources, Mines and Energy remains responsible for approving all changes to water allocations (such as a change to the location to allow water to be traded to another zone). The Department is also responsible for temporary trading outside of water supply schemes.

10.4.3 Mechanisms to Avoid Adverse Environmental Impacts

Under the *Water Act 2000* all water resource plans that provide for the establishment of tradeable water allocations are required to include performance indicators that are relevant to environmental health and environmental flow objectives for those indicators. Water resource plans require that any decision made under the plan be consistent with the environmental flow objectives and the trading rules included in ROPs are developed accordingly. Consequently, any trading of water allocations must ensure that environmental flows remain within the limits set by the environmental flow objectives.

During the development of both the Fitzroy and Burnett ROPs, modelling was undertaken for certain trade scenarios. This identified different trading options that could occur within the limits set by the environmental flow objectives. The ROP then includes rules that allow, for example, for certain volumes to shift from one trading zone to another, with the certainty that these trades will not affect environmental outcomes. This allows water users to readily identify trades that are permitted and simplifies the

trading process. Trades beyond these pre-tested limits may also be allowed, but only after testing determines that the trade will not breach the environmental flow objectives.

10.4.4 Restrictions on Trade

Limitations on trade are included as part of the water allocation change rules in ROPs. These limitations are based on:

- the physical (i.e. hydrological) limitations of the catchment – while water taken from a watercourse may be piped or otherwise relocated elsewhere for use, there are physical limitations on where water may be traded. For example, water taken from one catchment cannot be traded to another catchment where there is no hydrological connection between the two.
- the ecological limitations of the catchment – these are identified via the environmental flow objectives for the plan.

Water allocations in both the Fitzroy and Burnett basins include a purpose for use as a condition of the allocation. An allocation holder wishing to change use is required to lodge an application to change the water allocation. However, there are no restrictions on the volume of water that can change from one use to another. This allows the monitoring of changes in use, without restricting the use for which water may be used.

10.4.5 Recent Trade Information

There are no interstate trade statistics available. The following information relates therefore to intrastate trading.

Temporary Trades

The number of temporary trades in SunWater schemes has nearly tripled between 2000/01 and 2002/03, increasing from 872 in 2000/01 to 2,462 in 2002/03. This is equivalent to a nearly 300 per cent increase in volume terms. The table below provides scheme specific temporary trade data.

Table 10.2: Temporary Trades 2000/01 to 2002/03

Water supply scheme	2000/01		2001/02		2002/03	
	No.	Vol. (ML)	No.	Vol. (ML)	No.	Vol. (ML)
Awoonga Callide Pipeline	0	0	0	0	0	0
Barker Barambah	39	2 370	50	3 100	104	5 691
Bowen Broken Rivers	1	40	1	675	22	922
Boyne River and Tarong	54	2 342	6	1 010	32	1 935
Bundaberg	237	4 761	460	6 842	269	16 101
Burdekin Haughton	23	7 222	118	29 905	327	103 858
Callide Valley	19	453	12	258	13	345
Central Lockyer Valley	9	230	0	0	0	0
Chinchilla Weir	19	490	16	399	2	30
Cunnamulla Weir	2	52	2	70	5	421
Dawson Valley	79	7 407	84	5 256	88	2 788
Eton	4	226	29	3 250	494	11 433
Julius Dam	0	0	0	0	0	0
Logan River	16	901	29	1 777	81	4 594

Water supply scheme	2000/01		2001/02		2002/03	
Lower Fitzroy	0	0	0	0	1	1
Lower Lockyer Valley	22	471	35	437	12	125
Macintyre Brook	41	2 907	68	7 618	53	3 571
Maranoa River	0	0	0	0	0	0
Mareeba Dimbulah	54	2 917	149	10 236	292	27 041
Mary River	17	1 132	53	2 246	175	3 463
Nogoa Mackenzie	45	20 957	90	28 424	230	42 904
Pioneer River	0	0	5	472	11	2 064
Proserpine River	0	0	2	1 020	120	9 331
St George	45	5 608	90	11 235	71	8 301
Three Moon Creek	13	448	17	553	8	649
Upper Burnett	36	787	50	1 379	43	1 800
Upper Condamine	62	4 800	65	2 181	4	2 845
Warrill Valley	35	1 130	59	433	5	2 971
Total all schemes	872	67 651	1 490	118 776	2 462	253 184

Source: SunWater Annual Reports, 2000/01, 2001/02, 2002/03.

Permanent Transfers: Water Allocations

To date permanent transfers of water allocations are only possible in the Burnett Basin and the Fitzroy Basin. As the Fitzroy ROP was only implemented in January 2004, no trades have been recorded yet. A summary of the dealings in the Burnett Basin is provided in the table below.

Table 10.3: Permanent Trading of Water Allocations in the Burnett Basin (since 1 July 2003)

Total number of transfers (land & water combined)	62
Total volume of water sold along with land (ML)	6 508
Total number of transfers (water only)	26*
Total volume of water sold (ML)	1 175**
Average price per megalitre (\$/ML)	1 226
Total number of changes (under ROP rules)	15
Total number of subdivisions	159

* 5 transfers were pursuant to a will or by way of gift

** 1,748 ML were transferred pursuant to a will or by way of gift

Source: Water allocations register

Prices for permanent transfers in the Burnett are ranging from around \$500/ML to \$3 000/ML.

10.4.6 Permanent Transfer Trials: Interim Water Allocations

Permanent water trading was initially trialled in the Mareeba Dimbulah WSS. Following an evaluation of the trial, the *Water Regulation 2002* was amended to allow permanent transfers of interim water allocations in the Mareeba Dimbulah WSS and parts of the Mary River WSS and the Nogoa Mackenzie WSS. In those schemes, water can only be traded for stock and domestic and primary production purposes.

Price data for permanent transfers of interim water allocations is not collected. It appears that the value of permanent transfers of interim water allocations in the

Mareeba Dimbulah WSS ranges from \$300/ML to \$1000/ML. In the Nogoia Mackenzie WSS, the price for water has been in excess of \$1000/ML.

Table 10.4: Permanent Transfers of Interim Water Allocations – Mareeba Dimbulah WSS

Water Year*	No. of trades	Volume transferred (ML)
1999/00	4	164
2000/01	9	275
2001-2002	25	912
2002-2003	35	1 001
2003 – 14 Jan 2004	12	434
Total	85	2 801

* The water year for this catchment is from 1 July to 30 June. (Source: DNRME Mareeba Office, 14 January 2004.)

Table 10.5: Permanent Transfers of Interim Water Allocations – Nogoia MacKenzie WSS

Water Year*	No. of trades	Volume transferred (ML)
2001-2002	3	637
2002-2003	8	1 147
2003 – 14 Jan 2004	14	1 159
Total	25	2 943

* The water year for this catchment is from 1 July to 30 June. (Source: DNRME Emerald Office, 14 January 2004.)

The Fitzroy ROP was approved in January 2004 and all interim water allocations in the Nogoia Mackenzie WSS were converted to tradeable water allocations⁸.

10.4.7 Trading Rules: Subsequently Completed ROPs

Trading rules, referred to as water allocation change rules, are set out in the ROP for each basin. ROPs have been approved for the Burnett Basin and the Fitzroy Basin. Typically the rules specify permitted changes and prohibited changes to the location from which water can be taken, the nominal volume of the water allocation and the priority group and purpose of the water allocation.

A change to the location of a water allocation is possible between zones. If the change can be made within the maximum and minimum constraints set by the “water allocation change rules” then the change will generally be approved. If an application to change the location of a water allocation would cause the maximum and minimum constraints to be exceeded, then individual assessments and public advertisements are required.

10.4.7 Expected Trade Demand: ROPs Completed Post-2005

Calliope, Baffle and Boyne Catchments

In the Calliope, the Baffle and the Boyne catchments there is no immediate need for water trading. In the Calliope, for example, less than 10 per cent of the available water

⁸ As at 14 January 2004, some interim water allocations were awaiting conversion following provision of evidence of supply contract.

is currently being used. In the Baffle one grower has expressed an interest in more water.

Burnett Basin

Within the Burnett Basin, demand for trading in Three Moon Catchment is likely to be low. The ROP for the Burnett Basin will be amended in 2006 to include Three Moon Creek and Elliott, Isis and Gregory Rivers. The current ROP plan covers the majority of regulated and water harvesting surface water entitlements. It also covers those areas which have the highest demand for water trading.

The Burnett Basin ROP plan will also be amended to cover overland flow water. This amendment will not be completed by 2005. At present, there is limited demand for water trading in overland flow water.

Furthermore, the Burnett ROP will be amended to cover groundwater. This amendment will not be completed by 2005 (a water resource plan is anticipated to be finalised in 2006). It is estimated, based on an assessment of water scarcity, that there will be a medium demand for trading in some areas of the catchment, such as the Bundaberg sub-artesian area. Outside of these areas there is likely to be a very low demand for water trading.

Both overland flow and groundwater trading will be affected by physical constraints which may limit the possibility of trading irrespective of demand.

Fitzroy Basin

In the Fitzroy WRP Area, demand for water trading in areas not covered by the current Fitzroy Basin ROP is likely to be relatively low. The current ROP covers the majority of regulated and water harvesting surface water entitlements, and covers those areas which have the highest demand for water trading.

The ROP amendment to cover Overland Flow water will not be completed by 2005. It is not known what the current demand for water trading in Overland Flow water is. Estimation, based on an assessment of water scarcity, suggest that there will be a medium demand for trading in some areas of the catchment, such as the Comet and Nogo-Mackenzie sub-catchments. Outside of these areas there is likely to be a very low demand for water trading.

The ROP amendment to cover Groundwater will not be completed by 2005. It is not known what the current demand for water trading in Groundwater is. Estimation, based on an assessment of water scarcity, suggest that there will be a medium to high demand for trading in some areas of the catchment, such as the Callide Valley sub-artesian area. Outside of these areas there is likely to be a very low demand for water trading.

Both Overland Flow and Groundwater trading will be affected by physical constraints which may limit the possibility of trading irrespective of demand.

10.4.7 Expected Trade Demand: Areas not Covered by WRPs and ROPs

The Queensland Department of Natural Resources, Mines and Energy (DNRME) confirms that demand for trading in the areas not intended to be covered by a water resource plan and ROP is low. DNRME will consider the implementation of water management arrangements (including trading) if demand for water trading in those areas increases. Water trading will only be considered in advance of planning if environmental impacts are adequately understood and can be managed.

10.4.8 Timeliness of Approval Processes

Prior to the May 2003 amendments of the Water Regulation, the timeframe for processing applications in the Nogoia Mackenzie WSS and the Mareeba Dimbulah WSS was anywhere between one month and 12 months. The timeframe depended on how long it took the applicant to organise a supply contract with the water service provider (e.g. SunWater). The May 2003 amendments to the Water Regulation require applicants to attach evidence of a supply contract with the water service provider to the application. Receiving evidence of a supply contract at the same time as receiving the application for a transfer has sped up the application process. Previously applications could be made without evidence of a supply contract, despite the fact that DNRME could not make a decision until evidence of a supply contract was sighted. This means applications were left outstanding until evidence of a supply contract was provided, thereby prolonging the application process.

The transfer of a water allocation (as opposed to an interim water allocation) does not require approval by DNRME. The transfer will be registered on the water allocations register provided evidence of a supply contract is provided. A standard form (Notice to Registrar of Water Allocations of existence of supply contract) has been developed for this purpose. If the permanent trade of a water allocation involves a change to the water allocation (e.g. to the location from which water can be taken), then an application for the change to DNRME is required. In the Burnett basin applications have been approved within 14 business days, provided applications were made in the approved form. Upon approval of the application, a dealing certificate is issued to the applicant. The change to the water allocation does not take effect until the dealing is registered on the water allocations register. To register the change the dealing certificate needs to be lodged with the registrar of water allocations along with evidence of a supply contract (standard form).

10.4.9 Water Trading Mechanisms

Under the *Water Act 2000*, permanent trading of a water allocation involves transferring ownership of the water allocation and may also involve:

- a *change* to the attributes of the water allocation
- a *subdivision* of the water allocation
- an *amalgamation* of water allocations.

Water allocations may also be leased in the same manner as a lease of land and also may be seasonally assigned (commonly known as 'temporary trade').

Transfer of ownership of a water allocation does not require approval from DNRME. To transfer ownership of a water allocation, transfer documents and evidence of a supply contract (for supplemented supply) must be lodged with the registrar of water allocations. The transfer will not have effect until the dealing is registered.

To change, subdivide or amalgamate water allocations, an application must be submitted to DNRME. If the application is approved, DNRME will issue a dealing certificate. The change/ subdivision/amalgamation will not have effect until the dealing certificate is lodged and the dealing registered on the water allocations register (WAR). A change to a water allocation cannot be registered unless there is evidence of a supply contract between the holder/buyer and the water supply scheme operator.

10.4.10 Market information

The registrar of water allocations is also the registrar of land titles. The WAR records ownership information on water allocations in a similar way in which details of ownership are recorded on the land registry.

The WAR is publicly accessible under section 153 (searching water allocations register) of the *Water Act 2000*. The DNRME web site www.nrm.qld.gov.au/water/trading also provides dynamic data with regard to the current location of water in each basin (i.e. the current volume of water in each zone and the corresponding minimum and maximum 'envelopes' as specified in the ROP trading rules).

Options for reporting water trading statistics online are under consideration. DNRME will be publishing periodic reports on the departmental web site. Such information will include the locations of where water has shifted and the price paid per megalitre. This information will be provided on a scheme-by-scheme or water management area basis (i.e. for both supplemented and unsupplemented supply). Another layer of historic analysis will be undertaken on an annual basis that includes summary data on permanent trades e.g. trends in prices.

Access to 'raw' data such as sale price, purchaser information, lot number, plan number, ROP and nominal volume is provided to Bulk Digital Data Distributors (with access to QVAS – Qld Valuation and Sales) along with land information to assist them in deciding how best to process data for clients.

10.5 New Rural Water Infrastructure

In the 2004 assessment, the NCC will further consider new rural water projects proposed by or under way in a number of States, including Queensland. In its 2003 assessment, the NCC concluded that Queensland met CoAG obligations on economic viability and ecological sustainability for the Burnett Water Infrastructure Project, with the exception of the raising of the Ned Churchward Weir for which the environmental processes were still to be completed.

The NCC's assessment of the dam and four weir projects that comprise the Burnett Water Infrastructure Project was completed during 2003. Construction of the Burnett River Dam and Eidsvold Weir commenced in late 2003 and early 2004 respectively. The construction of the Barlil Weir and Jones Weir stage 2 projects is planned to

commence as soon as outstanding planning matters are resolved. The impact assessment process for the Ned Churchward Weir Stage 2 remains on hold pending the completion of ongoing environmental studies relating to a species of turtle.

10.6 Public Education and Consultation

For the 2004 assessment, the NCC is seeking reports on jurisdictions' implementation of education and consultation commitments, including copies of relevant material, relating to:

- *rural cost recovery and pricing;*
- *water management arrangements;*
- *water trading arrangements; and*
- *new rural water infrastructure.*

10.6.1 Rural Cost Recovery and Pricing

Government has therefore put in place an extensive consultation program regarding water pricing issues, to inform future policy. The consultation over the reporting period has included delivery of a series of *Talking Water Reform* sessions with irrigators across the State. These have been aimed at increasing the level of understanding of water reform, water pricing and the implications of pricing across different regions. These sessions have formed stage one of a three-stage process in developing price paths for irrigators beyond 2005.

The next step, commencing early in 2004, is for officers from Department of Natural Resources, Mines and Energy and Treasury to begin talking with industry representatives about how we move to stage two. Stage two is the policy development phase in which the building blocks for rural water pricing are determined. This stage has commenced with the publication of two discussion papers: *Local management of SunWater schemes* and *Future rural water pricing for SunWater schemes*.

These reports can be accessed at the Department of Natural Resources, Mines and Energy web site at: www.nrm.qld.gov.au/water/pricing.

10.6.2 Water Management Arrangements

Water Resource Plans

In December 2003, the Minister <INSERT TITLE> completed the following WRPs:

- Moonie River
- Warrego/Paroo/Bulloo/Nebine catchments
- Border Rivers

The *Water Act 2000* provides for all stakeholders to be consulted during the development of WRPs and ROPs. Specifically, s51 of the Act requires that, on completion of a WRP, the Minister must prepare a report about the Plan, which is to include a summary of issues raised during the consultation process and how the issues

have been addressed. This report is required within 30 business days after the Plan is approved.

These reports contain the following components:

- a record of consultation involved in developing the Plan;
- a summary of the issues raised during consultation and how they are addressed in the final Plan;
- an outline of the content of the Plan and its implications; and
- a summary of the differences between the draft Plan and the final Plan.

In 2003, the Minister also announced the release of the following draft WRPs:

- Georgina/Diamantina (November 03); and
- Condamine-Balonne (December 03).

Section 49 of the *Water Act 2000* – Public notice about availability of draft WRP – requires the Minister to publish a notice about where the report may be inspected and purchased, and inviting submissions.

Summary brochures, and in some instances copies of the draft Plans are mailed to affected persons. Where relevant, fact sheets are sent to all persons within a catchment that has a declared overland flow moratorium.

Over the coming months, a number of workshops will be held covering an explanation of the issues in the above draft Plans, how to make a submission, etc. These workshops are targeted at interest groups.

Resource Operations Plans

In May 2003, the Burnett Basin ROP was completed (**this was addressed in Queensland's response to NCC regarding questions raised in June 2003**) and in January 2004, the Fitzroy Basin ROP was completed.

Prior to finalisation of the Fitzroy ROP, a series of public meetings were held with stakeholders and consultation was held with industry bodies. A number of public submissions were received on the draft ROP which resulted in modifications to the WRP and ROP.

All reports are available on the Department of Natural Resources, Mines and Energy web site at: www.nrm.qld.gov.au/wrp

Metering

An existing interim policy on Metering Water Extractions was produced in 2002 (www.nrm.qld.gov.au/water/reform) to provide a framework for metering in rural Queensland and aims to articulate the Department of Natural Resources, Mines and Energy position on a number of metering issues such as installation and maintenance, standards, responsibility for costs, when meters are required and ownership. The Department is currently developing a pamphlet *Talking Metering* and associated consultation process to engage stakeholders in the near future.

10.6.3 Water Trading Arrangements

A series of information brochures has been produced as part of a Water Trading Information Kit to explain water trading in Queensland. The topics covered include:

- Water Trading: an Overview... an introduction to water markets in Queensland
- Trading Water Allocations... the processes involved in the permanent trading of water allocations
- Trading Interim Water Allocations... the processes involved in trading interim water allocations between landholders
- Seasonal Water Assignments... an outline of the market in the seasonal assignment of water available under an existing water entitlement
- Water Allocations and Land Valuations... the implications of separating water from land on the valuation of land
- Separating Water from Land... (a guide for financiers) on the conversion of water licences and interim water allocations to water allocations

These brochures may be accessed on the Departmental of Natural Resources, Mines and Energy web site at www.nrm.qld.gov.au/water/trading.

During December 2003, workshops were held in Rockhampton and Emerald to precede the release of the Fitzroy ROP. The topics covered included:

- Water Trading in Queensland. This provided practical information about the processes involved in permanently trading water.
- Water Trading in Practice – the Conveyancing Aspects

These sessions were targeted at water entitlement holders, lawyers, accountants, solicitors and financial institutions.

10.6.4 New rural water infrastructure

It is intended that during 2004, public consultation will occur regarding water pricing principles for the Burnett Water Infrastructure Project to inform the public about how the prices may be established.

10.6.5 General

The Department of Natural Resources, Mines and Energy also oversees a standing group, known as the Water Reform Implementation Group, which consists of representatives from all key stakeholder groups affected by or interested in water reform projects. The group meets regularly to be provided information on developments in water reform and to provide stakeholders with an opportunity to express their opinions on water reform issues.

Attachment 1 --New Legislation: Queensland 2003

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
Arts	Arts Legislation Amendment Act 2003	No	Yes	No	No
Corrective Services	Corrective Services Amendment Act 2003	No	No. The amendments relate only to purely operational corrections matters.	N/A	N/A
Education	Education (General Provisions) Amendment Act 2003	No	Yes	No	N/A
Education	Education and Other Legislation (Student Protection) Amendment Act 2003	No	Yes	No	N/A
Education	Grammar Schools and Other Legislation Amendment Act 2003	Yes – section 6 of the GSA was found to be anticompetitive and required amendment. A PBT was conducted on the draft 2003 Bill. While provisions were found to be anticompetitive it was determined that these provisions were justified to achieve the objectives of the Act.	N/A	N/A	N/A
Education	Higher Education (General Provisions) Act 2003	No. The Higher Education (General Provisions) Act 1993 was subject to a PBT in 2000 which found a number of anticompetitive provisions, but the primary purpose of the 2003 amendments were not to address those issues	Yes	Yes	A PBT was conducted on the draft 2003 Bill. While provisions were found to be anticompetitive it was determined that these provisions were justified to achieve the objectives of the Act.
Education	Statute Law (Miscellaneous Provisions) Act 2003	No	Yes	No	N/A
Education	Youth Participation in Education and Training Act 2003	No	Yes	No	N/A
Employment and Training	Training Reform Act 2003	No.	Yes.	No potential restrictions were identified (confirmed by Queensland Treasury).	N/A
Environmental Protection Agency EPA	Beach Protection Legislation Amendment Act 2003	No	No. The Act made amendments to validate existing developments and enforce the intent of existing provisions	N/A	N/A
EPA	Environmental Legislation Amendment Act 2003	No	No. The Act made amendments of an administrative nature, clarified scope of existing provisions and introduced third party standing.	N/A	N/A
EPA	Environmental Protection Legislation Amendment Act 2003	No	Yes	No	N/A
EPA	Marine Parks Amendment Act 2003	No	No. The amendment was to permit dredging and disposal of spoil for a development adjacent to a Marine Park	N/A	N/A
EPA	Queensland Heritage and Other Legislation Amendment Act 2003	No	No. The amendments were of a minor administrative nature only.	N/A	N/A

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
Emergency Services	<i>Disaster Management Act 2003</i>	No	Yes	<p>The proposal to protect the SES name was identified as potentially raising a NCP issue. However, in the context of the proposed disaster management legislation, it is contended that protection of the name is justified.</p> <p>In recent years instances have arisen where bodies have implied an association with the SES through the unauthorised use of the SES or a similar name in Queensland. The inclusion of the proposed provision would act as a deterrent to those who may otherwise seek to misuse the name, and enable DES to prosecute those who breach the provision.</p> <p>The restriction on the use of the SES name would deter impersonation of SES officers. It is proposed that the powers exercisable by an authorised SES officer would include entry to places and vehicles, removing articles, and destroying or damaging property where necessary. In light of the nature of these powers, it is in the public interest to prevent impersonation of SES officers and misuse of these powers.</p>	<p>No -- However, similarities may be drawn from the PBT undertaken recently for the Ambulance Service Act 1991. The Ambulance Service Act provides for penalties for breaches of its equivalent provision, for which a PBT was undertaken in 2002 and publicly released in 2003. The PBT Report noted that there was a benefit to the public of retaining restrictions on the use of the terms 'ambulance' and 'ambulance service'. This benefit arises from the signal these terms provide for quality in an imperfect market. If the restriction on the term 'SES' was removed from the Disaster Management Act, any person, regardless of skills and experience, could represent themselves as being associated with the SES. The PBT on the Ambulance Service Act 1991 acknowledged that the importance of a signal increases with the urgency of services provided and thus the restriction should be retained. This applies similarly to SES services.</p>
Families	<i>Child Protection (International Measures) Act 2003</i>	No	No – not relevant to intent of legislation	N/A	N/A
Health	<i>Health and Other Legislation Amendment Act 2003</i>	NO	YES	NO	N/A
Health	<i>Health Legislation Amendment Act 2003</i>	YES/YES			
Health	<i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	YES/YES			
Health	<i>Research Involving Human Embryos and Prohibition of Human Cloning Act 2003</i>	No	No. Legislation not related to market	N/A	N/A
Housing	<i>Housing Act 2003</i>	No	Yes	No	N/A
Housing	<i>Queensland Building Services Authority and Other Legislation Amendment Act 2003</i>	No	Yes	No	
Housing	<i>Residential Tenancies and Other Legislation Amendment Act 2003: Amendments to –</i> (a) <i>Residential Tenancies Act 1994</i> (b) <i>Architects Act 2002</i> (c) <i>Qld Building Services Authority Act 1991</i>	(a) No (b) No (c) Yes/Yes	(a) Yes (b) Yes (c) N/A	(a) No (b) No (c) N/A	(a) N/A (b) N/A (c) N/A
Industrial Relations	<i>Pastoral Workers' Accommodation Amendment Act 2003</i>	No	Yes	No	N/A
	<i>Workers' Compensation and Rehabilitation Act 2003</i>	Yes	N/A	N/A	PBT - Yes
	<i>Workplace Health and Safety and Other Acts Amendment Act 2003</i>	No	Yes	Occupational licensing; Restraint of Trade; Barrier to Entry	PBT undertaken, restrictions found to be in public interest.

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
Innovation & Info. Economy	<i>Electricity and Other Legislation Amendment Act 2003</i>	Yes/Yes	N/A	N/A	n/A
I&IE	<i>Gas Supply Act 2003</i>	Although the primary purpose of the legislation did not derive from an NCP Review of existing legislation, one of the main purposes of the Gas Supply Act 2003 was to implement the franchising and licensing principles outlined in the Natural Gas Pipelines Access Agreement	Yes	Yes – a number of restrictions were identified, including provisions providing for full retail contestability not to proceed at this stage.	An NCP Review of the proposed legislation as a whole was undertaken in 2003. In addition, the Queensland Government engaged independent consultants, McLennan Magasanik Associates Pty Ltd, to conduct a Cost Benefit Analysis (CBA) on the introduction of FRC in the Queensland reticulated gas market. This analysis concluded that the costs of introducing Gas FRC to the Queensland reticulated gas market would significantly outweigh the benefits, with the estimated marketing and system costs of \$115M far exceeding the estimated efficiency benefits of just \$31 million. The study was released for public consultation and no material issues were raised in relation to the report or its findings.
I&IE	<i>Indy Car Grand Prix and Other Legislation Amendment Act 2003</i>	No	Yes	No competition issues identified (confirmed by Queensland Treasury)	N/A
I&IE	<i>Major Sports Facilities Amendment Act 2003</i>	No	No – the Amendment Act addressed any residual uncertainties which may potentially have existed in relation to the powers of the Stadium Redevelopment Authority to enter into an agreement on commercial terms for the transfer of the stadium to the Major Sports Facilities Authority.	N/A	N/A
I&IE	<i>Sports Drug Testing Act 2003</i>	No	Yes	The Act maintains the status quo, with the Australian Sports Drug Agency (ASDA) being the only body legally capable of conducting drug testing of National and State athletes. This was identified by SRQ as a potential restriction of competition. However, SRQ considered that any restriction to competition is outweighed by the benefits of ASDA conducting testing under a consistent National approach. Other advantages of ASDA conducting tests included: ASDA carries out the education and testing of National level athletes and is contracted by Queensland, as well as other States and Territories to test State level athletes. The procedures for testing Queensland athletes	A desk top public benefit test was undertaken by SRQ and submitted to Queensland Treasury for consideration. Queensland Treasury supported the analysis that any restriction to competition, resulting from conferral of powers solely on ASDA is outweighed by the benefits of ASDA conducting testing under the consistent National approach.

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
Innovation & Info. Economy (cont.)				<p>are well established and understood amongst the sporting industry. ASDA delivers education as well as conducting testing. Education is the keystone of the deterrence strategy employed at both National and State levels. The Commonwealth Act has well established procedures to ensure the safety and security of samples. Whilst other agencies/bodies may have the capacity to carry out drug testing, for example, hospitals or workplaces, no other agency has the capacity to deliver the chain of custody provided by ASDA, ensuring the safety and security of samples. ASDA can deliver its services at a moderate cost. Given the high cost of laboratory analysis, this is important for containing the costs of testing. Testing by ASDA is administratively simpler to implement. All other mainland Australian States have introduced legislation that confers powers on ASDA to conduct drug testing of their State level athletes.</p>	
Justice & A-G	<i>Births, Deaths and Marriages Registration Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Civil Liability Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Commonwealth Powers (De Facto Relationships) Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Coroners Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Cremations Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Criminal Code (Palliative Care) Amendment Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Evidence (Protection of Children) Amendment Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Financial Services Reform (Consequential Amendments) Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
	<i>Guardianship and Administration and Other Acts Amendment Act 2003</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
Justice & A-G (cont.)	<i>Justice and Other Legislation Amendment Act 2003</i>	No	Yes	<i>Yes -- An amendment gives legislative effect to a Queensland Law Society rule capping legal fees in personal injuries matters so that a solicitor may not charge more than half of the amount ultimately payable to the client, without the approval of the Council of the Society. The objective of the amendment is to ensure solicitors acting in speculative personal injuries matters cannot claim a disproportionate amount of the award or settlement as professional fees.</i>	<i>Yes/Yes -- It was concluded that the amendment strikes a balance between the need of clients to be treated fairly and practitioners to be reasonably remunerated.</i>
	<i>Legal Profession Act 2003</i>	<i>Yes --The legislation was consistent with the Government's decisions on the review, as previously outlined to the NCC. It is based substantially on relevant parts of the national model laws for the regulation of the legal profession being developed through the Standing Committee of Attorneys-General which are to be subject to a national NCP gate-keeping review, co-ordinated by NSW.</i>			
	<i>Magistrates Amendment Act 2003</i>	No	Yes	No	
	<i>Sexual Offences (Protection of Children) Amendment Act 2003</i>	No	Yes	No	
	Local Government <small>Local Govt</small>	<i>Building Amendment Act 2003</i>	NO	NO. Amendments relate to residential swimming pool safety requirements.	N/A
<i>Integrated Planning and Other Legislation Amendment Act 2003</i>		NO	YES	NO	N/A
<i>Local Government (Robina Central Planning Agreement) Amendment Act 2003</i>		NO	YES	NO	N/A
<i>Local Government and Other Legislation Amendment Act 2003</i>		NO	YES	NO	N/A
<i>Local Government Legislation Amend. Act 2003</i>		NO	YES	NO	N/A
Natural Resources & Mines	<i>Aboriginal Cultural Heritage Act 2003</i>	No	No. The legislation relates to the protection and management of Aboriginal cultural heritage values by the traditional owners of that cultural heritage. There is no restriction on competition because no one else has the traditional knowledge associated with the cultural heritage values. The legislation also had to be drafted in a manner consistent with the provisions of the Commonwealth <i>Native Title Act 1993</i>	N/A	N/A
	<i>Irvinebank State Treatment Works Repeal Act 2003</i>	No	N/A	N/A	N/A

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
Natural Resources & Mines (cont.)	<i>Land Legislation Amendment Act 2003</i>	No - in terms of the legislative amendment to the <i>Mineral Resources Act 1989</i> .	No -- The nature of the legislative amendment to the <i>Mineral Resources Act 1989</i> was to cancel certain mining leases. Restriction on competition was not an issue in this instance.	N/A	N/A
	<i>Mineral Resources and Another Act Amendment Act 2003</i>	No	Yes	Yes – the Act established an interim regime for the regulation of coal seam gas exploration and production.	No -- consideration of competition issues in relation to this legislation was not undertaken on the basis that a PBT is being undertaken in relation to the proposed Petroleum and Gas (Production and Safety) Act, which will give effect to the final coal seam gas regime. The report of that PBT will be included with the Authority to Introduce for the Petroleum and Gas (Production and Safety) Bill."
	<i>Natural Resources and Other Legislation Amendment Act 2003</i>	No	Yes	No	
	<i>Survey and Mapping Infrastructure Act 2003</i>	No	Yes	No	N/A
	<i>Surveyors Act 2003</i>	Yes and Yes	N/A	N/A	N/A
	<i>Torres Strait Islander Cultural Heritage Act 2003</i>	No	No. The legislation relates to the protection and management of Torres Strait Islander cultural heritage values by the traditional owners of that cultural heritage. There is no restriction on competition because no one else has the traditional knowledge associated with the cultural heritage values. The legislation also had to be drafted in a manner consistent with the provisions of the Commonwealth <i>Native Title Act 1993</i>	N/A	N/A
	<i>Valuation of Land Amendment Act 2003</i>	No	No. The amendments were made to allow the chief executive to take into account the value of intangible improvements in the making of a valuation where an application is made on an approved form. There were no NCP issued identified in the amendments.	N/A	N/A
	<i>Vegetation (Application for Clearing) Act 2003</i> <i>Water and Other Legislation Amendment Act 2003</i>	No No	Yes No potential restrictions on competition. The need for amendments were identified as a result of ongoing implementation of the Water Act and also to facilitate proposed new water infrastructure in the Burnett Basin.	No N/A	N/A N/A

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Police	<i>Australian Crime Commission (Queensland) Act 2003</i>	No	No -- None of the Amendment Acts had the potential to restrict competition because none of the Amendment Acts created an advantage or disadvantage to business competitors (e.g. the Weapons (Handguns and Trafficking) Amendment Act 2003 implemented a COAG agreement requiring the legislative removal of the high-powered handgun market Australia wide).	N/A	N/A
Police	<i>Chemical, Biological and Radiological Emergency Powers Amendment Act 2003</i>	No	No (See Above)	N/A	N/A
Police	<i>Police Powers and Responsibilities (Forensic Procedures) Amendment Act 2003</i>	No	No (See Above)	N/A	N/A
Police	<i>Police Powers and Responsibilities and Other Legislation Amendment Act 2003</i>	No	No (See Above)	N/A	N/A
Police	<i>Police Service Administration (Alcohol and Drug Testing) Amendment Act 2003</i>	No	No (See Above)	N/A	N/A
Police	<i>Weapons (Handguns and Trafficking) Amendment Act 2003</i>	No	No (See Above)	N/A	N/A
Police	<i>Weapons and Another Act Amendment Act 2003</i>	No	No (See Above)	N/A	N/A
Premiers	<i>Governors (Salary and Pensions) Act 2003</i>	No	No, amendments relate to the administration of executive government and do not place any restrictions on competition	N/A	N/A
Premiers	<i>Parliament of Queensland Amendment Act (No. 2) 2003</i>	No	No, amendments relate to the administration of executive government and do not place any restrictions on competition	N/A	N/A
Premiers	<i>Parliament of Queensland Amendment Act 2003</i>	No	No, amendments relate to the administration of executive government and do not place any restrictions on competition	N/A	N/A
Premiers	<i>South Bank Corporation and Other Acts Amendment Act 2003</i>	No	Yes	No potential restrictions on competition were identified	No
Primary Industries	<i>Primary Industries and Other Legislation Amendment Act 2003</i>	No	Yes	<p>No, but one of the amendments was to delete previously "sunsetted" (expired) restrictions on competition in the <i>Grain Industry Restructuring Act 1991</i> (ie the "vesting" of certain grains), thereby completing the process of NCP reform of that Act.</p> <p>Furthermore, amendments to the Fisheries Act included in the PILA Act removed some potential restrictions on integrated development activities. The previously separate approval requirements for fisheries were removed and multiple approvals for fisheries habitat and aquaculture development were amalgamated into a single approvals process under the</p>	N/A

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
				Integrated Planing Act. This amalgamation also streamlined approvals for all fisheries development across State and local government and also across Commonwealth and State Governments for aquaculture. The new Queensland approach forms the statutory basis for the accreditation of Queensland law and associated processes by the C'wealth under the Great Barrier Reef Marine Park (Aquaculture) Regulation.	
Prim. Ind.	Sugar Industry and Other Legislation Amendment Act 2003	No	Yes	No	N/A
State Development	Trans-Tasman Mutual Recognition (Queensland) Act 2003	No	No – the Act ensures Qld's continued participation in the TTMRA which is designed to increase the competitiveness of the Australia/New Zealand market	N/A	N/A
Tourism, Racing & Fair Trading	Body Corporate and Community Management and Other Legislation Amendment Act 2003	No	Yes	No	N/A
TRFT	Commercial and Consumer Tribunal Act 2003	No	Yes	No	N/A
TRFT	Liquor Amendment Act 2003	No	Yes	No	N/A
TRFT	Manufactured Homes (Residential Parks) Act 2003	Yes /Yes	N/A	N/A	N/A
TRFT	Motor Vehicles Securities and Other Acts Amendment Act 2003	No	Yes	No	N/A
TRFT	Second-hand Dealers and Pawnbrokers Act 2003	Yes/Yes.	N/A	N/A	N/A
TRFT	Tourism Services Act 2003	Yes/Yes -- Result of NCP review of new legislative proposals for regulation of proposed regulation of Inbound Tour Operators and Tour Guides in Queensland	Yes	Yes Registration requirements & conduct restrictions (Information disclosure; records; & identification under proposed Code of Conduct	Yes
TRFT	Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2003	No	Yes	No	N/A
Transport	Transport Infrastructure and Another Act Amendment Act 2003	YES/YES-- Legislation imposes revised minimum accreditation and safety requirements to take account of the recommendations of the inquiry into the Glenbrook (NSW) rail disaster and to clarify the roles of the Queensland Competition and Safety regulators	N/A	N/A	N/A

Department <small>(Departmental titles are shown as at the time the legislation was enacted)</small>	Legislation Title	Q1: Was the primary purpose of the legislation or legislative amendments to implement the recommendations of an NCP Review of existing legislation? If so, were the legislation or amendments consistent with the recommendations of the review?	Q2: If the proposed legislation or amendments were not intended to implement the recommendations of an NCP Review of existing legislation, were they examined for potential restrictions on competition? If not, why?	Q3: If the answer to Question 2 was 'yes', were any potential restrictions on competition identified? If so, what was the nature of each restriction?	Q4: If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared? If so, were the restrictions found to be in the public interest?
Transport (cont.)	Transport Operations (Road Use Management) and Another Act Amendment Act 2003	(a) Part 1 Amendment of Transport Operations (Road Use Management) Act 1995 - NO (b) Schedule Amendment of State Transport (People Movers) Act 1989 - YES	(a) NO -- Corrective and Administrative in nature (b) N/A	(a) NO (b) NO	(a) NA (b) N/A
Treasury	Appropriation (Parliament) Act (No. 2) 2003	No	No – appropriation bill	N/A	N/A
Treasury	Appropriation (Parliament) Act 2003	No	No – appropriation bill	N/A	N/A
Treasury	Appropriation Act (No. 2) 2003	No	No – appropriation bill	N/A	N/A
Treasury	Appropriation Act 2003	No	No – appropriation bill	N/A	N/A
Treasury	Community Ambulance Cover Act 2003	No	No – Act established Community Ambulance scheme	N/A	N/A
Treasury	Financial Administration and Other Legislation Amendment Act 2003	No	No – administrative amendments	N/A	N/A
Treasury	First Home Owner Grant Amendment Act 2003	No	No – administrative amendments	N/A	N/A
Treasury	Gaming Machine and Other Legislation Amendment Act 2003	No	Yes	Yes – • Creation of tradable Gaming Machine Authorities. • Creation of a tender sale process for sale of the authorities. • Restrictions on the number of Authorities that may be sold (per year and per sale). • Minimum sale restrictions. • Geographical restrictions on the sale process.	Yes – A Public Benefit Test dated 6 May 2003 concluded that the restrictions were in the public interest.
Treasury	Land Tax Amendment Act 2003	No	No – administrative amendments	N/A	N/A
Treasury	Statutory Bodies Financial Arrangements Amendment Act 2003	No	No – administrative amendments	N/A	N/A
Treasury	Superannuation Legislation Amendment Act 2003	No	No. The Act amended existing legislation to accommodate the Commonwealth's Family Law Act amendments.	N/A	N/A
Treasury	TAB Queensland Limited Privatisation Amendment Act 2003	No	Yes	No	N/A

Queensland 2003: New Subordinate Legislation and Amendments to Existing Subordinate Legislation

[Excluding proclamations commencing certain or remaining provisions]

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
ATSIP	Community Services (Aborigines) Amendment Reg (No. 1) 2003	<i>Community Services (Aborigines) Act 1984</i>	No	No – formulation of Aboriginal Community Groups	No	No
ATSIP	Community Services (Aborigines) Amendment Reg (No. 2) 2003	<i>Community Services (Aborigines) Act 1984</i>	No	No – formulation of Aboriginal Community Groups	No	No
ATSIP	Community Services (Aborigines) Amendment Reg (No. 3) 2003	<i>Community Services (Aborigines) Act 1984</i>	No	No – formulation of Aboriginal Community Groups	No	No
ATSIP	Community Services (Aborigines) Amendment Reg (No. 4) 2003	<i>Community Services (Aborigines) Act 1984</i>	No	No – statutory procedural matter relating to internal indigenous community governance	No	No
ATSIP	Community Services (Aborigines—Dissolution of Palm Island Aboriginal Council) Regulation (No. 1) 2003	<i>Community Services (Aborigines) Act 1984</i>	No	No – statutory procedural matter relating to internal indigenous community governance	No	No
ATSIP	Community Services (Torres Strait) Amendment Reg (No. 1) 2003	<i>Community Services (Torres Strait) Act 1984</i>	No	No – formulation of Aboriginal Community Groups	No	No
ATSIP	Community Services Legislation Amendment Regulation (No. 1) 2003	<i>Community Services (Aborigines) Act 1984; Community Services (Torres Strait) Act 1984</i>	No	No – amendment relating to the formulation of Aboriginal Community Groups	No	No
ATSIP	Community Services Legislation Amendment Regulation (No. 2) 2003	<i>Community Services (Aborigines) Act 1984; Community Services (Torres Strait) Act 1984</i>	No	No – amendments relating to local government elections	No	No
ATSIP	Community Services Legislation Amendment Regulation (No. 3) 2003	<i>Community Services (Aborigines) Act 1984; Community Services (Torres Strait) Act 1984</i>	No	No – amendments relating to local government elections	No	No
Corrective Services	Corrective Services Amendment Regulation (No. 1) 2003	<i>Corrective Services Act 2000</i>	No	No. The amendments relate only to purely operational corrections matters.	N/A	N/A
	Corrective Services Amendment Regulation (No. 2) 2003	<i>Corrective Services Act 2000</i>	No	No. The amendments relate only to purely operational corrections matters.	N/A	N/A
	Corrective Services Amendment Regulation (No. 3) 2003	<i>Corrective Services Act 2000</i>	No	No. The amendments relate only to purely operational corrections matters.	N/A	N/A
Education	Education (General Provisions) Amendment Regulation (No. 1) 2003	<i>Education (General Provisions) Act 1989</i>	No	Yes	Yes	No - Provisions considered in conjunction with PBT of principal Act
Education	Grammar Schools Regulation 2003	<i>Grammar Schools Act 1975</i>	Yes – Provisions considered in conjunction with PBT of principal Act	N/A	N/A	N/A
Emergency Services	Ambulance Service Amendment and Repeal Reg (No. 1) 2003	<i>Ambulance Service Act 1991</i>	No	Yes	No Restrictions Found	A PBT was undertaken for the Ambulance Service Act 1991. No restrictions were found in relation to this Regulation.
	Ambulance Service Regulation 2003	<i>Ambulance Service Act 1991</i>	No	Yes	No Restrictions Found	A PBT was undertaken for the Ambulance Service Act 1991. No restrictions were found in relation to this Regulation
	Fire Legislation Amendment Regulation (No. 1) 2003	<i>Building Act 1975; Fire and Rescue Service Act 1990</i>	No	Yes	No Restrictions Found	

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Environmental Protection Agency	Coastal Protection and Management (Coastal Management Districts) Reg 2003	<i>Coastal Protection and Management Act 1995</i>	No	No. The legislation concerned the establishment of a Coastal Management District only	N/A	N/A
EPA	Coastal Protection and Management Legislation Amendment Reg (No. 1) 2003	<i>Coastal Protection and Management Act 1995</i>	No	No. The legislation concerned the establishment of a Coastal Management District only	N/A	N/A
EPA	Coastal Protection and Management Legislation Amendment Reg (No. 2) 2003	<i>Coastal Protection and Management Act 1995</i>	No	No. The legislation concerned the establishment of a Coastal Management District only	N/A	N/A
EPA	Coastal Protection and Management Regulation 2003	<i>Building Act 1975; Coastal Protection and Management Act 1995</i>	Yes - regulation developed to support NCP reviewed legislation	N/A	N/A	N/A
EPA	Environmental Legislation Amendment Regulation (No. 1) 2003	<i>Forestry Act 1959; Marine Parks Act 1982; Nature Conservation Act 1992; Queensland Heritage Act 1992; Recreation Areas Management Act 1988</i>	No	No. The amendment concerned annual indexation of various fees	N/A	N/A
EPA	Environmental Protection Amendment Regulation (No. 1) 2003	<i>Environmental Protection Act 1994</i>	No	No. The amendment delayed the commencement of an item of Schedule 1 of the Regulation	N/A	N/A
EPA	Environmental Protection Policies Amendment Policy (No. 1) 2003	<i>Environmental Protection Act 1994</i>	No	Yes	No	N/A
EPA	Forestry (State Forests) and Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2003	<i>Forestry Act 1959; Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Forestry (State Forests) Amendment Regulation (No1) 2003	<i>Forestry Act 1959</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Forestry (State Forests) Amendment Regulation (No2) 2003	<i>Forestry Act 1959</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Forestry and Nature Conservation Legislation Amendment Regulation (No1) 2003	<i>Forestry Act 1959; Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Marine Parks (Moreton Bay) Amendment Zoning Plan (No1) 2003	<i>Marine Parks Act 1982</i>	No.	Yes.	Minor restrictions on competition were identified.	RIS and PBT prepared. (Minor restrictions on activity of charter operators determined to be in the public interest.)
EPA	Nature Conservation (Forest Reserves) and Forestry (State Forests) Amendment Regulation (No. 1) 2003	<i>Forestry Act 1959; Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Nature Conservation (Macropod Harvest Period) Notice 2003	<i>Nature Conservation Act 1992</i>	No	No. The Notice facilitated the taking of wildlife.	N/A	N/A
EPA	Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2003	<i>Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2003	<i>Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 2003	<i>Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Environmental Protection Agency (cont.)	Nature Conservation (Protected Plants Harvest Period) Notice 2003	<i>Nature Conservation Act 1992</i>	No	Yes	Yes - Phase out of harvesting licences does not allow for any new licensees.	No. Original legislation required a phase out of harvesting licences.
EPA	Nature Conservation and Other Legislation Amendment Regulation (No. 1) 2003	<i>Forestry Act 1959; Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Nature Conservation and Other Legislation Amendment Regulation (No. 2) 2003	<i>Nature Conservation Act 1992</i>	No	Yes	No	N/A
EPA	Nature Conservation and Other Legislation Amendment Regulation (No. 3) 2003	<i>Nature Conservation Act 1992</i>	No	Yes	No restrictions were identified	N/A
EPA	Nature Conservation and Other Legislation Amendment Regulation (No. 4) 2003	<i>Nature Conservation Act 1992</i>	No.	Yes.	No major restrictions on competition were identified.	RIS and PBT prepared. Restrictions found to be in the public interest.
EPA	Nature Conservation Legislation Amendment Reg (No. 1) 2003	<i>Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Nature Conservation Legislation Amendment Reg (No. 2) 2003	<i>Nature Conservation Act 1992</i>	No	No, the amendments were to protected area boundaries	N/A	N/A
EPA	Queensland Heritage Regulation 2003	<i>Queensland Heritage Act 1992</i>	No	No. The amendments were administrative only.	N/A	N/A
EPA	State Penalties Enforcement Amendment Regulation (No1) 2003	<i>Forestry Act 1959</i>	No	No. The amendments concerned increasing the penalties for infringements.	N/A	N/A
Families	Child Care Regulation 2003	<i>Building Act 1975; Child Care Act 2002; Education (Accreditation of Non-State Schools) Act 2001; Health Act 1937; Integrated Planning Act 1997</i>	No	Yes. As part of a comprehensive review of the <i>Child Care Act 1991</i> and the preparation of the new <i>Child Care Act 2002</i> , a PBT in respect of the then proposed legislation was undertaken, ie the draft Child Care Bill and Regulation. The new legislation commenced in September 2003 and reflects the outcomes of the PBT and public consultation process.	Yes. The legislative review, as it related to NCP, examined restrictions in the legislation regarding the licensing requirements and associated costs and the requirement to employ qualified staff. The impacts of regulating different service types within the child care sector, that have not previously been regulated were also examined.	Yes. Following extensive consultation with the sector, a RIS and PBT were prepared and made available for feedback. The results of both the RIS and the PBT formed the Competition Impact Statement (CIS) which documented the impact of the new legislation on competition and the potential areas of restriction to competition. The restrictions were found to be in the public interest.
	Child Protection Amendment Regulation (No. 1) 2003	<i>Child Protection Act 1999</i>	NO	NO – not relevant to intent of regulation	N/A	N/A
	Child Protection Amendment Regulation (No. 2) 2003	<i>Child Protection Act 1999</i>	NO	NO – not relevant to intent of regulation	N/A	N/A
	Domestic and Family Violence Protection Regulation 2003	<i>Domestic and Family Violence Protection Act 1989</i>	NO	NO – not relevant to intent of regulation	N/A	N/A
	Juvenile Justice Regulation 2003	<i>Juvenile Justice Act 1992</i>	NO	NO – not relevant to intent of regulation	N/A	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Health	Health (Drugs and Poisons) Amendment Regulation (No. 1) 2003	<i>Health Act 1937</i>	NO	YES	NO	
Health	Health (Drugs and Poisons) Amendment Regulation (No. 2) 2003	<i>Health Act 1937</i>	NO	YES	NO	
Health	Health Amendment Regulation (No. 1) 2003	<i>Health Act 1937</i>	NO	No, legislative amendments unrelated to business activities		
Health	Health Legislation Amendment and Repeal Regulation (No.1) 2003	<i>Health Act 1937</i>	NO	YES	NO	
Health	Health Legislation Amendment Regulation (No. 1) 2003	<i>Food Act 1981; Health Act 1937; Health Services Act 1991; Private Health Facilities Act 1999; Radiation Safety Act 1999</i>	NO	No, legislative amendments unrelated to business activities		
Health	Health Practitioner Legislation Amendment Regulation (No. 1) 2003	<i>Dental Practitioners Registration Act 2001; Dental Technicians and Dental Prosthetists Registration Act 2001; Medical Practitioners Registration Act 2001; Medical Radiation Technologists Registration Act 2001; Speech Pathologists Registration Act 2001</i>	NO	No, legislative amendments unrelated to business activities		
Health	Health Practitioners (Special Events Exemption) Amendment Reg (No. 2) 2003	<i>Health Practitioners (Special Events Exemption) Act 1998</i>	NO	No, legislative amendments unrelated to business activities		
Health	Health Practitioners (Special Events Exemption) Amendment Reg (No. 1) 2003	<i>Health Practitioners (Special Events Exemption) Act 1998</i>	NO	No, legislative amendments unrelated to business activities		
Health	Health Services Amendment Regulation (No. 1) 2003	<i>Health Services Act 1991</i>	NO	No, legislative amendments unrelated to business activities		
Health	Health Services Amendment Regulation (No. 2) 2003	<i>Health Services Act 1991</i>	NO	No, legislative amendments unrelated to business activities		
Health	Hospitals Foundations Amendment Regulation (No. 1) 2003	<i>Hospitals Foundations Act 1982</i>	NO	No, legislative amendments unrelated to business activities		
Health	Medical Practitioners Registration Amendment Reg (No. 1) 2003	<i>Medical Practitioners Registration Act 2001</i>	NO	No, legislative amendments unrelated to business activities		
Health	Medical Radiation Technologists Registration Amendment Reg (No. 1) 2003	<i>Medical Radiation Technologists Registration Act 2001</i>	NO	No, legislative amendments unrelated to business activities		
Health	Pest Management Amendment Regulation (No. 1) 2003	<i>Pest Management Act 2001</i>	NO	YES	NO	
Health	Pest Management Regulation 2003	<i>Pest Management Act 2001</i>	NO	YES	NO	
Health	Private Health Facilities (Standards) Amendment Notice (No. 1) 2003	<i>Private Health Facilities Act 1999</i>	NO	No, legislative amendments unrelated to business activities		
Health	Private Health Facilities Amendment Regulation (No. 1) 2003	<i>Private Health Facilities Act 1999</i>	NO	No, legislative amendments unrelated to business activities		
Health	Public Health(Infection Control for Personal Appearance Services) Regulation 2003	<i>Public Health(Infection Control for Personal Appearance Services) Act 2003</i>	NO	No, legislation unrelated to business activities		
Health	Public Health(Infection Control for Personal Appearance Services) (Postponement) Regulation 2003	<i>Public Health(Infection Control for Personal Appearance Services) Act 2003</i>	NO	No, legislation unrelated to business activities		
Health	Radiation Safety Amendment Regulation (No. 1) 2003	<i>Radiation Safety Act 1999</i>	NO	No, legislative amendments unrelated to business activities		
Health	Research Involving Human Embryos and Prohibition of Human Cloning Regulation 2003	<i>Research Involving Human Embryos and Prohibition of Human Cloning Act 2003</i>	NO	No, legislation unrelated to business activities		

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above	
Housing	Queensland Building Services Authority Amendment Regulation (No. 2) 2003	<i>Queensland Building Services Authority Act 1991</i>	No	Yes	No	N/A	
	Queensland Building Services Authority Amendment Regulation (No. 3) 2003	<i>Queensland Building Services Authority Act 1991</i>	No	Yes	No	N/A	
	Queensland Building Services Authority Amendment Regulation (No. 4) 2003	<i>Queensland Building Services Authority Act 1991</i>	No	Yes	No	N/A	
	Queensland Building Services Authority Amendment Regulation (No. 1) 2003	<i>Queensland Building Services Authority Act 1991</i>	No	Yes	No	N/A	
	Queensland Building Services Authority Regulation 2003	<i>Queensland Building Services Authority Act 1991</i>	No	Yes	Yes. Participants in building industry required to be licensed	Yes. NCP review supported adoption of more flexible and focused technical requirements for licensing and to streamline licence categories	
	Residential Tenancies Amendment Regulation (No. 1) 2003	<i>Residential Tenancies Act 1994</i>	No	Yes	No	N/A	
Innovation & Info. Economy	Electricity Amendment Regulation (No. 1) 2003	<i>Electricity Act 1994</i>					
	IIESRQ Electricity Amendment Regulation (No. 2) 2003	<i>Electricity Act 1994</i>					
	IIESRQ Electricity Amendment Regulation (No. 3) 2003	<i>Electricity Act 1994</i>					
	IIESRQ Gas Amendment Regulation (No. 1) 2003	<i>Gas (Residual Provisions) Act 1965</i>	No	Yes	No	N/a	
	IIESRQ Gas Supply Regulation 2003	<i>Gas Supply Act 2003</i>	No	Yes	No	N/a	
	IIESRQ Gold Coast Motor Racing Events Regulation 2003	<i>Gold Coast Motor Racing Events Act 1990</i>	No	Yes	No	N/A	
	IIESRQ Major Sports Facilities Amendment Regulation (No. 1) 2003	<i>Major Sport Facilities Act 2001</i>	No	No examination was required as the regulation: (a) declared Suncorp Stadium to be a "major sports facility"; and (b) expired Part 5 of the Major Sports Facilities Act 2001. Part 5 of the Act contained the provisions relating to the role, functions and powers of the SRA. Once Suncorp Stadium transferred to the MSFA the SRA ceased to have a role. No anti-competitive consequences will arise from the Regulation.			
	IIESRQ Major Sports Facilities Amendment Regulation (No. 2) 2003	<i>Major Sport Facilities Act 2001</i>	No	No examination was required as the regulation declared Willows Sports Complex, incorporating Dairy Farmers Stadium to be a "major sports facility". No anti-competitive consequences will arise from the Regulation.			
Industrial Relations	Electrical Safety Amendment Regulation (No. 1) 2003	<i>Electrical Safety Act 2002</i>	YES	N/A	NO	N/A	
	Electrical Safety Amendment Regulation (No. 2) 2003	<i>Electrical Safety Act 2002</i>	NO	NO	NO	N/A	
	Industrial Relations (Tribunals) Amendment Rule (No. 1) 2003	<i>Industrial Relations Act 1999</i>	NO	YES	NO	N/A	
	Industrial Relations (Tribunals) Amendment Rule (No. 2) 2003	<i>Industrial Relations Act 1999</i>	NO	YES	NO	N/A	
	Industrial Relations Amendment Regulation (No. 1) 2003	<i>Industrial Relations Act 1999</i>	NO	YES	NO	N/A	
	Industrial Relations Amendment Regulation (No. 2) 2003	<i>Industrial Relations Act 1999</i>	NO	YES	NO	N/A	
	Pastoral Workers' Accommodation Regulation 2003	<i>Pastoral Workers' Accommodation Act 1980; and Other Acts</i>	NO	YES	NO	N/A	

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Industrial Relations (cont.)	Private Employment Agents (Postponement of Expiry) Reg 2003	<i>Private Employment Agents Act 1983</i>	NO	YES	NO	N/A
	Workers' Compensation and Rehabilitation Regulation 2003	<i>Workers' Compensation and Rehabilitation Act 2003</i>	YES	N/A	N/A	PBT - YES
	Workplace Health and Safety (Advisory Standards) Amendment Notice (No. 1) 2003	<i>Workplace Health and Safety Act 1995</i>				
	Workplace Health and Safety (Diving) Ministerial Notice 2003	<i>Workplace Health and Safety Act 1995</i>	NO	NO, urgency under s42C of Act	n/a	n/a
	Workplace Health and Safety (Industry Codes of Practice) Amendment Notice (No. 1) 2003	<i>Workplace Health and Safety Act 1995</i>	NO	NO, n/a	n/a	n/a
	Workplace Health and Safety (Industry Codes of Practice) Amendment Notice (No. 2) 2003	<i>Workplace Health and Safety Act 1995</i>	NO	NO, n/a	n/a	n/a
	Workplace Health and Safety (Miscellaneous) Amendment Reg (No. 1) 2003	<i>Workplace Health and Safety Act 1995</i>	NO	NO, n/a	n/a	n/a
	Workplace Health and Safety Amendment Regulation (No. 1) 2003	<i>Workplace Health and Safety Act 1995</i>	NO	NO, n/a	n/a	n/a
	Workplace Health and Safety Amendment Regulation (No. 2) 2003	<i>Electrical Safety Act 2002; Workplace Health and Safety Act 1995</i>	NO	NO, n/a	n/a	n/a
	Workplace Health and Safety Amendment Regulation (No. 3) 2003	<i>Workplace Health and Safety Act 1995</i>	NO	NO, n/a	n/a	n/a
	Workplace Health and Safety Amendment Regulation (No. 4) 2003	<i>Workplace Health and Safety Act 1995</i>	NO	NO, n/a	n/a	n/a
Justice & Attorney-General	Civil Liability Regulation 2003	<i>Civil Liability Act 2003</i>	No	Yes	No	
Justice & A-G	Coroners Regulation 2003	<i>Coroners Act 2003</i>	No	Yes	No	
Justice & A-G	Cremations Regulation 2003	<i>Cremations Act 2003</i>	No	Yes	No	
Justice & A-G	Criminal Practice Amendment Rule (No. 1) 2003	<i>Supreme Court of Queensland Act 1991</i>	No	Yes	No	
Justice & A-G	Discrimination Law (Marital Status) Amendment Reg (No. 1) 2003	<i>Aboriginal Land Act 1991; and other Acts</i>	No	Yes	No	
Justice & A-G	Discrimination Law (Sex) Amendment Regulation (No. 1) 2003	<i>Adoption of Children Act 1964; Registration of Births, Deaths and Marriages Act 1962</i>	No	Yes	No	
Justice & A-G	Drugs Misuse Amendment Regulation (No. 1) 2003.	<i>Drugs Misuse Act 1986</i>	No	Yes	No	
Justice & A-G	Drug Rehabilitation (Court Diversion) Amendment Reg (No. 1) 2003	<i>Drug Rehabilitation (Court Diversion) Act 2000</i>	No	Yes	No	
Justice & A-G	Guardianship and Administration Amendment Reg (No. 1) 2003	<i>Guardianship and Administration Act 2000</i>	No	Yes	No	
Justice & A-G	Guardianship and Administration Amendment Reg (No. 2) 2003	<i>Guardianship and Administration Act 2000</i>	No	Yes	No	

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Justice & Attorney-General (cont.)	Justice Legislation (Variation of Costs and Fees) Regulation (No. 1) 2003	<i>Appeal Costs Fund Act 1973; Electoral Act 1992; Evidence Act 1977; Freedom of Information Act 1992; and Other Acts</i>	No	Yes	No	
Justice & A-G	Justice Legislation Amendment Regulation (No. 1) 2003	<i>Justices Act 1886; Registration of Births, Deaths and Marriages Act 1962; Small Claims Tribunals Act 1973</i>	No	Yes	No	
Justice & A-G	Magistrates Regulation 2003	<i>Magistrates Act 1991</i>	No	Yes	No	
Justice & A-G	Penalties and Sentences Amendment Regulation (No. 1) 2003	<i>Penalties and Sentences Act 1992</i>	No	Yes	No	
Justice & A-G	Personal Injuries Proceedings Amendment Regulation (No. 1) 2003	<i>Personal Injuries Proceedings Act 2002</i>	No	Yes	No	
Justice & A-G	Property Law Regulation 2003	<i>Property Law Act 1974</i>	No	Yes	No	
Justice & A-G	Recording of Evidence Amendment Regulation (No. 1) 2003	<i>Recording of Evidence Act 1962</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 1) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 2) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 3) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 4) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 5) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 6) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 7) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 8) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 9) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 10) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 11) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement Amendment Regulation (No. 12) 2003	<i>State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	State Penalties Enforcement and Another Regulation Amendment Regulation (No. 1) 2003	<i>Food Production (Safety) Act 2000; State Penalties Enforcement Act 1999</i>	No	Yes	No	
Justice & A-G	Uniform Civil Procedure Amendment Rule (No. 1) 2003	<i>Supreme Court of Queensland Act 1991</i>	No	Yes	No	

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Local Government & Planning	Building Legislation Amendment Regulation (No. 1) 2003	<i>Building Act 1975; Integrated Planning Act 1997; State Penalties Enforcement Act 1999</i>	YES. YES.	N/A	N/A	N/A
	Building Regulation 2003	<i>Building Act 1975</i>	NO	NO. Rewrite of existing Regulation in relation to fee increases and pool fence exemptions for tourist resort complexes.	N/A	N/A
	City of Brisbane Amendment Regulation (No. 1) 2003	<i>City of Brisbane Act 1924</i>	NO	YES	NO	N/A
	Integrated Planning Amendment Regulation (No. 1) 2003	<i>Integrated Planning Act 1997</i>	NO	YES	NO	N/A
	Integrated Planning Amendment Regulation (No. 2) 2003	<i>Integrated Planning Act 1997</i>	NO	NO. Minor consequential amendments as a result of amendments to Building Act 1975 and the Plumbing and Drainage Act 2002.	N/A	N/A
	Integrated Planning Amendment Regulation (No. 3) 2003	<i>Integrated Planning Act 1997</i>	NO	NO. Provisions relate to the setting of court fees.	N/A	N/A
	Integrated Planning Amendment Regulation (No. 4) 2003	<i>Integrated Planning Act 1997</i>	NO	YES	NO	N/A
	Local Government (Implementation of Reviewable Local Government Matters) Regulation 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Local Government (Maroochy and Noosa) Regulation 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Local Government Amendment Regulation (No. 1) 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Local Government Amendment Regulation (No. 2) 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Local Government Amendment Regulation (No. 3) 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Local Government Finance Amendment Standard (No. 1) 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Local Government Legislation Amendment Regulation (No. 1) 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Local Government Legislation Amendment Regulation (No. 2) 2003	<i>Local Government Act 1993</i>	NO	YES	NO	N/A
	Plumbing and Drainage (Postponement) Regulation 2003	<i>Plumbing and Drainage Act 2002</i>	YES. YES.	N/A	N/A	N/A
	Plumbing and Drainage Regulation 2003	<i>Plumbing and Drainage Act 2002</i>	YES. YES.	N/A	N/A	N/A
	Standard Building Amendment Regulation (No. 1) 2003	<i>Building Act 1975</i>	YES. YES.	N/A	N/A	N/A
	Standard Plumbing and Drainage Regulation 2003	<i>Building Act 1975; Plumbing and Drainage Act 2002</i>	YES. YES.	N/A	N/A	N/A
	Standard Sewerage and Water Supply Legislation Amendment Law (No. 1) 2003	<i>Sewerage and Water Supply Act 1949</i>	YES. YES.	N/A	N/A	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Natural Resources & Mines	Aboriginal Land Amendment Regulation (No. 1) 2003	<i>Aboriginal Land Act 1991</i>	No	No. This legislation relates to the making of land available for grant to indigenous persons as contemplated by the <i>Aboriginal Land Act 1991</i> . This special State land rights legislation makes special measures for the adequate and appropriate recognition of the interests and responsibilities indigenous persons have in relation to land and thereby to foster the capacity for self-development, and self-reliance and cultural integrity of indigenous persons.	N/A	N/A
NR&M	Aboriginal Land Amendment Regulation (No. 2) 2003	<i>Aboriginal Land Act 1991</i>	No	As Above	N/A	N/A
NR&M	Aboriginal Land Amendment Regulation (No. 3) 2003	<i>Aboriginal Land Act 1991</i>	No	As Above	N/A	N/A
NR&M	Acquisition of Land Regulation 2003	<i>Acquisition of Land Act 1967</i>	No	Yes	No	N/A
NR&M	Explosives Regulation 2003	<i>Explosives Act 1999</i>	No	Yes	Yes. Restrictions provided through: <ul style="list-style-type: none"> • national uniformity; • increasing safety and training requirements in fireworks industry (industry working with Explosives Inspectorate to ensure high standard of safety in Queensland); and • fees for fireworks licences increasing significantly to offset additional resources provided by Explosives Inspectorate post Bray Park. 	Business Regulation Reform Unit confirmed that no RIS required due to nature of regulations, which were in the public interest. Public submissions called for in early consultation stage addressed during development of regulations. Explosives legislation removed from scope of legislation review schedule.
NR&M	Foreign Ownership of Land Register Regulation 2003	<i>Foreign Ownership of Land Register Act 1988</i>	No	No. The amendments comprise a schedule of fees to search the register. The principle Act requires the State maintain a register of information collected under the Act. There is no restriction on competition.		Based on the information provided by NRM to BRRU, BRRU agreed no RIS was required. The revenue raised from searches in the register in the 2002/3 amounted to \$16,384
NR&M	Land Protection (Pest and Stock Route Management) (Postponement) Regulation 2003	<i>Land Protection (Pest and Stock Route Management) Act 2002</i>	No	N/A	N/A	N/A
NR&M	Land Protection (Pest and Stock Route Management) Reg 2003	<i>Land Protection (Pest and Stock Route Management) Act 2002</i>	No	Yes	Yes – restrictions on the keeping of domestic rabbits were reviewed	Yes/Yes
NR&M	Mineral Resources Amendment Regulation (No. 1) 2003	<i>Mineral Resources Act 1989</i>	N/A	N/A	N/A	N/A
NR&M	Mineral Resources Regulation 2003	<i>Mineral Resources Act 1989</i>	No	Yes	No	N/A
NR&M	Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2003	<i>Acquisition of Land Act 1967; and Other Acts</i>	No	Yes	No	N/A
NR&M	Natural Resources Legislation Amendment Regulation (No. 1) 2003	<i>Land Act 1994; Vegetation Management Act 1999</i>	No	Yes	No	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Natural Res. & Mines (cont.)	Petroleum (Entry Permission—Chevron Services Australia Pty Ltd) Notice 2003	<i>Petroleum Act 1923</i>	N/A	N/A	N/A	N/A
NR&M	Petroleum (Entry Permission—Oil Company of Australia (Moura) Transmission Pty Limited) Notice 2003	<i>Petroleum Act 1923</i>	N/A	N/A	N/A	N/A
NR&M	Petroleum (Entry Permission—RLMS Pty Ltd) Notice 2003	<i>Petroleum Act 1923</i>	N/A	N/A	N/A	N/A
NR&M	Valuation of Land Amendment Regulation (No. 1) 2003	<i>Valuation of Land Act 1944</i>	No	The Regulation was required under section 37A (4) of the Valuation of Land Act 1944 to extend the period between the making of Annual valuations of 4 local governments.		No restrictions on competition were identified.
NR&M	Valuation of Land Regulation 2003	<i>Valuation of Land Act 1994</i>	No	There were no NCP issues identified in the scan of legislation carried out in the late 1990s. There were no NCP issues with the Regulation since it only affected valuation information supplied by Government.		The RIS process found that remaking the regulation was in the public interest.
NR&M	Valuers Registration Regulation 2003	<i>Valuers Registration Act 1992</i>	No	The Valuers Registration Act 1992 and the Regulation were subject to a PBT in 1999 in accordance with the principles of the NCP. The outcome was to maintain registration of valuers in Queensland for at least a further 3 years from 1.5.02, pending a further review of the need for the legislation taking into account the effectiveness of the measures implemented by the amendments to legislation, which commenced 1.5.02		The RIS process found that, pending the outcome of the next NCP review, remaking the regulation was in the public interest.
NR&M	Water (Mary River Water Supply Scheme—Emergency) Amendment Notice (No. 1) 2003	<i>Water Act 2000</i>	No	No potential restrictions on competition	N/A	N/A
NR&M	Water (Mary River Water Supply Scheme—Emergency) Notice 2003	<i>Water Act 2000</i>	No	No potential restrictions on competition	N/A	N/A
NR&M	Water Amendment Regulation (No. 1) 2003	<i>Water Act 2000</i>	No	No potential restrictions on competitions	N/A	N/A
NR&M	Water Amendment Regulation (No. 2) 2003	<i>Water Act 2000</i>	No	No potential restrictions on competition	N/A	N/A
NR&M	Water Amendment Regulation (No. 3) 2003	<i>Water Act 2000</i>		No potential restrictions on competition	N/A	N/A
NR&M	Water Amendment Regulation (No. 4) 2003	<i>Water Act 2000</i>	No	No potential restrictions on competition		
NR&M	Water Resource (Border Rivers) Plan 2003	<i>Water Act 2000</i>	No	No	N/A	N/A
NR&M	Water Resource (Moonie) Plan 2003	<i>Water Act 2000</i>	No	No	N/A	N/A
NR&M	Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003	<i>Water Act 2000</i>	No	No	N/A	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Police	Police Powers and Responsibilities (Rugby World Cup) Reg 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	All proposed amendments to subordinate legislation must be examined against the obligations contained in Part 5 (Guidelines for Regulatory Impact Statements) of the Statutory Instruments Act 1992. In particular s. 43 (Preparation of regulatory impact statement). The obligation imposed by s. 43 of the Act does, by implication, require consideration as to whether the proposed subordinate legislation will potentially restrict trade. No Regulatory Impact Statements were prepared for the amendment regulations completed by the Department of Police as the amendment regulations came within the provisions of s.46 (Where is preparation of a regulatory impact statement unnecessary?) of the Act.	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 1) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 2) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 3) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 4) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 5) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 6) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 7) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 8) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 9) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Police Powers and Responsibilities Amendment Reg (No. 10) 2003	<i>Police Powers and Responsibilities Act 2000</i>	No	See Above	N/A	N/A
	Prostitution Amendment Regulation (No. 1) 2003	<i>Prostitution Act 1999</i>	No	See Above	N/A	N/A
	Weapons Legislation Amendment Regulation (No. 1) 2003	<i>Weapons Act 1990</i>	No	See Above	N/A	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Premiers	Governors (Salary and Pensions) Regulation 2003	<i>Governors (Salary and Pensions) Act 2003</i>	No	No, the subordinate legislation relates to the administration of executive government and does not place any restrictions on competition	No	No
Premiers	South Bank Corporation (Modified Building Units and Group Titles) Reg 2003	<i>South Bank Corporation Act 1989</i>	No	Yes	No potential restriction identified. The Regulation was remade due to its imminent expiry.	No
Premiers	South Bank Corporation Regulation 2003	<i>South Bank Corporation Act 1989</i>	No	Yes	No potential restriction identified. The Regulation was remade due to its imminent expiry	No
Premiers	Statutory Instruments Amendment Regulation (No. 1) 2003	<i>Statutory Instruments Act 1992</i>	No	No, the subordinate legislation relates to the expiry of subordinate legislation and does not place any restrictions on competition	No	No
Premiers	Statutory Instruments Amendment Regulation (No. 2) 2003	<i>Statutory Instruments Act 1992</i>	No	No, the subordinate legislation relates to the expiry of subordinate legislation and does not place any restrictions on competition	No	No
Primary Industries	Animal Care and Protection Amendment Regulation (No. 1) 2003	<i>Animal Care and Protection Act 2001</i>	No	Yes	<p>Yes, one of the amendments was to insert new provisions in the Regulation to implement a decision of the Agriculture and Resources Ministerial Council of Australia and New Zealand (ARMCANZ) from August 2000 in regard to layer hen welfare measures, notably for each jurisdiction to underpin a number of essential poultry welfare parameters from the Poultry Code 4th edition as a mandatory code of practice in legislation. This relates to layer hen cage sizes and stocking densities in particular.</p> <p>The prescription of a new mandatory code of practice, although intended to be uniform across all States and Territories, is arguably a "restriction on competition" as that term is defined in the Queensland NCP Legislation Review Policy Statement of July 1996.</p>	<p>No. RIS and PBT not undertaken as the implementation of the new regulatory arrangements for hen welfare is strictly in accord with a decision of the national Ministerial Council (ARMCANZ, as it was, now the Primary Industries Ministerial Council) which will be progressively implemented by all States and Territories.</p> <p>Notably, an adequate transitional period for progressively meeting the cage size, design and stocking densities (ie till 01/01/08) has been allowed.</p>

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Primary Industries (cont.)	Fisheries (Coral Reef Fin Fish) Management Plan 2003	<i>Fisheries Act 1994</i>	No	Yes	Yes including input controls, max. and min. legal reef fish size limits and boat catch limits for a number of rare and iconic reef fish were applied for the achievement of long-term sustainable use, and equitable access across all fishing sectors. Minimum quota holdings for some coral reef species were introduced as an interim provision that will be phased out in 2 years once the trading of quota stabilises. Similarly, there are interim provisions to specify the form in which coral reef fish are to be landed for quota management purposes.	Yes. A RIS and PBT were prepared. The restrictions were found to be in the public interest in that they were essential for the long-term sustainable management of the fishery.
	Fisheries Amendment Regulation (No. 1) 2003	<i>Fisheries Act 1994</i>	No	Yes	No	N/a
	Fisheries Amendment Regulation (No. 2) 2003	<i>Fisheries Act 1994</i>	No	Yes	No	N/a
	Fisheries Amendment Regulation (No. 3) 2003	<i>Fisheries Act 1994</i>	No	Yes	Yes including: (a) access controls to commercial fishing activity to address concerns about resource allocation and catch sharing; and (b) input controls (reduction in number of licences) and output controls (setting a TAC) on commercial Spanish mackerel fishers. Minimum quota holding for Spanish mackerel fishers was introduced as an interim provision that will be phased out in 2 years once the trading of quota stabilises. A complementary measure to the Fisheries Management Plan Amendment No.2.	Yes. A RIS and PBT were prepared. The restrictions were found to be in the public interest as they assist in the sustainability of fishery resources and associated ecosystems and maintain appropriate catch sharing arrangements.
	Fisheries Amendment Regulation (No. 4) 2003	<i>Fisheries Act 1994</i>	No	Yes	No	
	Fisheries Amendment Regulation (No. 5) 2003	<i>Fisheries Act 1994</i>	No	Yes	Yes - area closures to restrict all types of fishing in certain defined habitat areas, specifically to protect the endangered Grey Nurse Shark. A complementary measure to the Fisheries Management Plan Amendment No.5.	Yes. A RIS and PBT were prepared. The restrictions were found to be in the public interest as the precautionary management approach would aid in the reduction of negative interaction between the sharks and commercial fishing activities.

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Primary Industries (cont.)	Fisheries Management Plans Amendment Management Plan (No. 1) 2003	<i>Fisheries Act 1994</i>	No	Yes	No	N/a
	Fisheries Management Plans Amendment Management Plan (No. 2) 2003	<i>Fisheries Act 1994</i>	No	Yes	Yes including: (a) access controls to commercial fishing activity to address concerns about resource allocation and catch sharing; and (b) input controls directed towards the spanner crab fishery by restricting the amount and type of gear that can be used.	Yes. A RIS and PBT were prepared. The restrictions were found to be in the public interest as they assist in the sustainability of fishery resources and associated ecosystems and maintain appropriate catch sharing arrangements.
	Fisheries Management Plans Amendment Management Plan (No. 3) 2003	<i>Fisheries Act 1994</i>	No	Yes	No, but NCC previously identified that the minimum quota holding in the Spanner Crab fishery was anticompetitive. These provisions were removed from the Spanner Crab Management Plan by this Amendment Plan.	
	Fisheries Management Plans Amendment Management Plan (No. 4) 2003	<i>Fisheries Act 1994</i>	No	Yes	No	
	Fisheries Management Plans Amendment Management Plan (No. 5) 2003	<i>Fisheries Act 1994</i>	No	Yes	Yes - area closures to restrict all types of fishing in certain defined habitat areas, specifically to protect the endangered Grey Nurse Shark.	Yes. A RIS and PBT were prepared. The restrictions were found to be in the public interest as the precautionary management approach would aid in the reduction of negative interaction between the sharks and commercial fishing activities.
	Forestry (State Forests) Amendment Regulation (No. 1) 2003	<i>Forestry Act 1959</i>	No	Yes	No	N/a
	Forestry (State Forests) Amendment Regulation (No. 2) 2003	<i>Forestry Act 1959</i>	No	Yes	No	N/a
	Forestry and Nature Conservation Legislation Amendment Regulation (No. 1) 2003 – Forestry provisions only	<i>Forestry Act 1959</i>	No	Yes	No	N/a
Forestry (State Forests) and Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2003 – Forestry provisions only	<i>Forestry Act 1959</i>	No	Yes	No	N/a	

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Primary Industries (cont.)	Plant Protection (Approved Sugarcane Varieties) Declaration 2003	<i>Plant Protection Act 1989</i>	No	Yes	Yes - requiring an inspector's approvals to grow non-approved sugarcane varieties is arguably a NCP restriction. A complementary measure to the Plant Protection Amendment Regulation (No3) 2003.	No. This measure is a companion measure to the Plant Protection Amdt Reg No.3 and continues an existing restriction on varieties of sugarcane that may be grown for disease control purposes, but transfers this capacity from the Sugar Industry Act to the Plant Protection Act to facilitate the administration of the measure following certain changes in industry organisational arrangements.
	Plant Protection (Wheat Streak Mosaic) Notice 2003	<i>Plant Protection Act 1989</i>	No	Yes	No	N/a
	Plant Protection Amendment Regulation (No. 1) 2003	<i>Plant Protection Act 1989</i>	No	Yes	No	N/a
	Plant Protection Amendment Regulation (No. 2) 2003	<i>Plant Protection Act 1989</i>	No	Yes	No	N/a
	Plant Protection Amendment Regulation (No. 3) 2003	<i>Plant Protection Act 1989</i>	No	Yes	Yes - requiring an inspector's approvals to grow non-approved sugarcane varieties is arguably a NCP restriction.	No. This measure was consequential to the Approved Sugarcane Varieties Notice. In effect, the 2 measures simply transfer this existing control from the Sugar Industry Act to the Plant Protection Act. Clearly in the Public Interest for pest control purposes.
	Plant Protection Amendment Regulation (No. 4) 2003	<i>Plant Protection Act 1989</i>	No	Yes	Yes - but only minor in requiring more stringent banana disease thresholds to allow more effective measures to prevent or control and to respond to banana leaf disease infestations.	No. A PBT was not undertaken, however the RIS addressed the impacts on different stakeholders.
	Plant Protection Amendment Regulation (No. 5) 2003	<i>Plant Protection Act 1989</i>	No	Yes	No	N/a
Primary Industries Legislation Amendment Regulation (No. 1) 2003	<i>Agricultural Chemicals Distribution Control Act 1966; Brands Act 1915; Chemical Usage (Agricultural and Veterinary) Control Act 1988; Stock Act 1915; Veterinary Surgeons Act 1936</i>	No	Yes	No	N/a	

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Primary Industries (cont.)	Primary Industries Legislation Amendment Regulation (No. 2) 2003	<i>Agricultural Chemicals Distribution Control Act 1966; Agricultural Standards Act 1994, Chemical Usage (Agricultural and Veterinary) Control Act 1988</i>	Yes	Yes	A number of the amendments were consequential flowing from a NCP review of Qld Agvet Chemical Legislation in 2001-02 and from subsequent amendments to the 'parent' Agvet Chemical Acts in 2002. A notable example was the amendment to implement a review recommendation to introduce a license requirement for ground distribution contractors to complement the existing licensing regime for aerial distributors contractors of Ag chemicals.	No. A PBT was not undertaken for the regulation because all of the relevant NCP-related amendments flow from a previous NCP review of the Qld Agvet Acts. On 13 June 2003, Qld Treasury endorsed a DPI proposal to enact the Primary Industries Amendment Regulation (No. 2) 2003 without a PBT on the basis that the proposed amendments were consistent with the NCP review and consistent with the PBT issues addressed in that review.
	Stock (Cattle Tick) Amendment Notice (No. 1) 2003	<i>Stock Act 1915</i>	No	Yes	No	N/a
	Stock (Cattle Tick) Amendment Notice (No. 2) 2003	<i>Stock Act 1915</i>	No	Yes	No	N/a
Public Works	Architects Amendment Regulation (No. 1) 2003	<i>Architects Act 2002</i>				
Public Works	Architects Regulation 2003	<i>Architects Act 2002</i>				
Public Works	Professional Engineers Amendment Regulation (No. 1) 2003	<i>Professional Engineers Act 2002</i>				
Public Works	Professional Engineers Regulation 2003	<i>Professional Engineers Act 2002</i>				
Public Works	State Buildings Protective Security Amendment Reg (No. 1) 2003	<i>State Buildings Protective Security Act 1983</i>				
State Development	State Development and Public Works Organisation (Gladstone State Development Area) Amendment Regulation (No. 1) 2003	<i>State Development and Public Works Organisation Act 1971</i>	No	No. The regulation was made to establish a State Development Area in Townsville as a specific location for heavy industry. There is no restriction on competition from the establishment of this area.	N/A	BRRU advised no RIS required. Public consultation was undertaken on the Townsville State Development Area proposal including the preparation and distribution of an Information Paper.
	State Development and Public Works Organisation Amendment Regulation (No. 2) 2003	<i>State Development and Public Works Organisation Act 1971</i>	No	Yes	No	N/A
	State Development and Public Works Organisation Amendment Regulation (No. 1) 2003	<i>State Development and Public Works Organisation Act 1971</i>	No	Yes. Amendments to this Regulation were minimal. They included changing the body of the document to reflect that the Goodwill Birdge is now an 'Authorised' Work.	No	No
	State Development and Public Works Organisation (State Development Areas) Amendment Regulation (No. 2) 2003	<i>State Development and Public Works Organisation Act 1971</i>	No	No. The Regulation was sought to amend the boundaries of the GSDA and does not add restrictions to competition.	n/a	n/a

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Tourism, Racing & Fair Trading	Body Corporate and Community Management Legislation Amendment Regulation (No. 1) 2003	<i>Body Corporate and Community Management Act 1997</i>	No	Yes	No	N/A
Tourism, R&FT	Business Names Amendment Regulation (No. 1) 2003	<i>Business Names Act 1962</i>	No	No. Proof of ID amendments to Act examined for NCP purposes & approved. Regulation amended to prescribe types of ID only.	N/A	N/A
Tourism, R&FT	Commercial and Consumer Tribunal Amendment Reg (No. 1) 2003	<i>Commercial and Consumer Tribunal Act 2003</i>	No	Yes	No	N/A
Tourism, R&FT	Commercial and Consumer Tribunal Regulation 2003	<i>Commercial and Consumer Tribunal Act 2003</i>	No	Yes	No	N/A
Tourism, R&FT	Consumer Credit (Qld) Amendment (Postponement) Reg 2003	<i>Consumer Credit (Queensland) Amendment Act 2002</i>	No	Yes	No	N/A
Tourism, R&FT	Consumer Credit Amendment Regulation (No. 1) 2003	<i>Consumer Credit (Queensland) Act 1994</i>	No	Yes	No	N/A
Tourism, R&FT	Consumer Credit Amendment Regulation (No. 2) 2003	<i>Consumer Credit (Queensland) Act 1994</i>	No	Yes	No	N/A
Tourism, R&FT	Cooperatives Amendment Regulation (No. 1) 2003	<i>Cooperatives Act 1997</i>	No	Yes	No	N/A
Tourism, R&FT	Fair Trading (Code of Practice—Fitness Industry) Regulation 2003	<i>Fair Trading Act 1989</i>	Result of NCP review of proposals for introduction of mandatory code of conduct in the fitness industry in Queensland	Yes	Yes <ul style="list-style-type: none"> • signage • cooling-off period • termination provisions • cap on prepaid fees for periods of greater than 12 months • limitation on client liability for fees until fitness centre commences operations • contractual disclosure & notice provisions for ongoing agreements 	Yes
Tourism, R&FT	Fair Trading (Pull-Back Action Target Game) Order 2003	<i>Fair Trading Act 1989</i>	No	Yes	Prohibition on particular type of product for safety reasons	N/A
Tourism, R&FT	Fair Trading (Yo Yo Balls) Order 2003	<i>Fair Trading Act 1989</i>	No	Yes	Prohibition on particular type of product for safety reasons	N/A
Tourism, R&FT	Fair Trading Amendment Regulation (No. 1) 2003	<i>Fair Trading Act 1989</i>	No	Yes	No	N/A
Tourism, R&FT	Funeral Benefit Business Amendment Regulation (No. 1) 2003	<i>Funeral Benefit Business Act 1982; Trust Accounts Act 1973</i>	Yes Yes	N/A	N/A	N/A
Tourism, R&FT	Land Sales Amendment Regulation (No. 1) 2003	<i>Land Sales Act 1984</i>	No	Yes	N/A	N/A
Tourism, R&FT	Land Sales Amendment Regulation (No. 2) 2003	<i>Land Sales Act 1984</i>	No	Yes	N/A	N/A
Tourism, R&FT	Land Sales Amendment Regulation (No. 3) 2003	<i>Land Sales Act 1984</i>	No	Yes	N/A	N/A
Tourism, R&FT	Liquor Amendment Regulation (No. 1) 2003	<i>Liquor Act 1992</i>	NO	YES	NO	N/A
Tourism, R&FT	Liquor Amendment Regulation (No. 2) 2003	<i>Liquor Act 1992</i>	NO	YES	NO	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Tourism, Racing & Fair Trading (cont.)	Liquor Amendment Regulation (No. 3) 2003	<i>Liquor Act 1992</i>	NO	YES	NO	N/A
Tourism, R&FT	Liquor Amendment Regulation (No. 4) 2003	<i>Liquor Act 1992</i>	NO	YES	NO	N/A
Tourism, R&FT	Liquor Amendment Regulation (No. 5) 2003	<i>Liquor Act 1992</i>	NO	YES	NO	N/A
Tourism, R&FT	Liquor Amendment Regulation (No. 6) 2003	<i>Liquor Act 1992</i>	NO	YES	NO	N/A
Tourism, R&FT	Motor Vehicles and Boats Securities Amendment Reg (No. 1) 2003	<i>Motor Vehicles and Boats Securities Act 1986</i>	No	Yes	Yes	No
Tourism, R&FT	Motor Vehicles and Boats Securities Amendment Reg (No. 2) 2003	<i>Motor Vehicles and Boats Securities Act 1986</i>	No	Yes	Yes	No
Tourism, R&FT	Property Agents and Motor Dealers Amendment Reg (No. 1) 2003	<i>Property Agents and Motor Dealers Act 2000</i>	Yes In part	N/A	N/A	N/A
Tourism, R&FT	Racing Regulation 2003	<i>Racing Act 2002</i>				
Tourism, R&FT	Retirement Villages Amendment Regulation (No. 1) 2003	<i>Retirement Villages Act 1999</i>				
Tourism, R&FT	Security Providers Amendment Regulation (No. 1) 2003	<i>Security Providers Act 1993</i>	No	Yes	No	N/A
Tourism, R&FT	Tourism Services (Code of Conduct for Inbound Tour Operators) Reg 2003	<i>Tourism Services Act 2003</i>	Yes Yes	N/A	N/A	N/A
Tourism, R&FT	Tourism Services Regulation 2003	<i>Tourism Services Act 2003</i>	Yes Yes	N/A	N/A	N/A
Tourism, R&FT	Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2003	<i>Associations Incorporation Act 1981; and Other Acts</i>	No	Yes	No	N/A
Tourism, R&FT	Trade Measurement (Miscellaneous) Amendment Reg (No. 1) 2003	<i>Trade Measurement Act 1990</i>	No	Yes	No	N/A
Transport	Transport and Other Legislation Amendment Regulation (No. 1) 2003	<i>State Penalties Enforcement Act 1999; Transport Operations (Road Use Management) Act 1995</i>	NO	NO -- Administrative and corrective in nature	NO	N/A
	Transport Infrastructure (Public Marine Facilities) Amendment Reg (No. 1) 2003	<i>Transport Infrastructure Act 1994</i>	NO	NO -- Administrative and corrective in nature	NO	N/A
	Transport Infrastructure (Rail) Amendment Regulation (No. 1) 2003	<i>State Penalties Enforcement Act 1999; Transport Infrastructure Act 1994</i>	NO	NO -- Administrative and corrective in nature	NO	N/A
	Transport Infrastructure (State-controlled Roads) Amendment Reg (No. 1) 2003	<i>Transport Infrastructure Act 1994</i>	NO	NO -- Administrative and corrective in nature	NO	N/A
	Transport Legislation Amendment Regulation (No. 1) 2003	<i>State Penalties Enforcement Act 1999; Transport Operations (Road Use Management) Act 1995</i>	NO	No -- Administrative and corrective in nature. Increase in Penalties and sanctions	NO	N/A
	Transport Legislation Amendment Regulation (No. 2) 2003	<i>Tow Truck Act 1973; Transport Infrastructure Act 1994; Transport Operations (Marine Pollution) Act 1995; Transport Operations (Marine Safety) Act 1994; Transport Operations (Passenger Transport) Act 1994; Transport Operations (Road Use Management) Act 1995</i>	NO	No -- CPI Adjustment of fees and Charges	NO	N/A
	Transport Operations (Marine Pollution) Amendment Regulation (No. 1) 2003	<i>Transport Operations (Marine Pollution) Act 1995</i>	NO	No -- Administrative and corrective in nature	NO	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Transport (cont.)	Transport Operations (Marine Pollution) Amendment Regulation (No. 2) 2003	<i>Transport Operations (Marine Pollution) Act 1995</i>	NO	No -- Administrative and corrective in nature	NO	N/A
	Transport Operations (Marine Pollution) Amendment Regulation (No. 3) 2003	<i>Transport Operations (Marine Pollution) Act 1995</i>	NO	Yes - Regulatory impact Statement completed	NO	The overall objective of TOMPA is to protect Queensland's marine and coastal environment by minimising deliberate and negligent discharges of vessel-sourced pollutants into coastal waters. The legislation specifies requirements to assist in minimising environmental and human health impacts from the discharge of vessel-sourced sewage; introduces workable and practical measures for vessel-sourced sewage management. Failure to address these issues would result in declining health of Queensland waterways.
	Transport Operations (Marine Safety) Amendment Regulation (No. 1) 2003	<i>Transport Operations (Marine Safety) Act 1994</i>	NO	NO Administrative and Corrective in nature	NO	N/A
	Transport Operations (Marine Safety) Amendment Regulation (No. 2) 2003	<i>Transport Operations (Marine Safety) Act 1994</i>	NO	NO Administrative and Corrective in nature	NO	N/A
	Transport Operations (Road Use Management—Vehicle Registration) Amendment Regulation (No. 1) 2003	<i>Motor Accident Insurance Act 1994; State Penalties Enforcement Act 1999; Transport Operations (Road Use Management) Act 1995</i>	NO	NO Administrative and Corrective in nature	NO	N/A
Treasury	Casino Gaming Amendment Rule (No. 1) 2003	<i>Casino Control Act 1982</i>	No	No –amendments to the rules of games having no competition implications.		
Treasury	Community Ambulance Cover Regulation 2003	<i>Community Ambulance Cover Act 2003</i>	No	No - Administrative matters only	N/A	N/A
Treasury	Duties (Transitional) Regulation 2003	<i>Duties Act 2001</i>	No	No – Revenue related legislation	N/A	N/A
Treasury	Duties Amendment Regulation (No. 1) 2003	<i>Duties Act 2001</i>	No	No – Revenue related legislation	N/A	N/A
Treasury	Duties Amendment Regulation (No. 2) 2003	<i>Duties Act 2001</i>	No	No – Revenue related legislation	N/A	N/A
Treasury	Financial Administration and Audit Amendment Regulation (No. 1) 2003	<i>Financial Administration and Audit Act 1977</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Financial Management Amendment Standard (No. 1) 2003	<i>Financial Administration and Audit Act 1977</i>	No	No – Administrative matters only	N/A	N/A

Department	Legislation Title	Empowering Act	Q1: As per table above	Q2: As per table above	Q3: As per table above	Q4: As per table above
Treasury	Gambling Legislation Amendment Regulation (No. 1) 2003	<i>Casino Control Act 1982; Charitable and Non-Profit Gaming Act 1999; Gaming Machine Act 1991; Interactive Gambling (Player Protection) Act 1998; Keno Act 1996; Lotteries Act 1997; Wagering Act 1998</i>	No	No – minor administration and fee schedule amendments. BRRU advised no RIS was necessary		
Treasury	Gaming Machine Amendment Regulation (No. 1) 2003	<i>Gaming Machine Act 1991</i>	No	No – implementation of the Gaming Machine and other Legislation Amendment Act 2003 that was subject to a PBT.		
Treasury	Gaming Machine Amendment Regulation (No. 2) 2003	<i>Gaming Machine Act 1991</i>	No	No – minor amendment.		
Treasury	Government Owned Corporations (Ports) Amendment Regulation (No. 1) 2003	<i>Government Owned Corporations Act 1993</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Government Owned Corporations (Ports) Amendment Regulation (No. 2) 2003	<i>Government Owned Corporations Act 1993</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Keno Amendment Rule (No. 1) 2003	<i>Keno Act 1996</i>	No	No – minor amendment		
Treasury	Motor Accident Insurance Amendment Regulation (No. 1) 2003	<i>Motor Accident Insurance Act 1994</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Motor Accident Insurance Amendment Regulation (No. 2) 2003	<i>Motor Accident Insurance Act 1994</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Motor Accident Insurance and Another Regulation Amendment Regulation (No. 1) 2003	<i>Motor Accident Insurance Act 1994; Transport Operations (Road Use Management) Act 1995</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Motor Accident Insurance Legislation Amendment Reg (No. 1) 2003	<i>Motor Accident Insurance Act 1994</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Queensland Competition Authority Amendment Reg (No. 1) 2003	<i>Queensland Competition Authority Act 1997</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Revenue Legislation Amendment Regulation (No. 1) 2003	<i>Duties Act 2001; Taxation Administration Act 2001</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Statutory Bodies Financial Arrangements Amendment Regulation (No. 3) 2003	<i>Statutory Bodies Financial Arrangements Act 1982</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Statutory Bodies Financial Arrangements Amendment Regulation (No. 1) 2003	<i>Statutory Bodies Financial Arrangements Act 1982</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Statutory Bodies Financial Arrangements Amendment Regulation (No. 2) 2003	<i>Statutory Bodies Financial Arrangements Act 1982</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Superannuation (State Public Sector) Amendment of Deed Reg (No. 2) 2003	<i>Superannuation (State Public Sector) Act 1990</i>	No	No. The amendment was made to accommodate the Commonwealth's Family Law Act, and make some minor technical amendments to the Fund.	N/A	N/A
Treasury	Superannuation (State Public Sector) Amendment of Deed Reg (No. 1) 2003	<i>Superannuation (State Public Sector) Act 1990</i>	No	No. Amendment was made to reflect Qld's Discrimination Law Amendment Act 2002, recognising de facto relationships (including same sex relationships).	N/A	N/A
Treasury	Treasury Legislation Amendment (Postponement) Regulation 2003	<i>Treasury Legislation Amendment Act (No. 2) 2002</i>	No	No – Administrative matters only	N/A	N/A
Treasury	Wagering Amendment Rule (No. 1) 2003	<i>Wagering Act 1998</i>	No	No – minor amendment.		

Attachment 2 - Local Government Competitive Neutrality Reforms

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Type 1 Businesses - exceeding \$18,800,000 or \$31,400,000 (combined water/sewerage operations) in annual expenditure								
Brisbane	Brisbane Transport	Commercialisation	All	ICF	11.0%	Yes	No	
Brisbane	Cleansing	Full Cost Pricing	All	ICF	10.9%	Yes	No	Service provision is contracted out. Businesses margin on costs is listed instead.
Brisbane	Water & Sewerage	Commercialisation	All	ICF	8.5%	Yes	No	
Gold Coast	Cleansing (Refuse)	Commercialisation	All	ICF	28.0%	Yes	No	
Gold Coast	Water and Sewerage	Commercialisation	All	ICF	2.7%	Yes	No	City is experiencing severe drought conditions.
Ipswich	Water and Sewerage	Commercialisation	All	ICF	4.5%	Yes	No	
Logan	Water and Sewerage	Commercialisation	All	ICF	8.2%	Yes	No	
Maroochy	Water and Sewerage	Commercialisation	All	ICF	6.1%	Yes	No	
Townsville	Water and Sewerage	Commercialisation	All	ICF	8.5%	Yes	No	
Type 2 Businesses - exceeding \$6,200,000 or \$9,400,000 (combined water/sewerage operations) in annual expenditure								
Brisbane	City Parking	Commercialisation	All	ICF	15.0%	Yes	No	
Bundaberg	Water & Sewerage	Full Cost Pricing	Most	ICF	8.4%	Yes	No	
Caboolture	Water & Sewerage	Commercialisation	All	ICF	8.8%	Yes	No	
Cairns	Refuse	Commercialisation	All	ICF	See Notes	Yes	No	Activity has few assets, contracts with private sector operators include an appropriate rate of return on assets.
Cairns	Water and Sewerage	Commercialisation	Most	ICF	4.1%	Yes	No	
Cairns	Works	Commercialisation	All	ICF	12.1%	Yes	No	
Caloundra	Water and Sewerage	Commercialisation	All	ICF	8.9%	Yes	No	
Hervey Bay	Water and Sewerage	Commercialisation	All	ICF	2.2%	Yes	No	
Ipswich	Cleansing (Refuse)	Commercialisation	All	ICF	15.0%	Yes	No	No substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Logan	Cleansing (Refuse)	Commercialisation	All	ICF	10.3%	Yes	No	
Mackay	Water and Sewerage	Commercialisation	All	ICF	7.9%	Yes	No	
Maroochy	Cleansing (Refuse)	Full Cost Pricing	All	ICF	8.6%	Yes	No	
Noosa	Water and Sewerage	Commercialisation	Most	ICF	4.8%	Yes	No	
Pine Rivers	Refuse Management	Commercialisation	All	ICF	14.1%	Yes	No	
Pine Rivers	Water and Sewerage	Commercialisation	Most	ICF	4.2%	Yes	No	
Redcliffe	Redcliffe Works	Commercialisation	Most	ICF	Loss	Yes	No	
Redland	Cleansing (Refuse)	Commercialisation	All	ICF	18.4%	Yes	No	
Rockhampton	Water and Sewerage	Commercialisation	All	ICF	13.5%	Yes	No	
Thuringowa	Water and Sewerage	Commercialisation	All	ICF	13.0%	Yes	No	
Toowoomba	Water and Sewerage (\$704,000)	Full Cost Pricing	Most	ICF	5.0%	Yes	No	
Townsville	Cleansing (Refuse)	Commercialisation	All	ICF	5.5%	Yes	No	
Redland	Water and Sewerage	Commercialisation	All	ICF	8.1%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Type 3 Businesses - competitive or potentially competitive businesses exceeding \$200,000 in annual expenditure								
Aramac	Roads	Code (a)	All	ICF	10.6%	Yes	No	
Banana	Roads	Code (a)	Most	ICF	4.4%	Yes	No	
Barcaldine	Roads	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Council's business is budgeting for a loss this year. No commercial grounds were provided for why the business is budgeting on a loss.
Barcoo	Roads	Code (a)	N/A	ICF	Loss	Yes	No	QCA Modelling indicates that the business is running at a loss. Significant revenues were not identified by council. It is not possible to provide an FCP rating.
Beaudesert	Building Services	Code (a)	Many	ICF	1.0%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%.
Beaudesert	Roads	Code (a)	N/A	ICF	4.4%	Yes	No	Business leases its assets, these leasing costs are equivalent to a 4.4% ROR. However the business itself is budgeting for a loss. It is not possible to provide a FCP rating.
Beaudesert	Sports and Recreation	Code (a)	Many	ICF	9.0%	Yes	No	
Blackall	Roads	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity. No ratings are therefore available.
Boonah	Private Works	Code (a)	All	ICF	12.9%	Yes	No	
Booringa	Great Artesian Spa	Code (a)	N/A	ICF	Loss	Yes	Yes	1 CN Complaint received and Resolved. Business is budgeting for a loss, no commercial grounds established. Unable to provide an FCP rating.
Booringa	Maranoa Retirement Village	Code (a)	All	ICF	9.8%	Yes	No	
Booringa	Roads	Code (a)	All	ICF	10.7%	Yes	No	
Brisbane	Brisbane Entertainment Centre	Code (a)	All	ICF	10.4%	Yes	No	
Brisbane	Building Certification	None	N/A	N/A	N/A	N/A	N/A	Activity has been divested
Brisbane	Cemeteries and Crematoria	Code (a)	All	ICF	16.0%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Brisbane	City Assets	Code (a)	All	ICF	N/A	Yes	No	QCA 's review of documents indicates that rental returns are based on market rates.
Brisbane	City Design	Code (a)	All	ICF	1.5%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%. QCA notes however that prices are set at market rates.
Brisbane	City Fleet	Code (a)	All	ICF	8.3%	Yes	No	
Brisbane	City Hall Venues	Code (a)	All	ICF	8.5%	Yes	No	
Brisbane	City Pools	Code (a)	All	ICF	N/A	Yes	No	QCA notes that the activity operates at break even. However the pools are managed by private sector operators under exclusive management arrangements which include an appropriate rate of return on assets.
Brisbane	External Road	Code (a)	All	ICF	6.0%	Yes	No	
Brisbane	Golf Courses	Code (a)	All	ICF	8.5%	Yes	No	
Brisbane	QEII Sports Complex	Code (a)	All	ICF	11.3%	Yes	No	
Brisbane	Sleeman Sports Complex	Code (a)	All	ICF	14.7%	Yes	No	
Bundaberg	Building Services	Code (a)	Many	ICF	13.0%	Yes	No	
Bundaberg	Roads	Code (a)	N/A	ICF	See Notes	Yes	No	QCA's review of documents indicates that the assets leased/utilised by the business do not incorporate a ROR on capital. An FCP rating is unavailable.
Bundaberg	Theatre	Code (a)	Many	ICF	8.6%	Yes	No	
Burdekin	Workshop	Code (a)	All	ICF	9.3%	Yes	No	
Burnett	Caravan Parks	Code (a)	All	ICF	Loss	Yes	No	Business is operating at a loss, council has provided commercial grounds for doing so.
Caboolture	Caravan Parks	Code (a)	Most	ICF	15.9%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Caboolture	Commercial Property Management	Code (a)	All	ICF	Loss	Yes	No	Business is operating at a loss, council has provided commercial grounds for doing so.
Caboolture	Community Halls	Code (a)	Many	ICF	9.0%	Yes	No	
Caboolture	Plant & Fleet	Code (a)	All	ICF	9.5%	Yes	No	
Caboolture	Roads	Code (a)	Many	ICF	9.5%	Yes	No	
Caboolture	Swimming Pools/Leisure Centre	Code (a)	Many	ICF	9.3%	Yes	No	
Caboolture	Waste Management	Code (a)	All	ICF	35.0%	Yes	No	
Cairns	Building Services	Code (a)	Many	ICF	5.6%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Cairns	Car Parking	Code (a)	Some	ICF	Loss	Yes	No	Business currently operates at a loss, QCA has cited council strategy to recover full costs.
Cairns	Caravan Parks	Code (a)	Many	ICF	2.5%	Yes	No	
Cairns	Cemeteries	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so. FCP Rating not available.
Cairns	Child Care	None	N/A	N/A	N/A	N/A	N/A	Activity has been divested
Cairns	Commercial Properties	Code (a)	Most	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so. FCP Rating not available.
Cairns	Community Housing	Code (a)	Most	ICF	4.4%	Yes	No	
Cairns	Cultural - City Place	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Cultural - Civic Theatre	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Cultural - Grafton Arts Theatre	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Cultural - Ticketlink	Code (a)	All	ICF	8.2%	Yes	No	ROR is based on margin on costs. Prices are set at market rates.
Cairns	Entertainment - Tank Arts	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Information Technology Services	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Laboratory	Code (a)	All	ICF	14.2%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%.
Cairns	Sports and Recreation	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Survey and Design	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Tourism	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cairns	Training Services	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Calliope	Fleet Management	Code (a)	All	ICF	9.3%	Yes	No	
Caloundra	Building Services	Code (a)	All	ICF	34.0%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%.
Caloundra	Caravan Parks	Code (a)	All	ICF	18.0%	Yes	No	
Caloundra	Child Care	Code (a)	All	ICF	Loss	Yes	No	Council has justified loss on commercial grounds, prices are based on market rates.
Caloundra	Cultural	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Caloundra	Sports and Recreation	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cambooya	Roads (AAPC and Contract)	Code (a)	Most	ICF	1.8%	Yes	No	
Carpentaria	Plant and Equipment	Code (a)	Many	No	1.6%	No	N/A	
Clifton	Private Works	Code (a)	All	ICF	8.6%	Yes	No	
Clifton	Sports, Recreation and Community	Code (a)	Many	IF	8.7%	Yes	No	Council has not substantiated a CSO that accounts for 86% of revenue.
Clifton	Water and Sewerage	Code (a)	All	ICF	17.0%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Cook	Planning and Development	Code (a)	Most	ICF	4.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Cooloola	Building Services	Code (a)	All	ICF	13.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Cooloola	Recoverable Works	Code (a)	All	ICF	8.2%	Yes	No	
Crows Nest	Highfields Cultural Centre	Code (a)	Some	ICF	Loss	Yes	No	Business is budgeting for a small loss.
Crows Nest	Road	Code (a)	All	ICF	13.3%	Yes	N/A	
Dalby	Natural Gas	Code (a)	All	ICF	7.3%	Yes	No	
Dalby	Road	Code (a)	Most	ICF	4.2%	Yes	No	
Dalrymple	Road	None	N/A	N/A	N/A	N/A	N/A	No Information Provided
Eidsvold	Road	Code (a)	All	ICF	12.4%	Yes	No	
Emerald	Land Development	Code (a)	All	ICF	10.2%	Yes	No	
Emerald	Private Works	Code (a)	All	ICF	20.0%	Yes	No	
Gatton	Child Care	Code (a)	Many	ICF	0.4%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Gatton	Road	Code (a)	All	ICF	14.7%	Yes	No	
Gladstone	Art Gallery	Code (a)	Many	IF	10.5%	Yes	No	Council has not substantiated a CSO which comprises 95% of revenue.
Gladstone	Child Care	None	N/A	N/A	N/A	N/A	N/A	Activity has been divested
Gladstone	Entertainment	Code (a)	Many	IF	10.5%	Yes	No	Council has not substantiated a CSO which comprises 68% of revenue.
Gladstone	Land Development	Code (a)	All	ICF	10.2%	Yes	No	
Gladstone	Sports and Recreation	Code (a)	All	ICF	10.5%	Yes	No	
Gladstone	Works	Code (a)	All	ICF	3.7%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Gold Coast	Building Services	Code (a)	All	ICF	12.5%	Yes	No	
Gold Coast	Car Parking	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Gold Coast	Cemeteries	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Gold Coast	Cultural	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Gold Coast	Malls Management	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Gold Coast	Quarry	Code (a)	All	ICF	9.2%	Yes	No	
Gold Coast	Sports and Recreation	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Gold Coast	Tourism	Code (a)	All	ICF	23.3%	Yes	No	
Herberton	Road	Code (a)	All	ICF	14.8%	Yes	No	
Hervey Bay	Building Services	Code (a)	All	ICF	72.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Hervey Bay	Caravan Parks	Code (a)	All	ICF	17.8%	Yes	No	
Hervey Bay	Road	None	N/A	N/A	N/A	N/A	N/A	Council has not yet resolved to apply the code.
Ipswich	Asphalt Plant	None	N/A	N/A	N/A	N/A	N/A	Council has divested this activity.
Ipswich	Building Services	Code (a)	Some	ICF	Loss	Yes	No	
Ipswich	Cemeteries	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Ipswich	Cultural	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Ipswich	Information Technology	None	N/A	N/A	N/A	N/A	N/A	Council has divested this activity.
Ipswich	Plant Provider Unit	Code (a)	All	ICF	3.9%	Yes	No	
Ipswich	Sports and Recreation	Code (a)	Many	IF	0.9%	Yes	No	Council has not yet substantiated a CSO comprising 70% of revenue.
Isis	Private Works	Code (a)	All	ICF	27.5%	Yes	No	
Isisford	Road	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Jericho	Road	Code (a)	All	ICF	9.2%	Yes	No	
Johnstone	Property Operations	Code (a)	Many	IF	6.5%	Yes	No	Council has not substantiated a CSO comprising 55% of revenue.
Kilcoy	Private Works	Code (a)	All	ICF	9.0%	Yes	No	
Kilkivan	Road	Code (a)	Most	ICF	16.5%	Yes	No	
Laidley	Road	None	N/A	N/A	N/A	N/A	N/A	Council has not yet resolved to apply the code.
Livingstone	Caravan Parks	Code (a)	Most	ICF	4.6%	Yes	No	
Livingstone	Design Services	Code (a)	All	ICF	10.0%	Yes	No	
Livingstone	Other Private Works	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Logan	Building Services	Code (a)	All	ICF	2.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Logan	Cultural (2)	Code (a)	Not achieving FCR	ICF	15.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Logan	Plant Fleet Services	Code (a)	Many	ICF	Breakeven	Yes	No	
Logan	Sports and Recreation	Code (a)	All	ICF	See Notes	Yes	No	While not providing a figure, the QCA notes that the business is earning a rate of return within the industry benchmark.
Longreach	Road	Code (a)	All	ICF	12.1%	Yes	No	
Longreach	Sport and Recreation	Code (a)	All	ICF	14.4%	Yes	No	
Mackay	Building Services	Code (a)	Most	ICF	9.1%	Yes	No	
Mackay	Entertainment	Code (a)	Many	ICF	2.3%	Yes	No	
Mackay	Road	Code (a)	All	ICF	18.0%	Yes	No	
Mackay	Sports and Recreation	Code (a)	Many	ICF	4.6%	Yes	No	
Mareeba	Design	Code (a)	All	ICF	15.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mareeba	Laboratory	Code (a)	All	ICF	21.3%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Maroochy	Aerodromes	Commercialisation	All	ICF	7.3%	Yes	No	
Maroochy	Building Services	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Maroochy	Caravan Parks	Code (a)	All	ICF	17.5%	Yes	No	
Maroochy	Cemeteries	Code (a)	Most	IF	5.9%	Yes	No	Council has not substantiated a CSO equating to 42% of revenue.
Maroochy	Certification	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Maroochy	Child Care	Code (a)	Most	ICF	Loss	Yes	No	Loss due to a reduction in government subsidies and grants.
Maroochy	Cultural	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Maroochy	Design	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Maroochy	Quarry	Code (a)	All	ICF	10.3%	Yes	No	
Maroochy	Road	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Maroochy	Sports and Recreation	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Maryborough	Brolga Theatre	Code (a)	All	ICF	10.4%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Millmerran	Plant and Equipment	Code (a)	Most	ICF	1.4%	Yes	No	
Mornington	Tavern/Hotel	Code (a)	Many	ICF	11.8%	Yes	No	
Mount Isa	Building Services	Code (a)	Not achieving FCR	IF	33.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets. Council has not substantiated a CSO which equates to 72% of revenue.
Mount Isa	Entertainment	Code (a)	Many	IF	9.0%	Yes	No	Council has not substantiated a CSO that comprises 77% of revenue.
Mount Isa	Road	Code (a)	All	ICF	34.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mount Isa	Tourism	Code (a)	Many	IF	24.3%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets. Council has not substantiated a CSO comprising 100% of revenue.
Murgon	Tourism	Code (a)	All	ICF	10.7%	Yes	No	
Murilla	Road	Code (a)	All	ICF	1.9%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Murweh	Private Works	Code (a)	All	ICF	26.0%	Yes	No	
Nanango	Building Services	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is budgeting for a loss. Council has not provided any commercial reasons for pricing at below full cost
Nanango	Plant and Equipment	Code (a)	All	ICF	9.5%	Yes	No	
Nebo	Recreation and Sports	Code (a)	Some	IF	5.8%	Yes	No	Council has not substantiated a CSO which comprises 55% of revenues.
Noosa	Building Services	Code (a)	All	ICF	8.3%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Noosa	Caravan Parks	Code (a)	All	ICF	11.0%	Yes	No	
Noosa	Child Care	Code (a)	Most	ICF	4.6%	Yes	No	
Noosa	Quarry	Code (a)	All	ICF	2.9%	Yes	No	
Noosa	Respite Care	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is budgeting for a loss. Council has not provided any commercial reasons for pricing at below full cost.
Noosa	Sports and Recreation	Code (a)	Many	ICF	Breakeven	Yes	No	
Peak Downs	Private Works	Code (a)	All	ICF	8.6%	Yes	No	
Peak Downs	Quarry	Code (a)	All	ICF	11.2%	Yes	No	
Pine Rivers	Building Services	Code (a)	All	ICF	3.8%	Yes	Yes	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Pine Rivers	Child Care	Code (a)	All	ICF	10.0%	Yes	No	
Pine Rivers	Commercial Properties	Code (a)	All	ICF	N/A	Yes	No	Business has set prices at market rates and justified decision on commercial grounds.
Pine Rivers	Cultural 2	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Pine Rivers	Nurseries	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Pine Rivers	Sports and Recreation	Code (a)	N/A	ICF	Loss	Yes	No	Business is budgeting for a loss. Council has not provided any commercial reasons for pricing at below full cost. Unable to provide FCP rating.
Redcliffe	Cemeteries	Code (a)	Many	IF	32.0%	Yes	No	Council has not substantiated a CSO comprising 30% of revenue.
Redcliffe	Entertainment	Code (a)	Many	IF	4.2%	Yes	No	Council has not substantiated a CSO comprising 84% of revenue.

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Redland	Building Services	None	N/A	N/A	N/A	N/A	N/A	Council has resolved to discontinue this activity.
Redland	Caravan Parks	Code (a)	Many	ICF	Loss	Yes	No	
Redland	Cemeteries	Code (a)	Some	ICF	Loss	Yes	No	
Redland	Child Care	Code (a)	All	ICF	See Notes	Yes	No	While not providing a figure, the QCA notes that the business is earning a rate of return within the industry benchmark.
Redland	Cultural	Code (a)	N/A	ICF	Loss	Yes	No	Unable to provide an FCP rating.
Redland	Entertainment Centre/Hall	Code (a)	N/A	ICF	Loss	Yes	No	Unable to provide an FCP rating.
Redland	Family Day Care	Code (a)	N/A	ICF	Loss	Yes	No	Unable to provide an FCP rating.
Redland	Land Development	Code (a)	Some	ICF	52.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Redland	Outside School Hours Care	Code (a)	N/A	ICF	Loss	Yes	No	Unable to provide an FCP rating.
Redland	Private Works	Code (a)	Most	ICF	7.3%	Yes	No	
Redland	Respite Care	Code (a)	Most	ICF	12.9%	Yes	No	
Rockhampton	Aerodromes	Code (a)	N/A	ICF	Loss	Yes	No	Unable to provide an FCP rating.
Rockhampton	Building Services	Code (a)	All	ICF	20.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Rockhampton	Cemeteries	Code (a)	Not achieving FCR	ICF	12.2%	Yes	No	Council has not substantiated a CSO that comprises 70% of revenue.
Rockhampton	Child Care	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Rockhampton	Entertainment	Code (a)	Not achieving FCR	ICF	7.3%	Yes	No	Council has not substantiated a CSO that comprises 57% of revenue.
Rockhampton	Grasslands Residential	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity.
Rockhampton	Industrial Estates	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity.
Rockhampton	Private Works	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Rockhampton	Road	Code (a)	Many	ICF	17.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Rockhampton	Sports and Recreation	Code (a)	Not achieving FCR	IF	11.0%	Yes	No	Council has not substantiated a CSO comprising 85% of revenue.
Rockhampton	Tourism	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity.
Roma	Big Rig Tourist Attraction	Code (a)	Not achieving FCR	No	Loss	Yes	No	
Roma	Garbage and Refuse	Code (a)	Most	ICF	Loss	Yes	No	
Roma	Road	Code (a)	All	ICF	8.8%	Yes	No	
Sarina	Road	Code (a)	Most	ICF	10.4%	No	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Tambo	Road	Code (a)	All	ICF	15.8%	Yes	No	
Thuringowa	Building Services	Code (a)	All	ICF	29.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Thuringowa	Engineering Design Unit	Code (a)	All	ICF	13.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Thuringowa	Workshop	Code (a)	Most	ICF	4.3%	No	No	
Tiario	Private Works	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Tiario	Road	Code (a)	All	ICF	11.6%	Yes	No	
Toowoomba	Cemeteries	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Toowoomba	Competitive Development Assessment	Code (a)	All	ICF	11.5%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Toowoomba	Entertainment	Code (a)	All	ICF	4.5%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Toowoomba	Road	Code (a)	Most	ICF	Loss	Yes	No	
Toowoomba	Sports and Recreation	Code (a)	Most	ICF	5.7%	Yes	No	
Torres	Private Works	Code (a)	Some	ICF	5.1%	Yes	No	
Townsville	Building Services	Code (a)	All	ICF	11.3%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Townsville	Car Parking	Code (a)	All	ICF	8.2%	Yes	No	
Townsville	Child Care	None	N/A	N/A	N/A	N/A	N/A	Council has divested this activity.
Townsville	Commercial Properties	Code (a)	All	ICF	5.1%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Townsville	Cultural	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Townsville	Entertainment	Code (a)	Many	ICF	5.3%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Townsville	Land Development	Code (a)	All	ICF	See Notes	Yes	No	While not providing a figure, the QCA notes that the business is earning a rate of return within the industry benchmark.
Townsville	Nurseries	Code (a)	All	ICF	14.7%	Yes	No	
Townsville	Plant and Equipment	Code (a)	All	ICF	9.8%	Yes	No	
Wambo	Design	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Wambo	Plant Operations	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Wambo	Quarry	Code (a)	All	ICF	28.0%	Yes	No	
Wambo	Road	Code (a)	All	ICF	12.1%	Yes	No	
Warwick	Parks and Gardens	Code (a)	All	ICF	6.9%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Warwick	Recreation and Aquatic Centre	Code (a)	Many	IF	8.5%	Yes	No	Council has not substantiated a CSO comprising 61% of revenue.
Warwick	Saleyards	Code (a)	Most	ICF	9.2%	Yes	No	
Warwick	Workshop and Plant Hire	Code (a)	All	ICF	9.8%	Yes	No	
Whitsunday	Aerodromes	Code (a)	All	ICF	33.7%	Yes	No	
Whitsunday	Jetty	Code (a)	All	ICF	15.5%	Yes	No	
Whitsunday	Quarry	Code (a)	All	ICF	25.8%	Yes	No	
Whitsunday	Tourism Facilities	Code (a)	Many	ICF	11.5%	Yes	No	Council has not substantiated a CSO comprising 71% of revenue.
Whitsunday	Waste Management Services	Code (a)	All	ICF	30.7%	Yes	No	
Winton	Private Works	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Winton	Road	Code (a)	All	ICF	Loss	Yes	No	
Winton	Saleyards	Code (a)	All	ICF	10.6%	Yes	No	
Wondai	Private Works	Code (a)	Not achieving FCR	ICF	Loss	No	No	
Caboolture	Building Services	Code (a)	All	ICF	30.0%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%.

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Non Type 3 Businesses - non-competitive businesses exceeding \$200,000 in annual expenditure								
Aramac	Other Roads	Code (a)	All	ICF	10.9%	Yes	No	
Aramac	Plant Operations	Code (a)	All	ICF	10.9%	Yes	No	
Aramac	Private Works	Code (a)	All	ICF	10.6%	Yes	No	
Aramac	Water & Sewerage	Code (a)	All	ICF	9.1%	Yes	No	
Atherton	Environmental Services	Code (a)	All	ICF	8.5%	Yes	No	
Atherton	Other Roads	Code (a)	All	ICF	8.5%	Yes	No	
Atherton	Water & Sewerage	Code (a)	Most	ICF	9.2%	Yes	No	
Atherton	Works & Technical	Code (a)	All	ICF	8.5%	Yes	No	
Aurukun	General Store	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Aurukun	Tavern	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Balonne	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Did not seek an extension of time.
Balonne	Water & Sewerage	None	N/A	N/A	N/A	N/A	N/A	Did not seek an extension of time.
Banana	Cultural	Code (a)	Most	ICF	3.1%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%.
Banana	Other Roads	Code (a)	Some	ICF	1.2%	Yes	No	
Banana	Planning and Development Assessment	Code (a)	Most	ICF	4.2%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%.
Banana	Private Works	Code (a)	Most	ICF	1.6%	Yes	No	
Banana	Public Amenities and Cleansing	Code (a)	All	ICF	6.2%	Yes	No	
Banana	Recreation and Parks	Code (a)	Most	ICF	7.3%	Yes	No	
Banana	Refuse Management	Code (a)	Most	ICF	9.0%	Yes	No	
Banana	Water & Sewerage	Code (a)	N/A	IF	8.7%	Yes	No	Council has not yet substantiated its CSO which represents 55% of revenue. It is not possible to attribute an FCP rating.
Barcaldine	Housing and Welfare Services	Code (a)	All	ICF	13.9%	Yes	No	
Barcaldine	Other Roads	Code (a)	All	ICF	9.0%	Yes	No	
Barcaldine	Plant Operations	Code (a)	Most	IF	8.7%	Yes	No	Council has not yet substantiated its CSO which represents 41% of revenue.
Barcaldine	Quarry	Code (a)	All	ICF	9.0%	Yes	No	
Barcaldine	Sports and Recreation	Code (a)	All	ICF	4.9%	Yes	No	
Barcaldine	Water & Sewerage	Code (a)	N/A	IF	9.0%	Yes	No	Council has not yet substantiated its CSO which represents 31% of revenue. It is not possible to attribute an FCP rating.
Barcoo	Other Roads	Code (a)	All	ICF	18.0%	Yes	No	
Barcoo	Plant Operations	Code (a)	All	ICF	18.0%	Yes	No	
Barcoo	Recreation and Culture	Code (a)	All	ICF	6.3%	Yes	No	
Bauhinia	Other Roads	Code (a)	All	ICF	3.4%	Yes	No	
Bauhinia	Plant Operations	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Council's business is budgeting for a loss this year. No commercial grounds were provided for why the business is budgeting on a loss.
Bauhinia	Water & Sewerage	Code (a)	Most	ICF	5.5%	Yes	No	
Beaudesert	Other Roads	Code (a)	Many	ICF	4.4%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Beauesert	Refuse Management	Code (a)	All	ICF	22.0%	Yes	No	
Beauesert	Water & Sewerage	Code (a)	All	ICF	12.0%	Yes	No	
Beauesert	Workshop	Code (a)	Most	ICF	4.4%	Yes	No	
Belyando	Fleet Operations	Code (a)	None	N/A	N/A	No	N/A	Activity not separately identified in Council's budget and financial reporting documents.
Belyando	Other Roads	Code (a)	None	N/A	N/A	No	N/A	Activity not separately identified in Council's budget and financial reporting documents.
Belyando	Refuse Management	Code (a)	N/A	N/A	N/A	No	N/A	Activity not separately identified in Council's budget and financial reporting documents.
Belyando	Water & Sewerage	Code (a)	Some	N/A	2.8%	No	N/A	Some cost elements not considered. ROR may therefore be overstated.
Bendemere	Other Roads	Code (a)	Most	ICF	7.1%	Yes	No	
Biggenden	Other Roads	Code (a)	Many	ICF	9.0%	Yes	No	
Biggenden	Water & Sewerage	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity. No ratings are therefore available.
Blackall	Fleet and Plant Services	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity. No ratings are therefore available.
Blackall	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity. No ratings are therefore available.
Blackall	Water & Sewerage	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity. No ratings are therefore available.
Boonah	Other Roads	Code (a)	All	ICF	12.9%	Yes	No	
Boonah	Plant Operations	Code (a)	All	ICF	12.9%	Yes	No	
Boonah	Quarry	Code (a)	All	ICF	12.9%	Yes	No	
Boonah	Refuse Management	Code (a)	Most	ICF	9.0%	Yes	No	
Boonah	Water & Sewerage	Code (a)	Most	ICF	6.5%	Yes	No	
Booringa	Other Roads	Code (a)	All	ICF	10.7%	Yes	No	
Booringa	Plant Operations	Code (a)	All	ICF	10.7%	Yes	No	
Booringa	Water & Sewerage	Code (a)	All	ICF	10.0%	Yes	No	
Bouli	Other Roads	Code (a)	All	ICF	N/A	Yes	No	Business leases its assets, these leasing costs include a suitable return on capital.
Bouli	Plant and Equipment Hire	Code (a)	All	ICF	N/A	Yes	No	Business leases its assets, these leasing costs include a suitable return on capital.
Bowen	Computer Services	Code (a)	All	ICF	9.1%	Yes	No	
Bowen	Design Services	Code (a)	All	ICF	18.1%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Bowen	Other Roads	Code (a)	N/A	ICF	2.9%	Yes	No	ROR is based on margin on costs due to small asset base. DLGP's target for return on costs is 10%. Unable to provide an FCP rating.
Bowen	Parks and Recreation Maintenance	Code (a)	Most	ICF	16.0%	Yes	No	
Bowen	Plant and Equipment	Code (a)	N/A	ICF	12.8%	Yes	No	Council has not substantiated its revenues. No FCP rating is available.
Bowen	Plant and Equipment Hire	Code (a)	N/A	ICF	7.7%	Yes	No	Council has not substantiated a number of its costs. FCP rating is not available.
Bowen	Quarry	Code (a)	N/A	ICF	2.7%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%). Council has not substantiated its costs, QCA estimates that ROR on leased assets is below full cost.
Bowen	Refuse Tip Services	Code (a)	N/A	ICF	18.7%	Yes	No	Council has not substantiated is revenues. No FCP rating is available.
Bowen	Regulatory Services	Code (a)	All	ICF	18.4%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Bowen	Water & Sewerage	Code (a)	All	ICF	9.6%	Yes	No	
Brisbane	Plumbing Certification	Code (a)	All	ICF	61.0%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Brisbane	River City Technology	Code (a)	Many	ICF	1.5%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Broadsound	Other Roads	Code (a)	All	ICF	13.3%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Broadsound	Plant Operations	Code (a)	All	ICF	13.3%	Yes	No	
Broadsound	Sewerage	Code (a)	All	ICF	9.0%	Yes	No	When contributed assets taken account of ROR rises to 31%
Broadsound	Waste Management	Code (a)	All	ICF	12.4%	Yes	No	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Broadsound	Water Supply	Code (a)	All	ICF	9.0%	Yes	No	When contributed assets taken account of ROR rises to 31%
Bulloo	Aerodrome Operations	Code (a)	All	ICF	9.5%	Yes	No	
Bulloo	Environment Services and Utilities	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
Bulloo	Other Roads	Code (a)	All	ICF	8.4%	Yes	No	
Bulloo	Plant Operations	Code (a)	All	ICF	8.4%	Yes	No	
Bulloo	Private Works	Code (a)	All	ICF	8.4%	Yes	No	
Bulloo	Sports, Rec. & Community Facilities	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
Bundaberg	Aerodromes	Code (a)	Most	ICF	10.4%	Yes	No	
Bundaberg	Other Roads	Code (a)	N/A	ICF	See Notes	Yes	No	Business generates margin on costs of 2.5%, however leasing rates to business do not include an adequate ROR on capital. Unable to provide FCP rating.
Bundaberg	Private Works	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
Bundaberg	Refuse Management	Code (a)	Many	ICF	2.4%	Yes	No	
Bungil	Other Roads	Code (a)	All	ICF	11.3%	Yes	No	
Bungil	Plant Operations	Code (a)	All	ICF	11.3%	Yes	No	
Burdekin	Other Roads	Code (a)	Many	ICF	4.5%	Yes	No	
Burdekin	Plant Management	Code (a)	All	ICF	9.3%	Yes	No	
Burdekin	Recoverable Works	Code (a)	All	ICF	18.6%	Yes	No	
Burdekin	Refuse Management	Code (a)	All	ICF	9.0%	Yes	No	
Burdekin	Water & Sewerage	Code (a)	All	ICF	9.0%	Yes	No	
Burke	Other Roads	Code (a)	Some	ICF	16.5%	Yes	No	
Burke	Plant & Equipment	Code (a)	Some	ICF	3.0%	Yes	No	
Burke	Private Works	Code (a)	Some	ICF	9.0%	Yes	No	
Burke	Water & Sewerage	Code (a)	Some	ICF	Loss	Yes	No	Business operates at a loss with no commercial reason for doing so.
Burnett	Other Roads	Code (a)	All	ICF	2.0%	Yes	No	Below target ROR due to increasing costs that have not yet been reflected in pricing.
Burnett	Plant & Fleet	Code (a)	Most	ICF	2.0%	Yes	No	
Burnett	Refuse Management	Code (a)	Most	ICF	9.5%	Yes	No	
Burnett	Water & Sewerage	Code (a)	All	ICF	8.3%	Yes	No	
Cairns	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
Cairns	Plant and Equipment	Code (a)	All	ICF	12.1%	Yes	No	
Cairns	Roads	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Calliope	Other Roads	Code (a)	All	ICF	9.3%	Yes	No	
Calliope	Park Maintenance	Code (a)	All	ICF	9.3%	Yes	No	
Calliope	Private Works	Code (a)	All	ICF	9.3%	Yes	No	
Calliope	Refuse Management	Code (a)	All	ICF	See Notes	Yes	No	Commercial contracts with private sector provider includes commercial rate of return.
Calliope	Water and Sewerage	Code (a)	Most	ICF	0.4%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Caloundra	Other Roads	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, this is due to a large number of revenues not being appropriately identified.
Caloundra	Parks and Gardens	Code (a)	Many	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Caloundra	Refuse Management	Code (a)	All	ICF	10.0%	Yes	No	
Cambooya	Community and Cultural	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Business is operating at a loss, council has not provided commercial grounds for doing so.
Cambooya	Other Roads	Code (a)	Most	ICF	1.8%	Yes	No	Some revenues not considered. ROR may therefore be understated.
Cambooya	Plant and Workshop	Code (a)	Many	ICF	1.8%	Yes	No	
Cambooya	Private Roads	Code (a)	Many	ICF	1.8%	Yes	No	
Cambooya	Water and Sewerage	Code (a)	Most	ICF	2.0%	Yes	No	
Cardwell	Community Health and Welfare	Code (a)	Most	IF	3.8%	Yes	N/A	Some CSOs require further costing.
Cardwell	Cultural	Code (a)	Most	IF	Breakeven	Yes	N/A	Some CSOs require further costing.
Cardwell	Development Services	Code (a)	Most	ICF	8.9%	Yes	N/A	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Cardwell	Environmental Services	Code (a)	Most	ICF	8.2%	Yes	N/A	ROR is based on margin on costs due to small asset base (DLGP's target is 10%).
Cardwell	Other Roads	Code (a)	Most	ICF	8.2%	Yes	No	
Cardwell	Parks, Reserves and Aerodromes	Code (a)	Most	IF	5.5%	Yes	N/A	Some CSOs require further costing.
Cardwell	Plant and Equipment	Code (a)	N/A	ICF	Loss	Yes	N/A	Business is operating at a loss, council has not provided commercial grounds for doing so. FCP Rating not available.
Cardwell	Refuse Management	Code (a)	N/A	ICF	Loss	Yes	N/A	Business is operating at a loss, council has not provided commercial grounds for doing so. FCP Rating not available.
Cardwell	Sports and Recreation	Code (a)	Most	IF	4.7%	Yes	N/A	Some CSOs require further costing.
Cardwell	Water and Sewerage	Code (a)	Many	IC	4.8%	Yes	N/A	CSOs have not been funded.
Carpentaria	Other Roads	Code (a)	Some	No	1.6%	No	N/A	ROR is included in lease/hire rates of assets.
Carpentaria	Water and Sewerage	Code (a)	Many	No	2.3%	No	N/A	
Charters Towers	Other Roads	Code (a)	All	ICF	9.4%	Yes	No	
Charters Towers	Plant Operations and Equipment	Code (a)	All	ICF	9.4%	Yes	No	
Charters Towers	Refuse Management	Code (a)	All	ICF	21.0%	Yes	No	Activity does not hold substantial assets. Margin on costs used in lieu of return on assets.
Charters Towers	Water and Sewerage	Code (a)	All	ICF	11.0%	Yes	No	
Chinchilla	Cultural Centre	Code (a)	All	ICF	9.1%	Yes	No	
Chinchilla	Land Development	Code (a)	N/A	ICF	See Notes	Yes	No	Unable to determine either FCP rating or ROR as significant costs were not attributed to the business.
Chinchilla	Other Roads	Code (a)	All	ICF	9.1%	Yes	No	
Chinchilla	Plant and Equipment	Code (a)	All	ICF	9.1%	Yes	No	
Chinchilla	Water and Sewerage	Code (a)	All	ICF	9.5%	Yes	No	
Clifton	Environmental Management	Code (a)	All	ICF	8.6%	Yes	No	
Clifton	Other Roads	Code (a)	All	ICF	8.6%	Yes	No	
Clifton	Plant Hire	Code (a)	All	ICF	8.6%	Yes	No	
Cloncurry	Aerodromes	Code (a)	Many	ICF	0.6%	Yes	No	
Cloncurry	Aged Care	Code (a)	Many	IF	6.8%	Yes	No	Council has not substantiated a CSO that accounts for 29% of revenue.
Cloncurry	Child Care	Code (a)	N/A	ICF	Loss	Yes	No	Business is operating at a loss. A strategy has been developed to meet the total revenue requirement.

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Cloncurry	Land Development	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Cloncurry	Other Roads	Code (a)	All	ICF	Breakeven	Yes	No	
Cloncurry	Plant and Equipment	Code (a)	All	ICF	16.3%	Yes	No	
Cloncurry	Private Works	Code (a)	All	ICF	16.3%	Yes	No	
Cloncurry	Refuse Management	Code (a)	Most	ICF	Loss	Yes	No	Business is operating at a loss. A strategy has been developed to meet the total revenue requirement.
Cloncurry	Saleyard	Code (a)	Many	ICF	3.8%	Yes	No	
Cloncurry	Water and Sewerage	Code (a)	Many	ICF	Loss	Yes	No	Business is operating at a loss. A strategy has been developed to meet the total revenue requirement.
Cook	Aerodromes	Code (a)	Most	ICF	14.8%	Yes	No	
Cook	Health and Environmental Services	Code (a)	Most	ICF	1.3%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Cook	Other Roadworks Activities	Code (a)	All	ICF	14.3%	Yes	No	
Cook	Plant Operators	Code (a)	All	ICF	14.3%	Yes	No	
Cook	Sports, Rec. & Community Facilities	Code (a)	Most	ICF	16.7%	Yes	No	
Cook	Water and Sewerage Utilities	Code (a)	All	ICF	9.8%	Yes	No	
Cooloolo	Cultural	None	N/A	N/A	N/A	N/A	N/A	Council has not yet resolved to apply the code.
Cooloolo	Fleet	Code (a)	All	ICF	8.2%	Yes	No	
Cooloolo	Gravel & Quarry Operations	Code (a)	All	ICF	8.2%	Yes	No	
Cooloolo	Other Roads	Code (a)	All	ICF	8.2%	Yes	No	
Cooloolo	Refuse Management	Code (a)	All	ICF	4.2%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Cooloolo	Water and Sewerage	Code (a)	All	ICF	15.0%	Yes	No	
Crows Nest	Commercial Properties	Code (a)	All	ICF	See Notes	Yes	No	While not providing a figure, the QCA notes that the business is earning a rate of return within the industry benchmark.
Crows Nest	Other Roads	Code (a)	All	ICF	13.3%	Yes	No	
Crows Nest	Parks and Gardens	Code (a)	All	ICF	9.5%	Yes	No	
Crows Nest	Plant and Equipment	Code (a)	All	ICF	13.3%	Yes	No	
Crows Nest	Refuse, Recycling and Tip Activities	Code (a)	Some	ICF	Loss	Yes	No	Business is budgeting for a loss. Council has documented a strategy to meet its total revenue requirement.
Crows Nest	Water and Sewerage	Code (a)	All	ICF	2.8%	Yes	No	
Croydon	Other Roads	Code (a)	All	ICF	11.7%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Croydon	Plant Operations	Code (a)	All	ICF	10.7%	Yes	No	
Croydon	Road	Code (a)	All	ICF	3.7%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Croydon	Sports and Recreation	Code (a)	All	ICF	12.6%	Yes	No	
Dalby	Other Roads	Code (a)	Most	ICF	3.7%	Yes	No	
Dalby	Refuse Management	Code (a)	All	ICF	20.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Dalby	Water and Sewerage	Code (a)	Most	ICF	5.2%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Dalrymple	Other Roads	None	N/A	N/A	N/A	N/A	N/A	No Information Provided
Dalrymple	Saleyard	None	N/A	N/A	N/A	N/A	N/A	No Information Provided
Dalrymple	Water and Sewerage	None	N/A	N/A	N/A	N/A	N/A	No Information Provided
Diamantina	Other Roads	Code (a)	All	ICF	9.0%	Yes	No	
Diamantina	Water and Sewerage	Code (a)	All	ICF	9.5%	Yes	No	
Douglas	Development Services	Code (a)	All	ICF	14.1%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Douglas	Other Roads	Code (a)	All	ICF	22.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Douglas	Plant Operations	Code (a)	All	ICF	See Notes	Yes	No	While not providing a figure, the QCA notes that the business is earning a rate of return within the industry benchmark.
Douglas	Refuse Management	Code (a)	All	ICF	48.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Douglas	Water and Sewerage	Code (a)	All	ICF	12.0%	Yes	No	
Duaringa	Other Roads	Code (a)	All	ICF	15.0%	Yes	No	
Duaringa	Plant	Code (a)	All	ICF	15.0%	Yes	No	
Duaringa	Refuse Operations	Code (a)	All	ICF	3.8%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Duaringa	Water and Sewerage	Code (a)	All	ICF	11.5%	Yes	No	
Eacham	Other Roads	Code (a)	All	ICF	20.0%	Yes	No	
Eacham	Plant	Code (a)	Most	ICF	6.9%	Yes	No	
Eacham	Refuse Management	Code (a)	All	ICF	19.8%	Yes	No	
Eacham	Water and Sewerage	Code (a)	All	ICF	9.3%	Yes	No	
Eidsvold	Plant Operations	Code (a)	All	ICF	12.4%	Yes	No	
Eidsvold	Water Sewerage and Cleansing	Code (a)	All	IF	9.0%	Yes	No	Council has not yet substantiated a CSO comprising 23% of revenue.
Emerald	Airport	Code (a)	All	ICF	10.8%	Yes	No	
Emerald	Other Roads	Code (a)	All	ICF	5.4%	Yes	No	
Emerald	Plant	Code (a)	Some	ICF	Loss	Yes	No	Business budgeting for a loss. Council has developed a strategy to meet the revenue requirement in future.
Emerald	Refuse Management	Code (a)	All	ICF	7.3%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Emerald	Water and Sewerage	Code (a)	All	ICF	9.2%	Yes	No	
Esk	Engineering Management	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Esk	Other Roads	Code (a)	All	ICF	6.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Esk	Plant	Code (a)	All	ICF	See Notes	Yes	No	While not providing a figure, the QCA notes that the business is earning a rate of return within the industry benchmark.
Esk	Refuse Management	Code (a)	All	ICF	15.7%	Yes	No	
Esk	Town and Village Facilities	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Esk	Water and Sewerage	Code (a)	All	ICF	7.5%	Yes	No	
Etheridge	Other Roads	Code (a)	All	ICF	15.1%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Etheridge	Plant and Equipment	Code (a)	All	ICF	15.1%	Yes	No	
Etheridge	Road	Code (a)	All	ICF	15.1%	Yes	No	
Fitzroy	Fleet and Plant	Code (a)	Many	ICF	2.3%	Yes	No	
Fitzroy	Other Roads	Code (a)	Most	ICF	4.5%	Yes	No	
Fitzroy	Quarry	Code (a)	Most	ICF	26.9%	Yes	No	
Fitzroy	Refuse Tip and Transfer Stations	Code (a)	Many	ICF	15.9%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Fitzroy	Water and Sewerage	Code (a)	Many	ICF	9.4%	Yes	No	A CSO worth 12% of water operating expenditure and another equal to 14% of sewerage operating expenditure has not been substantiated.
Flinders	Other Roads	Code (a)	All	ICF	9.0%	Yes	No	
Flinders	Water and Sewerage	Code (a)	All	ICF	8.4%	Yes	No	
Gatton	Other Roads	Code (a)	All	ICF	5.1%	Yes	No	
Gatton	Refuse Management	Code (a)	All	ICF	19.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Gatton	Water and Sewerage	Code (a)	All	ICF	9.1%	Yes	No	
Gayndah	Other Roads	Code (a)	Most	See Notes	4.2%	No	No	Council does not have a policy in place to identify, cost and fund CSOs. However council states that no CSOs exist.
Gayndah	Plant and Equipment	Code (a)	Many	See Notes	1.3%	No	No	Council does not have a policy in place to identify, cost and fund CSOs. However council states that no CSOs exist.
Gayndah	Water and Sewerage	Code (a)	Many	See Notes	2.4%	No	No	Council does not have a policy in place to identify, cost and fund CSOs. However council states that no CSOs exist.
Gladstone	Building Certification	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Gladstone	Plant	Code (a)	All	ICF	10.2%	Yes	No	
Gladstone	Refuse Management	Code (a)	All	ICF	3.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Gladstone	Water and Sewerage	Code (a)	All	ICF	9.8%	Yes	No	
Gold Coast	Other Roads	Code (a)	N/A	ICF	See Notes	Yes	No	Insufficient information to determine either ROR or FCP Rating.
Goondiwindi	Other Roads	Code (a)	N/A	No	N/A	Yes	No	Council did not supply sufficient information to determine either ROR or FCP rating.
Goondiwindi	Parks and Gardens	Code (a)	N/A	No	N/A	Yes	No	Council did not supply sufficient information to determine either ROR or FCP rating.
Goondiwindi	Plant and Equipment	Code (a)	N/A	No	N/A	Yes	No	Council did not supply sufficient information to determine either ROR or FCP rating.
Goondiwindi	Refuse Management	Code (a)	N/A	No	N/A	Yes	No	Council did not supply sufficient information to determine either ROR or FCP rating.
Goondiwindi	Water and Sewerage	Code (a)	N/A	No	N/A	Yes	No	Council did not supply sufficient information to determine either ROR or FCP rating.
Herberton	Other Roads	Code (a)	All	ICF	14.8%	Yes	No	
Herberton	Plant	Code (a)	All	ICF	14.8%	Yes	No	
Herberton	Water and Sewerage	Code (a)	All	ICF	15.0%	Yes	No	
Hervey Bay	Aerodromes	Code (a)	All	ICF	8.6%	Yes	No	
Hervey Bay	Other Roads	Code (a)	Many	ICF	18.2%	Yes	No	
Hervey Bay	Plant Operations	Code (a)	Many	ICF	1.8%	Yes	No	
Hervey Bay	Refuse Management	Code (a)	All	ICF	4.2%	Yes	No	
Hervey Bay	Workshop	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Hinchinbrook	Other Roads	Code (a)	All	ICF	5.1%	Yes	No	
Hinchinbrook	Waste Management	Code (a)	All	ICF	2.8%	Yes	No	
Hinchinbrook	Water and Sewerage	Code (a)	All	ICF	11.4%	Yes	No	
Ilfracombe	Other Roads	Code (a)	All	ICF	35.0%	Yes	No	
Ilfracombe	Plant Operation and Maintenance	Code (a)	Many	IF	7.0%	Yes	No	Council has not substantiated a CSO that accounts for 33% of revenue.
Ilfracombe	Recreation and Culture	Code (a)	All	ICF	Loss	Yes	No	
Inglewood	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Inglewood	Road	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Inglewood	Water and Sewerage	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Ipswich	Other Roads	Code (a)	All	ICF	3.9%	Yes	No	
Isis	Environmental Services	Code (a)	Most	ICF	2.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Isis	Other Roads	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Isis	Plant Operations	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Isis	Refuse Management	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Isis	Sports and Recreation	Code (a)	All	ICF	14.2%	Yes	No	
Isis	Water and Sewerage	Code (a)	Most	IF	9.0%	Yes	No	Council has not substantiated a CSO that accounts for 34% of revenue.
Isisford	Other Roads	Code (a)	All	ICF	8.5%	Yes	No	
Isisford	Plant Operations	Code (a)	All	ICF	8.5%	Yes	No	
Isisford	Quarry	Code (a)	All	ICF	8.5%	Yes	No	
Isisford	Recreation and Culture	Code (a)	Many	ICF	2.8%	Yes	No	
Jericho	Other Roads	Code (a)	All	ICF	8.5%	Yes	No	
Jericho	Plant Operations	Code (a)	All	ICF	7.6%	Yes	No	
Jericho	Water and Sewerage	Code (a)	Some	ICF	Loss	Yes	No	
Johnstone	Community Services	Code (a)	All	ICF	10.2%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Johnstone	Other Roads	Code (a)	All	ICF	19.8%	Yes	No	
Johnstone	Private Works	Code (a)	All	ICF	19.8%	Yes	No	
Johnstone	Refuse Management	Code (a)	All	ICF	16.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Johnstone	Water and Sewerage	Code (a)	Many	ICF	6.8%	Yes	No	
Johnstone	Workshop/Plant	Code (a)	All	ICF	19.8%	Yes	No	
Jondaryan	Cleansing Services	Code (a)	All	ICF	27.9%	Yes	No	
Jondaryan	Water and Sewerage	Code (a)	All	ICF	14.0%	Yes	No	
Kilcoy	Other Roads	Code (a)	All	ICF	9.0%	Yes	No	
Kilcoy	Plant Operations	Code (a)	All	ICF	7.7%	Yes	No	
Kilcoy	Water and Sewerage	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Kilkivan	Other Roads	Code (a)	Most	ICF	16.5%	Yes	No	
Kilkivan	Plant	Code (a)	Most	IF	7.1%	Yes	No	Council has not substantiated a CSO that accounts for 14% of revenue.

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Kilkivan	Water and Sewerage	Code (a)	Some	IF	8.5%	Yes	No	Council has not substantiated a CSO that accounts for 33% of revenue.
Kingaroy	Other Roads	Code (a)	All	ICF	11.0%	Yes	No	
Kingaroy	Refuse Management	Code (a)	All	ICF	7.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Kingaroy	Water and Sewerage	Code (a)	Many	ICF	0.1%	Yes	No	
Kolan	Road	None	N/A	N/A	N/A	N/A	N/A	Council has not yet resolved to apply the code.
Kolan	Water and Sewerage	None	N/A	N/A	N/A	N/A	N/A	Council has not yet resolved to apply the code.
Laidley	Other Roads	Code (a)	All	ICF	10.4%	Yes	No	
Laidley	Plant	Code (a)	All	ICF	10.4%	Yes	No	
Laidley	Sewerage	Code (a)	All	ICF	8.3%	No	No	
Laidley	Water	Code (a)	All	ICF	12.0%	No	No	
Livingstone	Other Roads	Code (a)	All	ICF	9.9%	Yes	No	
Livingstone	Plant Operations	Code (a)	All	ICF	6.1%	Yes	No	
Livingstone	Property Development	Code (a)	All	ICF	42.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Livingstone	Refuse Management	Code (a)	All	ICF	9.5%	Yes	No	
Livingstone	Water and Sewerage	Code (a)	All	ICF	14.0%	Yes	No	
Logan	Cultural (1)	Code (a)	Many	ICF	15.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Logan	Design	Code (a)	All	ICF	15.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Logan	Other Roads	Code (a)	Most	ICF	2.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Logan	Quarry	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Longreach	Environmental Management	Code (a)	N/A	ICF	N/A	Yes	No	Activity not separately listed in documentation. Unable to provide either ROR or FCP ratings.
Longreach	Other Roads	Code (a)	All	ICF	12.1%	Yes	No	
Longreach	Plant	Code (a)	All	ICF	12.1%	Yes	No	
Longreach	Water and Sewerage	Code (a)	None	ICF-1	Breakeven	Yes	No	
Mackay	Cemeteries	Code (a)	All	ICF	14.2%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mackay	Design	None	Not achieving FCR	ICF	Loss	Yes	No	
Mackay	Land Development	None	All	ICF	14.4%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mackay	Other Roads	Code (a)	All	ICF	18.0%	Yes	No	
Mackay	Plant and Equipment	Code (a)	All	ICF	18.0%	Yes	No	
Mackay	Plumbing Permits and Inspections	Code (a)	All	ICF	26.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mackay	Public Toilets	Code (a)	All	ICF	14.3%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Mackay	Refuse Management	Code (a)	All	ICF	11.1%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mackay	Workshop	Code (a)	Most	ICF	7.7%	Yes	No	
Mareeba	Other Roads	Code (a)	All	ICF	9.3%	Yes	No	
Mareeba	Refuse Management	Code (a)	All	ICF	17.5%	Yes	No	
Mareeba	Water and Sewerage	Code (a)	All	ICF	9.7%	Yes	No	
Mareeba	Workshop	Code (a)	All	ICF	14.6%	Yes	No	
Maroochy	Car Parking	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Maroochy	Other Roads	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Maryborough	Aerodromes	Code (a)	All	ICF	10.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Maryborough	Fleet and Plant Management	Code (a)	All	ICF	10.3%	Yes	No	
Maryborough	Other Roads	Code (a)	All	ICF	10.9%	Yes	No	
Maryborough	Refuse Management	Code (a)	All	ICF	10.3%	Yes	No	
Maryborough	Showground	Code (a)	All	ICF	2.0%	Yes	No	
Maryborough	Water and Sewerage	Code (a)	All	ICF	9.4%	Yes	No	
McKinlay	Other Roads	None	N/A	No	N/A	No	No	
McKinlay	Road	None	N/A	No	N/A	No	No	
McKinlay	Water and Sewerage	None	N/A	No	N/A	No	No	
Millmerran	Other Roads	Code (a)	Most	ICF	7.3%	Yes	No	
Millmerran	Water and Sewerage	Code (a)	Many	ICF	1.8%	Yes	No	
Mirani	Other Roads	Code (a)	All	ICF	9.8%	No	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mirani	Plant Fleet Management	Code (a)	All	ICF	See Notes	No	No	While not providing a figure, the QCA notes that the business is earning a rate of return within the industry benchmark.
Mirani	Quarry	Code (a)	All	ICF	13.1%	No	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mirani	Waste Management	Code (a)	Most	ICF	1.6%	No	No	
Mirani	Water Supply	Code (a)	Most	ICF	6.2%	No	No	
Miriam Vale	Economic Development, Promotion and Tourism	Code (a)	All	ICF	3.3%	Yes	No	
Miriam Vale	Other Roads	Code (a)	All	ICF	14.3%	Yes	No	
Miriam Vale	Plant Operations and Maintenance	Code (a)	All	ICF	1.5%	Yes	No	
Miriam Vale	Water and Sewerage	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	Full Cost Budget does not reconcile with adopted budget.
Monto	Environmental Services	Code (a)	All	ICF	65.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Monto	Plant Operations	Code (a)	All	ICF	7.6%	Yes	No	
Monto	Road	Code (a)	All	ICF	7.6%	Yes	No	
Monto	Sports, Rec. & Community Facilities	Code (a)	All	ICF	9.0%	Yes	No	
Monto	Water and Sewerage	Code (a)	All	ICF	58.0%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Mornington	Aged Peoples Home	Code (a)	Many	ICF	8.9%	Yes	No	
Mornington	Other Roads	Code (a)	Many	ICF	See Notes	Yes	No	Insufficient information to determine ROR. Margin on Costs appears to be around 16%
Mount Isa	Engineering Services	Code (a)	All	ICF	33.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mount Isa	Other Roads	Code (a)	All	ICF	33.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mount Isa	Plant Operations	Code (a)	Many	ICF	1.6%	Yes	No	
Mount Isa	Refuse Management	Code (a)	All	ICF	34.0%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Mount Isa	Water and Sewerage	Code (a)	All	ICF	8.8%	Yes	No	
Mount Morgan	Sole Invitee Works	Code (a)	All	ICF	8.2%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets. Council has not substantiated a CSO comprising 100% of revenue.
Mount Morgan	Water and Works	Code (a)	Many	IF	4.0%	Yes	No	Council has not substantiated a CSO comprising 16% of revenue.
Mundubbera	Environmental and Health	Code (a)	All	ICF	6.2%	Yes	No	
Mundubbera	Plant Operation and Maintenance	Code (a)	All	ICF	16.3%	Yes	No	
Mundubbera	Road	Code (a)	All	ICF	16.3%	Yes	No	
Mundubbera	Water and Sewerage	Code (a)	Many	ICF	8.1%	Yes	No	Council has not substantiated a SCO which comprises 55% of revenue.
Murgon	Commercial Properties	Code (a)	All	ICF	9.5%	Yes	No	
Murgon	Other Roads	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Murgon	Plant Operations	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Murgon	Refuse Management	Code (a)	All	ICF	7.2%	Yes	No	
Murgon	Water and Sewerage	Code (a)	All	ICF	9.3%	Yes	No	
Murilla	Other Roads	Code (a)	All	ICF	1.9%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Murilla	Plant Operations	Code (a)	All	ICF	4.9%	Yes	No	
Murilla	Water and Sewerage	Code (a)	All	ICF	10.0%	Yes	No	
Murweh	Aerodrome Operations	Code (a)	Many	ICF	3.9%	Yes	No	
Murweh	Area Promotion and Development	Code (a)	Many	ICF	0.5%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Murweh	Environmental Services and Utilities	Code (a)	Many	ICF	Breakeven	Yes	No	
Murweh	Other Road Works	Code (a)	All	ICF	8.8%	Yes	No	Business does not operate substantial assets. Margin on costs has been used in lieu of rate of return on assets.
Murweh	Plant Operations	Code (a)	All	ICF	26.0%	Yes	No	
Murweh	Sports, Rec. & Community Facilities	Code (a)	All	ICF	13.3%	Yes	No	
Murweh	Water and Sewerage Utilities	Code (a)	All	ICF	11.0%	Yes	No	
Nanango	Other Roads	Code (a)	All	ICF	9.4%	Yes	No	
Nanango	Refuse Management	Code (a)	All	ICF	9.4%	Yes	No	
Nanango	Water and Sewerage	Code (a)	Most	ICF	8.1%	Yes	No	
Nebo	Other Roads	Code (a)	All	ICF	10.6%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Nebo	Plant Operations	Code (a)	Most	ICF	5.1%	Yes	No	
Nebo	Saleyard	Code (a)	Many	ICF	5.3%	Yes	No	
Nebo	Waste Management & Environmental Services	Code (a)	Some	IF	6.3%	Yes	No	Council has not substantiated a CSO which comprises 70% of total revenue.
Nebo	Water and Sewerage	Code (a)	N/A	ICF	Loss	Yes	No	Business is budgeting for a loss. Council has not provided any commercial reasons for pricing at below full cost. Unable to provide FCP rating.
Noosa	Other Roads	Code (a)	Many	ICF	3.2%	Yes	No	
Noosa	Plant Operations	Code (a)	Many	ICF	3.2%	Yes	No	
Noosa	Refuse Management	Code (a)	Many	ICF	4.5%	Yes	No	
Paroo	Other Roads	Code (a)	Some	I	Breakeven	No	No	CSO has been identified but not substantiated.
Paroo	Plant Operations	Code (a)	Some	I	11.7%	No	No	
Paroo	Water and Sewerage	Code (a)	Some	No	8.9%	Yes	No	
Peak Downs	Capella Cultural Centre	Code (a)	All	ICF	9.4%	Yes	No	
Peak Downs	Cleansing Services	Code (a)	Many	IF	8.9%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%. A CSO was identified for this activity but has not yet been substantiated.
Peak Downs	Parks and Gardens	Code (a)	All	ICF	9.4%	Yes	No	
Peak Downs	Road	Code (a)	All	ICF	9.8%	Yes	No	
Peak Downs	Water and Sewerage	Code (a)	Many	IF	Loss	Yes	No	Council has not substantiated CSO comprising 21% of revenue. Loss likely due to severe drought conditions. DLGP emergency drought funding has been granted to council.
Peak Downs	Workshop/Plant Maintenance	Code (a)	N/A	IF	Loss	Yes	No	Council has not substantiated a CSO comprising 25% of revenue. No FCP rating available.
Perry	Road	None	Not achieving FCR	No	No	No	No	Council has not yet resolved to apply the code.
Pine Rivers	Cultural 1	None	N/A	N/A	N/A	N/A	N/A	Council has resolved not to apply the code to this activity.
Pine Rivers	Road	Code (a)	N/A	ICF	See Notes	Yes	No	Revenue has not been properly attributed to this activity. No FCP rating is available.
Pittsworth	Other Roads	Code (a)	All	ICF	12.0%	Yes	No	
Pittsworth	Plant and Equipment	Code (a)	All	ICF	12.0%	Yes	No	
Pittsworth	Water and Sewerage	Code (a)	All	ICF	9.7%	Yes	No	
Quilpie	Community Services	Code (a)	All	ICF	11.3%	Yes	No	
Quilpie	Other Roads	Code (a)	All	ICF	81.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Quilpie	Plant Operations	Code (a)	Some	IF	9.4%	Yes	No	Council has not substantiated a CSO comprising 29% of revenue.
Redcliffe	Other Roads	Code (a)	N/A	ICF	Breakeven	Yes	No	Unable to provide an FCP rating.
Redcliffe	Refuse Management	Code (a)	All	ICF	12.7%	Yes	No	
Redcliffe	Water and Sewerage	Code (a)	All	ICF	8.1%	Yes	No	
Redland	Other Roads	Code (a)	All	ICF	8.8%	Yes	No	
Redland	Plant and Equipment	Code (a)	All	ICF	8.8%	Yes	No	
Redland	Quarry	Code (a)	Most	ICF	11.3%	Yes	No	
Richmond	Other Roads	Code (a)	All	ICF	22.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Richmond	Plant and Equipment	Code (a)	All	ICF	33.0%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Rockhampton	Fleet and Plant	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Rockhampton	Nurseries	Code (a)	All	ICF	10.5%	Yes	No	
Rockhampton	Other Roads	None	Many	ICF	17.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Rockhampton	Refuse Management	Code (a)	All	ICF	20.0%	Yes	No	
Roma	Gas	Code (a)	Some	No	0.8%	Yes	No	
Roma	Plant Operations	Code (a)	All	ICF	8.8%	Yes	No	
Roma	Water Supply and Sewerage	Code (a)	Many	ICF	17.0%	Yes	No	
Rosalie	Other Roads	Code (a)	All	ICF	11.6%	Yes	No	
Rosalie	Plant Operations	Code (a)	All	ICF	11.6%	Yes	No	
Rosalie	Refuse Management	Code (a)	Some	IF	4.2%	Yes	No	Council has not yet substantiated a CSO comprising 53% of revenue.
Rosalie	Water and Sewerage	Code (a)	All	ICF	16.0%	Yes	No	
Sarina	Other Roads	Code (a)	Most	ICF	10.1%	No	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Sarina	Plant Operations	Code (a)	Some	ICF	Loss	No	No	
Sarina	Waste Management	Code (a)	Most	ICF	11.1%	No	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Sarina	Water and Sewerage	Code (a)	Many	IF	9.0%	No	No	Council has not substantiated a CSO that comprises 33% of revenue.
Stanthorpe	Other Roads	Code (a)	All	ICF	Breakeven	Yes	No	
Stanthorpe	Plant Operations	Code (a)	All	ICF	9.0%	Yes	No	
Stanthorpe	Refuse Management	Code (a)	All	ICF	9.2%	Yes	No	
Stanthorpe	Water and Sewerage	Code (a)	All	ICF	9.1%	Yes	No	
Tambo	Other Roads	Code (a)	All	ICF	15.8%	Yes	No	
Tara	Nursing Home	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Tara	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Tara	Sole Invitee Works	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Tara	Water Supply and Sewerage	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Taroom	Water and Sewerage	None	N/A	N/A	N/A	N/A	N/A	Council resolved not to apply the code to this activity.
Thuringowa	Fleet	Code (a)	Most	ICF	3.4%	Yes	No	
Thuringowa	Waste	Code (a)	All	ICF	17.4%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Thuringowa	Works	Code (a)	All	ICF	4.3%	Yes	No	
Tiario	Other Roads	Code (a)	All	ICF	11.6%	Yes	No	
Tiario	Refuse Management	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Tiario	Water and Sewerage	Code (a)	All	ICF	9.4%	Yes	No	
Toowoomba	Airport	Code (a)	All	ICF	10.0%	Yes	No	
Toowoomba	Fleet and Plant	Code (a)	All	ICF	9.0%	Yes	No	
Toowoomba	Laboratory	Code (a)	All	ICF	10.0%	Yes	No	
Torres	Aerodromes	Code (a)	Some	ICF	7.8%	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	Rate of Return	Complaint Process	Complaints	Notes
Torres	Child Care	Code (a)	Some	ICF	9.0%	Yes	No	
Torres	Garbage and Refuse	Code (a)	Many	ICF	14.1%	Yes	No	Council has not substantiated a CSO comprising 45% of revenue.
Torres	Other Roads	Code (a)	Many	ICF	12.6%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Torres	Plant and Equipment	Code (a)	Not achieving FCR	ICF	5.1%	Yes	No	
Torres	Water and Sewerage	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Townsville	Other Roads	Code (a)	All	ICF	8.8%	Yes	No	
Waggamba	Other Roads	Code (a)	Most	ICF	9.0%	Yes	No	
Waggamba	Water and Sewerage	Code (a)	Most	ICF	11.0%	Yes	No	
Wambo	Laboratory	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Wambo	Other Roads	Code (a)	All	ICF	28.0%	Yes	No	
Wambo	Saleyard	None	N/A	N/A	N/A	N/A	N/A	Council has not resolved to apply the code yet.
Wambo	Water and Sewerage	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Wambo	Workshop	Code (a)	Not achieving FCR	ICF	Loss	Yes	No	
Warroo	Other Roads	Code (a)	All	ICF	9.0%	Yes	No	
Warroo	Water and Sewerage	Code (a)	Most	ICF	6.3%	Yes	No	
Warwick	Other Roads	Code (a)	All	ICF	7.9%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Warwick	Refuse Management	Code (a)	All	ICF	24.0%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Warwick	Water and Sewerage	Code (a)	Most	ICF	8.6%	Yes	No	
Whitsunday	Building Services	Code (a)	All	ICF	72.4%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Whitsunday	Community Facilities	Code (a)	All	ICF	2.1%	Yes	No	
Whitsunday	Other Roads	Code (a)	All	ICF	6.1%	Yes	No	Business does not utilise any significant assets. Margin on costs is used in lieu of Rate of return on assets. DLGP target for margin on costs is 10%.
Whitsunday	Parks and Gardens	Code (a)	All	ICF	17.2%	Yes	No	
Whitsunday	Plant Operation and Maintenance	Code (a)	All	ICF	12.6%	Yes	No	
Whitsunday	Water and Sewerage	Code (a)	Many	ICF	1.3%	Yes	No	
Winton	Other Roads	Code (a)	All	ICF	13.9%	Yes	No	
Winton	Parks and Gardens	Code (a)	All	ICF	17.4%	Yes	No	
Winton	Plant Operations	Code (a)	All	ICF	7.8%	Yes	No	
Winton	Water and Sewerage	Code (a)	Most	ICF	10.0%	Yes	No	
Wondai	Other Roads	Code (a)	Not achieving FCR	No	0.4%	No	No	
Wondai	Plant Operations	Code (a)	Some	ICF	0.4%	No	No	
Wondai	Water and Sewerage	Code (a)	Not achieving FCR	ICF	Loss	No	No	
Woocoo	Other Roads	Code (a)	Many	No	4.6%	Yes	No	
Woocoo	Plant	Code (a)	Many	No	4.6%	Yes	No	

Attachment 3 – Local Government Water Tariffs (1 January 2004)

Local Government	Number of Water Connections	Customer Class	Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details	
					Fixed/Unit charge	Water allowance	Excess consumption charge	Access charge	Consumption rate
Councils operating Significant Water & Wastewater Businesses, Representing 84.75% of all water connections in Queensland									
Brisbane	363,741	Residential	Two-part tariff	Fixed				\$100.00	\$0.84/kl
		Commercial	Two-part tariff	% of Consumption				% water charges (min \$100.00)	\$0.89/kl
		Industrial	Multi-part Tariff (Inclining)	% of Consumption				% water charges (min \$100.00/max \$26,700)	0-100,000kl @ \$0.89/kl >100,000kl @ \$1.02/kl
Gold Coast	191,030	Residential	Two-part tariff	Fixed	NA	NA	NA	\$173.00	\$0.70/kl
		Other	Two-part tariff	Meter Diameter	NA	NA	NA	\$211.00 - \$47,475.00	\$0.95/kl
Logan	61,672	All	Two-part tariff	Meter Diameter	NA	NA	NA	From \$145.00	\$0.79/kl
Cairns	53,258	Domestic	Two-part tariff	Fixed	NA	45kl (Greening Allowance)	NA	\$128.56	\$0.50/kl
		Other	Two-part tariff	Fixed	NA	NA	NA	\$128.56	\$0.725/kl
Maroochy	52,092	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$154.40	\$0.87/kl
		Other	Two-part tariff	Meter Diameter	NA	NA	NA	Varies	\$0.87/kl
Ipswich	46,453	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$166.00	< 400kl @ \$0.56/kl 401-600kl @ \$0.90/kl > 600kl @ \$1.28/kl
Caboolture	44,915	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$234.00	< 351kl @ \$0.62/kl 351-700kl @ \$0.97/kl > 700kl @ \$1.22/kl
Redland	44,695	Domestic	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$174.50	< 980kl \$0.411/kl > 980kl \$0.60/kl
		Other	Multi-part Tariff (Inclining)	Meter Diameter	NA	NA	NA	\$231.00 to \$8,626.25	< 980kl \$0.411/kl > 980kl \$0.60/kl
Pine Rivers	44,217	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$170.00	\$0.57/kl
		Other	Two-part tariff	Meter Diameter	NA	NA	NA	\$185.00	\$0.57/kl
Townsville	36,002	Domestic	Unit/Excess	Fixed	\$414.72	776kl	\$1.30/kl	NA	NA
		Commercial	Fixed/Excess	Fixed	\$640.78	322kl	\$1.99/kl	NA	NA
Toowoomba	35,476	Domestic	Multi-part Tariff (Inclining)	Meter Diameter	NA	NA	NA	\$280.00	< 324kl @ \$0.55/kl > 324kl @ \$1.00/kl
		Other	Multi-part Tariff (Inclining)	Meter Diameter	NA	NA	NA	\$436.00 to \$15,680	Pricing same but kl quantities vary depending on water service connection
Caloundra	34,441	All	Two-part tariff	Fixed	NA	NA	NA	\$78.00	\$0.78/kl
Mackay	29,297	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$152.60	< 400kl @ \$0.40/kl 401-1500kl @ \$0.66/kl >1500kl @ \$0.75/kl

Local Government	Number of Water Connections	Customer Class	Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details	
					Fixed/Unit charge	Water allowance	Excess consumption charge	Access charge	Consumption rate
Rockhampton	24,000	Domestic	Fixed	Fixed	\$472.00	NA	NA	NA	NA
		Other	Multi-part Tariff (Inclining)	Meter Diameter	NA	NA	NA	Varies	< 900kl @ \$0.52/kl
Hervey Bay	22,173	All	Two-part tariff	Fixed	\$199.00	NA	NA	NA	\$0.94/kl
Noosa	20,241	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$130.00	\$0.72/kl
		Other	Two-part tariff	Meter Diameter	NA	NA	NA	Various	\$0.72/kl
Thuringowa	18,672	Domestic	Fixed/Excess or Two-part tariff	Fixed	\$459.00	768kl	\$1.12/kl	\$195.00	\$0.82/kl
		Other	Two-part tariff	Meter Diameter	NA	NA	NA	Various	\$1.12/kl
Bundaberg	17,032	Domestic	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$230.00	< 600 @ \$0.27/kl 600-1200 @ \$0.60/kl > 1200 @ \$0.88/kl
		Other	Multi-part Tariff (Inclining)	Meter Diameter	NA	NA	NA	From \$230.00	As Above
Councils with greater than 5000 water connections, representing 7.37% of all water connections in Queensland									
Redcliffe	21,773	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$126.00	< 150kl @ \$0.42/kl 150kl-300kl @ \$0.84/kl > 300kl @ \$1.26/kl
Gladstone	10,847	All	Multi-part Tariff (Inclining)	Historic Use	NA	NA	NA	Previous Years Consumption / Access Charge < 2000kl / \$175.00 2000-5000kl / \$350.00 5000-20000kl / \$875.00 20,000-100,000kl / \$1750.00 > 100000kl / \$7000.00	< 400kl @ \$0.50/kl 400 - 1000kl @ \$0.75/kl > 1000kl @ \$1.00/kl
Cooloola	9,961	Domestic	Multi-part Tariff (Inclining)	Meter Diameter	NA	NA	NA	From \$190	< 291kl @ \$0.422/kl > 291kl @ \$1.158/kl
		Other	Multi-part Tariff (Inclining)	Meter Diameter	NA	NA	NA	From \$243	< 291kl @ \$0.422/kl > 291kl @ \$1.158/kl
Maryborough	9,803	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$225.00	\$0.70/kl or Concessional Charge \$0.57/kl (as approved)
		Com.& Ind.	Two-part tariff	Meter Diameter	NA	NA	NA	\$280.00 - \$22,500.00	\$0.70/kl
		Other	Two-part tariff	Meter Diameter	NA	NA	NA	\$420.00 - \$33,750.00	\$1.05/kl
Livingstone	8,883	All	Two-part tariff	Fixed	NA	NA	NA	\$290.00	< 400kl @ \$0.30/kl > 400kl @ \$1.20/kl
		Other - Caves	Fixed	Fixed	\$95.00	NA	\$0.60/kl Total	NA	NA
Warwick	7,085	All	Two-part tariff	Meter Diameter	NA	NA	NA	\$275.00 - \$6,863.00	\$0.75/kl
Beaudesert	6,950	All	Two-part tariff	Meter Diameter	NA	NA	NA	\$233.40 - \$13,128.75	\$0.82/kl
Mount Isa	6,756	All	Unit/Excess	Units	\$75.00	125kl	\$0.70/kl	NA	NA

Local Government	Number of Water Connections	Customer Class	Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details	
					Fixed/Unit charge	Water allowance	Excess consumption charge	Access charge	Consumption rate
Burdekin	6,280	All	Multi-part Tariff (Inclining)	Access	NA	NA	NA	\$240.00	< 1,000kl @ \$0.10 > 1,000kl @ \$0.50
Douglas	5,782	All	Unit/Excess	Units	\$65.05	131kl	\$0.65/kl	NA	NA
Burnett	5,442	All	Two-part tariff	Meter Diameter	NA	450kl	NA	\$306.00	< 450kl @ \$0.26/kl > 450kl @ \$1.20/kl
Whitsunday	5,013	Domestic	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$180.00	< 365kl @ \$0.55 > 365kl @ \$0.95
		Commercial	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$252.00	< 365kl @ \$0.55 > 365kl @ \$0.95
		Industrial	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$324.00	< 365kl @ \$0.55 > 365kl @ \$0.95
		Other	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$252.00	< 365kl @ \$0.55 > 365kl @ \$0.95
Councils with above 1000 but below 5000 connections, representing 6.41% of all water connections in Queensland									
Mareeba	4,685	Domestic	Multi-part Tariff (Inclining)	Fixed	NA	Nil	NA	\$216.00	< 550kl @ \$0.15 > 550kl @ \$0.45
		Commercial	Multi-part Tariff (Inclining)	Fixed	NA	Nil	NA	\$385.00	< 550kl @ \$0.15 > 550kl @ \$0.45
		Industrial	Multi-part Tariff (Inclining)	Fixed	NA	Nil	NA	\$3,000.00	< 550kl @ \$0.15 > 550kl @ \$0.45
Bowen	4,587	All	Fixed/Excess	Fixed	\$450.00	750kl	\$0.75/kl	NA	NA
Emerald	4,473	All	Two-part tariff	Fixed	NA	NA	NA	\$206.00	\$0.38/kl
Calliope	4,392	All	Two-part tariff	Meter Diameter	NA	NA	NA	min \$149	< 312kl @ \$0.50/kl 312-468kl @ \$0.73/kl > 468kl @ \$0.95/kl
Hinchinbrook	4,378	All	Two-part tariff	Fixed	NA	NA	NA	\$210.00	\$0.42/kl
Atherton	4,207	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$134.00	< 400kl @ \$0.235/kl 400-1000kl @ \$0.40/kl > 1000kl @ \$0.635/kl
Kingaroy	4,142	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$133.80	\$1.14/kl
		Other	Two-part tariff	Historic Use	NA	NA	NA	\$133.80/270kl of consumption in previous year	\$1.14/kl
Cardwell	4,001	Domestic	Unit/Excess	Units	\$319.00	60kl/unit	60-100kl @ \$0.60 >100kl @ \$1.00	NA	NA
		Other	Unit/Excess	Units	Varies	60kl/unit	60-100kl @ \$0.60 >100kl @ \$1.00	NA	NA
Banana	3,840	All	Unit/Excess	Units	NA	600kl	\$1.50/kl	NA	NA

Local Government	Number of Water Connections	Customer Class	Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details	
					Fixed/Unit charge	Water allowance	Excess consumption charge	Access charge	Consumption rate
Belyando	3,423	Domestic	Fixed/Excess	Fixed	\$437.00	727kl	\$0.71/kl	NA	NA
		Com.& Ind.	Fixed/Excess	Fixed	\$437.00	639kl	\$0.71/kl	NA	NA
Jondaryan	3,375	Domestic	Two-part tariff	Fixed	\$297.00/\$194.00/\$240.00	NA	NA	NA	NA
		Commercial	Two-part tariff	Fixed	\$297.00/\$194.00/\$240.00	NA	NA	NA	NA
		Industrial	Two-part tariff	Fixed	\$297.00/\$194.00/\$240.00	NA	NA	NA	NA
		Other	Two-part tariff	Fixed	\$294.00/\$194.00/\$240.00	NA	NA	NA	NA
Charters Towers	3,314	Domestic	Fixed	Fixed	\$356.00	900kl	\$0.56kl	NA	NA
		Commercial	Unit/Excess	Units	\$89.00/unit	NA	\$0.56/kl	NA	NA
		Industrial	Unit/Excess	Units	\$89.00/unit	NA	\$0.56/kl	NA	NA
Gatton	3,302	Domestic	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$385.00	< 200kl @ \$0.40/kl 200-400kl @ \$0.50/kl > 400kl @ \$1.00/kl
		Com.& Ind.l	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$435.00	< 200kl @ \$0.40/kl 200-400kl @ \$0.50/kl > 400kl @ \$1.00/kl
		Other	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$230.00	< 200kl @ \$0.40/kl 200-400kl @ \$0.50/kl > 400kl @ \$1.00/kl
Crow's Nest	3,176	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$165.00	< 280kl @ \$0.56/kl > 280kl @ \$1.39/kl
Esk	2,950	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$405.00	> 200kl @ \$0.68 200kl-400kl @ \$0.80 > 400kl @ \$1.48
Roma	2,587	Domestic	Unit/Excess	Units	\$427.52	750kl	\$0.54	NA	NA
		Commercial	Unit/Excess	Units	\$1,002.00	1,757kl	\$0.54	NA	NA
		Industrial	Unit/Excess	Units	\$587.08	1,031kl	\$0.54	NA	NA
Duarina	2,507	All	Two-part tariff	Units	NA	NA	NA	\$75.00/unit	\$0.50/kl
Stanthorpe	2,483	All	Two-part tariff	Meter Diameter	NA	NA	NA	\$208.00 - \$5,200	\$0.58/kl
Goondiwindi	2,208	Domestic	Unit/Excess	Fixed	\$341.20 (4 units)	400kl		NA	NA
		Commercial	Unit/Excess	Land use	From \$341.20	Varies	200kl>allowance-\$0.60/kl thereafter \$0.81/kl	NA	NA
		Industrial	Unit/Excess	Land use	From \$341.20	Varies		NA	NA
		Other	Unit/Excess	Land use	From \$341.20	Varies		NA	NA

Local Government	Number of Water Connections	Customer Class	Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details	
					Fixed/Unit charge	Water allowance	Excess consumption charge	Access charge	Consumption rate
Broadsound	2,013	All	Fixed/Excess	Fixed	\$398.00	720kl	\$0.40/kl	NA	NA
Chinchilla	1,953	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$194.00	< 400kl @ \$0.49/kl > 400kl @ \$1.00/kl
Rosalie	1,931	All	Multi-part Tariff (Inclining)	Fixed	NA	NA	NA	\$194.00	< 300kl @ \$0.75/kl 300-400kl @ \$1.28/kl > 400kl \$1.80/kl
Murweh	1,833	All	Fixed/Excess	Fixed	\$400.00	1,000kl	\$0.50/kl	NA	NA
Boonah	1,769	All	Two-part tariff	Meter Diameter	NA	NA	NA	From \$200	\$0.80/kl
Fitzroy	1,557	All	Two-part tariff	Meter Diameter	NA	NA	NA	From \$218.00	\$0.41/kl
Balonne	1,539	Domestic	Unit/Excess	Fixed	\$440.00	294kl	\$0.28/kl	NA	NA
		Commercial	Unit/Excess	Fixed	\$462.00	309kl	\$0.28/kl	NA	NA
		Industrial	Unit/Excess	Fixed	\$255.00	171kl	\$0.28/kl	NA	NA
Nanango	1,491	All	Multi-part Tariff (Inclining)	Units	NA	NA	NA	\$198.00	< 320 @ \$0.35/kl 320-420 @ \$0.98/kl > 420 @ \$1.38/kl
Longreach S	1,452	Commercial	Fixed/Excess	Fixed	\$703.20	1,800kl	1800kl-2100kl @ \$0.50/kl > 2100kl @ \$0.58	NA	NA
		Other	Fixed/Excess	Fixed	\$468.80	1,200kl	1200-1500kl @ \$0.50/kl > 1500kl @ \$0.58/kl	NA	NA
Eacham	1,319	All	Fixed/Excess	Fixed	\$348.00	500kl	\$0.65/kl	NA	NA
Mount Morgan	1,312	All	Fixed/Excess	Units	\$118.00/unit	228kl/unit	228kl-456kl @ \$1.20/kl > 456kl @ \$1.30/kl	NA	NA
Wondai	1,302	All	Two-part tariff	Fixed	NA	NA	NA	\$130.00	\$0.70/kl
Herberton	1,177	All	Unit/Excess	Unit	\$46.38/unit	70kl/unit	\$0.75/kl	NA	NA
Pittsworth	1,148	All	Two-part tariff	Meter Diameter	NA	NA	\$0.45/kl	\$200 - \$799.80	Constant \$0.45/kl
Cook	1,043	Domestic	Unit/Excess	Units	\$74.20	500kl	< 200kl @ \$1.20/kl 200-400kl @ \$1.50/kl > 400kl @ \$2.00/kl	NA	NA
		Other	Unit/Excess	Units	Varies	Varies	< 200kl @ \$1.20/kl 200-400kl @ \$1.50/kl > 400kl @ \$2.00/kl	NA	NA
Murgon	1,019	Domestic	Two-part tariff	Fixed	NA	100kl	>100kl-\$0.52/kl	\$142.80	NA
		Commercial	Two-part tariff	Fixed	NA	100kl	>100kl-\$0.52/kl	\$142.80	NA
		Industrial	Two-part tariff	Fixed	NA	100kl	>100kl-\$0.52/kl	\$186.60	NA
		Other	Two-part tariff	Fixed	NA	100kl	>100kl-\$0.52/kl	NA	NA

Attachment 4 – Local Government CoAG Water Reform

Council	Number of Water Connections	Two Part Tariff Report	Report Recommendation	Council Resolution	Full Cost Recovery	Full Cost Pricing	CSOs **	Cross Subsidies Report Completed	Rate of Return (%)	Notes
Councils operating Significant Water & Wastewater Businesses – representing 84.75% of all water connections in Queensland										
Brisbane *	363,741	Done	For	For		All	ICF	Yes	N/A	
Gold Coast	191,030	Done	For	For		All	ICF	Yes	2.7	Low rate of return a likely result of severe drought conditions and water restrictions.
Logan	61,672	Done	For	For		All	ICF	Yes	8.2	
Cairns	53,258	Done	For	For		All	ICF	Yes	3.6	
Maroochy	52,092	Done	For	For		All	ICF	Yes	6.1	
Ipswich	46,453	Done	For	For		Most	ICF	Yes	4.5	FCP rating due to ROR result being below Queensland Treasury target.
Caboolture	44,915	Done	For	For		All	ICF	Yes	8.8	
Redland	44,695	Done	For	For	All		ICF	Yes	8.1	
Pine Rivers	44,217	Done	For	For		Most	ICF	Yes	4.2	FCP rating due to ROR result being below Queensland Treasury target.
Townsville	36,002	Done	see notes	see notes		All	ICF	Yes	8.5	2PT report indicated 2PT for commercial customers but not residential customers. Council voted accordingly.
Toowoomba*	35,476	Done	For	For		All	ICF	Yes	N/A	
Caloundra	34,441	Done	For	For		All	ICF	Yes	7	
Mackay	29,297	Done	For	For		All	ICF	Yes	7.9	
Rockhampton	24,000	Done	see notes	see notes		All	ICF	Yes	13.5	Rockhampton has conducted two 2PT reports, the first finding in favour, the second against. Subsequently RCC has resolved to implement a 2PT for residential customers in 2005.
Hervey Bay	22,173	Done	For	For		Most	ICF	Yes	2.2	FCP rating due to ROR result being below Queensland Treasury target.
Noosa	20,241	Done	For	For		Most	ICF	Yes	4.8	FCP rating due to ROR result being below Queensland Treasury target.
Thuringowa	18,672	Done	For	For	All		ICF	Yes	13	
Bundaberg	17,032	Done	For	For		All	ICF	Yes	8.5	
Councils with greater than 5000 water connections, representing 7.37% of all water connections in Queensland										
Redcliffe	21,773	Done	For	For	All		ICF	Yes	8.1	
Gladstone	10,847	Done	For	For	All		ICF	Yes	9.9	
Cooloola	9,961	Done	For	For	All		ICF	Yes	12	

Council	Number of Water Connections	Two Part Tariff Report	Report Recommendation	Council Resolution	Full Cost Recovery	Full Cost Pricing	CSOs **	Cross Subsidies Report Completed	Rate of Return (%)	Notes
Maryborough	9,803	Done	see notes	see notes	All		ICF	Yes	9.4	Council conducted two 2PT reports. The first recommended against implementation of a 2PT, the second recommended for the implementation of a 2PT.
Livingstone	8,883	Done	For	For	All		ICF	Yes	14	
Warwick	7,085	Done	For	For	All		ICF	Yes	8.6	
Beaudesert	6,950	Done	For	For	All		ICF	No	12	
Mount Isa	6,756	Done	Against	Against	All		ICF	No	8.8	
Burdekin	6,280	Done	For	For	All		ICF	Yes	9	
Douglas	5,782	Done	Against	Against	All		ICF	Yes	12	
Burnett	5,442	Done	For	For	All		I	Yes	8.3	
Whitsunday	5,013	Done	For	For	All		I	Yes	See notes	Business earns an ROR of 4.3%, however a CSO comprising 16% of revenue has not been independently costed. Removal of this CSO would result in a ROR of 1.3%.
Councils with above 1000 but below 5000 connections, representing 6.41% of all water connections in Queensland										
Mareeba	4,685	Done	For	For	All		ICF	Yes	9.7	
Bowen	4,587	Done	For	Against	All		I	No	9.6	Council's decision was reviewed by the QCA. QCA recommended a further report which also recommended a 2PT. Council again resolved against implementing a 2PT.
Emerald	4,473	Done	For	For	All		ICF	Yes	9.2	
Calliope	4,392	Done	For	For	Most		ICF	Yes	8.5	
Hinchinbrook	4,378	Done	For	For	All		ICF	Yes	11.4	
Atherton	4,207	Done	For	For	Most		ICF	No	8.9	
Kingaroy	4,142	Done	For	For	All		ICF	No	0.1	
Cardwell	4,001	Done	Against	Against	Many		I	No	9	
Banana	3,840	Done	For	For	See Notes		I	No	8.7	Business has a target rate of 8.7%, however this includes a CSO comprising 55% of revenue that is as yet not independently costed. Unable to therefore list the FCR level.
Belyando	3,423	Done	For	Against	Some		No action taken	No	See notes	Activity generates positive return, however does not have a target ROR.
Jondaryan	3,375	Done	For	For	All		ICF	No	14	
Charters Towers	3,314	Done	Against	Against	All		ICF	No	11	Council has resolved to investigate the introduction of a 2PT for 2005/06
Gatton	3,302	Done	For	For	All		ICF	No	9.1	
Crow's Nest	3,176	Done	For	For	All		ICF	Yes	5	
Esk	2,950	Done	For	For	All		ICF	Yes	7.5	

Council	Number of Water Connections	Two Part Tariff Report	Report Recommendation	Council Resolution	Full Cost Recovery	Full Cost Pricing	CSOs **	Cross Subsidies Report Completed	Rate of Return (%)	Notes
Roma	2,587	None	N/A	N/A	All		ICF	No	17	
Duaringa	2,507	Done	For	For	All		ICF	No	9.4	
Stanthorpe	2,483	Done	For	For	All		ICF	No	9.1	
Goondiwindi	2,208	Done	For	No resolution	N/A		I	Yes	N/A	Insufficient information supplied to indicate either a ROR or level of FCR.
Broadsound	2,013	Done	Against	Against	All		I	No	31	High rate of return due to contributed assets being taken into account.
Chinchilla	1,953	Done	For	For	All		ICF	Yes	9.5	
Rosalie	1,931	Done	For	For	All		ICF	No	16	
Murweh	1,833	None	N/A	N/A	All		ICF	No	11	
Boonah	1,769	Done	For	For	All		ICF	No	6.5	
Fitzroy	1,557	Done	For	For	All		IF	No	9.4	Council has not independently costed the CSO which comprises 12% of revenue
Balonne *	1,539									
Nanango	1,491	Done	For	For	All		ICF	No	8.1	
Longreach	1,452	Done	Ambiguous	No resolution	See Notes		ICF	No	0.3	2PT tariff made no recommendations, council has not resolved either way. In regards to FCR, council did not provide sufficient details on the identification and basis for many of its costs. It is therefore not possible to identify the level of FCR implementation.
Eacham	1,319	Done	Against	Against	All		ICF	No	9.3	
Mount Morgan	1,312	None	N/A	N/A	All		I	No	2	Council has not substantiated the CSO or independently costed it.
Wondai	1,302	Done	For	For	Many		I	No	9.1	Council has not yet developed a policy framework for the identification, costing and funding of CSOs. However its draft budget has identified a CSO.
Herberton	1,177	Done	For	No resolution	All		ICF	Yes	15	
Pittsworth	1,148	Done	For	For	All		ICF	No	9.7	
Cook	1,043	None	N/A	N/A	All		I	No	9.8	
Murgon	1,019	Done	Ambiguous	N/A	All		ICF	No	9.3	
Johnstone	NA	Done	see notes	see notes	Most		ICF	No	6.8	Council conducted a report on 2PT which recommended the design of a 2PT to be considered by council.

* Data Collection for these councils did not occur as they are no longer eligible for payments from the Financial Incentive Package. Next years data collection will include these councils.

** The CSOs column is coded in the following fashion. "I" indicates that Council has a policy to Identify CSOs, "C" indicates that council has a policy to independently verify and cost CSOs, "F" indicates council has a policy to fund CSOs. Note that ICF does not indicate Council actually pays a CSO, merely that Council has in place a process to identify, cost and fund CSOs. The existence of CSOs should be checked against Attachment 5.

Attachment 5 – Local Government CSOs and Cross-Subsidies (Categorised by ACGL)

Local Government	Has FCP been Implemented?	CSO Description	Net Cost of CSO	Cross-Subsidy Description	Consumer Class	Value (\$)
CAPITAL CITY (UCC)						
Brisbane	Yes	Pensioner Remissions - Water	4,614,287			
		Pensioner Remissions - Sewerage	5,087,644			
		Combined Drains	146,051			
URBAN DEVELOPED VERY LARGE (UDV)						
Logan	Yes					
URBAN DEVELOPED LARGE (UDL)						
Toowoomba	Yes	Identified CSO such as fire hydrants not costed				
URBAN DEVELOPED MEDIUM (UDM)						
Redcliffe	Yes					
URBAN REGIONAL VERY LARGE (URV)						
Cairns	Yes	Water charges Council owned properties	2,935,585			
		Maintenance of fire hydrants	530,000			
		Service locations - Telstra etc.	40,695			
		Other (including water for fire fighting purposes)	20,675			
Gold Coast	Yes	Rates concessions provided to various community groups and rebates for leakages on internal properties.	523,152	Councils 02-03 budget reflected that residential consumers of water services were paying less than the marginal cost of providing water.	Residential	3,400,000
Maroochy	Yes	Maintenance of fire hydrants; headworks, pensioner remissions and rating concessions; community education initiatives; water leakage; effluent re-use; unserviced/uneconomical area.	1,777,000			
		Reduced rental to community bodies.	9,000			
		Provision of emergency, crisis care and 24 hour care.	155,000			
		Provision of reduced rates for children sponsored by Education Department and by schools.	285,000			
		Waste collection, disposal, minimisation, pensioner remissions, recycling rebate, recycling education.	1,612,000			
		Programming, attracting theatrical performances, agency, council grants and setup/mode change costs; hiring of council's promotional marquees and tents, cinema facility.	186,000			
		Maintenance of cemetery and burial of children.	283,000			

Local Government	Has FCP been Implemented?	CSO Description	Net Cost of CSO	Cross-Subsidy Description	Consumer Class	Value (\$)
URBAN REGIONAL LARGE (URL)						
Caloundra	Yes	Supply of water to fire hydrants	5,218			
		Repair and replacement of fire hydrants	40,846			
		Installation of raised reflective hydrant markers (cat's eyes)	70,000			
		Maintenance and supply of water to beach showers, parks, ramps	88,983			
Mackay	Yes					
Townsville	Yes	Greening of Townsville (Charities/Sporting Clubs)	2,645,718			
		Pensioner Remissions & Second Pedestal	1,315,825			
		Other	36,498			
		Capital CSO	558,601			
URBAN REGIONAL MEDIUM (URM)						
Bundaberg	Yes	Educational, recreational and city aesthetics purposes	167,360			
Cooloola	Yes	Council Services & Fire Service	570,744			
Hervey Bay	Yes					
Rockhampton	Yes	WATER				
		Pensioner Discounts	174,434			
		Other Rate Remissions	116			
		WASTEWATER				
		Pensioner Discounts	98,041			
		Combined Line Charges (Operating)	28,522			
		Combined Line Charges (Capital)	151,872			
		Other Rate Remissions	2,969			
Raising Manholes (Capital)	625,324					
URBAN REGIONAL SMALL (URS)						
Aurukun	No					
Charters Towers	Yes	Pensioner/Community, Community Donations, Effluent Reuse, Tourism Promotion, Plant Subsidisation, Recycling	461,000			
Dalby	Information not supplied					
Gladstone	Yes	Subsidised Water Charges for Sporting Bodies	32,968			
		Transitional FCP Subsidy - Water	2,398,218			
		Transitional FCP Subsidy - Sewerage	1,215,117			
Goondiwindi	No					
Johnstone	Yes	Water and Sewerage	1,350			
Maryborough	Yes	Base water charge concessions - sporting and community bodies	35,000			
Mornington	No	Mornington is unique in that it is subject to the <i>Local Government (Aboriginal Lands) Act 1978</i> . This means the council has lease arrangements with the Federal Government for 50 years and therefore the residents do not have to pay land rates. Therefore council does not charge rates and cannot balance CSO's and Cross Subsidies against discounts allowed for rates. However council does make a profit from it's Hotel/Tavern business and uses a proportion of these profits to provide CSO's and Cross Subsidies for council's other business activities.				
Mount Isa	Yes					
Roma	No					
Torres	No					
Warwick	Yes	Concessions to community groups on uneconomic schemes	21,996			

Local Government	Has FCP been Implemented?	CSO Description	Net Cost of CSO	Cross-Subsidy Description	Consumer Class	Value (\$)
URBAN FRINGE VERY LARGE (UFV)						
Ipswich	Yes	Water for Fire Fighting Purposes	15,000			
		Concessions to Community/Non Profit Groups - Water	3,082			
		Uneconomic Water Supply Extensions	-			
Pine Rivers	Yes	Communication Tower Rental	222,000			
		Pensioner Discounts	171,830			
		Concessions to Community Groups	5,000			
URBAN FRINGE LARGE (UFL)						
Caboolture	Yes	Community Safety - maintenance of fire hydrants	85,000			
		Water Conservation - Waterwise program				
		Extension uneconomical water supply to outlying community	90,671			
Redland	Yes	Water Concessions not for profit	75,000			
URBAN FRINGE MEDIUM (UFM)						
Beaudesert	No					
Noosa	Yes	Fire hydrant maintenance	34,750			
		Pensioner discounts	111,500			
Thuringowa	Yes	Uneconomical water supply to Rural, Rural/Residential outside the declared sewer area.	3,116,000			
		Supply of water at reduced prices to Community Organisations	20,000			
		Greening the City subsidised payments	1,539,290			
URBAN FRINGE SMALL (UFS)						
Burnett	Yes					
Livingstone	No					
RURAL AGRICULTURAL VERY LARGE (RAV)						
Atherton	Yes					
Banana	No					
Belyando	Yes					
Bowen	No					
Burdekin	Yes	Giru Water Supply operating costs				
		Pensioner concessions - water charges	102,972			
Calliope	Yes					
Cardwell	No					
Crow's Nest	Yes					
Douglas	Yes	Water	696,987	Water - class not separated as all consumers are provided water at same rate.		101,948
Emerald	Yes	Fire Service + Raw water for community services	57,000	Price differential (cents/kl)	Commercial	70,638
		Uneconomical service supply	145,000	Price differential (cents/kl)	Other	91,383
		Pensioner rebates	40,000			
		Transitional FCP subsidy	124,000			

Local Government	Has FCP been Implemented?	CSO Description	Net Cost of CSO	Cross-Subsidy Description	Consumer Class	Value (\$)
Esk	Yes	Uneconomic supply of water - overall price subsidy	298,000	Estimated cross-subsidy by Esk, Lowood and Toogoolawah sewerage users and Fernvale vacant land owners in the seweraged area of Fernvale to all other Fernvale sewerage users at a 6% discount rate.	Various	23,000
		Price concessions to Churches, halls, kindergartens and showgrounds - water and sewerage	12,000			
		Reuse water (sewerage business activity)	1,000			
		Provision of public dumping facilities (refuse business activity)	170,000			
Fitzroy	Yes	Water - rates and pensioner discount, subsidies supply to schools and aged care facilities	27,409			
		Sewerage - rates and pensioner discount, subsidies supply to schools and aged care facilities	299,497			
Gatton	Yes	Concession on Water and Wastewater charges for community groups	3,800			
Hinchinbrook	Yes	Fire Service	40,634			
		Waterwise	2,000			
		Access Concessions	71,782			
Jondaryan	Yes					
Kingaroy	No					
Laidley	Yes	Cost of providing effluent to farmers	51,325			
		Provision of reduced base water to community groups	2,391			
Mareeba	Yes					
Sarina	Information not supplied					
Whitsunday	Yes	Construction and integration of new water treatment facilities	950,000			
RURAL AGRICULTURAL LARGE (RAL)						
Boonah	Yes	Transport (Rural Road Addressing)	15,500			
		Water Supply (General Concessions, Fire Hydrants & Roadvale Water Board)	15,000			
		Waste Water (General Concessions, Recycled Water)	7,600			
		Solid Waste (Autofest, Community Organisations, Showgrounds & Parks)	1,200			
Broadsound	No					
Chinchilla	Yes					
Duarlinga	Yes					
Eacham	Yes					
Herberton	Yes	Uneconomical water and sewerage services	144,000			
Isis	Yes					
Mirani	No					
Nanango	Yes	Uneconomical service supply Blackbutt/Benarkin water supply	95,000			
		Pension rebates (revenue foregone)	8,000			
Rosalie	Yes	Uneconomical Service Supply	296,000			
Stanthorpe	Yes	Reduced Headworks Charges	11,811	Uneconomical Service Supply	Domestic	150,626
Wambo	Yes	Uneconomical Service Supply	182,000			
		Pensioner Remission	9,000			
		Price Concession	3,000			

Local Government	Has FCP been Implemented?	CSO Description	Net Cost of CSO	Cross-Subsidy Description	Consumer Class	Value (\$)
RURAL AGRICULTURAL MEDIUM (RAM)						
Balonne	No					
Bauhinia	Yes	Rolleston Water Supply	33,968			
Cambooya	Yes					
Clifton	Yes	In-house Administrative Functions	6,000			
Cloncurry	Yes					
Cook	No					
Dalrymple	No					
Gayndah	No					
Inglewood	Yes					
Kilcoy	Yes	Water CSO Revenue	107,230			
Kilkivan	Yes	Price subsidy to ensure affordable provision of essential services	132,000			
		Price subsidy to for provision of all essential amenities/services	36,000			
		Cost to provide transfer stations and refuse disposal facilities	155,000			
		Cost to provide plant for emergency services	200,000			
Kolan	No					
Millmerran	Yes	Uneconomical Service Supply	81,980			
		Industry Incentive	9,737			
		Fire Service	5,000			
		Price Concessions	2,184			
Miriam Vale	No					
Monto	Yes	Sport, Recreation & Community Facilities	295,000			
		Environment Management	139,000			
		Water Supply and Sewerage	75,000			
Mount Morgan	No					
Mundubbera	Information not supplied					
Murgon	No					
Murilla	Yes	Fire Service	6,000			
		Pensioner Rebates	7,000			
		Uneconomical Service Supply	30,000			
Nebo	No					
Peak Downs	Yes					
Pittsworth	Yes	Pension Remissions	3,000			
		Community Facilities	96,000			
		Fire Service	3,000			
		Transitional FCP Subsidy	54,000			
Tara	No					
Taroom	No					
Tiario	Yes	Subsidised Aged-Care Facilities	5,000			
		Uneconomical Service Supply	154,252			
Waggamba	Yes	Water CSO	129,181			
Wondai	Yes					
Woocoo	No water or sewerage service provided					

Local Government	Has FCP been Implemented?	CSO Description	Net Cost of CSO	Cross-Subsidy Description	Consumer Class	Value (\$)
RURAL AGRICULTURAL SMALL (RAS)						
Bendemere	No					
Biggenden	No					
Booringa	Yes	Supply to various community assets Maintenance of emergency/firefighting supplies	101,536			
Bungil	No					
Eidsvold	Yes	Water supply and sewerage	63,395			
Perry	No					
Warroo	Yes	Cost of employing and training officer to assist the water supply and sewerage officer	23,633			
RURAL REMOTE LARGE (RTL)						
Longreach	No					
Murweh	No					
RURAL REMOTE MEDIUM (RTM)						
Barcaldine	Yes					
Blackall	No					
Carpentaria	No					
Etheridge	No					
Flinders	No					
Jericho	No					
McKinlay	No					
Paroo	Yes	Revenue less expenditure surplus for CSO	38,132			
Quilpie	No					
Richmond	No					
Winton	Information not supplied					
RURAL REMOTE SMALL (RTS)						
Aramac	Yes					
Barcoo	No					
Boulia	Yes	To provide an essential service at a reasonable cost to residents	111,658			
Bulloo	No					
Burke	No					
Tambo	No					
RURAL REMOTE EXTRA SMALL (RTX)						
Croydon	No					
Diamantina	Yes	Water supply contribution from general revenue	207,000			
		Sewerage supply contribution from general revenue	75,000			
Ilfracombe	No	Nil				
Isisford	No					

Attachment 6 – Local Government Tradewaste Charges (Categorised by ACLG)

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
CAPITAL CITY (UCC)						
Brisbane	Yes	Category A	Minor trader with discharge <250kl/annum	General Charge	All categories	Category A - fixed charge \$240pa; Category B - \$0.88/kl; Category C - \$0.69/kl; Category D - \$0.43/kl
		Category B	>250kl/annum & strength assumed equal to the domestic sewerage			
		Category C	>250kl/annum & strength assumed less than half the domestic sewerage			
		Category D	20kg/day of BOD or TOC			
URBAN DEVELOPED VERY LARGE (UDV)						
Logan	Yes	Category 1	Low strength/low volume <500kl per annum	General	Category 1	Application fee new operators \$145.00, Base charge current financial year \$26.00, flat fee for treatment charge previous financial year \$168.00.
		Category 2	Medium strength/any volume or Low strength >500kl per annum	General	Category 2	Application fee for new operators \$145.00, Base charge current financial year \$95.00, treatment charge for previous financial year \$0.94/kl with a minimum overdue of \$168.00.
		Category 3	High strength/any volume	General	Category 3	Application fee for new operators \$145.00, Base charge current financial year \$166.00, treatment charge for previous financial year \$0.50/kl (volume charge) + tested strength of BOD (\$0.60/kg) or tested strength of COD (\$0.37/kg) + tested strength of NFR (\$0.69/kg) + tested strength of any other pollutant over sewer admission limit, charged from zero (\$0.57/kg).
URBAN DEVELOPED LARGE (UDL)						
Toowoomba	Yes	Category 1	Low strength <500kl per annum	General Charge	Category 1	Fixed
		Category 2a	Low strength >500kl per annum	Quantity charge	Categories 2a & 2b	Forumula C=Q*k (Q annual volume kl) k unit charge rate
		Category 2b	Low strength >500kl that passes through 1 or more sewerage station	Quantity & quality two tiered	Categories 3a & 3b	various qualifiers
		Category 3a	High strength			
		Category 3b	High strength that passes through 1 or more sewerage station			
URBAN DEVELOPED MEDIUM (UDM)						
Redcliffe	No					
URBAN REGIONAL VERY LARGE (URV)						
Cairns	Yes	Category 1	Low strength/low volume <500kl per annum	Trade waste permit fee	All categories	Flat charge \$169
		Category 2	Low strength/high volume >500kl per annum	Volume charge	Category 2	\$0.52/kl after allowance
		Category 3	High strength/any volume	Strength charge	Category 3	BOD5 by weight \$0.88/kg; Suspended Solids \$0.57/kg

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
Gold Coast	Yes	Category 1	Low strength <150kl per annum *	Annual usage charge	All categories	Quality charges > wastewater admission standards (Volume @ \$1.00/kL) (NVSS @ \$0.58/kg) (COD @ \$1.00/kg)
		Category 2	Low strength <300kl per annum *			
		Category 3	Low/medium strength >300kl per annum *			
		Category 4	Low strength/high volume; or high strength/low to medium volume *			
Maroochy	Yes	Category 1	Low strength/low volume	Annual Fee	All categories	\$64.70
		Category 2	Low strength/high volume >500kl per annum	Volume charge	Categories 2 & 3	\$0.50/kl
		Category 3	High strength/any volume (700mg/cod)	Strength charge	Category 3	BOD \$0.93/kg + COD \$0.44/kg + Suspended Solids \$0.60/kg
URBAN REGIONAL LARGE (URL)						
Caloundra	Yes	Category 1	Low strength/low volume<500kl per annum	Application fee	All new generators	Assessment of application \$100.00
		Category 2	Low strength/high volume>500kl per annum	Permit fee	Categories 1 & 2	\$340 includes administration, transport, treatment and disposal of trade waste
		Category 3	High strength/any volume	Additional Equivalent Arrestor charges	Category 1	Determine size of required trap and approx cleaning frequency and charge average \$/litre rate. \$ Charge is dependent upon number of factors relating to premises.
				Volume charges	Category 2	\$0.41/kl transport and treatment
		Quality Charges	Category 3	Discharge >300mg/l BOD and/or >300mg/l Suspended Solids - BOD \$0.66/kg; Suspended Solids \$0.56/kg		
Mackay	Yes	Commercial/Industrial	Trade waste charge (TWC)	Over limit discharge	Commercial/Industrial	Identified properties are assessed using the following formula: $\text{TWC (\$)} = 0.986 (D-300P)+0.15D (\text{Stength Ratio} - 1)$ <p>Where:</p> <p>TWC = Charge for Waste Discharge (rounded off in dollars)</p> <p>D = Estimated discharge to sewer (as a percentage of the previous years metered water consumption)</p> <p>P = Number of pedestals</p> <p>All properties are currently assessed with a strength ratio of 1</p>
Townsville	Yes	Category 1	Low strength/low volume<500kl per annum	Flat fee	Category 1	\$161.44 per annum
		Category 2	Low strength/high volume>500kl per annum	Volume	Category 2	\$1.34/kl min. fee per annum \$161.44
		Category 3	High strength/any volume	Strength	Category 3	BOD5 - \$1.39/kl; Suspended Solids - \$1.61/kl; min. fee \$161.44 per annum

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
URBAN REGIONAL MEDIUM (URM)						
Bundaberg	Yes	Category 1	Low strength/low volume <500kl per annum	Approval Fee	Category 1	\$55
		Category 2	Low strength/high volume >500kl	Volume and Quality	Category 2 & 3	Category 2 Annual charge = annual volume x unit charge rate or minimum \$165 (cost per kilolitre = \$0.84)
		Category 3	High strength/high volume >500kl			Category 3 Annual charge = annual volume x unit charge rate + annual volume x the unit charges for the average pollutants (mg/L) or minimum of \$320 (cost per kilolitre = \$0.84)
Cooloola	Yes	Category 1	Low strength/low volume <500kl waste per year	General	All Categories	Categories 1 = nil; Category 2 = \$50.00 per annum; Category 3 based on individual assessment
		Category 2	Low strength/high volume >500kl waste per year	Equivalent Arrestor Charge	All Categories	Assessment of Equivalent Arrestor Charge
		Category 3	High strength/any volume	Commercial Grinder	All Categories	Capacity based
Hervey Bay	No					
Rockhampton	Yes	Category 1	Low strength/low volume <250kl/annum - BOD & Suspended Solids<300mg/l	Permit General	Category 1	Minimum charge \$100 per annum
		Category 2	Low strength/high volume >250kl/annum - BOD & Suspended Solids<300mg/l	Permit Volumetric	Category 2	Volume measured quarterly and charged at \$0.40/kl (\$100.00 per annum minimum fee)
		Category 3	High strength/any volume - BOD & Suspended Solids>300mg/l but<600mg/l	Agreement Volume and Quality	Category 3	Quality measured quarterly and charged at Volume \$0.40/kl, BOD \$0.80/kg and Suspended Solids \$0.95/kg
				Agreement Application Fee	Category 3	\$100 per application
		Inspection fees (Non-compliance & Sampling)	All Categories	\$75.00 per hour or part thereof		
		Analytical Testing Fees	All Categories	Full cost of laboratory charges		
Non-compliant penalty charge	All Categories	\$1.00/kg x 1.2				
URBAN REGIONAL SMALL (URS)						
Aurukun	No					
Charters Towers	No					
Dalby	Information not supplied					
Gladstone	Yes	Domestic		Garbage Grinder	Domestic	No charge
		Commercial/Industrial		Garbage Grinder (<0.5kw)	Comm or Ind.	\$110.00 per annum per grinder
				Garbage Grinder (0.5kw to 1.5kw))	Comm or Ind.	\$160.00 per annum per grinder

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
				Garbage Grinder (>1.5kw)	Comm or Ind.	\$215.00 per annum per grinder
				Other approved Liquid Waste	Comm or Ind.	\$60.00 per annum
				Permit to Discharge	Comm or Ind.	\$1.20/kl with a minimum of the applicable annual charge.
				Licensed Contractor Discharge		\$52.00 per septic or \$36.00/kl (BOD5>400mg/l) (septic and grey waste water)
Goondiwindi	No			Licensed Contractor Discharge		\$2.60/kl with minimum of \$16.00 (BOD5<400mg/l) (grey waste water)
Johnstone	Yes	Category 1	Low strength/low volume <500kl per annum	Application fee	Category 3	\$105
		Category 2	Low strength/high volume >500kl per annum	Septic tank waste	Category 3	\$13/kl
		Category 3	High strength/any volume	Grease trap waste	Category 3	\$80/kl
				Strength charges	Category 3	Volume \$0.30/kl; BODs \$0.60/kl; Suspended Solids \$0.70/kg; Minimum Fee \$270 per annum
Maryborough	No					
Mornington	No					
Mount Isa	No			Pump Septic Tanks	All	Flat Rate per tank
Roma	No					
Torres	No					
Warwick	Yes	Category 3	Volume>1,000kl per annum	Flow charge	Category 3	\$0.17 per kl
				Strength charges	Category 3	BOD = \$0.18/kg; Suspended Solids = \$0.15/kg
URBAN FRINGE VERY LARGE (UFV)						
Ipswich	Yes	Category 1	Low strength/low volume <500kl per annum	Application fee	All categories	Category 1 & 2 \$75; Category 3 \$165
		Category 2	Low strength/high volume >500kl per annum	Annual charge	All categories	Category 1 \$210; Category 2 \$290; Category 3 \$460
		Category 3	High strength/any volume	Volumetric charge	Categories 2 & 3	\$0.88/kl
				Strength charges	Category 3	(Tested Strength - Domestic Allowance) x vol = \$/kg
				Parameters		BOD \$1.15/kg (allow 300mg/l); COD \$0.83/kg (allow 600mg/l); Non-Filterable Residue \$0.76/kg (allow 300mg/l); Sulphate \$0.88/kg (allow 500mg/l); Total Nitrogen \$0.80/kg (allow 60mg/l); Total Phosphorus \$3.00/kg (allow 15mg/l)
Pine Rivers	Yes	Category 1	All strengths/any volume	General	Category 1	Base fee + quantity charge + quality charge

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge	
URBAN FRINGE LARGE (UFL)							
Caboolture	Yes	Category 1	Low strength/low volume <500kl per annum	Application Fee	All categories	\$68.00	
		Category 2	Low strength/high volume >500kl per annum	Legal Agreement Fee	Category 3	\$118.00	
		Category 3	High strength/any volume	Plan Assessment Fee		\$68.00	
				Volume Discharge Fee	Category 2	Volume metered water usage minus 250kl minus 75kl/wc minus Industry Allowance x \$0.71/kl;	
					Category 3	\$0.52/kl Discharge + Tested Strength BOD (\$1.45/kg) + Tested Strength NFR (\$0.39/kg) + sulfate(0.34)/kg	
					Inspection Fee	All categories	\$38.00/hour (min fee \$76.00)
					Swimming Pool Backwash	Category 2	Volume Backwash Discharge x \$0.52/kl
			Holding Tank Waste		\$16.35/kl Septic tank waste \$32.70/kl Grease interceptor \$144.00/kl		
Redland	Yes	Category 1	Low strength/any volume	General	All categories	\$161.90 + (\$0.82/kLO + tested strength BOD \$0.79/kg + tested strength NFR \$0.36/kg + tested strength TOG \$0.36/kg)	
		Category 2	High strength/any volume	Food waste disposal units	All categories	\$16.14	
URBAN FRINGE MEDIUM (UFM)							
Beaudesert	No						
Noosa	Yes	Minor	Low strength/low volume <300kl waste per year	Annual Discharge Fee	All categories	Minor - minimum charge \$135<300kl+volume fee \$0.30/kl>300kl per annum; Major - minimum charge \$280<300kl+volume fee \$0.30/kl>300kl per annum	
		High Volume	Low strength/high volume >300kl waste per year	Non compliance charge	Minor Generator	Equivalent service charge	
		Major	No premises in this category at this time	Inspection		All categories	\$72.50 per half-hour
				Application for permit		Minor & Major	Minor - \$90; Major - \$116
				Analysis		All categories	Actual cost of tests
				Over Limit Discharge		Major Generator	Minimum charge \$280+\$0.35/kl>300kl+BOD and Suspended Solids of \$0.55/kg each
Thuringowa	No						
URBAN FRINGE SMALL (UFS)							
Burnett	No						
Livingstone	No						
RURAL AGRICULTURAL VERY LARGE (RAV)							
Atherton	No						
Banana	No						
Belyando	Yes	Commercial	No limit	General	Commercial	\$264 Fixed	

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
Bowen	Yes	Category 1	Low strength/low volume <500kl per annum	Registration	Categories 1 & 2	Category 1 \$129.00 per annum; Category 2 \$129.00 per annum + \$0.73/kl >500kl
		Category 2	Low strength/high volume >500kl per annum			
		Category 3	High strength/any volume			
Burdekin	Yes	Category 1	Low strength/low volume <500kl per annum	Annual charges	All categories	flat fee per annum. Category 1 \$50, Category 2 \$60, Category 3 \$450
		Category 2	Low strength/high volume >500kl per annum	Application fees	All categories	\$20.00
		Category 2.1	Fast food restaurants, bakeries and supermarkets	Over limit	Category 2	\$0.42/kl over 500kl
		Category 2.2	Mechanical workshops	Quantity charge	Category 3	\$0.42/kl from 0kl
		Category 2.3	Swimming pools	Quality charge	Category 3	\$0.55/kg BOD 5 + \$0.22/kg Suspended Solids
		Category 2.4	Aged care, hospitals and motels	Inspection fee	All categories	\$60 per half hour or part thereof
Calliope	Yes	Category 3	Charge is volume based only - individual sites hold their own discharge licences with EPA	General Charge	Category 3	Trade waste system has 3 customers, charge is based on actual discharges over the previous 12 months, with the percent of total waste generated multiplied by full operating costs of trade waste system used to calculate annual rate for each user of the facility.
Cardwell	No					
Crow's Nest	Information not supplied					
Douglas	No					
Emerald	Yes	Category 1	Low strength/low volume			
		Category 2	Low strength/high volume	Permit Fee	All categories	\$50.00
		Category 3	High strength/any volume	Annual charges	All categories	\$50.00
				Volume charge	Categories 2 & 3	Category 2 - Base \$0.90/kl; Category 3 - \$0.68/kl
Esk	No			Strength charge	Category 3	COD \$0.70/kg + Suspended Solids \$0.50/kg
Fitzroy	No					
Gatton	No					
Hinchinbrook	No					
Jondaryan	No					
Kingaroy	No					
Laidley	Yes	Category 2	Low strength/high volume >500kl per annum			
Mareeba	No			General Charge	Category 2	Water meter reading x \$2.25 per 5,000L less floor washing of 6,643L per day
Sarina	Information not supplied					
Whitsunday	No					

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
RURAL AGRICULTURAL LARGE (RAL)						
Boonah	No					
Broadsound	No					
Chinchilla	No					
Duaringa	No					
Eacham	No					
Herberton	Yes	Category 2	Low strength/high volume >500kl	Disposal Fee	Category 2	Set down by Council's Budget
Isis	No					
Mirani	No					
Nanango	No					
Rosalie	No					
Stanthorpe	No					
Wambo	Yes	Category 1	Low strength/low volume <500kl per annum	Annual fee	Category 1	Flat fee \$110 pa
		Category 2	Low strength/high volume >500kl per annum	Volume	Categories 2 & 3	Category 2 - \$0.55/kl to max of \$330 pa; Category 3 - \$0.33/kl, BOD5 \$0.66/kg, Suspended Solids \$0.28/kg, Max fee \$330.00 pa
		Category 3	High strength/any volume			
RURAL AGRICULTURAL MEDIUM (RAM)						
Balonne	No					
Bauhinia	No					
Cambooya	No					
Clifton	No					
Cloncurry	No					
Cook	Yes	Category 2	Commercial Laundries	General	Category 2	Unit allocation charge - \$2,092.00 (20 units @ \$104.60/unit)
Dairymple	No					
Gayndah	Yes	All customers	Fixed Rate	General	All	per annum
Inglewood	No					
Kilcoy	No					
Kilkivan	No					
Kolan	No					

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
Millmerran	No					
Miriam Vale	No					
Monto	No					
Mount Morgan	No					
Mundubbera	Information not supplied					
Murgon	Yes	No category		General	No category	\$687.70 per annum for connection to Murgon Sewerage Scheme + \$2.70/kl of trade waste
Murilla	No					
Nebo	No					
Peak Downs	No					
Pittsworth	No					
Tara	No					
Taroom	No					
Tiaro	No					
Waggamba	No					
Wondai	No					
Woocoo	No					
RURAL AGRICULTURAL SMALL (RAS)						
Bendemere	No					
Biggenden	No					
Booringa	No					
Bungil	No					
Eidsvold	No					
Perry	No					
Warroo	No					
RURAL REMOTE LARGE (RTL)						
Longreach	No					
Murweh	No					

Local Government -- by ACLG	Any Trade Waste fees or charges?	Customer Categories	Category Description	Type of Charge	Category Charge Applies To	Basis for Determining Charge
RURAL REMOTE MEDIUM (RTM)						
Barcaldine	No					
Blackall	No					
Carpentaria	No					
Etheridge	No					
Flinders	No					
Jericho	No					
McKinlay	No					
Paroo	No					
Quilpie	Information not supplied					
Richmond	No					
Winton	Information not supplied					
RURAL REMOTE SMALL (RTS)						
Aramac	Yes	Category 1	Low waste	General	Category 1	\$140.00 per annum
Barcoo	No					
Boulia	No					
Bulloo	No					
Burke	No					
Tambo	No					
RURAL REMOTE EXTRA SMALL (RTX)						
Croydon	No					
Diamantina	No					
Ilfacombe	No					
Isisford	No					

*

The category is based on a risk formula with this description being a guide only.