



Victoria Government Gazette

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SPECIAL

Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT (RIS) Water (Subdivisional Easements and Reserves) Regulations 2001

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared for the Water (Subdivisional Easements and Reserves) Regulations 2001.

The reasons for, and the objective of, the proposed Regulations is to support section 136 of the **Water Act 1989** in the creation of subdivisional easements and reserves for use by authorities to ensure the efficient and safe management of water services.

The proposed Regulations:

- are required by authorities to effectively manage existing infrastructure, efficiently deal with emergency situations, and to provide an efficient means of planning new services; and
- describe in detail the rights of authorities upon the creation of easements and reserves for the purposes of pipelines and ancillary works, channels, carriageways, waterway management and drainage.

The RIS assesses the costs and benefits of the proposed Regulations, and concludes that the benefits of the Regulations are greater than the costs they impose.

The RIS discusses possible alternatives to the proposed Regulations. These include not remaking the Regulations and allowing authorities to negotiate with landowners on a case by case basis, and the use of a non-regulatory mechanism to further detail rights. Both of these alternatives are rejected, as neither will be able to achieve the certainty and clarity that are achieved by the proposed regulations. A regulatory approach continues to be the most appropriate method of elaborating rights of authorities on matters already prescribed in section 136 of the **Water Act 1989**.

Copies of the RIS and the proposed Regulations may be obtained from the Customer Service Centre on 136 186, the Department's

Information Centre on 9637 8325 (Ground Floor, 8 Nicholson Street, East Melbourne between 8.30 am and 5.30pm), or on the internet at <http://www.nre.vic.gov.au/ris>.

Public comments are invited on the RIS and the accompanying Regulations. All comments must be in writing and should be sent to Ms Jenny Scovell, Deputy Director – Water Sector Policy, Water Sector Services, Level 1, 240 Victoria Parade, East Melbourne, Victoria, 3002 by no later than 5pm on Wednesday, 7th March 2001.

Dated 31 January 2001

SHERRYL GARBUTT
Minister for Environment
and Conservation

Gazette Services

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