



WATER SUPPLY (SAFETY AND RELIABILITY) ACT 2008 SERVICE PROVIDER APPLICATION FORM SPA01 (Version 5)

INTRODUCTION

These explanatory notes are intended to assist new and existing service providers to complete the attached form, **Form SPA01** – Service Provider Application Form. SPA01 is the form required for various applications to the Regulator under the *Water Supply (Safety and Reliability) Act 2008* (the Act).

Many terms used in the form are terms used and key definitions from the Act are reproduced in the appendix at the end of these notes.. There are also references to the relevant sections of the Act, eg **s 12** in these notes.

When completing the form, applicants should be familiar with the relevant sections of the Act so that they can be aware of whether they must be registered as a service provider. The criteria for mandatory registration are set out in **s 20** of the Act. Under **s 190** of the Act, it is an offence to supply unauthorised services.

The Act may be viewed on the internet at the website for the Office of the Queensland Parliamentary Counsel
<http://www.legislation.qld.gov.au/>

To access an electronic copy of the Act:

- (1) Log onto the website (this can be done by double-clicking on the hyperlink above or manually typing in the address in the web browser)
- (2) Click on “Acts, SL as in force”
- (3) Click on “W” in the alphabetical listing
- (4) Scroll down the list of Acts to “*Water Supply (Safety and Reliability) Act 2008*”
- (5) Click on “*Water Supply (Safety and Reliability) Act 2008*” to open the document. (Note: You will need to have a copy of Acrobat Reader in order to view the document as it is in PDF format. If you do not already have Acrobat you can download a copy by following the instructions at the foot of the “Home” page to the website.)

Printed copies of the Act may be obtained from the Queensland Government Bookshop, SDS, Ground Floor, Mineral House, 41 George Street, Brisbane, Freecall 1800 679 778.

PURPOSES OF THE APPLICATION FORM

Under the Act a number of service providers should be made using the Form SPA01 as follows:

- (i) Application for registration as a service provider (**s 20, 21**) – complete PART A, PART B and PART C of the form
- (ii) Application to amend details of an existing service provider registration (**s 23**) – complete PART A, PART B and PART C of the form
- (iii) Notice of a transfer of infrastructure (**s 24**) – complete PART A, PART C and PART D of the form
- (iv) Notice of intention to stop supplying a registered service (**s 26**) – complete PART A and PART E of the form.
- (v) Notice of changes to registration details following an annual review (**s 30**) - complete PART A, PART B and PART C of the form
- (vi) Application for cancellation of registration as a service provider (**s 28**) – complete PART A and PART F of the form

Applicants should tick the appropriate box at the top of page 1 of the form to indicate purpose of the application. The form should only be used for one purpose at a time, e.g., application for registration or notice of intention to transfer infrastructure.

If the intended use of the application form is for other than (i), please insert, in the space provided, the service provider’s registration number.

INSTRUCTIONS FOR COMPLETING THE FORM

PLEASE:

- Print neatly in BLOCK LETTERS
- Use a blue or black ballpoint pen only
- Print one letter or number in each box
- Do not use correction fluid or tape
- Initial any alterations
- Print a tick (✓) in the relevant boxes and leave all other boxes blank
- Complete the relevant sections of the form as detailed above and complete Part G in all cases

PART A APPLICANT'S DETAILS – s 12

Part A must be completed for all applications.

'Applicant's Details' refers to the individual, partnership, company, Local Government, Joint Local Government, Water Authority, joint venture or other legal entity making the application. Please complete the Applicant Name section as follows:

Individual(s)	a) Paul John Smith
	b) Paul John Smith and Trevor Roger Jones

or

Partnership	Paul Smith & Son
Company	Far West Queensland Water Corporation
Local Government	Heathcliffe City Council
Water Board	Farnborough Water Board
Joint Local Government	The Heathcliffe – Farnborough Water Supply Board
Other legal entity names	WestWater
Joint Venture	Ace Coal Pty Ltd and Bell Coal Pty Ltd and Morgan Pty Ltd and Quantity Pty Ltd and Resources Pty Ltd known as the Fulton Joint Venturers

Name

The name of the person/organisation who owns the service provider infrastructure and required to be registered as a service provider is to be inserted. This name will appear in the register of service providers kept by the Regulator and in service provider list published in the Queensland Government Gazette by the Regulator each year.

ABN Number

The Australian Business Number is the number issued to the organisation by the Australian Taxation Office. This is an eleven digit number.

ACN Number

The Australian Company Number is the number issued to the organisation by the Australian Securities and Investment Commission. This is a nine digit number.

Registered / Business Address

This is the formal street address for the registered company or business lodging the application.

Mailing Address

This is to be completed for those organisations having a postal address other than the registered company/business address. Please tick/cross the box marked "As Above" if the mailing address is the same as the registered / business address.

Contact Details

The Act requires a service provider to provide the details of a nominated contact officer who is to be the initial point of contact should the Regulator need to contact the service provider – s 12.

The contact telephone and facsimile numbers should include the Country Code + the Area Code + the Local Number, eg, in the case of a Queensland number the country code would be 61 and the area code would be 7

Position

Insert the title of the position occupied by the nominated contact officer.

Email

To facilitate utilising electronic correspondence, a contact email address may be provided if available. If email is not available, please write "NOT AVAILABLE" in the space provided for the email address.

Any other details

If there are any other details relevant to the nominated contact officer please include in the space provided.

PART B OPERATOR'S DETAILS – s 12

Part B must be completed if the service provider seeking registration is not the operator of the infrastructure detailed in Part C.

For the purposes of completing the form, an "operator" is an organisation that is a separate legal entity from the service provider. A commercialised business unit within the service provider organisation is not considered as a separate legal entity. An individual, corporation or other entity operating infrastructure, such as a treatment plant, under a contract with the owner of the service provider infrastructure is considered to be an "operator".

The details of the individual/entity that operates all or part of the infrastructure used to deliver the water or sewerage services provided by the service provider, under arrangement with the service provider, are to be inserted.

If a service provider has more than one operator, please make another copy of Part B of the form and staple it to the original. Please do not use pins.

If the service provider is the operator of the infrastructure, please write "Not Applicable" in the space marked "Name".

Name

This name will appear in the register of service providers kept by the Regulator. The name to be inserted must be the legal name of the operator and any registered business name used by the operator in relation to its role as operator.

ABN Number

The Australian Business Number issued by the Australian Taxation Office. This is an eleven-digit number.

ACN Number

The Australian Company Number issued by the Australian Securities and Investment Commission. This is a nine-digit number.

Registered / Business Address

This is the formal street address for the service of notices for the person, registered company or business operating the infrastructure.

Mailing Address

This is to be completed for operators having a postal address that differs from their formal registered company/business address. Please tick/cross the box marked "As Above" if the mailing address is the same as the registered / business address.

Contact Details

The Act requires the name and contact details of the responsible officer of the operator. The nominated contact officer will be the initial point of contact should the Regulator need to contact the operator – **s 12**.

The contact telephone and facsimile numbers should include the Country Code + the Area Code + the Local Number, eg in the case of a Queensland number the country code would be 61 and the area code would be 7.

Position

Insert the title of the position occupied by the nominated contact officer.

Email

To facilitate utilising electronic correspondence, a contact email address may be provided if available. If email is not available, please write "NOT AVAILABLE" in the space provided for the email address.

Any other details

If there are any other details relevant to the nominated contact officer please include in the space provided.

PART C SERVICE AND INFRASTRUCTURE DETAILS - s 12

Part C of the form is to be completed for registration of a new service provider, for amending or advising of changes to the details of an existing service provider registration, or for giving notice of a transfer of infrastructure.

If being used for a new registration or changing/amending the details of an existing registration, Part C should be fully completed and include all service/infrastructure details. If the service provider is using the form to notify changed/amended details, a complete set of details should be provided which includes the amendments.

To give notice of a transfer of infrastructure to another service provider, Part C should be completed to show only the details of the services/infrastructure to be transferred.

Services offered

The Act defines the types of services that a service provider may offer, namely water services, drinking water services and sewerage services. Please refer to this document's Appendix to determine which services are provided by your organisation and tick the appropriate box(es).

No. of connections

Please refer to this document's Appendix to confirm the definition and use that definition from the Act to determine how to arrive at the correct number of connections for each service.

Size

The Act defines three "sizes" of service providers, namely small, medium and large, which are used to determine a service provider's responsibilities.

Please refer to the definitions in the Appendix to determine the applicable size category and tick the appropriate box.

In determining the size of a service provider, a number of basic rules apply:

- The numbers of connections for a retail water service is the **total** number of connections for **all** of the discrete water supply schemes that a provider is responsible for across the **total service area** for that provider.
- The numbers of connections for a retail sewerage service is the **total** number of connections for **all** of the discrete sewerage schemes that a provider is responsible for across the **total service area** for that provider.
- The numbers of users for an irrigation service is the **total** number of users for **all** of the discrete irrigation schemes/project areas that a provider is responsible for across the **total service area** for that provider.
- The annual throughput for an irrigation service is the **total** volume in megalitres delivered through **all** of the discrete irrigation schemes/project areas that a provider is responsible for across the **total service area** for that provider. The figure shall be the highest **total** annual volume delivered to all of those customers in any of the last five (5) financial years.

Customer Contracts

The Act requires that a service provider must prepare customer service standards for each registered service, namely water services and sewerage services – s 113. This provision does not apply if the service provider has a contract for the supply of the registered services with **all** of its customers – s 114(1). Please determine whether your organisation has service contracts with **all customers** for each registered service and tick the appropriate box(es) if this is the case.

Recycled Water

The Act defines recycled water and recycled water providers. Please refer to the definitions of those terms in the Appendix to determine whether the service provider is a recycled water provider and tick the appropriate box.

Water Services and Sewerage Services

The register must contain details of the infrastructure operated by the service provider – s 12.

Please tick the box(es) for the applicable infrastructure associated with the water services sub-categories and sewerage services.

The water sub-category "Primarily Stock and/or Domestic" should only be completed by those rural water authorities providing water primarily for stock watering and/or domestic purposes only, or those other entities/organisations providing a water service in other than a designated service area.

PART D NOTICE OF TRANSFER OF INFRASTRUCTURE – s 24, s 25

Part D of the form must be completed for the purpose of giving notice of a transfer of infrastructure.

To notify of a transfer of infrastructure to another service provider, the details of the services/infrastructure to be transferred should be completed in Part C.

Transferor

The service provider (transferor) intending to transfer the ownership of the service provider's infrastructure for a registered service to another person (transferee) must complete Part A. Please include the service provider registration number in the space provided.

Transferee

If the person to whom the infrastructure is being transferred is an existing service provider, the transferor should provide the transferee's Registration Number in the space provided. Please also complete the address/contact details as set out to ensure correct identification of the transferee.

If the transferee is not a registered service provider, please complete the address/contact details as set out.

Date of transfer of infrastructure

Registration of the transferee will take effect either on registration of the transferee by the regulator or at a later date nominated in writing by both the transferor and the transferee. See **s 25(2) and (3)**.

Services and infrastructure to be transferred

Please complete Part C indicating the services and infrastructure being transferred.

Any other details to support the application for transfer

Please provide the Regulator with additional information that may be of use in processing the application for transfer. Typical information might include background information as to why the transfer of ownership is to take place – **s 24**. If there is insufficient space to provide this information, please staple additional sheet(s) to the application form. Please do not use pins.

PART E INTENTION TO STOP SUPPLYING A REGISTERED SERVICE – s 26

Part E of the form may be completed to give notice of intention to stop supplying a registered service in circumstances where the service provider has not arranged for another entity to provide the service as owner of the infrastructure or as operator. If a service provider does not wish to use this form to give notice of intention to stop offering a service, notification must be given in some other appropriate form.

Date of possible stoppage to supply a registered service

This should be the date on which the service provider is likely to stop providing a registered service. The Act requires the service provider to give the Regulator no less than sixty (60) business days notice of such an event – **s 26(2)**.

Service to Stop

Please tick the applicable box(es) for the registered service(s) that are to stop.

Reasons for possible stoppage

Please provide the Regulator with any information that may be of use in processing the notice of intention to stop operating as a service provider. Typical information might include background information as to why operations will be ceased. If there is insufficient space to provide this information, please staple additional sheet(s) to the application form. Please do not use pins.

PART F REGISTRATION CANCELLATION – s 28

Part F of the form must be completed for the purpose of applying for cancellation of registration as a service provider.

Reason

The Act defines the circumstances under which a service provider may seek to have their registration cancelled, namely that the service provider has not supplied, and does not intend to start supplying, the service for which the provider is registered. Please tick the box provided to indicate that this is the case.

Supporting explanation

Please provide the Regulator with any information outlining the circumstances that have led to this application and which may be of use in processing the application for cancellation of registration as a service provider. If there is insufficient space to provide this information, please staple additional sheet(s) to the application form. Please do not use pins.

PART G DECLARATION

This section should be fully completed and signed by the applicant in the presence of a witness.

Where the form is being used for a transfer of infrastructure (Part D), both the transferor and the transferee must sign the form.

APPENDIX - DEFINITIONS FROM WATER SUPPLY (SAFETY AND RELIABILITY) ACT 2008

“**bulk water service**” means the supply of large quantities of water other than as an irrigation service.

“**connection**” means a property service that supplies either water supply services or sewerage services, or both, to premises.

“**customer**”

1 Generally, customer—

- (a) of a service provider that is a local government, means a ratepayer of the local government who enjoys registered services supplied by the local government; or
- (b) of a service provider other than a local government, means a person who purchases registered services supplied by the service provider on premises other than a public place or premises owned by a service provider.

2 In chapter 2, part 3, division 6 and in the definition of non-residential customer, *customer*—

- (a) of a service provider that is a local government, means—
 - (i) a ratepayer of the local government who enjoys registered services supplied by the local government; or
 - (ii) a person who occupies non-residential premises that enjoy registered services supplied by the local government; or
- (b) of a service provider other than a local government, means—
 - (i) a person who purchases registered services supplied by the service provider; or
 - (ii) a person who occupies non-residential premises that enjoy registered services supplied by the service provider.

“**drinking water**”

1 Drinking water means water, for human consumption, intended primarily as water for drinking, whether or not the water is used for other purposes.

2 Drinking water does not include—

- (a) water that is food as defined under the Food Act 2006; or
- (b) water taken or supplied for domestic purposes under the Water Act.

“**irrigation service**” means the supply of water or drainage services for irrigation of crops or pastures for commercial gain.

“**large service provider**” means—

- (a) a service provider primarily providing bulk water services; or
- (b) for a retail water service or sewerage service—a service provider with more than 25000 connections to a registered service; or
- (c) for a drinking water service that is the reticulation of water and is not a retail water service—a service provider with more than 25000 connections to a registered service; or
- (d) for an irrigation service—a service provider with—
 - (i) more than 500 users; and
 - (ii) a volume throughput, in any of the last 5 financial years, of more than 10000ML.

“**medium service provider**” means—

- (a) for a retail water service or sewerage service—a service provider with more than 1000 but not more than 25000 connections to a registered service; or
- (b) for a drinking water service that is the reticulation of water and is not a retail water service—a service provider with more than 1000 but not more than 25000 connections to a registered service; or
- (c) for an irrigation service—a service provider with—
 - (i) more than 100 but not more than 500 users; and
 - (ii) a volume throughput, in any of the last 5 financial years, of more than 10000ML.

“**premises**” means—

- (a) a lot as defined under the *Integrated Planning Act 1997*, section 1.3.5; or

- (b) for a lot under the *Body Corporate and Community Management Act 1997* or the *Building Units and Group Titles Act 1980* – the common property for the lot.

“**property service**” means –

1. *Property service*—
 - (a) for a water service—is the pipes and fittings installed for connecting premises to a service provider’s infrastructure; or
 - (b) for a sewerage service—is a junction, bend, pipe, jump up or graded jump up required to connect a sanitary drain or property sewer to a service provider’s infrastructure.
2. For item 1(b)—
 - (a) a graded jump up is an inclined section of pipe joining 2 drains, or a sewer and a sanitary drain or property sewer, at different levels; and
 - (b) a jump up is a vertical section of pipe joining 2 drains, or a sewer and a sanitary drain or property sewer, at different levels.

“**recycled water**” means any of the following that are intended to be reused—

- (a) sewage or effluent sourced from a service provider’s sewerage;
- (b) greywater sourced from a large greywater treatment plant within the meaning of the *Plumbing and Drainage Act 2002*;
- (c) wastewater, other than water mentioned in paragraph (a) or (b).

“**recycled water provider**” means an entity that—

- (a) owns infrastructure for the production and supply of recycled water; or
- (b) another entity, prescribed under a regulation, that owns infrastructure for the supply of recycled water.

“**registered service**”, for a service provider, means a water or sewerage service for which the service provider is registered.

“**retail water service**”–

1. A *retail water service* is a water service that is the reticulation of water in a service area for a water service.
2. The term does not include
 - (a) an irrigation service or a bulk water service in any area; or
 - (b) the supply of recycled water in any area.

“**service area**” means an area declared under section 161 for either or both of the following –

- (a) a retail water service to customers;
- (b) a sewerage service to customers.

“**service provider**” means a water service provider or a sewerage service provider.

“**service provider register**” means the register kept under section 12.

“**sewerage service**” –

1. “Sewerage service” means -
 - (a) sewage treatment; or
 - (b) the collection and transmission of sewage through infrastructure; or
 - (c) the disposal of sewage or effluent
2. For chapter 2, part 3, the term does not include a service supplied by infrastructure, if
 - (a) the infrastructure is used solely for mining purposes; or
 - (b) the service is used only by –
 - (i) the owner of the infrastructure or the owner’s guests or employees, including, for example, guests at a resort, or
 - (ii) if the owner of the infrastructure is a body corporate for a community titles scheme under the *Body Corporate and Community Management Act 1997* – the occupants of lots in the scheme

“**sewerage service provider**” means a person registered under chapter 2, part 3, as a service provider for a sewerage service.

“**small service provider**” means

- (a) for a retail water service or sewerage service—a service provider with 1000 or less connections to a registered service; or
- (b) for a drinking water service that is the reticulation of water and is not a retail water service—a service provider with 1000 or less connections to a registered service; or
- (c) for an irrigation service—a service provider with—

- (i) 100 or less users; or
- (ii) a volume throughput, in any of the last 5 financial years, of 10000ML or less; or
- (d) for a water service other than a water service mentioned in paragraph (a), (b) or (c), a service provider—
 - (i) with not more than 500 customers; and
 - (ii) that mainly provides drainage services or water for domestic purposes or for watering stock.

“water authority” means a water authority established under the Water Act.

“water service” –

1. “Water service” means -
 - (a) water harvesting or collection, including, for example, water storages, groundwater extraction or replenishment and river water extraction; or
 - (b) the transmission of water; or
 - (c) the reticulation of water; or
 - (d) drainage, other than stormwater drainage; or
 - (e) water treatment or recycling.
2. For chapter 2, part 3, the term does not include a service supplied by infrastructure, if
 - (a) the infrastructure is used solely for mining purposes; or
 - (b) the service is used only by –
 - (i) the owner of the infrastructure or the owner’s guests or employees, including, for example, guests at a resort, or
 - (ii) if the owner of the infrastructure is a body corporate for a community titles scheme under the *Body Corporate and Community Management Act 1997* – the occupants of lots in the scheme

“water service provider” means a person registered under chapter 2, part 3, as a service provider for a water service.

CHECKLIST

The following checklist is provided to assist in completing the application form and will help to minimise delays in processing.

THE APPLICATION FORM

- All of the relevant sections of the form have been fully completed. Existing service provider registration numbers have been supplied where requested and available.
- All of the information is correct.
- The application form has been signed.

ATTACHMENTS

- Any attachments to expand on the application/notification are included and stapled to the back of the application.

LODGEMENT

- Mail the application form and any attachments to the address shown below.

FURTHER INFORMATION

If you require further information or clarification in relation to completing the application form, please contact:

Mr Alan Lievesley
Principal Engineer
Office of the Water Supply Regulator
Telephone: 07 3224 2438
Fax: 07 3224 7999
Email: wir.enquiries@nrw.qld.gov.au

Completed forms should be placed in an envelope and posted to:

The Director
Water Industry Asset Management and Standards
Office of the Water Supply Regulator
Department of Natural Resources
GPO Box 2454
Brisbane 4001