



WATER SUPPLY (SAFETY AND RELIABILITY) ACT 2008 SMALL SERVICE PROVIDER EXEMPTION APPLICATION FORM SPE01 (Version 4)

INTRODUCTION

These explanatory notes are intended to assist small service providers to complete the attached form, **Form SPE01** – Small Service Provider Exemption Application Form, that is required to seek exemptions from Chapter 2, Part 4 (Divisions 1 and 4 in relation to a strategic asset management plan (SAMP), Division 5 (customer service standards) and/or 9 in relation to a SAMP annual report) of the *Water Supply (Safety and Reliability) Act 2008* (the Act).

Many terms in the form are defined in the Act and key definitions from the Act are reproduced in the Appendix at the end of this document. There are references to the relevant sections of the Act, e.g. **s. 146** in these notes.

When completing the form, applicants should be familiar with the relevant sections of the Act so that they can be fully aware of the implications of seeking exemptions from the requirements of Chapter 2, Part 4, Divisions 1, 4 and 9 in relation to SAMP and Division 5 in relation to CSS. The criteria for seeking exemptions are set out in **s. 146** of the Act.

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

To access an electronic copy of the Act:

- (1) Log onto the website
- (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 the title 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 Introduction page to the website.)

Printed copies of the Act may be obtained from the Queensland Government Bookshop – 13 7468 (13 QGOV) or on the website <www.bookshop.qld.gov.au/home.aspx> or email service@sds.qld.gov.au.

PURPOSES OF THE APPLICATION FORM

Small Service Provider Exemption Application Form (SPE01 Version 4) is the approved form for seeking exemptions from the requirements of Divisions 1, 4 and 9 in relation to SAMP and Division 5 (CSS) of Part 4 of Chapter 2 of the Act (**s. 146**) – please complete PART A, PART B, PART C and PART D of the form.

INSTRUCTIONS FOR COMPLETING THE FORM

- The form can be completed electronically but must be printed and physically signed by the appropriate person/s.
- Print a tick (✓) in the relevant boxes and leave all other boxes blank
- If you are completing the form manually please
 - Print neatly in BLOCK LETTERS
 - Use a blue or black ballpoint pen only
 - Do not use correction fluid or tape
 - Initial any alterations
- All parts of the form must be completed and Part D signed.

PART A APPLICANT'S DETAILS

Part A must be completed for all applications.

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

Name

The name inserted should be the service provider name that currently appears in the register of service providers kept by the regulator. Please include any registered business or trading name.

ABN Number

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

Mailing Address

This is the mailing address of the service provider.

Contact Details

The name of a nominated contact officer who is to be the initial point of contact should the Regulator need to contact the service provider in regard to the application.

The contact telephone and facsimile numbers should include the Area Code + the Local Number, e.g., in the case of a Queensland number 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.

PART B EXEMPTION INFORMATION SUMMARY – s 147

Part B must be completed to indicate the service(s) for which exemption(s) is being sought. It should also be used to indicate which exemptions are being sought from particular divisions of the Act.

Services for which exemptions are sought

The Act defines two types of services that a service provider may offer - water services and sewerage services. Please tick the appropriate box(es) for the services for exemptions which are being sought. You can seek exemption for both water services and sewerage services using the same form. If you seek exemption for division 1, you should also seek exemption for the corresponding division 4 (audit and review requirements) and division 9 (SAMP annual reporting requirements).

Divisions

The Act contains four divisions from which small service providers may seek exemptions, namely Division 1, Division 4, Division 5 and part of Division 9 of Part 4 of Chapter 2. Each of these divisions details the various obligations faced by a service provider. The divisions relate to:

Division 1 – strategic asset management plans (SAMP)
Division 4 – Audit reports and reviews relating to a SAMP
Division 5 – customer service standards
Division 9 – annual reports for SAMP

Please tick the appropriate box(es) to indicate from which divisions exemptions are being sought.

PART C SUPPORTING INFORMATION

Please supply a report to the regulator that:

- States the divisions/sections for which an exemption(s) is being sought and why it isn't practicable for the service provider to comply with the relevant provisions of the Act;
- Provides details of the benefits and costs, both of a qualitative and quantitative e.g. monetary nature, which the following people or organisations would experience if the exemption was granted:
 - •the service provider's customers;
 - •the service provider;
 - •organisations providing funding support (or anticipated to provide such support) to the service provider, in respect of the services for which an exemption is being sought;
 - •the general community.

Report title

The *Guidelines for granting exemptions for Small Service Providers* require a supporting report to accompany each application for exemption. Please insert the title of the supporting report(s). These guidelines are available from DERM or on the website <www.derm.qld.gov.au>

Date of report

Please insert the date of the supporting report.

PART D SERVICE PROVIDER SIGNATURE(S)

This section should be fully completed and signed by the applicant in the presence of a witness. The persons signing must be empowered to sign on behalf of the service provider and must state their authority to sign (e.g. Director, CEO etc).

CHECKLIST

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

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.
- All of the information is correct.
- The application form has been signed and witnessed.

ATTACHMENTS

- The reports(s) to expand on the application are included with the application.
- A copy of the "Data to Supply" page from the Service Provider Exemption Model or Service Provider (Water Authorities) Exemption Model has been included with the application **where** the DERM Exemption Model has been used by the applicant to perform the cost/benefit analysis for a SAMP.

LODGEMENT

- Mail the application form and report(s) to the address shown at the bottom of the form SPE 01.

FURTHER INFORMATION

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

Manager
Infrastructure Management
Office of the Water Supply Regulator
Telephone: 07 3224 2438
Fax: 07 3224 7999
Email: corroerenrowsr@derm.qld.gov.au

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

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

“**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 1,000 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 1,000 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 10,000ML 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 2000*.

“**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 1977*—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.