

Utilities (Water Restrictions) Amendment Regulations 2003 (No 1)

Regulatory Impact Statement

Identification of the Problem

An amendment is sought to the *Utilities (Water Restrictions) Regulations 2002* to allow a water restrictions scheme to be put into operation by reference to either “the capacity of stored water available” or “the volume of potable water able to be drawn from that capacity”. The reference to the quality of stored water available is an additional factor in determining when water restrictions are activated, including movement from one stage of the scheme to another so as to maintain a daily rate of potable water available.

ACTEW has advised that the reason for seeking the amendment is to enable it to take action in the event of a severe storm in the Cotter Catchment. ACTEW is concerned that despite remedial action following the bushfires, heavy rain could result in water from the Cotter Catchment being unusable for up to several months. There is potential for considerable debris and ash to wash into the storages in the event of a storm of the intensity of around 40 mm/hour.

Objectives of government regulation

The prime objective of the amendment is to incorporate the criteria of available water quality as well as the level of water capacity in ACT storage systems. In this way the matter of public health is incorporated into the water restrictions scheme. Water capacity in itself is insufficient in determining the application and operation of water restrictions.

Options

Government legislation is needed given the high-risk/high-impact of the problem and the public health benefit issues. The only alternative option of extensive filtration has been assessed during the development of the current water restrictions scheme and was eliminated as impractical within the timeframe.

Conclusions

The proposed amended water restriction scheme incorporates water quality as well as the level of water storage. Water quality needs to be assessed as serve storm activity may impact on water quality despite remedial efforts being put into place. This will compress the trigger mechanism for moving into the various stages of the scheme resulting in a greater impact on the community and economy than the current scheme. Stage one of the current

scheme was intended to have minimal impact on the community and exemptions were granted favourably given the success of the desired reduction in water consumption. Stage two of the proposed new scheme involves reducing water consumption by a further 10% and is anticipated to have a greater impact on the community than stage one. ACTEW is currently looking at the impact the restrictions are having and is likely to have on businesses and are implementing a more rigorous test on exemptions so that the scheme is fair. The scheme is based on the principle of achieving water savings with minimal impact on the economy. Where business can demonstrate serious detriment from the application of restrictions, application can be made for exemption.