



Warren Pitt MP
Member for Mulgrave



Minister for Main Roads and
Local Government

MC08.706

3 MAR 2008

Mr. Neil Laurie
Clerk of the Parliament
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Dear Mr. Laurie

Thank you for providing the Honourable Andrew Fraser MP, former Minister for Local Government, Planning and Sport, with a copy of the wording of petition number 693-06 regarding the statutory ability of local governments to levy a water access charge upon property owners where households do not avail themselves of the water service.

Please accept my apologies for the delay in response.

The Government supports, as a matter of policy and through its extensive subsidy programs, efforts of the community to conserve water through rainwater capture and greywater reuse. For example, the Home Waterwise Rebate Scheme was introduced by the Queensland Government to encourage more households in south east Queensland to reduce demand on the reticulated water supply system and capture rainwater through the use of water tanks.

That said, each local government has the power under the *Local Government Act 1993* (the Act) to set rates and charges without reference to the State Government. Rates and charges are set in each council's budget process to support the delivery of services to that local government area. The State plays no role in the setting of individual councils' rating policies.

Section 973 of the Act provides that a local government may make and levy a utility charge on any land, whether vacant or occupied, on the basis considered appropriate by the local government. A local government may choose not to levy a utility charge in particular circumstances, and also has the discretion to provide rebates to particular classes of customer.

Each local government is also required, under the *Water Act 2000*, to declare by resolution its service areas for water and sewerage. In the interests of promoting public health and safety, councils are obliged under the *Water Act* to provide to all premises within these areas, the opportunity to connect to water infrastructure. Where a service connection to the water main does not exist, the council must provide a connection at the request of the landowner. The legislation also requires, to the extent practicable, that water infrastructure deal with the service requirements of all premises in the service area.

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While residents may choose not to avail themselves of the water supply service, councils nevertheless have an ongoing obligation - in the interests of public health and safety - to maintain and refurbish water reticulation infrastructure, and to provide and maintain capacity and hydrants for essential fire-fighting services. The water access charge contributes to these fixed costs for the benefit of the community as a whole.

I trust this information is of assistance.

Yours sincerely

Warren Pitt MP
Minister for Main Roads and Local Government