

# Applying for exemptions to drinking water quality standards

Drinking Water Regulation Guidance Note No.2  
July 2006

## Introduction

Section 20 of the *Safe Drinking Water Act 2003* allows water suppliers to seek exemptions from water quality standards as they apply to drinking water. The current drinking water quality standards are specified in regulation 10 and Schedule 2 of the *Safe Drinking Water Regulations 2005*.

Approved exemptions release water suppliers from the requirement to meet a specified quality standard for a period of time, but do not release them from the obligation to minimise any risks to the public.

Similarly, an approved exemption does not release a water supplier from the obligation to monitor for the specified parameter during that period. For example if a natural disaster such as a bushfire were to occur in a catchment from which a water supplier received water, the supplier may apply for an exemption from meeting the turbidity standard of 5 NTU until such time as elevated sediment levels had passed through the system. During the exemption period the supplier would be obligated to continue monitoring for turbidity.

## Applying for exemptions

Applications for exemptions from drinking water quality standards must be made on the Department of Human Services (DHS) "*Application for exemption: Drinking water quality standards*" form. The application form can be obtained from the website: [www.health.vic.gov.au/environment/water/drinking](http://www.health.vic.gov.au/environment/water/drinking) or from the DHS Drinking Water Regulatory Section:  
Ph: (03) 9096 0406.

This form requires the applicant to provide information as specified by section 20 (2) of the Act, which consists of:

- (a) The standard that it is sought to be exempted from, the water supply locality or water supply in respect of which the exemption is sought and the reasons why the exemption is sought.
- (b) The period sought during which the exemption is to apply and the reasons for seeking that period.
- (c) Any benefits and adverse impacts that the approval of the exemption is likely to have.
- (d) The measures that will be taken if the application is approved to eliminate or minimise any risks to public health that may occur.

- (e) A description of the consultation that has taken place in relation to the proposal to seek the exemption, together with a summary of the views of the people consulted.

Within the context of section 20(2)(e) of the Act, it is expected that the water supplier will have adequately consulted with the affected community. Consultation may, for example, encompass community meetings, media notices or newsletters. It is recommended that along with the application form, the applicant attach copies of any relevant documents and correspondence relating to the public consultation.

## Approval of Applications

Under section 20 (3) of the Act the Minister for Health may approve an application for exemption if the Minister is satisfied that:

- Adequate measures are proposed to eliminate or minimise any risks to public health that may occur as a result of the exemption.
- The relevant community to which the water supplier provides drinking water has been adequately consulted about the application.

- The likely benefits of the application outweigh the likely impacts (including the likely costs).

Once an application has been reviewed by the Drinking Water Regulatory Section, a recommendation will be made to the Minister. The Minister will review the recommendation and approve or reject the application.

The applicant will then be provided with written notice of the approval or rejection of the application.

### Conditions

Under section 21 of the Act conditions may be imposed in relation to approved exemptions.

A time period during which the exemption is to apply may be specified on notices of approval.

The conditions may be specified at the time of approval of the exemption, or at a later date, with written notice provided by the Minister.

### Lodgement of applications and further information

Please forward completed applications to:

Assistant Director,  
Environmental Health,  
Department of Human Services  
PO Box 4057,  
Melbourne, VIC 3001

For further information:

Ph: (03) 9096 0406

Fax: (03) 9096 9182

Email: [dwru@dhs.vic.gov.au](mailto:dwru@dhs.vic.gov.au)

Website: [www.health.vic.gov.au/environment/water/drinking](http://www.health.vic.gov.au/environment/water/drinking)

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