

South Australia

**Development (Water Harvesting) Amendment
Bill 2008**

A BILL FOR

An Act to amend the *Development Act 1993*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Development (Water Harvesting) Amendment Act 2008*.

2—Amendment provisions

- 5 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Development Act 1993*

3—Insertion of section 51A

After section 51 insert:

51A—Water harvesting

- (1) Subject to subsection (2), a relevant authority must not approve a designated development unless the development provides for the following works:
 - 15 (a) arrangements to facilitate 2 sets of waterworks for the supply of water to dwellings or other prescribed classes of buildings within the development, 1 set of waterworks being for the supply of water of drinking quality and the other set of waterworks being for the supply of recycled wastewater;
 - 20 (b) stormwater management works designed to capture stormwater in ponds to allow sediment in stormwater to settle in the ponds and designed to prevent the erosion of the banks of watercourses;
 - 25 (c) aquifer storage works designed to allow for the collection (whether through pumping or otherwise), storage and reuse of stormwater and treated wastewater (unless the use of an aquifer in this way is not reasonably practicable in the circumstances of the particular case).

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- (2) Subject to subsection (3), the Minister may grant an exemption from the requirements set out in subsection (1).
- (3) If the Minister proposes to grant an exemption under subsection (2), the Minister must refer the matter to the Environment, Resources and Development Committee of the Parliament.
- (4) The Environment, Resources and Development Committee may request further particulars relating to the development from the Minister (and the Minister must comply with this request as expeditiously as possible).
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- (5) The Environment, Resources and Development Committee must, after receipt of a referral under subsection (3)—
- (a) resolve that it does not object to the grant of an exemption; or
 - (b) resolve to object to the grant of an exemption.
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- (6) If, at the expiration of 12 sitting days from the day on which the matter was referred to the Environment, Resources and Development Committee, the Committee has not made a resolution under subsection (5), it will be conclusively presumed that the Committee does not object to the grant of an exemption (and the Minister may proceed to grant the exemption).
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- (7) If the Environment, Resources and Development Committee resolves to object to the grant of an exemption, the Minister may not grant the exemption.
- (8) In this section—
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- designated development*** means a development that involves—
- (a) the division of land under this Act into more than 20 allotments for the purposes of residential development involving the construction of new houses (whether as an element of the development or at a second or subsequent stage); or
 - (b) the construction of a building on vacant land for commercial or industrial purposes where the area of the site exceeds 1 000 square metres.
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