

House of Assembly—No 93

As laid on the table and read a first time, 14 February 2008

South Australia

**Statutes Amendment (Water Conservation Target
and Sustainable Water Resources) Bill 2008**

A BILL FOR

An Act to amend the *Public Corporations Act 1993*, the *South Australian Water Corporation Act 1994* and the *Waterworks Act 1932*.

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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 *Statutes Amendment (Water Conservation Target and Sustainable Water Resources) Act 2008*.

5 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

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

10 Part 2—Amendment of *Public Corporations Act 1993*

4—Amendment of section 12—Corporation's charter

Section 12(2)—after paragraph (b) insert:

- 15 (ba) a requirement for the Corporation to perform its commercial and non-commercial operations in a manner that ensures proper consideration is given to—
 - (a) the need to conserve, and reduce adverse effects on, water resources; and

- (b) the need to ensure that development is ecologically sustainable; and

Part 3—Amendment of *South Australian Water Corporation Act 1994*

5—Amendment of section 7—Functions of Corporation

(1) Section 7(2)—after paragraph (a) insert:

- (ab) to carry out and facilitate research about conserving or reducing adverse effects on water resources;
- (ac) to provide and facilitate the provision of goods and services designed to conserve or reduce adverse effects on water resources, including, for example—
 - (i) by establishing, participating in or facilitating schemes involving incentives for efficient use of water;
 - (ii) by developing, providing or facilitating the development and provision of products and systems designed for efficient use of water;
 - (iii) by providing, or facilitating the provision of, advice about the efficient use of water;
 - (iv) by providing, or facilitating the provision of, educational programs designed to change human behaviour in a way that will reduce the consumption of water;

(2) Section 7(2)(d)—delete paragraph (d)

(3) Section 7(2)—after paragraph (e) insert:

- (ea) to encourage and facilitate the work of other organisations with objects that include conserving and reducing adverse effects on water resources;
- (eb) to provide advice to the Minister about measures that should be taken to conserve or reduce adverse effects on water resources;

(4) Section 7—after subsection (2) insert:

- (3) In the performance of its functions, the Corporation is to give proper consideration to—
 - (a) the need to conserve, and reduce adverse effects on, water resources; and
 - (b) the need to ensure that development is ecologically sustainable.

- 5 (4) In particular, the Corporation must strive to reduce water consumption within this State so as to meet the following target: the average amount of water consumed per capita for the financial year commencing on 1 July 2015 should be at least 30% less than the average amount of water consumed per capita for the financial year commencing on 1 July 2005.

6—Insertion of section 7A

After section 7 insert:

7A—Annual report

10 Each annual report presented by the Corporation to the Minister under the *Public Sector Management Act 1995* must include—

- 15 (a) in the case of reports for financial years up to and including the financial year commencing on 1 July 2015—an assessment of the progress that has been made in the financial year to which the report relates towards meeting the target for the reduction of water consumption within this State; and
- 20 (b) an estimate of the amount of water consumed for residential, commercial, industrial, government and other purposes within this State in the financial year to which the report relates and a description of the basis on which those estimates have been made; and
- 25 (c) an estimate of the amount of water that it is forecast will be consumed for residential, commercial, industrial, government and other purposes within this State over the next 5 years and a description of the basis on which those estimates have been made; and
- 30 (d) a description of the strategies that the Corporation has employed to conserve, and reduce adverse effects on, water resources in the financial year to which the report relates; and
- 35 (e) a description of the various strategies that could be employed by the Corporation to conserve, and reduce adverse effects on, water resources and an assessment of the relative merits and costs of those strategies; and
- 40 (f) a plan for the following 5 years of the strategies that the Corporation proposes to employ to conserve, and reduce adverse effects on, water resources; and
- (g) a description of the extent to which the Corporation has, during the financial year to which the report relates, encouraged and facilitated the work of other organisations with objects that include conserving and reducing adverse effects on water resources.

Part 4—Amendment of *Waterworks Act 1932*

7—Amendment of section 6—Water districts

Section 6—after subsection (3) insert:

- 5 (4) Before the Corporation declares any part of the State to be a water
district or alters the boundaries of a water district by adding land to
the district, the Corporation must be satisfied that there are sufficient
sustainable water resources for the purposes of supplying water to
persons who are likely, within the foreseeable future, to become
entitled under this Act to that supply as a result of the declaration or
10 alteration.

8—Insertion of section 26

Before section 27 insert:

26—Requirement to be satisfied of sufficient sustainable water resources before new supply points determined

15 The Corporation must not determine to supply water by means of a
direct service, or to supply water to a point determined by the
Corporation from which land may receive a supply of water, unless
satisfied that, for the foreseeable future, there are sufficient
sustainable water resources for the purposes of that supply.