

South Australia

Waterworks Variation Regulations 2007

under the *Waterworks Act 1932*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Waterworks Variation Regulations 2007*.

2—Commencement

These regulations will come into operation on 1 July 2007.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Waterworks Regulations 1996*

4—Insertion of Part 6 Division 1A

Part 6—after Division 1 insert:

Division 1A—Water efficiency plans

32AA—Application of Division

- (1) This Division applies to a person, or a class of persons, declared by the Minister by notice in the Gazette to be a person or class of persons to whom this Division applies.
- (2) A declaration made under this regulation may include any exceptions or limitations the Minister thinks fit.
- (3) The Minister may, by notice in the Gazette, vary or revoke a declaration made under this regulation.

32AB—Preparation of water efficiency plans

- (1) A person to whom this Division applies must prepare and submit to the Minister for approval a draft water efficiency plan in accordance with Schedule 3.

Maximum penalty:

- (a) in the case of a body corporate—\$10 000;
- (b) in the case of a natural person—\$5 000.

Expiation fee: \$315.

- (2) The Minister may—
 - (a) approve a draft water efficiency plan submitted under this regulation without alteration or with such alteration as the Minister thinks fit; or
 - (b) refer the draft water efficiency plan back to the person for further consideration in accordance with any requirement determined by the Minister.
- (3) A person who fails to comply with a requirement imposed under subregulation (2)(b) is guilty of an offence.

Maximum penalty:

- (a) in the case of a body corporate—\$10 000;
- (b) in the case of a natural person—\$5 000.

Expiation fee: \$315.

- (4) Before making any alterations to the draft water efficiency plan, the Minister must consult with the person who submitted the plan.

- (5) A person who submitted a water efficiency plan may submit to the Minister for approval a substitute water efficiency plan, or a variation of a water efficiency plan, at any time while that water efficiency plan is in force.
- (6) If the Minister approves a draft water efficiency plan, a draft substitute water efficiency plan or a draft variation of a water efficiency plan, the Minister must, by notice in writing given within 14 days after approving the plan or variation, advise the person who submitted the plan or variation—
 - (a) that the Minister has approved the plan or variation (as the case requires); and
 - (b) the day on which the plan or variation (as the case requires) was approved.
- (7) A water efficiency plan approved under this regulation is in force from the day on which the Minister gives notice under subregulation (6), and expires—
 - (a) on the fifth anniversary of that day; or
 - (b) on such earlier day as may be specified by the Minister by notice in writing given to the person who submitted the plan.
- (8) A substitute water efficiency plan, or an amendment to a water efficiency plan, is in force from the day on which the Minister gives notice under subregulation (6) and expires on the same day as the original water efficiency plan.

5—Insertion of Schedule 3

After Schedule 2 insert:

Schedule 3—Water efficiency plans

1—Preparation of water efficiency plans

A draft water efficiency plan must be prepared and submitted to the Minister for approval—

- (a) in the case of a new water efficiency plan—not later than the date specified by the Minister by notice in the Gazette; or
- (b) in the case of a water efficiency plan that is to replace an expiring plan—not later than the day on which the existing water efficiency plan expires.

2—Contents of water efficiency plans

A draft water efficiency plan must include the following information:

- (a) a description of the person's current water usage;

- (b) a list of water savings measures (expressed in terms of water saved, cost effectiveness and potential benefits) that the person proposes to implement in the 5 year period following approval of the water efficiency plan (including initial set up costs and annual costs for each measure and time frames for implementation);
- (c) any other information required by the Minister by notice in the Gazette, or by notice in writing given to the person.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 28 June 2007

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