

South Australia

Waterworks Variation Regulations 2010

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 2010*.

2—Commencement

These regulations will come into operation on 1 December 2010.

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—Variation of heading to Part 6

Heading to Part 6—delete "restrictions and permits" and substitute:
conservation measures and restrictions

5—Variation of heading to Part 6 Division 1

Heading to Part 6 Division 1—delete "restrictions" and substitute:
conservation measures

6—Variation of regulation 32—Water conservation measures

Regulation 32(1)—delete "a restriction specified in"

7—Variation of heading to Part 6 Division 2

Heading to Part 6 Division 2—delete "Water restriction permits" and substitute:
Permits

8—Variation of regulation 32A—Corporation may issue permits

Regulation 32A—after its present contents (now to be designated as subregulation (1)) insert:

- (2) A permit issued under subregulation (1) may authorise the person to whom the permit is issued to engage in the specified use of water at multiple sites.

9—Variation of regulation 32B—Circumstances in which permit may be issued

Regulation 32B(b)—delete "water restrictions" and substitute:
measures or restrictions

10—Variation of regulation 32C—Form and content of permit

- (1) Regulation 32C(b)—before restriction insert:
measure or
- (2) Regulation 32C(c)—delete "the land and"
- (3) Regulation 32C—after paragraph (c) insert:
 - (ca) other than in the case of a permit that authorises the use of water at multiple sites—the land to which the permit relates; and

11—Variation of regulation 32G—Application of permit relating to regulation 32

Regulation 32G—delete "restriction on the use of water" and substitute:
measure

12—Variation of heading to Schedule 2

Heading to Schedule 2—delete "restrictions" and substitute:
conservation measures

13—Variation of Schedule 2—Water conservation measures

- (1) Schedule 2, Part 1, clause 1(1), definition of *drip-feed irrigation system*—delete the definition and substitute:

drip irrigation system means an irrigation system (including a micro-spray system that delivers water through water-misting spray heads) that delivers water to plants in drops or other small quantities at a flow rate of not more than 0.5 litres of water per minute per outlet by means of underground or surface pipes or tubes;

- (2) Schedule 2, Part 1, clause 1(1)—after the definition of *external* insert:

external area includes a driveway, path, verandah or entertaining area;

- (3) Schedule 2, Part 1, clause 1(1), definition of *micro-spray system*—delete the definition

- (4) Schedule 2, Part 1, clause 1(1), definition of *paved*—delete the definition and substitute:

new swimming pool means a swimming pool in relation to which the contract to install the pool is entered into on or after 1 December 2010;

private garden means a garden (including lawns) on premises used primarily for residential or business purposes;

retail garden centre means premises used for the sale of plants by retail (including where the premises are also used for the sale of other goods);

- (5) Schedule 2, Part 1, clause 1(2)—delete subclause (2)
(6) Schedule 2, Part 2, heading—delete the heading and substitute:

Part 2—Water conservation measures

- (7) Schedule 2, Part 2, clause 2(1)(a)—delete "filled directly from a tap"
(8) Schedule 2, Part 2, clauses 3 and 4—delete clauses 3 and 4 and substitute:

3—Watering gardens, grounds, retail garden centres etc

- (1) Subject to subclause (2), a person must not use water to water any external portion of a—
- (a) public or private garden (including lawns), or retail garden centre; or
 - (b) recreational area, sports ground or other public open space of an area less than or equal to 0.5 hectares,
- unless the water is applied—
- (c) by hand (through a hand-held hose that is fitted with a trigger nozzle or from a bucket or watering can); or
 - (d) through a drip irrigation system; or
 - (e) where the watering takes place after 5 p.m. and before 10 a.m.—through a sprinkler system.

- (2) Subclause (1) does not apply to the application of water through a sprinkler system at a retail garden centre between 1 p.m. and 2 p.m. on a day on which the maximum temperature for the locality where the retail garden centre is situated is, according to a forecast issued by the Bureau of Meteorology and applying at 5 a.m. on that day, expected to exceed 30 degrees celsius.
- (3) A person must not use water to water any external portion of a recreational area, sports ground or other public open space of an area greater than 0.5 hectares.

4—Hosing down external area

- (1) Subject to subclause (2), a person must not use water to hose down an external area covered by paving, concrete, bitumen or other similar material unless—
 - (a) it is necessary to do so—
 - (i) to protect public health; or
 - (ii) to ensure the safety of persons using the area; or
 - (iii) to ensure the health and welfare of animals using the area; and
 - (b) the water is applied—
 - (i) by a high pressure low volume water cleaner; or
 - (ii) from a hand-held hose that is fitted with a trigger nozzle.
- (2) Subclause (1) does not apply to the use of water on an external area if the water is used to deal with a fire, accident or other emergency.
- (3) For the avoidance of doubt, nothing in subclause (1) prevents a person from using water to hose down an external wall or window if the water is applied in accordance with the requirements of subclause (1)(b).

- (9) Schedule 2, Part 2, clause 5—after "works" insert:

, or for the purpose of compacting soil or other material in the conduct of building works,

- (10) Schedule 2, Part 2—after clause 5 insert:

5A—Swimming pools

A person must not use water to fill for the first time a new swimming pool in any circumstances except under the authority of a permit issued under Part 6 Division 2.

- (11) Schedule 2, Part 3, heading—delete "restrictions" and substitute:

measures

- (12) Schedule 2, Part 3, clause 6, heading—delete "restrictions" and substitute:

measures

- (13) Schedule 2, Part 3, clause 6—delete "restrictions" and substitute:
measures

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's Deputy

with the advice and consent of the Executive Council
on 25 November 2010

No 234 of 2010

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