



**VARIATION TO EXEMPTION**  
**PURSUANT TO SECTION 108(4) OF THE**  
**WATER INDUSTRY ACT 2012**

1. On 10 October 2016, the Essential Services Commission, with approval of the Minister for Science and Information Economy (as delegated by the Minister for Water and the River Murray), granted the Minister for Sustainability, Environment and Conservation an exemption from the application of licensing provisions of Part 4 of the Water Industry Act 2012 in relation to the retailing of sewerage services in Mount Lofty, South Australia.
2. Pursuant to 108(4) of the Water Industry Act 2012, the Essential Services Commission has made an administrative variation to the exemption by varying the name of the exempted person from the Minister for Sustainability, Environment and Conservation to the Minister for Environment and Water, to reflect the change in the portfolio name attributed to that Minister.
3. All existing conditions imposed on the exemption remain in effect and the exemption continues until revoked by the Essential Services Commission or by operation of law.

The COMMON SEAL of the )  
ESSENTIAL SERVICES )  
COMMISSION of South )  
Australia was hereunto )  
affixed by authority of the )  
ESSENTIAL SERVICES )  
COMMISSION and in the )  
presence of: )



Philipp Rhourc  
Commissioner

19 December 2019  
Date



## EXEMPTION

### PURSUANT TO SECTION 108(1) OF THE WATER INDUSTRY ACT 2012

1. Pursuant to section 108(1) of the Water Industry Act 2012, and subject to the conditions specified below, the Essential Services Commission grants the Minister for Sustainability, Environment and Conservation an exemption from the application of Part 4 of the Water Industry Act 2012 in relation to the retailing of sewerage services in Mount Lofty, South Australia.
2. The exemption continues until revoked by the Essential Services Commission or by operation of law.
3. The grant of exemption is subject to the following conditions:
  - a. Prior to any changes occurring, the Minister for Sustainability, Environment and Conservation is to inform the Essential Services Commission and the Office of the Technical Regulator in writing of any changes to the sewerage operations undertaken, including, the cessation of supplying the service or the provision of additional sewerage services, and submit to any additional assessments as required.
  - b. If directed by the Essential Services Commission in writing, the Minister for Sustainability, Environment and Conservation is to participate in an Ombudsman Scheme.
  - c. The Minister for Sustainability, Environment and Conservation must comply with all applicable laws.
  - d. The Minister for Sustainability, Environment and Conservation must provide to the Commission any information reasonably sought by the Commission from time to time.
4. Pursuant to section 108(3) of the Water Industry Act 2012, the Essential Services Commission has determined that, for the purposes of section 68 of the Water Industry Act 2012, the Minister for Sustainability, Environment and Conservation is to be treated as a "water industry entity", as that term is defined in the Water Industry Act 2012.

The COMMON SEAL of the )  
ESSENTIAL SERVICES )  
COMMISSION of South )  
Australia was hereunto )  
affixed by authority of the )  
ESSENTIAL SERVICES )  
COMMISSION and in the )  
presence of: )



*Rob Power*

Commissioner

*15 September 2016.*

Date

As a delegate of the Minister for Water and the River Murray, pursuant to section 9 of the Administrative Arrangements Act 1994, I approve the granting of the exemption referred to above.

The COMMON SEAL of the )  
MINISTER FOR SCIENCE )  
AND INFORMATION )  
ECONOMY was hereunto )  
affixed by authority of the )  
MINISTER FOR SCIENCE )  
AND INFORMATION )  
ECONOMY in the presence )  
of:



*[Signature]*

Witness

*10/10/16.*

Date