



## EXEMPTION

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

1. Pursuant to section 108(1) of the Water Industry Act 2012 (**Water Act**), and subject to the conditions specified below, the Essential Services Commission of South Australia (**Commission**) grants Foothills Water Co Pty Ltd (ABN 17 007 641 312) (**Foothills Water**) an exemption from the application of Part 4 of the Water Act in relation to the retailing of a non-drinking water service in the suburb of Skye, South Australia.
2. The exemption commences on the day it is issued and continues until it is revoked by the Commission or by operation of law.
3. The grant of exemption is subject to the following conditions:
  - (a) Prior to any changes occurring, Foothills Water is to inform the Commission and the Office of the Technical Regulator (**Technical Regulator**) in writing of any changes to the non-drinking water service it provides and submit to any additional assessments as required.
  - (b) Foothills Water is to continue to be bound by and comply with the terms of the Operation and Maintenance Agreement it has entered into with the South Australian Water Corporation (**SA Water**), commencing on 28 August 2014 (as amended from time to time) unless it obtains the prior written approval of the Commission that an alternative arrangement in relation to the ongoing supply of non-drinking water to the customers of Foothills Water is satisfactory (such approval not to be unreasonably withheld).
  - (c) If directed by the Commission in writing, Foothills Water is to participate in an Ombudsman Scheme.
  - (d) Foothills Water is to operate in accordance with any relevant South Australian Health guidelines.
  - (e) Foothills Water is to comply with any relevant safety and technical provisions of the Water Act as required by the Office of the Technical Regulator in relation to Foothills Water's infrastructure, pipework and equipment.

- (f) Foothills Water is to ensure that appropriate signage is placed on, or close by to, any tap or outlet through which the non-drinking water supplied by Foothills Water is accessible, clearly indicating that the water is not for human consumption.
4. Pursuant to section 108(3) of the Water Act, the Commission has determined that, for the purposes of sections 38, 39 and 68(1) of the Water Act, Foothills Water is to be treated as a "water industry entity", as that term is defined in the Water Act.

The **COMMON SEAL** of the **ESSENTIAL SERVICES COMMISSION OF SOUTH AUSTRALIA** was hereunto affixed by authority of the Essential Services Commission of South Australia and in the presence of:

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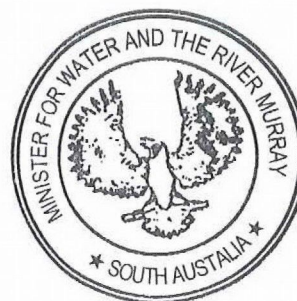
H. Cheshire 27/8/14

Witness

I approve the issue of the exemption referred to above.

The **COMMON SEAL** of the **MINISTER FOR WATER AND THE RIVER MURRAY** was hereunto affixed by authority of the Minister for Water and the River Murray in the presence of:

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H. Bates

Witness

J. R. M. Smith

Minister for Water and the River Murray

29/09/14

Date