

# Summary of the Safe Drinking Water Act and Regulations

The aim of the *Safe Drinking Water Act 2011* (the Act) and Regulations is to improve protection of drinking water quality by providing direction to drinking water providers on how to achieve safety and how it can be measured. The Act is designed to provide a practical cost effective approach with requirements tailored to reflect the complexity and size of individual water supplies.

Prior to development of the Act drinking water safety was regulated by the *Food Act 2001*. The Food Act includes general requirements regarding safety but does not provide specific guidance to drinking water providers. The Act is designed to fill this gap. As the outcome of providing safe drinking water has not changed the cost of compliance has been kept to a minimum particularly for responsible drinking water providers. The Act applies to all drinking water supplies except for individual domestic supplies and some small low risk supplies.

## Aim of the Act

The aim of the Act is to provide clear direction to drinking water providers on how to achieve safe drinking water supplies and how this will be measured.

## Achieving safety

To achieve safety the main requirement is that drinking water providers need to develop and apply a risk management plan (RMP). This is based on the recommendation in the [Australian Drinking Water Guidelines](#) (ADWG) that RMPs are the most effective way of ensuring safe drinking water supplies.

## Measuring safety

All RMPs will need to include a Department for Health and Ageing (DHA) approved monitoring program and incident protocol. Monitoring can range from simple observations (eg about integrity of rainwater tanks) to routine testing. Based on the monitoring plans, incident protocols will define events or test results that could represent a risk to public health and will need to be reported to DHA. The combination of monitoring plans and incident protocols will be used to measure safety. Other longer term requirements such as audits and inspections and reporting of results will also provide measurements of safety.

## Application of the Act

The Act applies to all drinking water providers except for individual on-site domestic water supplies (eg rainwater tanks and private bores) and some small low risk supplies (see [Fact Sheet on Exemptions](#)).

## Requirements of the Act

The Act is based on applying key principles from the ADWG through a limited number of requirements including:

- > Registration of drinking water providers
- > Use of RMPs including water quality monitoring programs and incident protocols
- > Audits and inspections of drinking water providers once a year or once every two years.
- > Reporting of results
- > Providing results to consumers on request

These requirements have been designed to be flexible so that impacts on operators of small drinking water supplies will be much less than on operators of large and complex supplies (eg SA Water).

## Registration

This is similar to the system of notification of food businesses under the *Food Act 2001*. All drinking water providers are



required to register with DHA. Registration is free and registration forms can be accessed at

[www.sahealth.sa.gov.au/safedrinkingwater/act](http://www.sahealth.sa.gov.au/safedrinkingwater/act). Existing drinking water providers have to register by 1 June 2013. After 1 June 2013 all new providers must register before commencing supply of drinking water.

DHA will maintain a list of drinking water providers on its website and will advise Local Councils of providers in their area.

### **Risk Management Plans**

The design and application of RMPs is the operational focus of the Act. RMPs are also the focus of the ADWG as the mechanism for ensuring drinking water safety.

There are a range of tools that providers can use to develop RMPs. These include:

- > The [ADWG](#)
- > The [Community Water Planner](#)
- > A guidance document being developed by SA Health which will be accessible on the [Safe Drinking Water Act website](#)
- > Standard RMPs developed by DHA which will be accessible on the [Safe Drinking Water Act website](#). These standard plans will deal with small rainwater tank based supplies, small groundwater supplies and water carting

SA Water will continue to develop RMPs from the ADWG but most providers will probably utilise the DHA guidance or adopt one of the standard RMPs.

All RMPs must include monitoring plans and incident protocols which need to be submitted separately to DHA for approval. If a standard plan is used, DHA will need to be advised that the monitoring and incident components included in the plan have been adopted.

Existing drinking water providers need to develop an RMP by 1 March 2014. After 1 March 2014 all new providers must have an RMP before commencing supply.

### **Audits and inspections**

An essential feature of legislation is that application of key features is checked. In

the case of the Act this will be achieved by routine audits of moderate to large supplies and inspections of small supplies. Audits of moderate-large supplies will be required once a year while inspections will be required once every two years.

Frequencies will be published in the Government Gazette and on the [Safe Drinking Water Act website](#). It will be the responsibility of the drinking water provider to organise an audit or inspection as required. A list of auditors and inspectors will be maintained on the [Safe Drinking Water Act website](#).

Wherever possible these activities will be combined with other audits/inspections (eg food audits or accreditation audits undertaken by the South Australian Tourism Industry Council). Audit and Inspection reports will need to be submitted to DHA.

### **Incidents and incident notification**

The aim of drinking water providers is to produce safe drinking water all of the time without any faults occurring. However, the reality is that incidents happen and many are predictable. In most cases prompt action can prevent incidents causing significant risks to public health. Incident notification forms will be available on the [Safe Drinking Water Act website](#).

### **Reporting of results**

All drinking water results from approved monitoring plans will need to be reported to DHA. For most providers this can be achieved by including results with audit and inspection reports (ie once every 1-2 years).

### **Providing results to customers**

To support transparency, drinking water providers are required to provide results to customers on request. SA Water publishes results in an annual report but this will not be a general requirement. In most cases results will be provided by email, letter or by telephone.



## Other features of the Act

The Act includes a number of features associated with implementation and administration, these include:

- > Approval of testing laboratories.  
Laboratories with NATA accreditation are taken to be approved. Other approved laboratories will be listed on the [Safe Drinking Water Act website](#)
- > Approval of auditors and inspectors. A list will be maintained on the [Safe Drinking Water Act website](#)

## Guidelines

The *Australian Drinking Water Guidelines* and the *Community Water Planner* can be accessed at the NHMRC website [www.nhmrc.gov.au](http://www.nhmrc.gov.au)

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## For more information

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[www.sahealth.sa.gov.au/safedrinkingwateract](http://www.sahealth.sa.gov.au/safedrinkingwateract)**

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