

## WHAT ARE THE PROPOSED CHANGES?

The Government plans to scrap State laws that make it compulsory to install rainwater tanks and gas, solar or heat pump hot water systems in all new homes. However local governments will still be able to 'opt-in' to rain water tank requirements provided they can demonstrate that opting-in will deliver a net benefit to their local community.

It is anticipated that these laws will commence in early February 2013.

Until these laws are in place, we are not able to approve an application that does not meet the current requirements. Also, as local governments will be allowed to introduce their own requirements for water tanks, it is possible that State laws for water tanks may be replaced by local laws.

## WHAT HAPPENS IF THE CHANGES COME IN AFTER CONSTRUCTION HAS STARTED?

If the laws are introduced before a final certificate is issued, the builder can for a nominal fee, apply to vary the approval and remove the proposed rainwater tanks and gas, solar or heat pump hot water systems.

## ARE THERE ANY CONTRACTURAL MATTERS?

Where rainwater tanks, and gas, solar or heat pump hot water systems have not been installed, owners can negotiate a variation to the building contract.

Contracts could be negotiated on the understanding that the laws are subject to change. As a result it may be possible to agree on a price that does not include a rainwater tank, and gas, solar or heat pump hot water systems however the building application will still need to include these installations until the new laws commence. Also, the builder will need to be aware that the local government may still require a water tank to be installed, despite the changes to the State laws.