

Western Australia

Country Areas Water Supply By-laws 1957

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Division 1 — Preliminary

[Division heading inserted in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

1. Citation, commencement and application

(1a) These by-laws may be cited as the *Country Areas Water Supply By-laws 1957* ¹.

(1) These by-laws shall take effect and have the force of law on and after 1 July 1957, in every country water area, catchment area and water reserve constituted under sections 8 and 9 of the principal Act.

[(2) Omitted under the Reprints Act 1984 s. 7(4)(f).]

[By-law 1 amended in Gazette 11 Nov 1983 p. 4525.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

1A. Interpretation

(1) In these by-laws, unless the context otherwise requires —
“**commercial purposes**” means the purposes for which water is required in or about premises occupied or used for

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Division 1 Preliminary

bl. 1A

business, professional or commercial purposes being purposes —

- (a) in which water is not used as an essential commodity for manufacturing or processing; and
- (b) which are not otherwise specifically provided for in these by-laws;

“domestic purposes” means the ordinary household purposes for which water is required in or about a dwelling-house or flats, and includes the use of water for watering lawns and gardens appurtenant to the dwelling-house or flats of those growing or planted in a street or road adjoining private land upon which the dwelling-house or flats is or are erected where those lawns and gardens are grown by or cared for by the owner or any occupier of that land and are watered with water that has passed into that land through a supply of water installed by the Corporation on that land;

“feeder” means a watercourse, creek, stream or other channel with permanent or intermittent flow whereby water is or can be conveyed to a reservoir;

“inspector” means an inspector appointed by the Corporation or the Commission for the purposes of these by-laws;

“licensed water supply plumber” means a person who holds a plumbing contractor’s licence under the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000* that authorises the carrying out of water supply plumbing work;

“plumbing standards” has the meaning given to that term in regulation 3(1) of the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;

“principal Act” means the *Country Areas Water Supply Act 1947*, as amended;

“private service” includes all pipes and fittings and all connections and apparatus whatsoever, whether used temporarily or otherwise on any part of premises owned or

occupied by any person and supplied with water, whether by measure or otherwise, and also includes any pipes and fittings which are the property of the owner or occupier of those premises and which are used for conveying water from the mains of the Corporation, whether or not that property is situated on those premises;

“water supply plumbing work” has the meaning given to that term in regulation 3(1) in the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;

“working day” means a day of the week other than a Saturday, Sunday, public holiday or public service holiday.

- (2) In these by-laws, unless the context otherwise requires, words and expressions have the same meanings as in the principal Act.
- (3) In these by-laws, unless the context otherwise requires, **“cesspool”, “drain”, “house”, “land”, “owner”, “piggery”** and **“public house”** have the same meanings as they have in section 3 of the *Health Act 1911*.

[By-law 1A amended in Gazette 22 Dec 1964 p. 4067-8; 15 Dec 1966 p. 3305; 30 Jun 1967 p. 1718; 24 Jul 1968 p. 2111; 8 Nov 1974 p. 5012; 17 Nov 1978 p. 4310-1; 26 Jun 1981 p. 2318; 7 Sep 1984 p. 2873; 22 Nov 1985 p. 4413; 14 Jul 1987 p. 2649; 22 Dec 1989 p. 4627; 29 Dec 1995 p. 6306, 6308-9 and 6310; 25 Aug 1998 p. 4735-6; 16 Jun 2000 p. 2961; 29 May 2001 p. 2705-6; 28 Jun 2004 p. 2390.]

Division 2 — Prevention of pollution in water reserves and catchment areas

[Division heading inserted in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

2. Application of Division

The by-laws in this Division apply to all water reserves and catchment areas constituted for the purpose of the principal or any amending Act.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

3. Cesspools to be filled in on notice

All existing cesspools, within the catchment areas shall be cleansed and filled up to the satisfaction of an Inspector, within one calendar month after notice, in writing, to that effect has been given by or with the authority of the Commission to the occupier or owner of the premises concerned.

[By-law 3 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

4. Closets, situation of, removal on notice

Closets shall not be constructed within 50 m of highwater mark, or of any well or bore, and any closet situated within 50 m of highwater mark, or of any well or bore, shall within one calendar month of notice to that effect being given to the owner or occupier by the Commission or by an Inspector, be taken down and the cesspool, if it exists, cleansed and a fire made therein, after which the cesspool shall be filled up to the satisfaction of the Inspector by the owner or occupier of the house to which the closet or cesspool is appurtenant.

*[By-law 4 amended in Gazette 29 Dec 1995 p. 6309;
29 May 2001 p. 2706.]*

[Heading deleted in Gazette 29 May 2001 p. 2708.]

5. Houses to have approved sanitary conveniences

- (1) The owner and occupier of every house within the catchment area shall provide for the use of the occupants of the house —

- (a) an earth closet with a sufficient number of pans approved by an Inspector; or
 - (b) septic tanks or other apparatus as may be required or authorised by the Commission.
- (2) The closet, septic tanks or authorised apparatus shall be erected in a position as directed by an Inspector.

*[By-law 5 amended in Gazette 27 Jul 1990 p. 3617;
29 Dec 1995 p. 6309.]*

[5A. Repealed in Gazette 28 Jun 2004 p. 2391.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

6. Earth closets and privies, construction of

No person shall construct or cause to be constructed any earth closet or privy which does not comply with the following conditions:

- (a) It shall not be less than —
 - 1.5 m in length, or
 - 1 m in width, or
 - 2 m in height.
- (b) It shall not be within 6m of any house or tank, nor within 15m of any other water supply, nor within 15m of the milking shed or milk room of any dairy, and shall be so constructed that the pan may be withdrawn from the rear of the convenience.
- (c) The walls shall be of stone, brick, or other material approved by the Commission.
- (d) There shall be at least 2 ventilating openings, of 325 cm², in area, one in each of 2 opposite walls, and situated 1.8 m above the floor level.
- (e) The roof shall be of galvanised iron, or other impervious material.

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Division 2 Prevention of pollution in water reserves and catchment areas

bl. 6A

- (f) The door shall be hung so that there is, when the door is closed, a clear space of at least 8 cm above and below it.
- (g) The floor shall be of approved impervious material, and shall have a uniform fall of 1 in 30 from back to front and its upper surface shall be not less than 15 cm above the level of the ground adjoining.
- (h) The panstead shall measure 50 cm long by 40 cm wide. It shall be totally enclosed and constructed in a manner to exclude flies.
- (i) The under surface of the seat shall be 40 cm above the floor.
- (j) A hinged aperture cover shall be provided to the seat.
- (k) A service door shall be provided in the rear wall of the convenience through which the pan must be withdrawn.

[By-law 6 amended in Gazette 29 Dec 1995 p. 6309;
29 May 2001 p. 2706-7.]

6A. Sanitary conveniences, number required in houses etc.

In relation to sanitary conveniences to be provided in connection with houses and public and private places, the following provisions shall apply, that is to say:

- (1) Every house, and every public place and every private place shall be provided with not less than one sanitary convenience.
- (2) In the case of any house, or public or private place in respect of which the requirements of more than 20 persons have to be provided for, there shall be additional sanitary conveniences in the proportion of one for every 20 persons, or portion of 20: Provided that this requirement shall not apply to public buildings under Part VI of the *Health Act 1911*, nor to licensed premises under the provisions of the *Licensing Act 1911*², nor to factories under the provisions of the *Factories and Shops Act 1920*³.

6B. Sanitary conveniences to be kept clean

- (1) The occupier of any premises whereon there is a sanitary convenience shall maintain the convenience in a cleanly condition.
- (2) The owner of any premises whereon there is a sanitary convenience shall maintain the convenience in accordance with these by-laws.
- (3) Every closet shall be supplied with a sufficient number of receptacles which shall be interchangeable with others in the same district and which shall be of approved size, shape and style, and every pan shall be emptied and cleansed at least once every week or as often as may be required by an Inspector.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

7. Closets and urinals, to be replaced on notice

Closets or urinals already in existence shall, whenever considered necessary by an Inspector be removed where directed by the Inspector, and the removal or re-erection shall be at the cost of the owner, who shall have the work completed within one calendar month from delivery by the Inspector of written notice to the owner requiring this to be done.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

8. Closets not to cause nuisances

- (1) The owner or occupier of any house within a catchment area shall not permit the contents of any pan used in any closet or urinal to overflow from any cause whatever.
- (2) The owner or occupier of any house within the catchment area shall not permit any closet or urinal, or pan appertaining thereto, or used by the occupants of such house to become offensive or a nuisance, and every such owner or occupier, whenever directed, either verbally or in writing by an Inspector, shall properly and

effectively empty and cleanse the closet, urinal or pan, to the satisfaction of the Inspector.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

9. Nightsoil etc., disposal of

- (1) Nightsoil, refuse and garbage shall be disposed of from time to time as the Commission or an Inspector may direct.
- (2) Nightsoil, faecal matter or refuse shall not be buried within the catchment area unless written consent thereto has been obtained from the Commission.
- (3) Nightsoil, faecal matter or human urine, whether mixed with any other substance or not, or any solution thereof, unless the same has been thoroughly deodorised and disinfected to the satisfaction of an Inspector, shall not be placed, deposited, spread or permitted to be placed, deposited or spread in or upon any land or garden within a catchment area, unless written consent thereto has been obtained from the Commission.

*[By-law 9 amended in Gazette 29 Dec 1995 p. 6309;
29 May 2001 p. 2706.]*

[Heading deleted in Gazette 29 May 2001 p. 2708.]

10. Manure etc., disposal of near water

Refuse, dung, manure or other offensive matter shall not be deposited or be permitted to be deposited within 300 m of highwater mark or of any well or bore.

[By-law 10 amended in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

11. Fertiliser and poisons, use of

- (1) The owner or occupier of any house, land or premises situated within a catchment area shall not use without the approval of the Commission —

- (a) any artificial manure for agricultural, horticultural, pastoral and silvicultural purposes; or
 - (b) any weed killer or any other toxic substance; or
 - (c) any poison for the destruction of rabbits, dogs, foxes, possums, rats, mice or other vermin.
- (2) The Commission may from time to time by notice published in the *Government Gazette* —
- (a) specify substances that may be used within a catchment area without its prior approval; or
 - (b) permit the use within a catchment area of any specified substance or substances in a specified manner or in accordance with a specified method.
- (3)
- (a) Where a notice specifies a substance that may be used without the Commission's prior approval in accordance with sub-by-law (2)(a) that substance may be used within the catchment area in question without the approval referred to in sub-by-law (1).
 - (b) Where a notice permits the use of any substance in a specified manner or in accordance with a specified method no person shall without the approval of the Commission use the substance within the catchment area in question except in that manner or in accordance with that method.

[By-law 11 amended in Gazette 11 Dec 1959 p. 3026; 29 Dec 1995 p. 6306 and 6309; 29 May 2001 p. 2706.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

12. Stables etc., construction of near water

- (1) Buildings of any description shall not be used as or constructed for a stable, cow-shed, goat-shed, sheep-pen, pig-sty or fowl-house, and any animal or bird shall not be housed or yarded within 300 m of highwater mark or of any well or bore

or in a position that stormwaters may wash any manure or refuse therefrom into any reservoir or feeder.

- (2) Every such structure within the catchment area shall have attached thereto for containing all liquid and solid manure a watertight receptacle approved by an Inspector.
- (3)
 - (a) Land sloping to a feeder on which any such structure stands shall be excavated to a depth of at least 30 cm and the soil so obtained shall be used as an embankment around the area so excavated.
 - (b) Such work shall be done by and at the expense of the owner or occupier of such premises.

[By-law 12 amended in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

13. Stables etc. to be kept clean

The owner or occupier of any stable, cow shed, goat-shed, sheep-pen, pig-sty or fowl-house, situated within a catchment area, shall not allow any dung, manure, or other refuse to accumulate in or near such premises, but shall immediately remove or dispose of same in such manner that it cannot pollute any water flowing or which may flow into any reservoir or any feeder or any well or bore and an Inspector may by written notice to the owner or occupier order the immediate removal and disposal of any dung, manure, or other refuse from such premises and any person omitting to comply with the notice to the satisfaction of an Inspector shall be guilty of an offence against these by-laws, and liable to penalties for breach thereof.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

14. Closets to be disinfected on notice

The occupier of every house or premises whether public or private situated on any catchment area, shall when required by the Commission, cause all nightsoil or other matter deposited in

any pan in any closet or privy to be thoroughly disinfected in the manner specified by an Inspector.

[By-law 14 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

15. Nightsoil to be treated etc.

Every nightman or contractor shall cause the nightsoil removed from any premises to be either rendered inoffensive or treated in a destructor, desiccator or incinerator, or buried in trenches outside the catchment area, or disposed of in a manner approved by an Inspector.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

16. Closet pans, procedure for removing and cleaning

The mode of removal of each receptacle in each closet shall be as follows:

- (a) The nightman shall remove each receptacle and at once cover the same with a suitable tight-fitting lid, and upon every such removal shall carefully place a cleansed pan, of the pattern approved by the Commission or an Inspector, in lieu of every pan so removed.
- (b) Each receptacle which is so removed from a closet and sealed with a lid as prescribed in the foregoing clause, shall be removed by the nightman in a cart or vehicle of a pattern to be approved by an Inspector, and the contents of all such receptacles shall be deposited in such place or places as shall from time to time be fixed by the Commission or an Inspector.
- (c) After the receptacle has been emptied, it and its lid shall be thoroughly washed, and scrubbed in clean water and then the inside of the receptacle and both sides of the lid shall be thoroughly scrubbed in a disinfecting solution, a separate brush being used, and then wholly immersed in a solution of disinfectant having a germicidal value

equal to a 5% solution of pure carbolic acid; or thoroughly cleansed in a steam-tight box or chamber with steam, to be applied to the receptacle and lid for not less than 5 minutes.

- (d) The interior surface of every receptacle and the underside of the lids shall, after being thoroughly cleansed, be properly coated with coal tar applied hot, and the coating shall be renewed, whenever necessary, so as to properly protect the whole internal surface of the receptacle and the underside of the lid.
- (e) The receptacle shall be emptied and perfectly cleansed as above once per week at least, or so much more frequently as the Commission or Inspector may from time to time direct.

[By-law 16 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

17. Nightsoil, charges for removal of

Every nightman is entitled to charge, unless other arrangements be made, and to receive from the occupier of any premises from which any nightsoil, trade or house refuse is removed, such sum or sums of money as are specified in a contract and approved by the Commission, and shall not ask, demand, or receive more than the sums approved.

[By-law 17 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[18. Repealed in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[19. Repealed in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

19A. Pigs not to be kept near water

The keeping of swine on any portion of a catchment area within 500 m of a reservoir or feeder situate within a catchment area or of a well or bore is hereby forbidden.

[By-law 19A amended in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

20. Animals not to be allowed to stray etc.

A person shall not cause or permit horses, cattle, sheep, goats, pigs, ducks, geese, fowls or other species of livestock to stray or depasture over any portion of a catchment area in respect of which area the Commission has by notice in the *Government Gazette* prohibited the straying or depasturing of horses, cattle, sheep, goats, pigs, ducks, geese, fowls or other species of livestock.

[By-law 20 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

21. Abattoirs etc. not to be established

Abattoirs, slaughterhouses or any trade with offensive waste shall not be established or conducted in any part of the catchment area, except in an area defined in the Schedule to this by-law and set apart for the offensive trades, and unless provision is made for the disposal of all wastes, liquid or otherwise, either outside the catchment area, or in some other manner approved by the Commission.

Schedule

Area; Description

Wellington Dam Catchment — Offensive Trades Waste Area; that piece of land delineated and bordered in red on Public Works Department Plan, W.A. 36033.

[By-law 21 amended in Gazette 25 Jul 1958 p. 1689-90; 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

22. Carcasses to be removed from near water

In the event of the death or of an accident necessitating the slaughter of any horse, cattle, or sheep, or other animal, the carcass of the animal shall be removed by the owner thereof to a safe distance from high water mark, or of any well or bore, or any feeder, or to such place as an Inspector may direct, and the owner shall immediately thereafter dispose of same by burning to the satisfaction of the Inspector, or if the owner cannot be found, the Inspector shall destroy it.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

23. Human burials to be in approved places

- (1) No human body shall be buried in any catchment area except in a place approved by the Commission.
- (2) Any human body so buried with the approval of the Commission shall be covered with at least 1.5 m of earth.

*[By-law 23 amended in Gazette 29 Dec 1995 p. 6309;
29 May 2001 p. 2707.]*

[Heading deleted in Gazette 29 May 2001 p. 2708.]

24. Household refuse, receptacles for

- (1) The occupier of every house or premises shall provide and keep in a position approved by an Inspector, such and so many receptacles or boxes of the material and of the dimensions as may be required by the Commission or Inspector for the temporary deposit of solid house refuse.
- (2) The owner or occupier of the house shall regularly collect all refuse or rubbish from the premises, and place the same in receptacles and he shall not permit or suffer the receptacles to overflow or become offensive, and shall, when necessary, or directed by the Inspector, thoroughly disinfect the same forthwith.

- (3) (a) The owner or occupier of every house or premises in which a receptacle or box is so provided or kept or used, shall cause same to be emptied at least once a week or as often as the Inspector may direct.
- (b) The owner or occupier of the house or premises shall keep the receptacle or box in good repair, and upon notice from the Inspector immediately replace by a new and improved receptacle or box any receptacle or box that the Inspector may deem worn out or unfit for use.

[By-law 24 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

25. Household refuse, disposal of

- (1) The owner or occupier of any house which is served by a rubbish removal service shall not deposit any rubbish whatsoever upon any catchment area, other than in the place set apart by the Commission or an Inspector for such purpose.
- (2) Where a house is not served by a rubbish removal service, then the owner or occupier of the house may, subject to the next succeeding by-law, dispose of his own dry house refuse or rubbish by burial: Provided that such rubbish shall be covered by at least 30 cm of clean earth.

[By-law 25 amended in Gazette 29 Dec 1995 p. 6309; 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

26. Refuse etc. not to be deposited in catchment area

Rubbish, filth, blood, offal or manure or any slops, soapsuds, urine, water containing urine or other refuse, noisome thing or matter, shall not be deposited or be permitted to be deposited in any part of a catchment area, where it may, in the opinion of an Inspector, be carried by stormwater, into any feeder or any well or bore, but every occupier or owner shall provide and maintain

proper watertight vehicles or receptacles fitted with close-fitting covers or lids for the purpose of carting or receiving same.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

27. Refuse bins etc., position and cleaning of

All such vehicles or receptacles shall be kept in such convenient place to allow of ready removal as may be directed by an Inspector, so as not to be a nuisance to any person, and shall be kept in a thoroughly sanitary condition, and removed at least once every week and cleansed and disinfected both inside and out.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

28. Refuse etc. may only be deposited at approved sites

Foul or offensive water or other offensive liquid, or refuse, garbage, sweepings, or other offensive matter or thing, shall not be pumped, emptied or swept, thrown, or otherwise discharged or deposited into or upon any street, lane, yard, vacant land, or other place, whether public or private within the district other than the place set apart by the Commission or an Inspector for that purpose.

[By-law 28 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

29. Industrial wastes, discharge of

- (1) No person shall pump, drain or discharge or permit to be pumped, drained, or discharged, any water or liquid waste from any quarry, mine pit, factory or industrial process upon any catchment area without the written permission of the Commission.
- (2) Where any permitted water or liquid waste is so discharged the person so discharging it shall at all times comply with the requirements of the permit.

[By-law 29 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

30. Watercourses not to be polluted

No person shall wash clothes or other articles in any watercourse, reservoir, aqueduct, or any waterworks within a catchment area, nor shall any person wash, throw, cause or permit to enter therein any dog or other animal, or throw or convey, or permit to be conveyed or thrown therein any rubbish, dirt, filth, dead animal, or other noisome thing.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

31. Bathing prohibited except in approved places

Bathing in any watercourse, reservoir, aqueduct or any waterworks within a catchment area is prohibited except in the places and under the conditions as the Commission may from time to time specify.

[By-law 31 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

32. Inspectors etc., powers of entry

- (1) It is lawful for an Inspector or any assistant acting under the directions of an Inspector or other officer authorised by the Commission at its discretion, at any reasonable hour, with or without notice, to enter any land, house, or premises for the purpose of ascertaining whether any act or thing is being done or permitted or left within that land, or house, or those premises in breach of these by-laws and to remove or cause to be removed anything so done, permitted or left thereon in breach of these by-laws, or to take steps as he may deem necessary for carrying out these provisions.
- (2) The cost of removal or other necessary act shall be borne by the owner or occupier of the premises upon which the breach occurs.

[By-law 32 amended in Gazette 29 Dec 1995 p. 6307 and 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

33. Compliance, Commission to fix time for

Unless otherwise provided for, the time which may elapse between the giving of a notice and the doing of a thing required to be done by any Inspector or other authorised officer shall be determined by the Commission according to the nature of each case.

[By-law 33 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

34. Timber cutting and clearing without permission

No person, whether in possession of a timber cutter's license or not, shall cut or hew timber or destroy any trees, shrubs or vegetation of any kind or carry out any clearing of any kind, on any catchment area unless authorised so to do by the Commission.

[By-law 34 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

35. Hunting, shooting and fishing, Commission may restrict

The Commission may from time to time prescribe restrictions on hunting, shooting and fishing in the catchment area.

[By-law 35 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

36. Camping and picnicking restricted

- (1) No person, body corporate or association or group of persons shall at any time camp or picnic within 300 m of the high-water mark or of any well or bore or any reservoir or feeder thereto.

- (2) The Commission may from time to time by notices erected in a catchment area, further restrict camping and picnicking in the catchment area.

*[By-law 36 amended in Gazette 29 Dec 1995 p. 6309;
29 May 2001 p. 2707.]*

Division 3 — Protection of water supplies and Commission and Corporation property

[Division heading inserted in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

37. Water supply works, trespassing prohibited

A person shall not enter any ground which is adjacent to or reserved for water supply works and which is fenced off and not open to the public, without the permission of the Corporation or the officer in charge of that ground or any other officer acting on behalf of and with the authority of the Corporation.

[By-law 37 amended in Gazette 29 Dec 1995 p. 6308-9.]

38. Contamination of water prohibited

No person shall in any way foul or contaminate any water belonging to the Corporation, and proof that —

- (a) any person has washed his body or any part thereof or any clothes or utensils or any other thing whatsoever in such water, or
- (b) any person has entered or caused or permitted any animal to enter such water

shall be sufficient proof of such fouling or contamination.

[By-law 38 amended in Gazette 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

39. Camping and lighting of fires restricted

No person shall camp or light a fire within an area set apart or reserved for a reservoir or bore except in such portion, if any, as may be set apart, by the authority controlling the area or in whom the area is vested, for camping or the lighting of fires as the case may be.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

40. Flora protected

The removal, plucking, or damaging of any wild flower, shrub, bush, tree, or other plant, growing on any land or reserve vested in the Corporation or the Commission, within 800 m of any reservoir or bore is prohibited.

[By-law 40 amended in Gazette 29 Dec 1995 p. 6307; 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

41. Dogs prohibited

Dogs shall not be brought or taken on or to any portion of the grounds in the vicinity of any waterworks.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

42. Refuse disposal

Loose paper or other refuse shall not be left on any portion of the grounds in the vicinity of any reservoir or works, except in a receptacle provided therefor.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

43. Bills etc. not to be posted or distributed

Bills, advertisements, or other notices shall not be posted or distributed on any portion of any reservoir or works, or on any portion of the works or grounds in the vicinity thereof.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

44. Nuisances

Nuisances shall not be committed on any portion of the grounds in the vicinity of any reservoir or works.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

45. Pipelines, protection of

Vehicles, conveyances, or animals shall not be driven, taken, or ridden in such a manner as to endanger the main conduit or any branch thereof, or be permitted to cross the same except where crossing places have been provided as indicated by signboards.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

46. Works etc., protection of

No person shall in the vicinity of any works carry on or cause to be carried on any mining or quarrying operation, or make any excavation of any sort, or cause any explosion so as to injure any waterworks, sewerage works, sewers, drains, pipes or fittings whatsoever.

Division 4 — Provisions relating to licensed water supply plumbers

[Division heading inserted in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[47. Repealed in Gazette 16 Jun 2000 p. 2962]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[48. Repealed in Gazette 16 Jun 2000 p. 2962]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[49. Repealed in Gazette 16 Jun 2000 p. 2962]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[50. Repealed in Gazette 16 Jun 2000 p. 2962]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[51. Repealed in Gazette 16 Jun 2000 p. 2962]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

52. General penalty for plumbers

- (1) Any licensed water supply plumber offending against any by-law, direction, or regulation of the Corporation, or who refuses to give any needful or proper information required by an officer of the Corporation, either by himself or those employed by him, or who fails to complete any contract with the Corporation or with a private owner within the time specified, shall be liable, if no other penalty is specifically prescribed, to a fine not exceeding \$200.

[(2) repealed]

*[By-law 52 amended in Gazette 29 Dec 1995 p. 6308-9;
16 Jun 2000 p. 2961; 26 Apr 2005 p. 1397.]*

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[53. Repealed in Gazette 28 Jun 2004 p. 2391.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

54. Damage to pipes, reporting and cost of

Damage caused by licensed water supply plumbers to water, gas or other pipes shall be at once reported, and immediately steps taken to have repairs effected, and the cost of same shall be defrayed by such plumber.

54A. Possible water contamination, plumbers to report

A licensed water supply plumber shall immediately report to the Corporation anything found by, or brought to the attention of, the plumber, in the course of carrying out plumbing work (as defined in section 59I of the *Water Services Licensing Act 1995*), that is likely to result in the contamination of water supplied by the Corporation's water supply system.

Penalty: \$2 000.

[By-law 54A inserted in Gazette 22 Dec 1989 p. 4627; amended in Gazette 29 Dec 1995 p. 6309-10 and 6310; 16 Jun 2000 p. 2961; 28 Jun 2004 p. 2391.]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[55. Repealed in Gazette 16 Jun 2000 p. 2962]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[56. Deleted in Gazette 30 Jun 1960 p. 1953.]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[57. Repealed in Gazette 16 Jun 2000 p. 2962]

Division 5 — Water supply plumbing

[Division heading inserted in Gazette 29 May 2001 p. 2707.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[58. Repealed in Gazette 28 Jun 2004 p. 2391.]

[58AA. Repealed in Gazette 25 Aug 1998 p. 4737.]

58A. Things connected to Corporation works, standard of

- (1) A material, fitting or fixture, other than a fixture of a kind described in Part 1 of Schedule 3, shall not be connected to the works of the Corporation unless —

- (a) it is a product that —
 - (i) is manufactured or supplied under a StandardsMark licence or a Water-Mark licence granted by Standards Australia as a water or sanitary plumbing product intended for use in plumbing installations; and
 - (ii) bears, or the packaging of which, bears the StandardsMark or Water-Mark, as appropriate, of Standards Australia and the product or its packaging complies with such other marking requirements as are set out in the “Manual of Authorisation Procedures for Plumbing and Drainage Products, SAA MP52 —1988”, published by Standards Australia;

or

- (b) it is the same as a material, fitting or fixture that is currently authorised for such connection by the Coordinator under sub-by-law (5) and complies with any conditions as to marking imposed under that sub-by-law.
- (2) Notwithstanding compliance with sub-by-law (1)(a), a material, fitting or fixture of a kind described in Part 2 of Schedule 3 shall not be connected to the works of the Corporation.
- (3) Every application for authorisation of a material, fitting or fixture for connection to the works of the Corporation shall be made in writing in a form acceptable to the Coordinator and shall be accompanied by —
 - (a) 2 copies of drawings in a form acceptable to the Coordinator;
 - (b) unless exempted by the Coordinator, a sample of the material, fitting or fixture; and
 - (c) the application fee set out in item 13(a) of Schedule 2.
- (4) The Coordinator may, by notice in writing, require the applicant to provide details of test results and such other information as

may be needed for the purpose of determining a particular application.

- (5) The Coordinator may, by notice in writing, give or refuse to give authorisation to any material, fitting or fixture for connection to the works of the Corporation or may give such authorisation subject to such conditions as the Coordinator thinks fit.
- (6) The Coordinator may, by notice in writing, vary, add to or remove conditions imposed under sub-by-law (5).
- (7) Where the Coordinator examines drawings submitted under sub-by-law (3)(a) or tests, inspects or evaluates a material, fitting or fixture for the purpose of assessing its suitability for authorisation, the fee set out in item 13(b) of Schedule 2 is payable by the applicant for the examination, test, inspection or evaluation.
- (8) In addition to the fee payable under sub-by-law (7), the applicant shall pay the reasonable costs of travel and accommodation incurred by the Coordinator in carrying out a test, inspection or evaluation.

[By-law 58A inserted in Gazette 22 Dec 1989 p. 4634-5; amended in Gazette 29 Dec 1995 p. 6309-10 and 6310; 26 Apr 2005 p. 1398.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

59. Plumbing on private property, owners etc. responsible for

- (1) The owner or occupier for the time being of any property supplied with water shall at his own risk and expense lay down his private service and keep it in good order and repair, in such a manner as to conform with the provisions of these by-laws and the plumbing standards.
- (2) Where the service pipe or apparatus within the boundary of any premises is the property of the owner or occupier of those

premises, the occupier (if any) and if none, the owner shall, upon receiving notice that the service pipe or apparatus requires repairing, or is blocked up or broken, immediately proceed to repair the same by employing a licensed water supply plumber, subject to the provisions of these by-laws and the plumbing standards, and he shall be responsible for any loss of water or other damage which shall be caused by reason of such service pipe or apparatus being leaky or otherwise out of repair or broken, and, in default, be liable on conviction to a penalty not exceeding \$200, and, in the event of continuing the offence, to a further penalty of \$20 for each day after receipt of such notice, and the Corporation may stop the water from flowing into those premises, either by cutting off the service pipe, or otherwise, as the Corporation may see fit, until the necessary repairs are effected.

- (3) Without prejudice to the right of the Corporation to proceed for any penalty for the breach or non-observance of any of the provisions of this by-law, the Corporation may cut off the supply of water to any premises whereon the private service or any part thereof is not at all times laid, fixed, used or maintained in all respects in accordance with the provisions of the said by-law, and may keep the same cut off until such provisions have been fully observed.

[By-law 59 amended in Gazette 26 Jul 1966 p. 2082; 29 Dec 1995 p. 6308-9; 28 Jun 2004 p. 2391; 26 Apr 2005 p. 1398.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[60. Repealed in Gazette 25 Aug 1998 p. 4737.]

Division 6 — General provisions

[Division heading inserted in Gazette 29 May 2001 p. 2708.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[61. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[62. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[63. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

64. One water supply per house unless Corporation agrees otherwise

- (1) Except with the written permission of the Corporation, not more than one house or tenement shall be supplied from a single water service.
- (2) The Corporation may in special cases, consent to 2 or more tenements being supplied from one water service, but in such cases the sub-services shall be so arranged that the supply to each house shall be independent of the supply to the remaining houses and controlled by a stop-cock on such sub-service.

[By-law 64 amended in Gazette 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

65. Size of service pipes

The size of the service pipe shall in each case be fixed at the discretion of the Corporation.

[By-law 65 amended in Gazette 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

66. Notice of intention to build (s. 43A)

- (1) The notice required by section 43A of the principal Act to be given before the construction or alteration of a building on land to which that section applies shall be in the form set out in Schedule 1.

- (2) The fee prescribed under section 43A of the principal Act for examining the plans required to be submitted under that section and for making or modifying connections as mentioned in that section is as set out in item 5 of Schedule 2.

[By-law 66 inserted in Gazette 14 Jul 1987 p. 2649.]

66A. Temporary standpipes on construction sites

The Corporation may provide and install on a building or construction site a temporary building standpipe together with hose-tap and pipe connection on payment by the builder of the fee set out in item 10 of Schedule 2.

[By-law 66A inserted in Gazette 29 Jun 1989 p. 1883; amended in Gazette 29 Dec 1995 p. 6309-10.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

67. Obstruction of pipes, sewers, drains or fittings

- (1) Any person who without the written consent of the Corporation places or keeps any material or thing or causes any material or thing to be placed or kept over any pipe, sewer, drain or fitting which is the property of the Corporation, and thereby —
- (a) trespasses on or causes injuries to such pipe, sewer, drain or fitting; or
 - (b) prevents or in any way impedes or obstructs the inspection, maintenance cleansing, repair, management or use of such pipe, sewer, drain or fitting,

shall be guilty of an offence against these by-laws and be punishable on summary conviction by a penalty not exceeding \$40, and in the case of a continuing breach of this by-law the offender shall be liable to a further penalty not exceeding \$10 for each day the offence continues after notice thereof has been given by or on behalf of the Corporation to the offender.

- (2) The Corporation may cause any material or thing placed or kept over any pipe, sewer, drain or fitting contrary to sub-by-law (1) to be removed or otherwise dealt with as it thinks fit.

[(3) *repealed*]

[By-law 67 amended in Gazette 26 Jul 1966 p. 2082; 14 Jul 1987 p. 2649; 29 Dec 1995 p. 6309-10; 29 May 2001 p. 2706; 26 Apr 2005 p. 1398.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

68. Owners etc. to prevent illegal use of water

The occupier of any premises to which water is laid on, or in the event there being no occupier, the owner of such premises shall cause proper means to be taken by locks or otherwise, subject to the approval of the Corporation, to prevent the use of the water from the main by persons not connected with those premises.

[By-law 68 amended in Gazette 29 Dec 1995 p. 6308-9.]

69. Certain tanks, etc. not to be connected to mains supply

No person shall connect a service pipe directly with any cistern, tank, or vessel intended or used for the reception of water other than water obtained from the Corporation's mains.

[By-law 69 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

70. Misuse of water

No person entitled to a supply of water for domestic purposes only or entitled only to a supply of water for any other specified purpose, shall use such water for any other purpose except that for which the water is supplied.

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[71. Repealed in Gazette 26 Apr 2005 p. 1398.]

72. Use of water without consent

No person shall use or consume or permit to be used or consumed any water belonging to the Corporation without first obtaining the consent of the Corporation.

[By-law 72 amended in Gazette 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

73. Corporation may interrupt water supply

The Corporation may, from time to time, when necessary for the purpose of tapping or repairing the main, or otherwise, cut off the supply of water from any part or parts of a country water area.

[By-law 73 amended in Gazette 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

74. Leaks and wastes of water, reward for reporting

The Corporation may in its discretion adequately reward any person (not being the person in fault), who communicates timely information to the Corporation of any leakage or waste of water, whether the same be accidental, negligently or wilfully occasioned or suffered, or who gives such information as shall lead to the conviction of any person or persons who steals or cause to be stolen or improperly appropriated the water of the Corporation.

[By-law 74 amended in Gazette 29 Dec 1995 p. 6307 and 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

75. Water not to be wasted

No person supplied with water by the Corporation, whether by meter or otherwise shall allow the same to run to waste.

[By-law 75 amended in Gazette 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[76. Repealed in Gazette 29 Sep 1998 p. 5406.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

77. Water meters, installation, testing and cost of

- (1) The Corporation may fix a meter on any service, and shall determine the size and class of meter in each case.
- (2) Where a meter is fixed under sub-by-law (1), it shall be supplied by the Corporation and shall be set —
 - (a) above normal ground level inside the boundary of the land and adjacent to the reticulation main through which the water is supplied; or
 - (b) in a pit or cubicle when this is required by the Corporation under by-law 77A.
- (3) Where a meter is fixed under sub-by-law (1) on a service to —
 - (a) a unit; or
 - (b) a common area or facility,in a multi-unit development, the owner of the land shall pay the fee specified in item 9(a) of Schedule 2 for the fixing of the meter.
- (4) Where a meter is fixed other than under sub-by-law (1) on a service to —
 - (a) a unit; or
 - (b) a common area or facility,in a multi-unit development, the owner of the land may request the Corporation to assess whether the meter is satisfactory for the purpose of measuring the flow of water through that meter.
- (5) Where the Corporation assesses a meter under sub-by-law (4) and finds that it is satisfactory for the purpose of measuring the flow of water through that meter —
 - (a) the Corporation may use the meter for the measuring of the flow of water through the meter; and

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- (b) the owner shall pay the fee specified in item 9(b).
- (6) Where the Corporation assesses a meter under sub-by-law (4) and finds that it is not satisfactory for the purpose of measuring the flow of water through that meter —
 - (a) the Corporation shall fix a meter on the service under sub-by-law (1); and
 - (b) the owner shall pay the fee specified in item 9(c).
- (7) In this by-law —

“multi-unit development” means a development of land consisting of 2 or more units for residential or non-residential use.

[By-law 77 amended in Gazette 14 Oct 1988 p. 4172; 21 Apr 1989 p. 1174; 30 Jun 1995 p. 2777; 29 Dec 1995 p. 6307 and 6309-10; 27 Jun 1997 p. 3205-6.]

77A. Water meters etc., housing of

- (1) The Corporation may require the owner or occupier of land to provide, at his own cost, a pit for the purpose of housing the meter and its associated valves and fittings.
- (2) Where a building is to be constructed or altered, the Corporation may require the owner or occupier of the land on which the building is to be constructed or altered to provide, at his own cost, a cubicle attached to or forming part of the building for the purpose of housing the meter and its associated valves and fittings.
- (3) A person required under this by-law to provide a pit or cubicle shall do so in accordance with such requirements as the Corporation may specify in writing.

[By-law 77A inserted in Gazette 14 Oct 1988 p. 4172; amended in Gazette 29 Dec 1995 p. 6309-10.]

77B. Water meters, access to

The owner or occupier of land where a meter has been fixed shall maintain a clear space not less than 300 mm horizontally and 1 200 mm vertically from the meter and ensure easy access for the Corporation at all times.

[By-law 77B inserted in Gazette 14 Oct 1988 p. 4172; amended in Gazette 29 Dec 1995 p. 6307.]

78. Water meters, cost of repair or replacement

An owner or occupier of land supplied with water through a meter, pipe or fitting belonging to the Corporation shall, if necessary, pay the cost of replacement or making good any damage to such meter, pipe or fitting whilst on his land or in his charge.

[By-law 78 inserted in Gazette 20 Aug 1982 p. 3318; amended in Gazette 29 Dec 1995 p. 6308-9; 14 Apr 2000 p. 1893.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

79. Water meter, Corporation to be notified of damage to or malfunction of

Any person supplied by the Corporation with water through a meter shall, on finding that meter is damaged, or not registering, immediately give notice of the fact to the Corporation.

[By-law 79 amended in Gazette 29 Dec 1995 p. 6307 and 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

80. Water meters not to be interfered with

No person shall break or in any way interfere with the seal fixed on a meter, through which water is supplied by the Corporation, or turn or attempt to turn any screw, bolt, or nut on or attached to the meter, or use any tool or appliance on any such meter, or introduce or attempt to introduce any body or substance into the

meter, or in any way interfere with any portion of the meter or any pipes or fittings attached thereto.

[By-law 80 amended in Gazette 29 Dec 1995 p. 6308-9.]

[81. Repealed in Gazette 1 Jul 1977 p. 2011.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[82. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

83. Water meter testing (s. 32)

- (1) The fee for a meter test requested under section 32(2) of the principal Act is as specified in item 2 of Schedule 2.
- (2) For the purposes of section 32(4)(a) of the principal Act the limits of error prescribed are plus or minus 5%.

[By-law 83 inserted in Gazette 20 Aug 1982 p. 3319; amended in Gazette 28 Jun 1985 p. 2336; 14 Jul 1987 p. 2649; 14 Oct 1988 p. 4172.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

84. Entry power for Corporation officer

- (1) Any officer acting under the Corporation's authority may, at all reasonable times, enter any house or premises connected or intended to be connected with the water mains, in order to examine whether the water pipes and fittings in such house or premises are in proper order.
- (2) Any person refusing admission or in any way hindering such officer in the execution of his duty shall be liable to a penalty as hereinafter prescribed.

[By-law 84 amended in Gazette 29 Dec 1995 p. 6309.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

85. Gratuities prohibited

Officers, workmen, or agents of the Corporation shall not solicit or receive any fee or gratuity whatever.

[By-law 85 amended in Gazette 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[86. Repealed in Gazette 22 Dec 1989 p. 4635.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

87. Connections etc. only at approved places

No person shall make any connection or interference with any pipe of the Corporation or with any water pipe or fitting communicating therewith, at any other place than shall be approved of by the Corporation, and the mains shall only be tapped by the Corporation.

[By-law 87 amended in Gazette 29 Dec 1995 p. 6308 and 6308-9.]

[87A-87J. Repealed in Gazette 28 Jun 2004 p. 2391.]

[88. Repealed in Gazette 28 Jun 2004 p. 2391.]

Division 7 — Miscellaneous

[Division heading inserted in Gazette 29 May 2001 p. 2708.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[89. Repealed in Gazette 27 Jun 1986 p. 2132.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[90. Repealed in Gazette 27 Jun 1986 p. 2132.]

[Heading revoked in Gazette 22 Dec 1964 p. 4070.]

[91-92. Revoked in Gazette 22 Dec 1964 p. 4070.]

[Heading revoked in Gazette 22 Dec 1964 p. 4070.]

[93. Revoked in Gazette 22 Dec 1964 p. 4070.]

[Heading revoked in Gazette 22 Dec 1964 p. 4070.]

[94. Revoked in Gazette 22 Dec 1964 p. 4070.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

95. Additional services, fees for

- (1) When any place where the owner or occupier of any separately assessed piece of land requires more than one service to be installed for supplying water to that land, the additional service or services shall, at the discretion of the Corporation, be installed upon that owner or occupier paying in advance the cost of installation.

[(2) repealed]

[By-law 95 inserted in Gazette 22 Dec 1964 p. 4070; amended in Gazette 26 Jul 1966 p. 2082; 8 Nov 1974 p. 5013; 1 Jul 1977 p. 2011; 30 Jun 1978 p. 2156; 29 Jul 1979 p. 1792; 27 Jun 1986 p. 2132; 14 Jul 1987 p. 2649 and 2658; 29 Dec 1995 p. 6308-9.]

[95A. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[95B. Repealed in Gazette 14 Jul 1987 p. 2658.]

96. Disconnection or reconnection of water supply, application fee for

Where a person applies to the Corporation to have a water supply disconnected or reconnected for the purposes of the redevelopment or consolidation of a serviced property the fee

set out in item 14 of Schedule 2 is payable by the person to the Corporation.

[By-law 96 inserted in Gazette 29 Jun 1990 p. 3240; amended in Gazette 29 Dec 1995 p. 6309-10.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

97. Reduction or restoration of water supply, fee for (s. 33(3)(a)(i))

The amounts specified in item 3 of Schedule 2 are the minimum fees prescribed for the purposes of section 33(3)(a)(i) of the principal Act in respect of the —

- (a) turning or cutting off;
- (b) reduction or restoration,

of a water supply.

[By law 97 inserted in Gazette 1 Jul 2002 p. 3138.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

98. Fire hydrants for private purposes

- (1) Private fire services will be allowed, but every such service will be sealed, except in cases where the Corporation may decide that sealing is unnecessary.
- (2) For each such service the owner or occupier shall pay in advance the actual cost of installation and an annual fee determined by the Corporation in each case, and such owner or occupier shall also bear the cost of maintaining the boundary service and of having it disconnected when it is no longer required.
- (3) The owner or occupier for the time being shall in addition at his own risk and expense, and subject to the provisions of these by-laws, keep the internal fire service in good order and repair, so that the same shall at all times be in accordance with these by-laws.
- (4) No water shall be taken from any sealed portion except for extinction of fire.

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- (5) In the event of the seal being broken in case of fire or by accident or otherwise, the owner or occupier shall give notice forthwith to the Department, and pay the fee specified in item 7 of Schedule 2 to have the seal re-sealed.

[By-law 98 amended in Gazette 22 Dec 1964 p. 4071; 29 Jun 1988 p. 2122; 29 Dec 1995 p. 6308-9.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[99. Repealed in Gazette 14 Jul 1987 p. 2658.]

100. Records and plans, fees for

The fees set out in item 6 of Schedule 2 are prescribed for the purposes specified in that item.

[By-law 100 inserted in Gazette 14 Jul 1987 p. 2650.]

101. Water supply connection, relocation of and fee for

Where a person so requests, the Corporation may relocate a water supply connection to within 500 mm of its existing position and the person shall pay the appropriate fee set out in item 8 of Schedule 2.

[By-law 101 inserted in Gazette 29 Jun 1989 p. 1883; amended in Gazette 29 Dec 1995 p. 6309-10.]

[Heading deleted in Gazette 16 Jun 2000 p. 2962.]

[Heading revoked in Gazette 22 Dec 1964 p. 4071.]

[102. Repealed in Gazette 14 Jul 1987 p. 2650.]

[103. and heading revoked in Gazette 22 Dec 1964 p. 4071.]

[104. Repealed in Gazette 27 Jun 1986 p. 2132.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[104A. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[104AA. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

[104B. Repealed in Gazette 14 Jul 1987 p. 2658.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

104C. Accounts and meter readings, statements of

Where a person requests —

- (a) a copy of any portion of the rating or accounting records;
- (b) a reading of the meter supplied to any property;
- (c) answers to orders and requisitions in relation to a property,

that information may be provided upon payment of the appropriate fee set out in item 4 of Schedule 2.

[By-law 104C inserted in Gazette 29 Jun 1984 p. 1788; amended in Gazette 14 Jul 1987 p. 2650.]

104D. Amounts rounded

Where a fee calculated in accordance with these by-laws is an amount which is not a whole number multiple of 5 cents the amount shall be rounded up or down, as the case may be, to the nearest whole number multiple of 5 cents.

[By-law 104D inserted in Gazette 26 Jun 1992 p. 2883.]

[Division heading repealed in Gazette 29 May 2001 p. 2708.]

[Heading deleted in Gazette 29 May 2001 p. 2708.]

105. Penalties

- (1) A person who contravenes or commits a breach of any provision of these by-laws, whether by act or omission, for which a penalty is not expressly prescribed, is liable, on conviction, to a penalty not exceeding \$200, and in the case of a continuing contravention or breach, to a further penalty not exceeding \$50

for each day during which the offence continues after notice of the contravention or breach is given by or on behalf of the Corporation or the Commission to that person.

- (2) In addition to any penalty provided by these by-laws, any expense, loss or damage incurred by the Corporation or the Commission in consequence of the breach of any by-law shall be paid by the person committing the breach and recoverable in the same manner as compensation may be recovered under section 45(3) of the principal Act.

*[By-law 105 amended in Gazette 12 Feb 1960 p. 325;
29 Dec 1995 p. 6308; 29 May 2001 p. 2706; 26 Apr 2005
p. 1398.]*

Schedule 1 — Notice of building construction or alteration

[Heading inserted in Gazette 29 May 2001 p. 2709.]

WATER CORPORATION

Notice of Construction or Alteration of Building

PROPERTY DESCRIPTION: (House/Office etc.)..... LOT No.HOUSE No.....UNIT No..... STREET(S)..... (IF CORNER LOT ENTER BOTH STREET NAMES) SUBURB OR TOWN	
OWNER or OCCUPIER ADDRESS..... POSTCODETELEPHONE	
LOCAL GOVERNMENT..... LIC No.....	ESTIMATED VALUE \$
Signature of Owner, Occupier or Agent Date.....	

[Schedule 1 inserted in Gazette 14 Jul 1987 p. 2650; amended in Gazette 29 Dec 1995 p. 6308; 29 May 2001 p. 2709.]

Schedule 2 Fees

Schedule 2 — Fees

[bl. 49, 58A, 66, 66A, 77, 83, 96,
97, 98, 100, 101, 104C]

\$

[1.	<i>deleted</i>]	
2.	Meter testing —	
	Meter size —	
	20 or 25 mm	78.00
	40 mm and over	actual cost
3.	Minimum fee in respect of turning or cutting off the water supply	105.00
	Minimum fee in respect of reduction or restoration of water supply —	
	(a) between 7.00 a.m. and 4.00 p.m. any day except Saturdays, Sundays and public holidays	105.00
	(b) at any other time	166.50
4.	(a) Reading of meter	12.20
	(b) Urgent reading of meter	41.10
	(c) Electronic lodgment of a combined request for a single statement, reading of meter and orders and requisitions	32.45
	(d) Electronic lodgment of a combined request for a single statement, urgent reading of meter and orders and requisitions	61.50
	(e) Lodgment other than under paragraph (c) of a combined request for a single statement, reading of meter and orders and requisitions	55.50

Country Areas Water Supply By-laws 1957

	Fees	Schedule 2
		\$
(f) Lodgment other than under paragraph (d) of a combined request for a single statement, urgent reading of meter and orders and requisitions		84.50
(g) Provision of information other than under paragraphs (a) to (f) involving research or investigation of 15 minutes or more — per hour or part of an hour		66.45
5. Fee under section 43A in respect of land on which it is proposed to —		
(a) construct a new single residential building or alter an existing single residential building		106.00 <i>(per residential unit)</i>
(b) construct or alter a building other than a residential building — an amount based on the cost of the construction or alteration as assessed by the Corporation, of —		
over \$22 500 but not over \$200 000		85.00
over \$200 000 but not over \$500 000		330.00
over \$500 000 but not over \$1 000 000		550.00
over \$1 000 000 but not over \$10 000 000		0.90
		<i>(per \$1 000 of construction)</i>
over \$10 000 000		0.25
		<i>(per \$1 000 of construction)</i>
6. Supply of copy of, or extract from, records or plans (other than those stored in digital format) under section 102(3) of the <i>Water Agencies (Powers) Act 1984</i> (provided on A4 paper)		11.00
7. Re-sealing of private fire service connection under by-law 98(5)		69.30

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Schedule 2 Fees

	\$
8. Fee for relocation of water supply connection (less than 500 mm) —	
(a) where the connection size is —	
20 mm	123.50
25 mm	146.00
40 mm	191.50
50 mm	248.50
(b) other sizes, an amount equal to the actual cost of relocation	
9. (a) Fee for fixing a meter under by-law 77(3) ..	258.50
(b) Fee for assessing a meter under by-law 77(5)	184.50
(c) Fee for assessing a meter and fixing a new meter under by-law 77(6)	241.00
10. Fee for installation of a temporary building standpipe	99.50
<i>[11, 12 repealed]</i>	
13. Fees for authorisation of materials, fittings and fixtures —	
(a) application —	
(i) first item of product type	452.10
(ii) each additional item of product type ...	63.25
(b) examination, testing, inspection or evaluation (per hour or part of an hour)	104.50
14. Minimum fee for application for disconnection or reconnection of water supply under by-law 96 — on redevelopment or subdivision	149.00

[Schedule 2 inserted in Gazette 29 Jun 2001 p. 3231-3; amended in Gazette 1 Jul 2002 p. 3138-41; 27 Jun 2003 p. 2423-5; 28 Jun 2004 p. 2391; 29 Jun 2004 p. 2497-9; 1 Jul 2005 p. 3010-12.]

Schedule 3 — Materials, fittings and fixtures

[Heading inserted in Gazette 29 May 2001 p. 2709.]

[By-law 58A(1) and (2)]

Part 1 — Fixtures

Baths
Basins
Sinks
Laundry troughs
Shower recess bases

Part 2 — Prohibited materials, fittings and fixtures

Food waste disposal units
Rubber or plastic olives in metallic water service fillings
Non-demand operated urinal flushing devices

*[Schedule 3 inserted in Gazette 22 Dec 1989 p. 4635; amended in
Gazette 29 May 2001 p. 2709.]*

[Schedules 4, 5, 6 repealed in Gazette 14 Jul 1987 p. 2650.]

Notes

- ¹ This is a compilation of the *Country Areas Water Supply By-laws 1957* and includes the amendments made by the other written laws referred to in the following table. The table also includes information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Country Areas Water Supply By-laws 1957</i>	20 Jun 1957 p. 1947-78	1 Jul 1957 (see bl. 1)
	11 Dec 1959 p. 3026	11 Dec 1959
	30 Jun 1960 p. 1953	30 Jun 1960
	22 Dec 1964 p. 4067-74	1 Jan 1965
	26 Jul 1966 p. 2082	26 Jul 1966
	15 Dec 1966 p. 3305	15 Dec 1966
	30 Jun 1967 p. 1718	1 Jul 1967
	6 Sep 1967 p. 2213	6 Sep 1967
Reprint of the <i>Country Areas Water Supply By-laws 1957</i> in <i>Gazette</i> 1 May 1968 p. 1219-42 (including amendments listed above)		
	24 Jul 1968 p. 2111	24 Jul 1968
	5 Sep 1968 p. 2686	5 Sep 1968
	26 Sep 1968 p. 2858	26 Sep 1968
	6 Feb 1969 p. 453	6 Feb 1969
	9 Feb 1970 p. 376	9 Feb 1970

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Citation	Gazettal	Commencement
	25 Sep 1970 p. 3049-50	25 Sep 1970
	4 May 1971 p. 1325	4 May 1971
	1 Dec 1972 p. 4593	1 Dec 1972
	29 Jun 1973 p. 2510	29 Jun 1973
	26 Apr 1974 p. 1394	26 Apr 1974
	8 Nov 1974 p. 5012-14	8 Nov 1974
	6 Dec 1974 p. 5246-7	6 Dec 1974
	21 Mar 1975 p. 964	21 Mar 1975
	17 Dec 1976 p. 4995	17 Dec 1976
	1 Jul 1977 p. 2011-13	1 Jul 1977
	23 Mar 1978 p. 864	23 Mar 1978
	30 Jun 1978 p. 2156-9	30 Jun 1978
	17 Nov 1978 p. 4310-11	17 Nov 1978
	26 Jun 1979 p. 1792-4	26 Jun 1979
	27 Jun 1980 p. 1965-7	1 Jul 1980 (see bl. 2)
<i>Country Areas Water Supply Act Amendment By-laws 1981</i>	26 Jun 1981 p. 2318-20	1 Jul 1981 (see bl. 2)
<i>Country Areas Water Supply Act Amendment By-laws 1982</i>	25 Jun 1982 p. 2127-9	1 Jul 1982 (see bl. 2)

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Citation	Gazettal	Commencement
<i>Country Areas Water Supply Act Amendment By-laws (No. 2) 1982</i>	20 Aug 1982 p. 3318-19	20 Aug 1982
<i>Country Areas Water Supply Act Amendment By-laws 1983</i>	1 Jul 1983 p. 2138-40	1 Jul 1983 (see bl. 2)
<i>Country Areas Water Supply Act Amendment By-laws (No. 2) 1983</i>	11 Nov 1983 p. 4525-6	11 Nov 1983
<i>Country Areas Water Supply Act Amendment By-laws 1984</i>	29 Jun 1984 p. 1788-90	29 Jun 1984
<i>Country Areas Water Supply Act Amendment By-laws (No. 2) 1984</i>	7 Sep 1984 p. 2873	7 Sep 1984
<i>Country Areas Water Supply Act Amendment By-laws 1985</i>	22 Feb 1985 p. 690	22 Feb 1985
<i>Country Areas Water Supply Act Amendment By-laws (No. 2) 1985</i>	28 Jun 1985 p. 2336-8	28 Jun 1985 (see bl. 3)
<i>Country Areas Water Supply Act Amendment By-laws (No. 3) 1985</i>	22 Nov 1985 p. 4413-14	22 Nov 1985
<i>Country Areas Water Supply Act Amendment By-laws 1986</i>	27 Jun 1986 p. 2132-4	27 Jun 1986
<i>Country Areas Water Supply Act Amendment By-laws 1986</i>	22 Aug 1986 p. 2992	22 Aug 1986
<i>Country Areas Water Supply Act Amendment By-laws 1987</i>	14 Jul 1987 p. 2649-50	14 Jul 1987
<i>Water Authority Amendment By-laws 1988 Pt. 2</i>	29 Jun 1988 p. 2122-6	1 Jul 1988 (see bl. 3)
<i>Country Areas Water Supply Act Amendment By-laws 1988</i>	14 Oct 1988 p. 4172	14 Oct 1988
<i>Country Areas Water Supply Act Amendment By-laws 1989</i>	21 Apr 1989 p. 1174	21 Apr 1989
<i>Water Authority Amendment By-laws 1989 Pt. 2</i>	29 Jun 1989 p. 1883-91	1 Jul 1989 (see bl. 3)
<i>Country Areas Water Supply Act Amendment By-laws (No. 2) 1989</i>	22 Dec 1989 p. 4627-30	1 Feb 1990 (see bl. 2 and <i>Gazette</i> 5 Jan 1990 p. 38)
<i>Country Areas Water Supply Act Amendment By-laws (No. 3) 1989</i>	22 Dec 1989 p. 4634-5	1 Feb 1990 (see bl. 2 and <i>Gazette</i> 5 Jan 1990 p. 38)

Citation	Gazettal	Commencement
<i>Water Authority Amendment By-laws 1990 Pt. 2</i>	29 Jun 1990 p. 3240-8 (errata 6 Jul 1990 p. 3318)	1 Jul 1990 (see bl. 3)
<i>Country Areas Water Supply Amendment By-laws 1990</i>	27 Jul 1990 p. 3617-18 (erratum 10 Aug 1990 p. 3922)	27 July 1990
<i>Country Areas Water Supply Amendment By-laws (No. 2) 1990</i>	21 Sep 1990 p. 4952-3	21 Sep 1990
<i>Water Authority Amendment By-laws 1991</i>	28 Jun 1991 p. 3281-3	1 Jul 1991 (see bl. 3)
<i>Country Areas Water Supply Amendment By-laws 1991</i>	3 Jan 1992 p. 33	3 Jan 1992
<i>Water Authority Amendment By-laws 1992 Pt. 2</i>	26 Jun 1992 p. 2832-44	1 Jul 1992 (see bl. 3)
<i>Water Authority Amendment By-laws (No. 2) 1992 Pt. 4</i>	31 Dec 1992 p. 6414-17	1 Jan 1993 (see bl. 2)
<i>Country Areas Water Supply Amendment By-laws 1993</i>	4 May 1993 p. 2327-8	4 May 1993
<i>Water Authority Amendment By-laws 1993 Pt. 2</i>	1 Jul 1993 p. 3238-50	1 Jul 1993
<i>Water Authority Amendment By-laws 1994 Pt. 2</i>	29 Jun 1994 p. 3159-70	1 Jul 1994 (see bl. 2)
<i>Water Authority Amendment By-laws 1995 Pt. 2⁶</i>	30 Jun 1995 p. 2767-76	1 Jul 1995 (see bl. 2)
<i>Country Areas Water Supply Amendment By-laws 1995</i>	30 Jun 1995 p. 2777	30 Jun 1995
<i>Water Agencies (Amendment and Repeal) By-laws 1995 Pt. 3</i>	29 Dec 1995 p. 6305-32	1 Jan 1996 (see bl. 2 and <i>Gazette</i> 29 Dec 1995 p. 6291)
<i>Water Agencies Amendment By-laws 1997 Pt. 2⁷</i>	27 Jun 1997 p. 3204-20	1 Jul 1997 (see bl. 2)
<i>Water Agencies Amendment By-laws 1998 Pt. 2</i>	26 Jun 1998 p. 3417-21	1 Jul 1998 (see bl. 2)

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Citation	Gazettal	Commencement
<i>Country Areas Water Supply Amendment By-laws (No. 2) 1998</i>	25 Aug 1998 p. 4735-7	25 Aug 1998
<i>Country Areas Water Supply Amendment By-laws 1998</i>	29 Sep 1998 p. 5406	29 Sep 1998 (see bl. 2)
<i>Water Agencies Amendment By-laws 1999 Pt. 3</i> ⁸	29 Jun 1999 p. 2775-87	1 Jul 1999 (see bl. 2)
<i>Country Areas Water Supply Amendment By-laws 2000</i>	14 Apr 2000 p. 1893	14 Apr 2000
<i>Country Areas Water Supply Amendment By-laws (No. 2) 2000</i>	16 Jun 2000 p. 2960-2	19 Jun 2000 (see bl. 2 and <i>Gazette</i> 16 Jun 2000 p. 2939)
<i>Water Agencies Amendment By-laws 2000 Pt. 3</i> ⁹	29 Jun 2000 p. 3365-79	1 Jul 2000 (see bl. 2)
<i>Country Areas Water Supply Amendment By-laws (No. 4) 2000</i>	29 Sep 2000 p. 5550-1	29 Sep 2000
<i>Country Areas Water Supply Amendment By-laws 2001</i>	29 May 2001 p. 2705-9	29 May 2001
<i>Water Agencies Amendment By-laws 2001 Pt. 3</i> ¹⁰	29 Jun 2001 p. 3231-3	1 Jul 2001 (see bl. 2)
Reprint of the Country Areas Water Supply By-laws 1957 as at 3 Aug 2001 (includes amendments listed above)		
<i>Water Agencies Amendment By-laws 2002 Pt. 2</i>	1 Jul 2002 p. 3137-53	1 Jul 2002
<i>Water Agencies Amendment By-laws 2003</i> ¹¹	27 Jun 2003 p. 2422-32	1 Jul 2003 (see bl. 2)
<i>Country Areas Water Supply Amendment By-laws 2004</i>	28 Jun 2004 p. 2389-91	1 Jul 2004 (see bl. 2 and <i>Gazette</i> 28 Jun 2004 p. 2399)
<i>Water Agencies Amendment By-laws 2004 Pt. 2</i>	29 Jun 2004 p. 2497-503	1 Jul 2004 (see bl. 2)
<i>Country Areas Water Supply Amendment By-laws 2005</i>	26 Apr 2005 p. 1397-8	26 Apr 2005
<i>Water Agencies Amendment By-laws 2005 Pt. 3</i>	1 Jul 2005 p. 3009-17	1 Jul 2005 (see bl. 2)

² The power to make these by-laws is now contained in the *Water Agencies (Powers) Act 1984* s. 34.

³ Repealed by the *Liquor Act 1970* which was repealed by the *Liquor Licensing Act 1988*.

⁴ Repealed by the *Factories and Shops Act 1963* which was repealed by the *Industrial Relations Legislation Amendment and Repeal Act 1995*.

⁵ Footnote no longer applicable.

⁶ The *Water Authority Amendment By-laws 1995* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 1995 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

⁷ The *Water Agencies Amendment By-laws 1997* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 1997 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

⁸ The *Water Agencies Amendment By-laws 1999* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 1999 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

⁹ The *Water Agencies Amendment By-laws 2000* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 2000 of a by-law in force before that day in so far as that by-law relates

to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

¹⁰ The *Water Agencies Amendment By-laws 2001* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 2001 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

¹¹ The *Water Agencies Amendment By-laws 2003* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 2003 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”