

WA307*

Metropolitan Water Supply, Sewerage, and Drainage Act 1909

Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2008

Made by the Minister under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909*, the *Metropolitan Water Authority Act 1982* and the *Water Agencies (Powers) Act 1984*.

1. Citation

These by-laws are the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2008*.

2. Commencement

These by-laws come into operation as follows:

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on the day after the day on which these by-laws are published in the *Gazette*.

3. The by-laws amended

The amendments in these by-laws are to the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

4. By-law 1.1 amended

By-law 1.1 is amended by inserting after the definition of “AS/NZS” —

“

“**Australian Standard**” means a document having that title published by Standards Australia;

”.

5. By-law 6.3 amended

By-law 6.3.6 is amended by deleting “No branch” and inserting instead —

“

Except with the Corporation’s written authority, no branch

”.

6. By-law 15.8 amended

- (1) By-law 15.8(a) is amended as follows:
- (a) by inserting after “The owner” —
“ or occupier ”;
 - (b) by inserting after “these by-laws” —
“ and the plumbing standards ”.
- (2) By-law 15.8(b) is amended by inserting after “owner” in the 3 places where it occurs —
“ or occupier ”.

7. Heading amended

The heading “28.0 — Industrial wastes” is deleted and the following heading is inserted instead —

“

**28.0 — Industrial wastes and plumbing
generally**

”.

8. By-laws 28.7 and 28.8 inserted

After by-law 28.6 the following by-laws are inserted —

“

28.7 Installation of backflow prevention devices

28.7.1 If the Corporation is of the opinion that a private service presents a contamination risk to water supplied by the Corporation’s water supply system, the Corporation may, by notice in writing, require the owner or occupier of the land on which the private service is laid to install a backflow prevention device on the private service.

28.7.2 The backflow prevention device must —

- (a) meet the requirements of —
 - (i) in the case of a backflow prevention device that is an air gap or break tank — Australian Standard 2845.2-1996; or
 - (ii) in the case of any other backflow prevention device — Australian Standard 2845.1.1998;

and

- (b) be selected and installed in accordance with Australian Standard 3500.1:2003.

28.7.3 A reference in by-law 28.7.2 to an Australian Standard includes a reference to any amendment to that standard made before the commencement of the *Metropolitan*

*Water Supply, Sewerage and Drainage Amendment
By-laws 2008.*

28.7.4 A notice under by-law 28.7.1 must specify —

- (a) the date by which the backflow prevention device must be installed (being a date not earlier than 7 days after the date on which the notice is given to the owner or occupier); and
- (b) the manner in which the backflow prevention device must be selected and installed; and
- (c) the place on the private service where the backflow prevention device must be installed.

28.7.5 A notice under by-law 28.7.1 may specify either or both of the following —

- (a) the type of backflow prevention device required to be installed;
- (b) the level of contamination risk the Corporation is of the opinion that the private service presents.

28.7.6 An owner or occupier who fails to comply with a notice given to the owner or occupier under by-law 28.7.1 commits an offence and is liable to a penalty not exceeding \$2 000 and a further penalty of \$200 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender.

28.8 Testing and maintenance of backflow prevention devices

28.8.1 The owner or occupier of land on which a backflow prevention device is installed must ensure that the device is —

- (a) tested and certified in accordance with, and at the intervals specified in, Australian Standard 2845.3:1993; and
- (b) maintained in accordance with that standard.

28.8.2 A person who carries out testing for the purposes of by-law 28.8.1 must ensure that a copy of the relevant test report referred to in Australian Standard 2845.3:1993 is lodged with the Corporation not later than 5 working days after the test is carried out.

28.8.3 A reference in by-laws 28.8.1 or 28.8.2 to Australian Standard 2845.3:1993 includes a reference to any amendment to that standard made before the commencement of the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2008*.

9. By-law 28.9 amended

By-law 28.9.19.1 is amended as follows:

(a) in paragraph (a) —

- (i) by deleting “Where work is done other than in accordance with these by-laws and the plumbing standards or, in the opinion of the Corporation is defective, then” and inserting instead —

“

Where —

- (i) work is done other than in accordance with these by-laws or the plumbing standards or, in the opinion of the Corporation, is defective; or
- (ii) any part of a private service does not comply with these by-laws, or a requirement of the Corporation under these by-laws, in relation to backflow prevention devices,

then

”.

(ii) by inserting after “work was done” —

“ or the private service does not comply ”;

(b) by inserting after paragraph (b) —

“

Penalty:

- (a) for failure to comply with the terms of a notice issued for the purposes of paragraph (a)(i) — a fine of \$200 and a further penalty of \$50 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender;
- (b) for failure to comply with the terms of a notice issued for the purposes of paragraph (a)(ii) — a fine of \$2 000 and a further penalty of \$200 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender.

”.

(c) in paragraph (c) by deleting “board” and inserting instead —

“ Corporation ”;

(d) by inserting after paragraph (c) —

“

(d) In this by-law —

“**work**” includes work of a kind specified to be water supply plumbing, sanitary plumbing or drainage plumbing in the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000* regulation 4.

”.

JOHN KOBELKE, Minister for Water Resources.
