

WA303

WATER AUTHORITY ACT 1984

**METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE
AMENDMENT BY-LAWS 1992**

Made by the Water Authority of Western Australia with the approval of the Minister for Water Resources.

Citation

1. These by-laws may be cited as the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 1992*.

By-laws 5.6.1 to 5.6.8 inserted

2. After by-law 5.5.5 of the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981** the following by-laws are inserted —

“ **5.6 PROTECTION OF POLLUTION AREAS**

5.6.1 In this by-law and by-laws 5.6.2, 5.6.3, 5.6.4, 5.6.5, 5.6.6, 5.6.7 and 5.6.8 —

“**automotive business premises**” means premises associated with the repair, maintenance or servicing of motor vehicles and includes premises that are to be used as or by any of the following —

- (a) an automotive maintenance and repair shop or premises where motor vehicle parts are installed;
- (b) a motor vehicle detailer, a car wash establishment, a motor vehicle wrecker or a vehicle depot;
- (c) a workshop for construction, mining and earthmoving equipment; or
- (d) a wholesaler or retailer of fuels and oils;

“**bulk liquid storage tank system**” means any tank, whether or not mobile, having a capacity of or greater than 250 litres, and includes the pipework fittings and filling and dispensing apparatus associated with the tank, but does not include a tank that is part of any apparatus for the bacteriolytic treatment of sewage or that contains unpolluted water;

“**elevated storage tank system**” means a bulk liquid storage tank system in which no portion of the tank is on or below the ground;

“**establish**”, in relation to a mobile bulk liquid storage tank system, includes placing that storage tank system at a location where it will operate for a purpose other than the delivery to, or collection from, another bulk liquid storage tank system;

“**ground storage tank system**” means a bulk liquid storage tank system in which any portion of the tank is on or below the ground;

“**owner**” has the same meaning as in section 6 of the *Local Government Act 1960*;

“**plans**” means the plans showing the locations of pollution areas, priority 1, 2 and 3 source protection areas, wellheads and wellhead protection zones, copies of which are available for public inspection at the offices of the Authority in Leederville, Joondalup and Fremantle, and representations of which are set out in the Schedule;

“**priority 1 source protection area**”, “**priority 2 source protection area**” and “**priority 3 source protection area**” mean the portions of pollution areas designated, respectively, “P1”, “P2” and “P3” on the plans;

“**tank**” includes all the tanks that are connected in, or otherwise form part of, the same bulk liquid storage tank system;

“**unpolluted water**” means water that, if released from storage, would not contaminate groundwater or other water resources;

“wellhead” means a well, or the location of a proposed well, identified on the plans by its name adjacent to a black circle;

“wellhead protection zone” means that area within a pollution area that surrounds a wellhead, the extent of which is identified on the plans.

5.6.2 Regardless of any other provision of these by-laws, a person shall not establish within a priority 1 or a priority 2 source protection area —

- (a) a ground storage tank system;
- (b) any automotive business premises; or
- (c) an elevated storage tank system inside a wellhead protection zone.

5.6.3 A person shall not establish, or increase the capacity of, an elevated storage tank system within a priority 1 or priority 2 source protection area unless —

- (a) the person has applied for a permit under by-law 5.6.4;
- (b) the Authority has issued a permit authorizing the establishment, or increase in capacity, of the storage tank system; and
- (c) the person complies with the terms and conditions of the permit.

5.6.4 An application for a permit to establish, or increase the capacity of, an elevated storage tank system on land within a priority 1 or priority 2 source protection area shall be made —

- (a) in writing to the Authority; and
- (b) by the owner of the land or, if the owner is not the occupier, by the occupier of the land.

5.6.5 The Authority may only issue a permit applied for under by-law 5.6.4 —

- (a) for an elevated storage tank system that, including any proposed increase in capacity, does not exceed 5 000 litres, unless the Authority is satisfied that there are special circumstances relevant to the issue of that permit; and
- (b) if, regardless of the present or proposed capacity of the elevated storage tank system the subject of the application, the Authority is satisfied that there is no undue risk that the purity of underground water in the source protection area in which the storage tank system is to be established, or increased in capacity, will be affected detrimentally, either directly or indirectly, by the establishment, or increase in capacity, of that storage tank system.

5.6.6 By-laws 5.5.2 (other than paragraph (a)) and 5.5.3, as they relate to permits, apply, to the extent that they are applicable and with appropriate modifications, to a permit applied for under by-law 5.6.4.

5.6.7 The Authority, by notice in writing served on a person who, in contravention of by-law 5.6.2 or 5.6.3, as the case may be —

- (a) has established, or increased the capacity of, a storage tank system; or
- (b) has established any automotive business premises,

may direct that person within such period, being not less than 21 days after the service of the notice, as specified in the notice, to dismantle and remove the storage tank system or the business premises.

5.6.8 If a person fails to comply with a notice served on that person under by-law 5.6.7 —

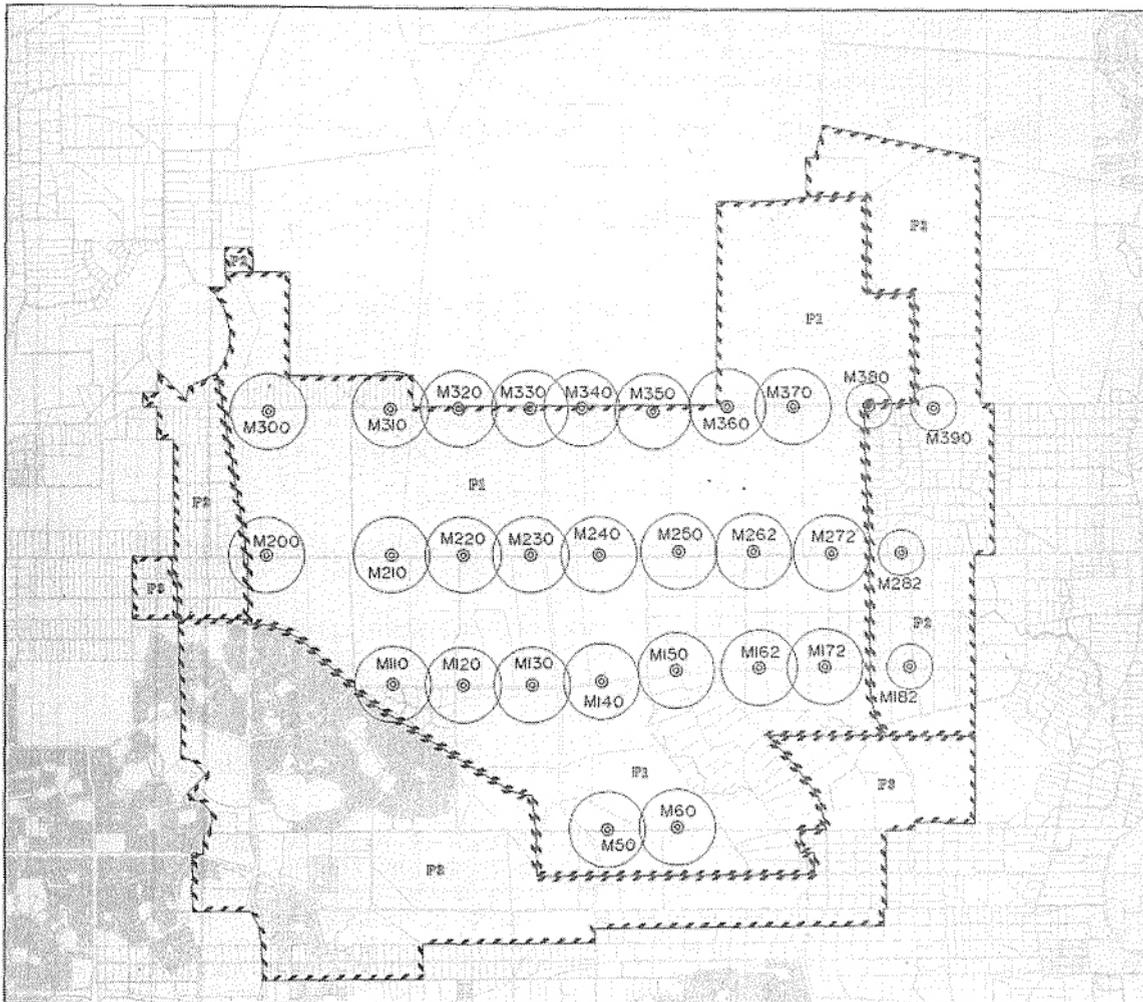
- (a) the person commits an offence; and

SCHEDULE

[by-law 5.6.1]

LOCATIONS OF PRIORITY SOURCE PROTECTION AREAS, WELLHEADS AND WELLHEAD PROTECTION ZONES

Plan 1 — Mirrabooka Underground Water Pollution Control Area



Plan 1 - Mirrabooka Underground Water Pollution Control Area

WELL NAME	WELLHEAD PROTECTION ZONE RADIUS(metres)
M50	500
M60	500
M10	500
M120	500
M130	500
M140	500
M150	500
M162	500
M172	500
M182	300
M200	500
M210	500
M220	500
M230	500
M240	500
M250	500
M262	500
M272	500
M282	300
M300	500
M310	500
M320	500
M330	500
M340	500
M350	500
M360	500
M370	300
M380	300
M390	300

LEGEND:



- P1 Priority 1 Source Protection Area
- P2 Priority 2 Source Protection Area
- P3 Priority 3 Source Protection Area

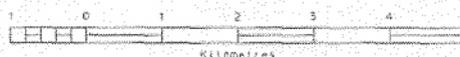
- Well head protection zones.
- ⊙ Wellhead



Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 1992

SCHEDULE
[by-law 5.6.1]

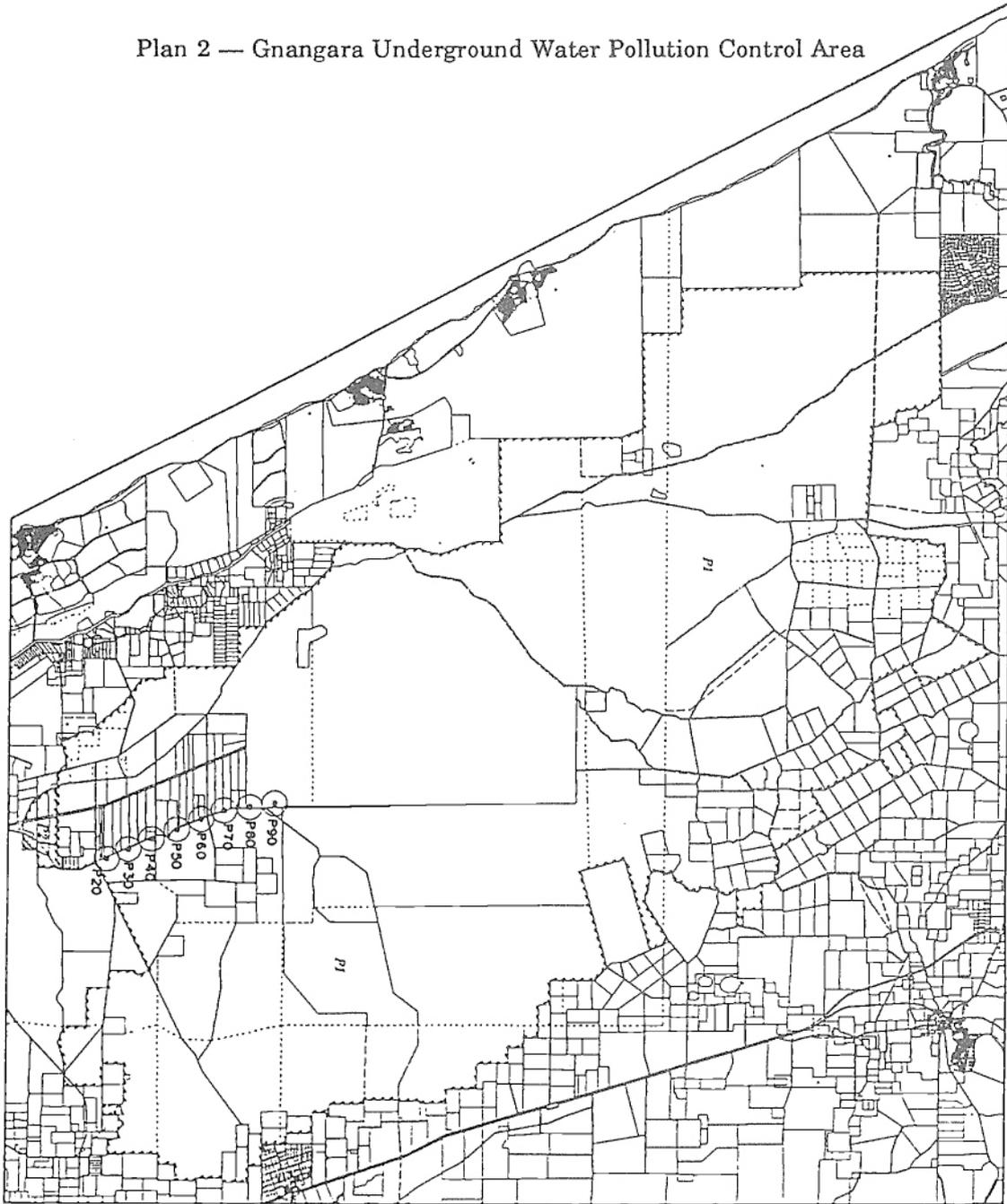
LOCATIONS OF PRIORITY SOURCE PROTECTION AREAS, WELLHEADS AND WELLHEAD PROTECTION ZONES 1992



(b) the Authority may itself dismantle and remove the storage tank system or the business premises the subject of the offence.

[* Reprinted in the Gazette of 11 December 1986 at pp. 4557-800. For amendments to 16 November 1992 see 1991 Index to Legislation of Western Australia, pp. 531-2, and Gazette of 3 January 1992 at p. 34.]

Plan 2 — Gnangara Underground Water Pollution Control Area



GNANGARA UNDERGROUND WATER POLLUTION CONTROL AREA

WELLHEAD PROTECTION ZONES	
WELL NAME	WELLHEAD PROTECTION ZONE RADIUS (metres)
P20	500
P30	500
P40	500
P50	500
P60	500
P70	500
P80	500
P90	500

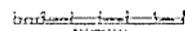
LEGEND

Priority 1 Source Protection Area

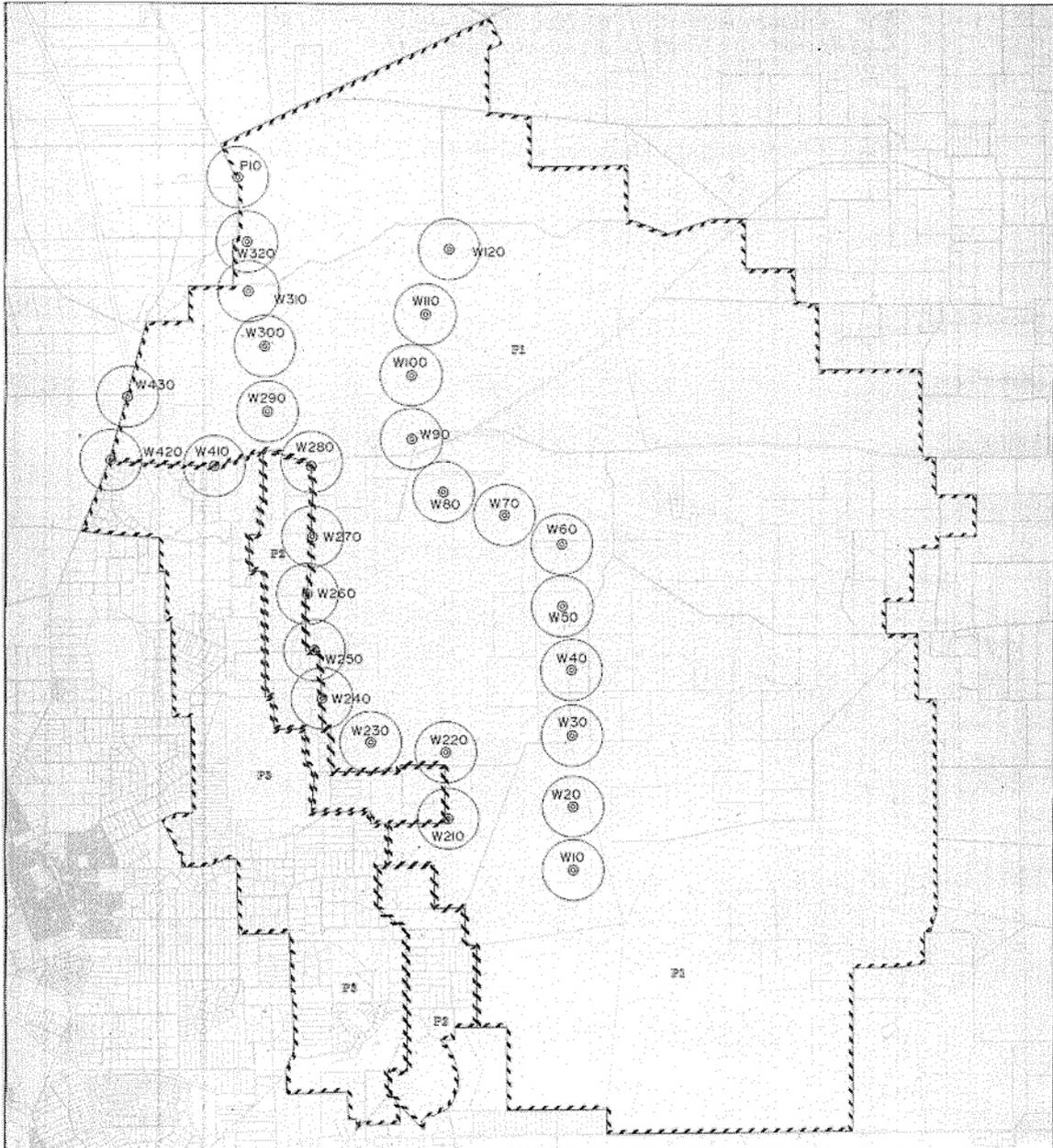
Priority 2 Source Protection Area

Well head protection zones.

Wellhead



Plan 3 — Wanneroo Underground Water Pollution Control Area



Plan 3 - Wanneroo Underground Water Pollution Control Area

WELLHEAD PROTECTION ZONES	
WELL HEAD PROTECTION ZONE NAME	WELL HEAD PROTECTION ZONE RADIUS (metres)
P10	500
W10	500
W20	500
W30	500
W40	500
W50	500
W60	500
W70	500
W80	500
W90	500
W100	500
W110	500
W120	500
W210	500
W220	500
W230	500
W240	500
W250	500
W260	500
W270	500
W280	500
W290	500
W300	500
W310	500
W320	500
W410	500
W420	500
W430	500

LEGEND

- Priority 1 Source Protection Area
- Priority 2 Source Protection Area
- Priority 3 Source Protection Area
- Well head protection zones
- Wellhead

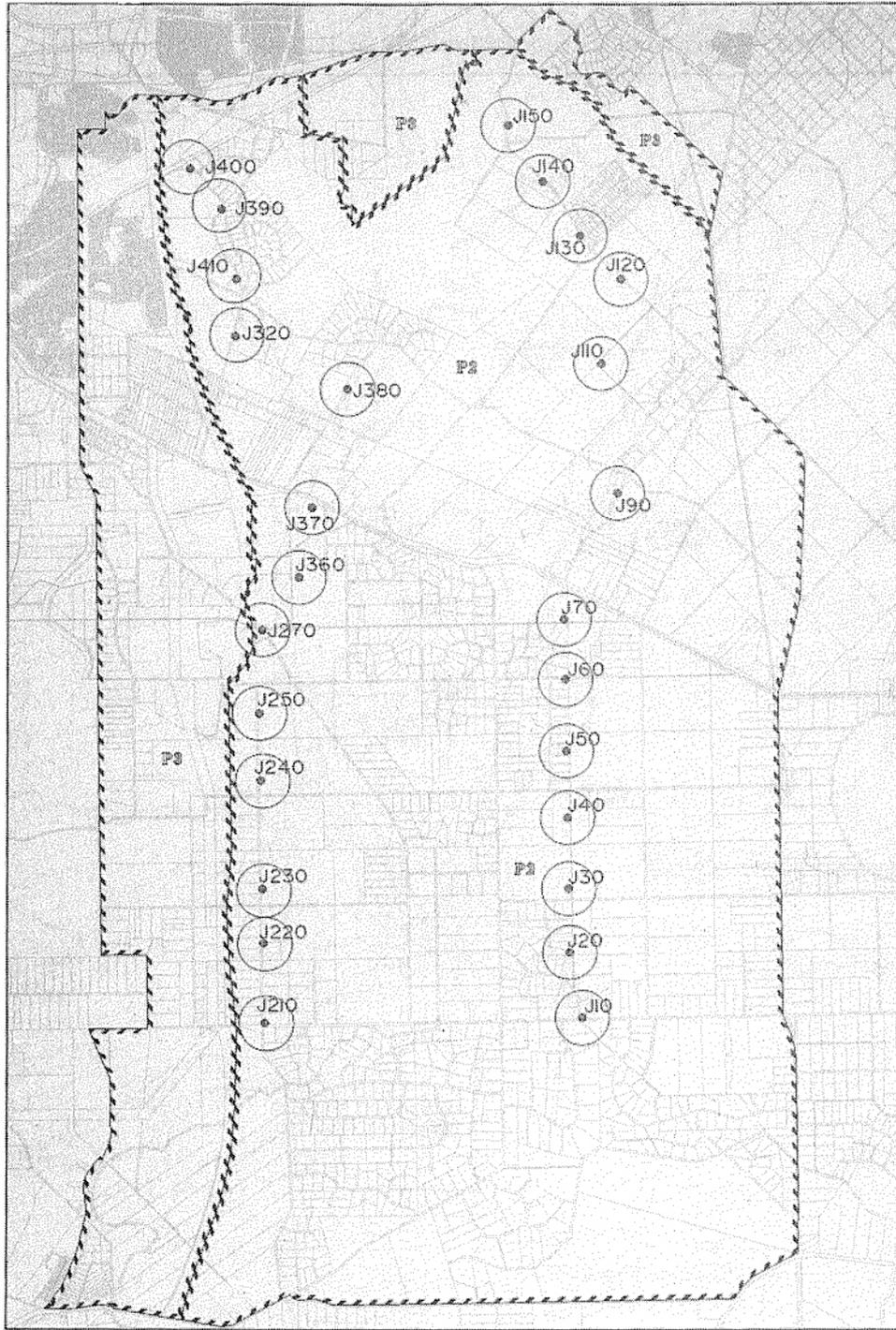
Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 1992

SCHEDULE (by-law 5.6.1)

LOCATIONS OF PRIORITY SOURCE PROTECTION AREAS, WELLHEADS AND WELLHEAD PROTECTION ZONES 1992



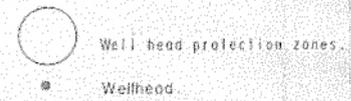
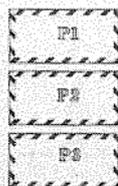
Plan 4 — Jandakot Underground Water Pollution Control Area



Plan 4 - Jandakot Underground Water Pollution Control Area

WELLHEAD PROTECTION ZONES	
WELL NAME	WELLHEAD PROTECTION ZONE RADIUS(metres)
J10	300
J20	300
J30	300
J40	300
J50	300
J60	300
J70	300
J90	300
J110	300
J120	300
J130	300
J140	300
J150	300
J210	300
J220	300
J230	300
J240	300
J250	300
J270	300
J320	300
J360	300
J370	300
J380	300
J390	300
J400	300
J410	300

LEGEND:

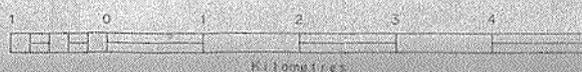


Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 1992

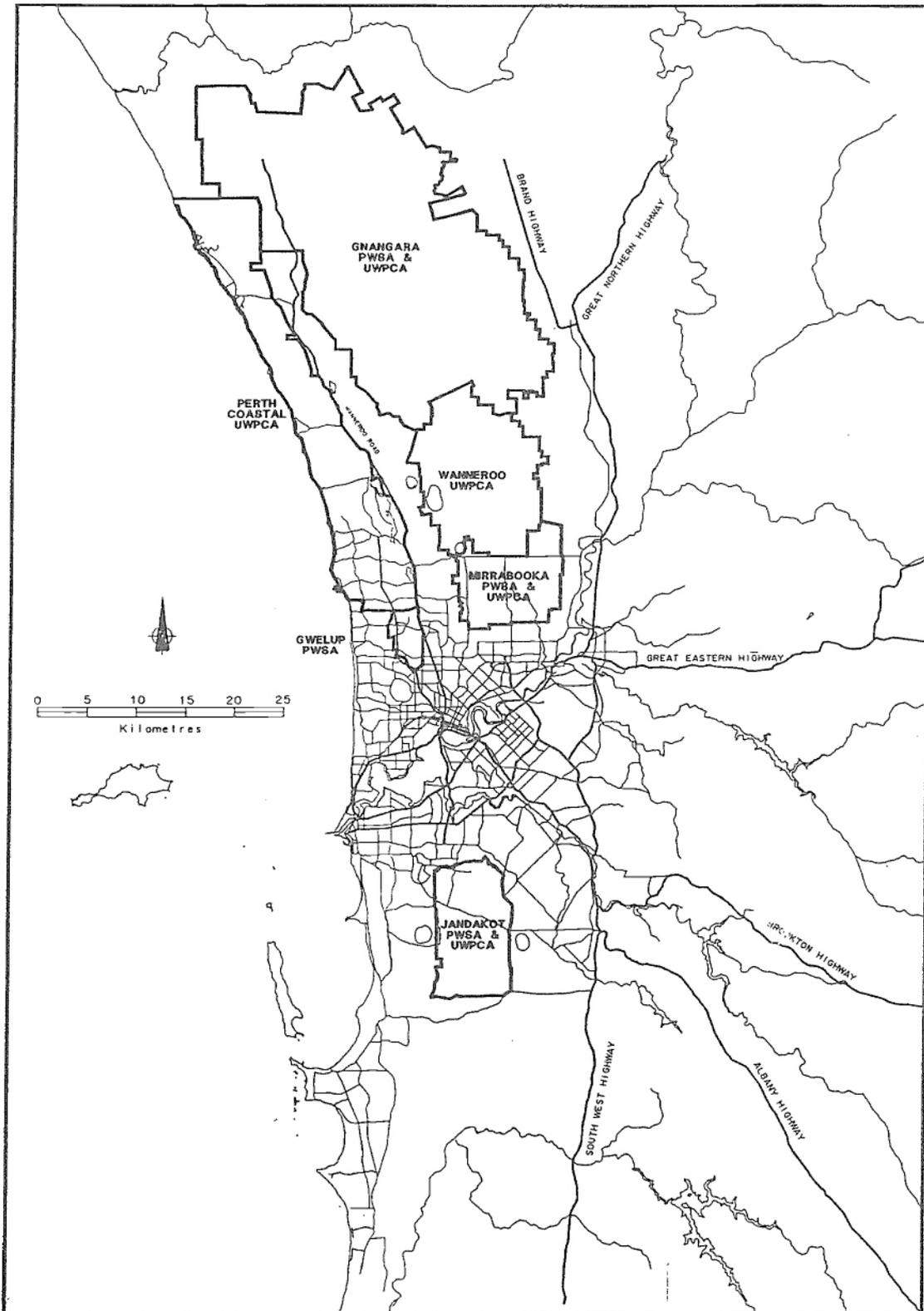
SCHEDULE

(by-law 5.6.11)

LOCATIONS OF PRIORITY SOURCE PROTECTION AREAS, WELLHEADS AND WELLHEAD PROTECTION ZONES 1992



Plan 5 — Locations of Underground Water Pollution Control Areas



By resolution of the Board.

The Seal of the Water Authority of Western Australia was affixed hereto in the presence of—

K. C. WEBSTER, Chairman.
W. J. COX, Managing Director.

Approved by the Minister for Water Resources.

E. BRIDGE.