

LA309

Water Services Act 2012

Water Regulations Amendment (Community Titles) Regulations 2021

SL 2021/79

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Water Regulations Amendment (Community Titles) Regulations 2021*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Community Titles Act 2018* section 187 comes into operation.

Part 2 — *Water Services Regulations 2013* amended

3. Regulations amended

This Part amends the *Water Services Regulations 2013*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definition of *unit*.
- (2) In regulation 3(1) insert in alphabetical order:

community corporation has the meaning given in the *Community Titles Act 2018* section 3(1);

community titles (building) scheme has the meaning given in the *Community Titles Act 2018* section 11(7);

community titles (land) scheme has the meaning given in the *Community Titles Act 2018* section 11(8);

community titles scheme has the meaning given in the *Community Titles Act 2018* section 3(1);

lot in a strata scheme has the meaning given in the *Strata Titles Act 1985* section 3(1);

lot in a survey strata-scheme has the meaning given in the *Strata Titles Act 1985* section 3(1);

unit includes the following —

- (a) a lot in a strata scheme;
- (b) a lot in a survey-strata scheme;
- (c) a lot in a community titles (building) scheme;
- (d) a lot in a community titles (land) scheme;

5. Regulation 23 amended

In regulation 23(1):

- (a) in paragraph (b) delete “scheme.” and insert:

scheme; or

- (b) after paragraph (b) insert:

- (c) if the multi-unit development is a community titles scheme — the community corporation for the scheme.

6. Regulation 28B amended

- (1) In regulation 28B delete the definitions of:

lot

vacant lot

- (2) In regulation 28B insert in alphabetical order:

lot does not include the following —

- (a) a lot in a strata scheme, unless the lot is a vacant lot as defined in the *Strata Titles Act 1985* section 3(1);
- (b) a lot in a community titles (building) scheme, unless the lot is a vacant lot as defined in the *Community Titles Regulations 2021* regulation 57(1);

- (3) In regulation 28B in the definition of ***subdivided lot*** paragraph (e)(ii) delete “units;” and insert:

units.

Part 3 — *Water Services (Water Corporations Charges) Regulations 2014* amended

7. Regulations amended

This Part amends the *Water Services (Water Corporations Charges) Regulations 2014*.

8. Regulation 6 amended

In regulation 6 delete the definition of **lot** and insert:

lot —

- (a) has the meaning given in the *Planning and Development Act 2005* section 4(1); and
- (b) includes the following —
 - (i) a lot in a strata scheme or a lot in a survey-strata scheme, as those terms are defined in the *Strata Titles Act 1985* section 3(1);
 - (ii) an area shown as common property on the scheme plan for a survey-strata scheme, as those terms are defined in the *Strata Titles Act 1985* section 3(1);
 - (iii) a lot as defined in the *Community Titles Act 2018* section 3(1);
 - (iv) an area shown as common property on the scheme plan for a community titles (land) scheme, as those terms are defined in the *Community Titles Act 2018* section 3(1);

9. Regulation 11 amended

In regulation 11 delete the definition of **lot** and insert:

lot —

- (a) has the meaning given in the *Planning and Development Act 2005* section 4(1); and
- (b) includes the following —
 - (i) a lot in a strata scheme or a lot in a survey-strata scheme, as those terms are defined in the *Strata Titles Act 1985* section 3(1);
 - (ii) an area shown as common property on the scheme plan for a survey-strata scheme, as those terms are defined in the *Strata Titles Act 1985* section 3(1);

- (iii) a lot as defined in the *Community Titles Act 2018* section 3(1);
- (iv) an area shown as common property on the scheme plan for a community titles (land) scheme, as those terms are defined in the *Community Titles Act 2018* section 3(1);

10. Regulation 16 amended

- (1) In regulation 16(1) delete the definition of *lot*.
- (2) In regulation 16(1) insert in alphabetical order:

community titles scheme has the meaning given in the *Community Titles Act 2018* section 3(1);

lot means —

- (a) a lot in a strata scheme or a lot in a survey-strata scheme, as those terms are defined in the *Strata Titles Act 1985* section 3(1); or
- (b) a lot as defined in the *Community Titles Act 2018* section 3(1);

scheme plan —

- (a) for a strata titles scheme — has the meaning given in the *Strata Titles Act 1985* section 3(1); or
- (b) for a community titles scheme — has the meaning given in the *Community Titles Act 2018* section 3(1);

strata titles scheme has the meaning given in the *Strata Titles Act 1985* section 3(1);

11. Schedule 3 amended

- (1) In Schedule 3 item 6 after “bay,” insert:

in a strata titles scheme or a community titles scheme,

- (2) In Schedule 3 item 7(a) delete “lot; and” and insert:

lot in a strata titles scheme or a lot in a community titles scheme; and

12. Schedule 4 amended

- (1) In Schedule 4 item 6 after “bay,” insert:

in a strata titles scheme or a community titles scheme,

- (2) In Schedule 4 items 17(e) and 24(e) delete “strata plan” and insert:

scheme plan for a strata titles scheme or a community titles scheme

13. Schedule 5 amended

In Schedule 5 item 3 after “bay,” insert:

in a strata titles scheme or a community titles scheme,

Notes:

1. The headings to the amended items listed in the Table are to read as set out in the Table:

Table

Amended item	Item heading
Sch. 3 it. 6	Storage units or parking bays in strata titles scheme or community titles scheme
Sch. 3 it. 7	Non-residential lots in strata titles scheme or community titles scheme that share a service
Sch. 4 it. 6	Storage units or parking bays in strata titles scheme or community titles scheme
Sch. 4 it. 17	Certain metropolitan units
Sch. 4 it. 24	Certain non-metropolitan units
Sch. 5 it. 3	Storage units or parking bays in strata titles scheme or community titles scheme

2. The headings to the items listed in the Table are to read as set out in the Table:

Table

Item	Item heading
Sch. 3 it. 11	Non-residential or commercial residential (except storage units, parking bays and certain lots in strata titles scheme or community titles scheme)
Sch. 5 it. 6	Non-residential (except strata-titled caravan bays and storage units or parking bays in strata titles scheme or community titles scheme)

N. HAGLEY, Clerk of the Executive Council.