



Western Australia

WATER BOARDS ACT 1904

Wittenoom Water Area By-Laws

These regulations were repealed by the *Statute Law Revision Act 2006* s. 3(1) (No. 37 of 2006) as at 4 Jul 2006 (see s. 2).

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Wittenoom Water Area By-Laws

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WATER BOARDS ACT 1904

(As modified by the Water Supply, Sewerage and Drainage Act 1919)

Wittenoom Water Area By-Laws

Division I

1. Interpretations

- (a) In the construction and for the purposes of these by-laws, unless the context otherwise requires, the terms **“cesspool,” “drain,” “house,” “land,” “owner,” “public house,”** and **“piggery,”** shall have the meanings severally attached to them in section 3 of the *Health Act 1911*.
- (b) The words **“authorised,” “by-laws,” “district,” “fittings,” “local authority,” “occupier,” “owner,” “pipe,” “prescribed,” “ratepayer,” “rateable land,” “road,” “reservoir,” “stream,” “water area,” “waterworks,” “watercourse”** and **“works”** shall have meanings severally attached to them in the *Water Boards Act 1904*, hereinafter referred to as the principal Act, or any amending Act, and the by-laws made thereunder.
- (c) **“Feeder”** shall mean any watercourse, creek, stream or other channel with either permanent or intermittent flow whereby water can be conveyed to any reservoir.
- (d) **“High water mark”** shall mean the level of full supply of any reservoir or feeder thereto.

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- (e) **“Catchment area”** shall mean all land over, through or under which any water flows, runs or percolates directly or indirectly into any reservoir erected or used by the Minister in connection with any water supply, prescribed in or proclaimed under any Act.
- (f) **“Minister”** shall mean the Minister for Water Supply, Sewerage and Drainage, acting in pursuance of the *Water Boards Act 1904*, and the *Water Supply, Sewerage and Drainage Act 1912*.
- (g) **“Inspector”** and **“Local officer”** respectively shall mean a person appointed by the Minister for the purpose of these by-laws or to administer the said by-laws.
- (h) **“Domestic Supply.”** A supply of water for domestic purposes means a supply for the ordinary household purposes for which water is required in or about a dwelling-house and includes the use of water for watering lawns and gardens appurtenant to a dwelling-house and for watering lawns and gardens growing in a street or road adjoining private land upon which a dwelling-house is erected, when such lawns and gardens are grown by or cared for by the owner or occupier of such private land and such lawns and gardens are watered with water which has first passed into such private land through the meter installed thereon by the Minister in connection with the water service on such private land.

The term **“Domestic Supply”** does not include the use of water for cattle or horses or for any steam engine, or for washing carriages where such horses or carriages are kept for hire or are the property of any dealer, or for any hotel, inn, trade, manufacturer or any business whatever, or for Public Gardens, or for fountains, or any other ornamental purpose.

- (i) **“Private service.”** For the purpose of these by-laws **“private service”** includes all the pipes and fittings, and all connections and apparatus of whatsoever nature or kind, and whether used

temporarily or otherwise on any part of the premises of the owner or occupier of any premises supplied with water, whether by meter or otherwise, and includes any pipes or fittings the property of the consumer which are used for conveying water from the mains of the Minister whether situated on the premises of the consumer or otherwise.

- (j) **“Farm supply”** shall include domestic supply, but not industrial or manufacturing supply.
- (k) **“Reservoir”** shall mean any reservoir, dam, tank, cistern or well.

Division II

2. **By-laws for the Preventing of Pollution of the Catchment Area**

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

3. **Cleaning and Filling up of Cesspools**

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

4. **Situation of Closets**

Closets shall not be constructed within 50 yards of high-water mark, and any closet situated within 50 yards of high-water mark shall, within one calendar month of notice to that effect being given to the owner or occupier by the Minister or by the Inspector, be taken down and the cesspit, if such exists, cleansed and a fire made therein, after which the cesspit shall be filled up to the satisfaction of the Inspector by the owner or occupier of the house to which such closet or cesspit is appurtenant.

5. Provision for Sufficient Number of Pans Shall be Made

The owner or occupier of every house within the catchment area shall provide, for the use of the occupants of such house, an earth closet, with a sufficient number of pans approved by the Inspector.

6. Construction of Closets

- (a) Every closet within the catchment area shall be of stone, iron, wood, brick, concrete, or combination of two or more of such materials. Each 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 once every week or as often as may be required by the Inspector.
- (b) Each dwelling on the catchment area shall be provided with a closet and urinal erected in such position as directed by the Inspector.
- (c) The floor and seat of every closet shall be so constructed that the top of the receptacle shall not be more than one inch below the underside of the seat.

7. Removal and Re-erection of Closet

Closets or urinals already in existence shall, wherever considered necessary by the Inspector be removed where directed by the Inspector, and such 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.

8. Nuisance shall not be Caused

The owner or occupier of any house within the catchment area shall not permit the contents of any pan used in any closet or urinal to overflow from any cause whatever.

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

9. Disposal of Nightsoil, etc.

Nightsoil, refuse, and garbage shall be disposed of from time to time as the Minister or Inspector may direct.

Nightsoil, faecal matter, or refuse, shall not be buried within the catchment area.

Nightsoil or human urine, whether mixed with any other substance or not, or any solution of nightsoil, unless the same has been thoroughly deodorised and disinfected to the satisfaction of the Inspector, shall not be placed, deposited, spread or permitted to be placed, deposited, or spread in or upon any land or garden within the catchment area, unless written consent thereto has been obtained from the Minister.

10. Disposal of Manure, etc.

Refuse, dung, manure, or other offensive matter shall not be deposited or be permitted to be deposited within three hundred yards of high-water mark, or in any place where in the opinion of the Inspector, such matter may be washed into any reservoir or any feeder.

11. Situation, etc., of Outbuildings

Buildings of any description shall not be used as or constructed for a stable, cow-shed, goat-shed, sheep-pen or fowl-house, and any animal or bird shall not be housed or yarded within three hundred yards of high-water mark, or in such position that storm-waters may wash any manure or refuse therefrom into any

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reservoir or feeder. Every such structure within the catchment area shall have attached thereto for containing all liquid and solid manure a water-tight receptacle approved by the Inspector. Land sloping to a feeder on which any such structure stands shall be excavated to a depth of at least twelve inches, and the soil so obtained shall be used as an embankment around the area so excavated. Such work shall be done by and at the expense of the owner or occupier of such premises.

12. Cleaning of Outbuildings

The owner or occupier of any stable, cow-shed, goat-shed, sheep-pen, or fowl-house situated within the 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 and the 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 such notice to the satisfaction of the Inspector shall be guilty of an offence against these by-laws and liable to penalties for breach thereof.

13. Deodorant Shall Be Used

The occupier of every house or premises, whether public or private, shall cause to be kept in every closet or privy belonging thereto a box containing either ashes, dry earth, lime, sawdust, carbolic powder, or other disinfectant approved by the Minister or Inspector, and shall cause all nightsoil or other matter deposited in such pan or receptacle in such closet or privy to be immediately deodorised or disinfected with a sufficient quantity of the disinfectant kept in such box.

14. Treatment of Nightsoil

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 the Inspector.

15. Mode of Removal of Receptacles

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

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 Minister or the Inspector, in lieu of every pan so removed, and each pan shall be dealt with as prescribed in the next following clause hereof, that is to say: —

Each receptacle which shall have been 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 the 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 Minister or the Inspector. The said receptacles shall be emptied and perfectly cleansed once a week at the least, or so much more frequently as the Minister or the Inspector may from time to time direct.

16. Charges for Removal

Every nightman shall be 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 shall

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have been removed, such sum or sums of money as are specified in the contract or approved by the Minister, and shall not ask, demand, or receive more than the sums approved.

17. Licensing of Nightmen

Nightsoil shall not be removed from any closet, house, or premises within the area under the jurisdiction of the Minister, except by nightmen duly licensed by the Minister.

18. Private Contracts for Removal of Nightsoil

Individual householders shall not contract for the removal of nightsoil or any other refuse, or offensive matter whatever except with the person licensed by the Minister, and in accordance with these by-laws.

19. Keeping of Pigs

Pigs shall not be kept or be allowed to stray on any portion of the catchment area.

20. Straying of Animals

Horses, cattle, sheep, goats, ducks, geese, fowls, or other species of livestock shall not be allowed to stray or depasture over any portion of the catchment area, except with the permission of the Minister.

21. Keeping of Poultry

Poultry yards or premises for housing of poultry shall be kept at least 25 feet from any dwelling and shall be kept in clean condition and disinfected at least once a week with lime, ashes, or other suitable disinfectant.

22. Abattoirs and Slaughterhouses

Abattoirs or slaughterhouses shall not be established or conducted in any part of the catchment area.

23. Removal and Destruction of Carcasses

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 such animal shall be removed by the owner thereof to a safe distance from high-water mark, or any feeder, or to such place as the 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.

24. Receptacles for Refuse

- (a) The occupier of every house or premises shall provide and keep in a position approved by the Inspector, such and so many receptacles or boxes of the material and of the dimensions as may be required by the Minister or the Inspector for the temporary deposit of solid house refuse.
- (b) The owner or occupier of such house shall regularly collect all refuse, or rubbish from such premises, and place the same in receptacles and he shall not permit or suffer such receptacles to overflow or become offensive, and shall, when necessary or directed by the Inspector, thoroughly disinfect the same forthwith.
- (c) The owner or occupier of every house or premises in which a receptacle as aforesaid is attached or used shall cause same to be emptied at least once a week, or as often as the Inspector may direct. The owner or occupier of such premises shall keep such receptacle in good repair, and upon notice from the Inspector, immediately replace by a new and improved receptacle any receptacle that the Inspector may deem worn out or unfit for use.

25. Disposal of, and receptacles for Noisome Things

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 the catchment area, where it may, in the opinion of the Inspector, be carried by stormwater, into any feeder, but every occupier or owner shall provide and maintain proper watertight vehicles or receptacles fitted with close-fitting covers or lids for the purposes of carting or receiving same.

26. Location of Vehicles or Receptacles

All such vehicles or receptacles shall be kept in such convenient place to allow of ready removal as may be directed by the 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.

27. Reserve for Rubbish, etc.

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 Minister or the Inspector for that purpose.

28. Pollution of Streams, etc.

Bathing or washing of clothes or other articles in any stream, reservoir, aqueduct, or other waterworks within the catchment area, shall not be permitted, nor shall any person wash, throw, or cause 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.

29. Entry Private Premises by Officers of Minister

It shall be lawful for the Inspector or any assistants acting under the directions of the Inspector or other authorised officer, at his

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 within such land, house, or premises in breach of these by-laws, and to remove, or cause to be removed, anything thereon in breach of these by-laws, or to take such steps as he may deem necessary for carrying out these provisions. The cost of such removal or such other necessary act shall be borne by the owner or occupier of the premises upon which such breach shall occur.

30. Period for Compliance with Notices

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 Minister according to the nature of each case.

31. Cutting of Timber

No person, whether in possession of a timber cutter's license or not, shall cut or hew timber on any catchment area unless authorised so to do by the Minister.

32. Shooting, Hunting and Fishing Prohibited

Shooting or hunting any game or angling for or catching of fish shall not be permitted within the catchment area.

Division III

By-laws for Protecting the Water, Grounds, Works, etc., from Trespass and Injury

33. Trespassing Prohibited

Trespassing within the fenced-off ground adjacent to or reserved for Water Supply Works, or the entering without proper authority of any waterwork not open to the public, shall not be permitted.

34. Fouling or contaminating water prohibited

No person shall in any way foul or contaminate any water belonging to the Minister, 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.

35. Camping and Lighting of Fires

Camping or lighting of fires within the vicinity of any reservoir, except on land set apart for such purposes, shall not be permitted. The lighting of fires on any other reserves or fenced off land is absolutely prohibited.

36. Protection of Flora, Shrubs, etc.

The removal, plucking, or damaging of any wild flower, shrub, bush, tree, or other plant, growing on any land or reserve vested in the Minister, within half a mile of any reservoir, shall not be permitted.

37. Dogs Prohibited

Dogs shall not be permitted on any portion of the grounds in the vicinity of any waterworks.

38. Disposal of Refuse, etc.

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 the receptacles provided therefor.

39. Posting or Distribution of Bills, etc.

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.

40. Nuisances

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

41. Protection of Pipes

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 sign-boards.

42. Protection of Works from Injury

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 IV

Licensing of Plumbers

43. Plumbing Work shall be done by Licensed Plumbers

No person shall do, or cause to be done, any work within the water area in connection with the water supply of any premises, or in connection with any fitting or apparatus connected therewith, unless he shall have first been duly admitted by the Minister as a “licensed Water Supply Plumber.”

44. Description and Scope of Licenses

The conditions upon which licenses will be issued by the Minister are: —

- (a) The Minister will grant water supply plumbers' licenses, operative only in the area to which these by-laws apply to water supply plumbers upon the applicants satisfying the Minister that they are competent water supply plumbers and that they are fit and proper persons to hold such licenses, and the applicants may be required to submit to an examination in the theory and practice of plumbing work.
- (b) On condition that the certificate of the Department's Board of Examiners has been obtained, the prescribed payments made, and provided the Minister is satisfied that the applicant is a fit and proper person to hold such license, the Minister will grant water supply plumbers' licenses, operative in all areas administered by the Minister, excepting the metropolitan area and excepting areas open for sewerage connections; and will also grant water supply and sanitary plumbers' licenses, operative in all areas administered by the Minister.

45. Annual Fee for License

A fee of ten shillings shall be payable for every license except when a license is granted after the first day of July in any year, in which case the fee shall be five shillings.

46. Renewal of License

Licenses issued by the Minister under the by-laws and regulations shall be current only from the 1st January to the 31st December of the year of issue, and water supply plumbers shall apply for a renewal, and pay the necessary fee before the expiry of the year for which their existing license is current.

47. List of Licensed Plumbers shall be Published

A list of licensed water supply plumbers shall from time to time be published at the office of the Minister.

48. Breaches of By-laws by Plumbers

Any licensed water supply plumber offending against any by-law or regulation of the Minister, or who shall refuse to give any needful or proper information required by an officer of the Minister, either by himself or those employed by him, or who fails to complete any contract with the Minister or with a private owner within the time specified, shall be liable to a fine not exceeding twenty pounds, and he shall also show cause why his license shall not be suspended or cancelled. Any person who has been removed from the list shall not be re-admitted as a licensed water supply plumber until he shall have served the suspension order or paid such fine, not exceeding twenty pounds, as the Minister may determine.

49. Delay in Work

Plumbers shall execute any work they undertake with reasonable despatch; and any inconvenience to the public caused by licensed water supply plumbers by unnecessary delay in carrying out work will be rigorously dealt with by the Minister.

50. Damage to Pipes shall be Reported

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

51. Deposit and Declaration

Prior to issue of the license, the person to whom the same is to be issued shall deposit with the Minister a sum of five pounds,

which shall be retained during the currency of the license as a security for the proper performance of all work done by him and shall sign a declaration that he accepts such license subject to and in conformity with the conditions thereof and with the regulations of the Minister, and that he will conform and comply therewith.

52. Deductions from Deposit

The Minister may deduct from such deposit any fine inflicted or the expense of making good any bad work of the licensed water supply plumber or his workmen, and as often as any amount is so deducted the licensed water supply plumber shall make good the deposit to the sum of five pounds, and in default his license will be cancelled.

53. Change of Address to be Notified

Every licensed water supply plumber shall within 48 hours of any change of his address, give notice in writing to the Minister.

Division V

Water Supply Plumbing

54. Specifications of Pipes, Fittings and Apparatus for Private Services

In connection with the laying down, maintenance, alteration, or repair of every private service, the following conditions shall be observed by the owner or occupier of the premises: —

- (1) Except with the written consent of the Minister, only piping, fittings and apparatus of approved quality or that conforming to the Australian Standard Specification and tested and stamped by the Minister, shall be used for services, whether outside or inside the building line.
- (2) All pipes and fittings shall be of lead, wrought or malleable iron, copper, brass, cast iron, cement,

asbestos, or other approved material, provided that in any special case the Minister may give approval for the use of wooden pipes subject to such conditions as he may think fit. Where galvanised wrought iron pipes and fittings are used they shall be true in section, of uniform thickness, perfectly smooth on the inside and properly galvanised internally and externally.

- (3) A charge shall be made by the Minister for testing and branding all pipes, fittings and apparatus to be used in connection with water supply plumbing work.
- (4) Where lead pipes are used they shall be of drawn lead of equal thickness throughout, and of at least the respective weights following, viz: —

Diam. in inches.	lb. per yard.
3/8 in.	5
1/2 in.	6
3/4 in.	9
1 in.	12
1 1/4 in.	16
1 1/2 in.	20

- (5) Where wrought iron tubes are used they shall be butt welded or solid drawn or regular section with British standard thread, and of the following weights: —

Diam. in inches.	lb. per foot.
1/2 in.891
3/4 in.	1.262
1 in.	1.825
1 1/4 in.	2.581
1 1/2 in.	3.215
2 in.	4.093
2 1/2 in.	5.705
3 in.	6.741
4 in.	8.820

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- (6) Cast iron pipes shall conform to the Minister's standard specification for cast iron pipes for water supply.
- (7) Cement asbestos pipes shall conform to the Minister's specifications for asbestos cement pipes.
Australian standard to apply where Applicable
- (8) Copper or Brass Pipes suitable for Screwed Connections.

Nominal Bore Pipe	Nominal Outside Diameter	Actual Outside Diameter	Wall	Thickness	Inside Diameter of Tube	British Standard Pipe Thread	Number of Threads per inch	Wall Thickness at Root Thread	Calculated Weight
in.	in.	in.	S.W.G.	in.	in.	in.		in.	lb. per lin. ft.
1/8	3/8	.381	16	.064	.253	1/8	28	.042	.25
1/4	1/2	.515	14	.080	.355	1/4	19	.048	.42
1/2	13/16	.822	13	.092	.638	1/2	14	.048	.81
3/4	1 1/32	1.038	13	.092	.854	3/4	14	.048	1.05
1	1 9/32	1.289	12	.104	1.081	1	11	.056	1.49
1 1/4	1 5/8	1.630	12	.104	1.422	1 1/4	11	.056	1.92
1 1/2	1 7/8	1.862	12	.104	1.654	1 1/2	11	.056	2.21
2	2 5/16	2.335	11	.116	2.103	2	11	.064	3.12
2 1/2	2 15/16	2.948	11	.116	2.716	2 1/2	11	.064	3.97
3	3 7/16	3.456	10	.128	3.200	3	11	.072	5.15

- (9) Copper or Brass Pipes Suitable for Expanded Compression Couplings: —

Nominal Bore of Pipe	External Diameter	Wall Thickness	Calculated Weight
inches	inches	S.W.G.	lb. per lin. ft.
...	1/4	19	.10
1/2	1/2	19	.22
3/4	3/4	18	.41
1	1	18	.55
1 1/4	1 1/4	16	.92
1 1/2	1 1/2	16	1.11
1 3/4	1 3/4	16	1.31
2	2	16	1.50
2 1/2	2 1/2	14	2.34
3	3	14	2.83
3 1/2	3 1/2	12	4.28
4	4	12	4.91

- (10) Tees, thimbles, bends, reducing couplings, plugs, etc., shall be of the best material and manufacture, true in section, regular, and of equal thickness, properly and truly cut with the British standard thread, perfectly sound and new, and free from all defects.
- The tees, bends, tubes, etc., shall be capable of withstanding hydrostatic pressure of 300 lb. per square inch, shall be tested to this pressure by the duly authorised officer, and shall conform otherwise to the British standard specification existing at the time.
- (11) All joints between pipes, tees, bends, thimbles, couplings, elbows and cocks, etc., shall be made with flax or other approved jointing material. All joints on lead pipes shall be of the kind known as “wiped joints,” and all connections between lead and iron water pipes shall be made with brass couplings and wiped joints.
- (12) No pipe or other apparatus shall be laid through any sewer, drain, ashpit, cistern, or manure bin, or through, in, or into any place where, in the event of the pipe becoming unsound, the water conveyed through such pipe would be liable to be polluted or to escape without observation, unless such pipe or apparatus be laid through an exterior approved iron pipe or box of sufficient length and strength to afford due protection to the same and to bring any leakage or waste within easy detection.
- (13) All taps, stop-cocks, ball-cocks, valves, other fittings or apparatus used in connection with the supply of water shall be of approved types and capable of withstanding a pressure of 300 lb. per square inch and shall be tested and stamped by the duly authorised officer of the Minister before being fixed.
- (14) No valve or cock or apparatus of any description shall be permitted unless the construction of the same is such that a rise in pressure of not more than 10 lb. per square

inch shall occur when the valve, cock, or apparatus is closing.

- (15) Every cistern and tank shall be provided with an equilibrium ball valve and stopcock, and the overflow pipe shall be laid and fixed in a suitable manner, so as to discharge in some conspicuous place open to inspection.
- (16) No service pipe on private property below the ground surface shall be laid at a less depth than 18 inches, unless otherwise approved by the Minister.
- (17) No part of any service shall communicate directly with any vessel (other than approved apparatus for heating water for domestic purposes), except with the written permission of the Minister.
- (18) No part of any service shall communicate directly with any steam boiler or other vessel used for generating steam, or with any other vessel, in such manner that noxious liquids or gases can return into the main or service pipes.
- (19) Every water closet, urinal, slop hopper or other fixtures as directed by the Minister shall be supplied from the service pertaining to the building through an approved waste-preventing apparatus. No service pipe shall communicate directly with the fixture, or otherwise than with the cistern.
- (20) Unless otherwise approved by the Minister, the outlet of every fixture, such as baths, lavatory basins, kitchen sinks, etc., shall be distinct from and unconnected with the inlet, and the inlet shall be placed at least one inch above the highest water level of such fixtures. The outlet of every fixture shall be provided with a perfectly water-tight plug, and shall be constructed so as to prevent a waste of water.
- (21) Projection pieces between a bib tap and fitting on the end of a horizontal water service pipe shall not be

permitted unless so supported as to prevent the pipe and tap swinging downwards.

- (22) All taps over fixtures shall be so arranged that any drips from same will fall within the fixture.
- (23) Stand pipes not secured to buildings shall be securely fixed to an approved support fixed in the ground.
- (24) Pipes shall be secured to woodwork by means of approved galvanised clips and screws and to concrete, stone or brickwork with approved galvanised hooks or bolted clips.
- (25) Pipes shall be laid in a straight line and where change of direction occurs under ground bends shall be used.
- (26) In all cases where a water service pipe is attached to a cistern, lavatory basin, or any other plumbing fixture when directed by the responsible officer, the connection shall be made by means of an approved lead or annealed copper connection between the fixture and supply pipe, the length of which shall not be less than 15 inches over all.
- (27) Automatic siphons, etc. — No person shall fix any water ejector, automatic siphon, or other water power pumping appliance to the Minister's supply without the permission in writing of the Minister being first obtained. If approved, such apparatus shall be fixed only under such conditions as the Minister shall notify in writing.

55. Maintenance of Private Services

- (a) 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 bylaws.
- (b) The service pipe or apparatus within the boundary of the property being the property of the owner or occupier of the

property supplied by such service pipes or apparatus the occupier (if any) and if none, the owner shall, upon receiving notice that his service pipe or apparatus requires repairing, or is blocked up or broken, immediately proceed to repair the same by employing a licensed plumber, subject to the provisions of these by-laws, 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 ten pounds, and, in the event of continuing the offence, to a further penalty of two pounds for each day after receipt of such notice, and the Minister may stop the water from flowing into such premises, either by cutting off the service pipe, or otherwise as the Minister may see fit, until the necessary repairs shall have been effected.

- (c) Without prejudice to the right of the Minister to proceed for any penalty for the breach or non-observance of any of the provisions of this by-law, the Minister 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.

56. Interference within Three Feet of Stop-cock.

Licensed plumbers or other persons shall not, under any circumstances, disconnect the joints from the meter. No branch shall be taken off the service pipe within a distance of three feet on the consumer's side of the stop-cock or meter of the Minister.

Division VI

By-laws for General Purposes

57. Applications for Service

Applications for water services shall be made on the printed form procurable at the Head or Branch Offices, and shall be lodged not less than seven days before the service is required.

Full information, as indicated on the prescribed form, shall be supplied, and the full amount of rates and/or other charges due on the premises, to which a service is required, shall be paid on or before application and before the work is commenced.

58. Supply to Non-rated Premises

Any person or persons requiring a water service to any non-rated property may be supplied on payment of a minimum charge which shall be fixed by the Minister in each case. The minimum charge shall then take the place of a water rate, and the general provisions of these by-laws, as applying to ratepaying consumers, shall apply to minimum charge paying consumers.

59. Supply of Water Not Compulsory

It shall be at the discretion of the Minister to supply water to any individual consumer or to any land whether rated or not.

60. Separate Services required

Except with the written permission of the Minister, not more than one house or tenement shall be supplied from a single water service. The Minister may in special cases, consent to two 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 stopcock on such sub-service.

61. Size of Service Pipes

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

62. Notice of Intention to Build

The owner or occupier of any land supplied with water within a Water Area who shall erect or make, or cause to be erected or made, any building or addition to any existing building on such land shall, before the commencement of same, give notice in writing thereof to the Minister.

63. Obstruction of Pipes, Sewers, Drains or Fittings

- (1) Any person who, without the written consent of the Minister, erects or maintains any building or structure or causes any building or structure to be erected or maintained, or 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 Minister, 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 and be punishable on summary conviction by a penalty not exceeding twenty pounds, and in the case of a continuing breach of this by-law the offender shall be liable to a further penalty not exceeding five pounds for each day the offence continues after notice thereof has been given by or on behalf of the Minister to the offender.

- (2) The Minister may cause any building, structure, material, or thing erected, placed, maintained, or kept over any such pipe, sewer, drain or fitting in contravention of this by-law to be altered, pulled down, removed, or otherwise dealt with as he shall think fit.
- (3) Any person committing any breach of this by-law shall, in addition to any penalty imposed on him, pay any expense incurred by the Minister in consequence of such breach.

64. Locking of Taps, etc.

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

65. Illegal consumption of water

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

66. 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 specified.

67. Illegal Taking or Selling of Water

No person, whether entitled to receive water from the Minister or not, shall, without the written permission of the Minister, take, carry away, or allow to be taken or carried away, such water from his premises, or sell the same to any other person.

68. Connection of service pipes to other water supplies

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

69. Turning Off When Repairing and Tapping

The Minister 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 water area.

70. Reward — Reporting Leakage

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

71. Waste of Water

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

72. Limiting Supply

The Minister may at such times and for such purposes as he may deem necessary and expedient, prohibit the use of water for garden purposes and all purposes other than domestic and industrial, except with his permission in writing.

The Minister may also at and for such times and for such purposes as he may deem necessary and expedient, by notice in any newspaper circulating in the district, limit the use of water for any purpose and may prohibit the use of any hose or fixed or

other mechanical devices and/or sprinklers at such times and during such hours as he may deem fit.

Any person contravening this by-law shall be liable to a penalty not exceeding £20, and in the event of a continuing breach to a further penalty not exceeding £5, for each day such breach shall continue.

73. Fixing of Meters

Any officer appointed by the Minister for the purpose may fix a meter on any service, and shall determine the size and class of meter in each case. Meters will be supplied by the Minister, and may be open or encased, at the discretion of the Minister.

74. Repairs and Maintenance of Meters

- (a) Any person supplied with water through a meter belonging to the Minister shall pay the cost of making good all damage to such meter whilst on his land and in his charge. Any repairs required shall be done by the officers of the Minister, and the expense incurred by the Minister in so doing shall, on demand, be paid by the owner or occupier of the land, and if not paid on demand shall be recoverable in the same manner as water rates.
- (b) Any person supplied with water through a meter not owned by the Minister shall pay the cost of keeping such meter in repair, and shall pay in advance an annual maintenance fee equivalent to 75 per cent. of annual rental charge as prescribed in by-law No. 92.

75. Notice of Damage or Non-Registration of Meter Shall be Given

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

76. Interference with Meters

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

It shall be at the discretion of the Minister as to whether or not a meter shall be fixed in each case.

This by-law shall not apply to water for railway purposes.

77. Period for Reading

The quantity registered by a meter at any time between ten days before and ten days after any stated date may be taken as the reading of the meter at such stated date.

78. Averaging of Consumption

During the time any meter is undergoing repairs, or should it cease to properly register, the consumption of water, the Minister or any officer appointed by the Minister may, at his option, estimate the quantity of water consumed by taking an average of the quantity used during any previous period or by adopting any other basis of adjustment as the Minister may determine, and the quantity so ascertained shall be paid for by the consumer.

79. Testing of Meters

If any consumer shall at any time be dissatisfied with any particular reading of a meter, and be desirous of having the meter tested, he shall give written notice thereof to the Minister or his officer within seven days of such reading, and thereupon the said meter shall be tested by passing through it a

predetermined quantity of water, and if upon such testing it shall appear to the satisfaction of the Minister or his officer that the meter registered more than five per cent. in excess of the quantity that shall actually pass through it at such testing, then the Minister shall bear the expense of and incidental to such testing, and shall also adjust the charge to the said consumer, but if the meter upon such testing shall not register more than five per cent. in excess of the quantity that shall actually pass through it, then the consumer shall pay to the Minister all the expenses of and incidental to such testing, provided that the expense of every test shall be fixed by the Minister, subject to a minimum charge of ten shillings for each test; provided also, that the consumer shall not be at liberty to avail himself of the right to test the registration of the meter for any period other than the period of registration next preceding the date of reading in respect of which he shall have given notice as aforesaid.

80. Authority to Enter Premises

Any officer acting under the Minister'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. Any person refusing such admission or in any way hindering such officer in the execution of his duty shall be liable to a penalty as hereinafter prescribed.

81. Gratuities Prohibited

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

82. Standard Drawings and Fittings

Approved standard fittings and type drawings will be exhibited at the Minister's office. Due consideration will be given by the Minister to the claims of any other fittings which may be presented for approval, and, if considered satisfactory, the same

may be placed among and become one of the approved standard fittings. The Minister may, from time to time, amend, alter, or cancel any or all of the standard fittings or type drawings, and replace them by such other fittings or drawings as he may approve of.

83. Junction or Interference with Pipes and Fittings

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

84. Inspection of Works

Work shall not be undertaken in connection with water supply, or in the extension or alteration thereof, until such time as the necessary printed permit is obtained. Two days' notice shall in all cases be given by the licensed plumber before work is intended to be commenced, unless the officer of the Minister duly appointed to issue permits expressly accepts shorter notice. In no case shall any water pipes or apparatus in connection with water supply be used until the said work shall have been inspected, and, if necessary, tested by the said officer, and certified by him on the prescribed form. No underground or enclosed work shall be covered up or concealed from view until the same shall have been duly inspected and passed by the inspector, and for this purpose the person to whom the permit has been issued shall immediately report any work which is ready for inspection or test, and every facility shall be afforded to such officer for making such inspection or tests.

Division VII

Rates and Charges

85. Rating

- (a) Within the Wittenoom Water Area the water rate shall be, within townsites, at a rate not exceeding three shillings in the pound per annum upon the net annual value of all rateable land: Provided that a minimum rate of not exceeding one pound per annum shall be payable on each separately assessed piece of land.
- (b) In making rates a distinction may be made between occupied and vacant land, and in the event of a dispute as to whether or not land shall be regarded as vacant, the decision of the Minister shall be final in every case.

86. Rates — How Payable

Rates shall become due and payable yearly in advance on the first day of January. Provided that in all cases where a rate is made after the first day of January in any year the notice of the order for the making and levying of such rate, published in the “*Government Gazette*” and a newspaper, as provided by section 94 of the said Act, shall specify the minimum sum payable as rate as aforesaid, and the date or dates when the rates shall be due and payable, and such rate shall be and become due and payable in accordance with the terms of such notice.

87. Allowance for Rate

Subject to the provisions of these by-laws, every ratepayer will be entitled to consume on each separately assessed piece of land of which he is the owner or occupier that quantity of water which, if calculated at the price specified in the Schedule I hereto as being that at which water is supplied in return for the rate in the area in which such property is situated would amount to the equivalent of the water rate paid on each property,

provided that such water is taken during the period for which the rate is struck.

88. Currency

When, during the currency of the year in respect of which a water rate has been levied, a meter is attached to a pipe on any land supplied with water, the consumer shall pay for the quantity of water taken, as registered by the meter, from the time when the meter was attached, at the prescribed price per 1,000 gallons, so far as the water supplied is in excess of the quantity to which the consumer is entitled in respect of the proportionate part of the rate paid by him, apportioned to the period from the date when the meter was attached to the end of the then current year in respect of which the rate was paid.

89. Payment for Excess Water

Every consumer taking water in excess of the quantity to which he is entitled in respect of the rate or other charge in lieu of the rate shall pay for the excess in accordance with prices set forth in the Schedule I hereto.

90. Fees — State or Commonwealth Government Departments

For each water service for purposes of any State or Commonwealth Department there shall be payable, as a minimum annual fee in lieu of water rate, the sum of not less than one pound (£1) when the service is metered, and of not less than one pound ten shillings (£1 10s.) when the service is non-metered.

91. Fees for Additional Services

In any case where the owner or occupier of any separately rated piece of land requires more than one service to be installed for supplying water to such land, such additional service or services shall, at the discretion of the Minister, be installed on such occupier or owner paying in advance the cost of installation and

a fee of not less than one pound per annum in addition to meter rent, for each additional service. In return for such fee an equivalent quantity of water will be given in each year, in the same way as water is given in return for water rates.

92. Meter rents

Every person supplied with water by measure shall pay meter rent in advance according to the following scale unless the Minister shall otherwise determine: —

Size of Meter	Annual Rent			
	Inferential		Positive	
	Open	Encased	Open	Encased
	s.	s.	s.	s.
¼ inch	10	20	10	20
3/8 inch	10	20	10	20
½ inch	10	20	10	20
¾ inch	10	20	10	20
1 inch	15	30	25	50
1 ¼ inches	15	30	25	50
1 ½ inches	20	40	40	80
2 inches	25	50	60	120
3 inches	30	60	100	200
4 inches	40	80	130	260

93. Reconnection Fee

In every case in which the supply of water shall have been cut off by reason of non-payment of rates or other charges, or by reason of a defective service, or by request of the occupier or owner, or when, in the opinion of the Minister, or local officer, necessary to prevent waste of water, or for other reasons, a minimum fee of five shillings shall be charged before the service is reconnected, provided that where the cost of disconnection and reconnection exceeds the minimum fee the

actual cost of the disconnection and reconnection, as determined by the Minister, shall be charged, and shall be payable by the owner or occupier for the time being, on demand. The service shall not be restored until such fee has been paid.

94. Private Fire Services

Private fire services will be allowed, but every such service shall be sealed, except in cases where the Minister may decide that sealing is unnecessary. For each such service the owner or occupier shall pay in advance the actual cost of installation and a minimum annual fee and meter rent as determined by the Minister 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. 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 the bylaws. No water shall be taken from any sealed portion except for extinction of fire. In the event of the seal having been broken in case of fire or by accident or otherwise, the owner or occupier shall give notice forthwith to the Department and pay the cost of resealing.

95. Building Fees

Where water is required for building purposes the Minister may permit the supply thereof at prices as set forth in Schedule I hereto and on the following terms: —

- (a) All fees shall be paid in advance. If any work is done other than that mentioned at the time of applying to the Minister, the same shall be paid for in advance, or the whole supply will forthwith be cut off.
- (b) It shall be at the discretion of the Minister as to whether or not in any case a supply of water shall be classed as a supply for building purposes, and as to whether or not the supply shall be measured by meter.

- (c) Applications for water under this by-law shall be in writing, stating the nature of the work to be done and the purpose for which water is required.

96. When Accounts Due and Payable

Where water is supplied by measure to the owner or occupier of land, whether rated under the Act or otherwise, payment for same shall become due and payable within 14 days after due service of the account, unless otherwise agreed upon.

Division VIII

Penalties

97. Penalty for Breaches

Any person committing a breach of any of the foregoing by-laws to which no specific penalty is attached or who shall refuse or neglect to obey any injunction in any such by-law, or to comply with any requirements therein contained, shall, upon conviction, be liable to a penalty not exceeding [Pound]20, and, in case of continuing offence, a further penalty not exceeding [Pound]5, for each day after notice of such offence shall have been given by the Minister to such offender.

Schedule I

Schedule of Prices of Water

Purpose for which Water is Supplied or Class of Water Service, and Scale of Charges.

		Price per	
		1,000 gallons	
		s.	d.
1.	Water in return for amounts of rates paid or of minimum charges in lieu of rates	3.5	0
2.	Water supplied in each year in excess of quantity allowed for rate or minimum charge	2	0
Railways and other large Government services will be supplied under special agreement in each case			
3.	Building services (metered or non-metered) —		
	(a) Buildings, etc., brick, stone, concrete —		
		Amount of fee	
	If cost of building, etc —	s.	d.
	Under £50.....	5	0
	£50 and under £200	10	0
	£200 and under £1,000, one fourth per cent. on cost of building, etc., with minimum of	20	0
	£1,000 and over, one fourth per cent. on cost of building, etc., up to £1,000 plus one-tenth per cent. on cost over £1,000.		
	(b) Buildings, etc., wood and/or iron and asbestos with brick chimneys, or lath and plaster linings —		
	If cost of building —		
	Under £200	5	0
	£200 and under £500	10	0
	£500 and over	20	0

Note. — These charges shall apply to new buildings and to alterations and additions to existing buildings, also to wood and iron buildings without brick or plaster work if service is available before completion of construction of building. Should the Minister specially meter a service, water shall be allowed in return for building fee at 4s. per 1,000 gallons, and the applicant shall pay for all water consumed in excess of such allowance at the rate of 2s. per 1,000 gallons.

In cases where supply is drawn through an existing metered service, water shall be allowed in return for building fee at 4s. per 1,000 gallons.

4. Public water troughs and drinking fountains where the supply is metered the annual minimum charge shall be £1; where the supply is non-metered, the annual minimum charge shall be —

(a) Water troughs	50	0
(b) Drinking fountains	30	0

[Schedule I amended by Gazette 26 February 1954 p.314.]

Notes

- ^{1.} This is a compilation of the *Wittenoom Water Area By-laws* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Wittenoom Water Area By-laws</i>	10 Apr 1952 pp.922-930 26 Feb 1954 p.314	10 Apr 1952

These regulations were repealed by the *Statute Law Revision Act 2006* s. 3(1) (No. 37 of 2006) as at 4 Jul 2006 (see s. 2)
