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WATER AGENCIES (POWERS) ACT 1984

**WATER AGENCIES (WATER USE)
AMENDMENT BY-LAWS 2016**

WATER SERVICES ACT 2012

**WATER SERVICES LEGISLATION
AMENDMENT REGULATIONS 2016**

Water Agencies (Powers) Act 1984

Water Agencies (Water Use) Amendment By-laws 2016

Made by the Governor in Executive Council.

1. Citation

These by-laws are the *Water Agencies (Water Use) Amendment By-laws 2016*.

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 — when the *Water Services Legislation Amendment Regulations 2016* regulation 3 comes into operation.

3. By-laws amended

These by-laws amend the *Water Agencies (Water Use) By-laws 2010*.

4. By-law 3 amended

- (1) In by-law 3 delete the definitions of:
scheme water
scheme water supplier

Water Agencies (Water Use) Amendment By-laws 2016**bl. 5**

- (2) In by-law 3 in the definition of *domestic bore water* delete “*water*” and insert:

water or *water*

5. Part 2 Division 1A deleted

Delete Part 2 Division 1A.

6. Part 2 Division 1 heading deleted

Delete the heading to Part 2 Division 1.

7. Part 2 Division 2 heading deleted

Delete the heading to Part 2 Division 2.

8. Part 3 heading inserted

Before by-law 10 insert:

Part 3 — Exemptions from water restrictions

9. Parts 3 and 4 deleted

Delete Parts 3 and 4.

K. H. ANDREWS, Clerk of the Executive Council.

Water Services Act 2012

Water Services Legislation Amendment Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Water Services Legislation Amendment Regulations 2016*.

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 after that day.

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Part 2 — *Water Services Regulations 2013* amended**3. Regulations amended**

This Part amends the *Water Services Regulations 2013*.

4. Regulation 3 amended

In regulation 3(1) insert in alphabetical order:

Bunbury Water Corporation has the meaning given in the *Water Corporations Act 1995* section 3(1);

Busselton Water Corporation has the meaning given in the *Water Corporations Act 1995* section 3(1);

emergency purposes means the purposes referred to in regulation 52;

fire service connection means a water supply connection through which water is, or is to be, supplied exclusively for emergency purposes;

property connection point has the meaning given in section 71(1) of the Act;

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

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

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

water corporation licensee means a licensee that is a water corporation;

water supply service (fire) means a water supply service provided to land by a licensee by means of a fire service connection;

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5. Regulation 20 replaced

Delete regulation 20 and insert:

20. Terms used

In this Part —

associated fittings, in respect of a meter connected to the water service works of a licensee, includes anything attached by the licensee to the meter for the purpose of, or to assist in, any of the following —

- (a) reading the information registered by the meter;
- (b) generating, storing or sending information registered by the meter;
- (c) recording information registered by the meter;

information means information in the form of data, text, images or sound.

6. Part 4 Division 2 heading amended

In the heading to Part 4 Division 2 after “**Meters**” insert:

and associated fittings

7. Regulation 21 replaced

Delete regulation 21 and insert:

20A. This Division does not apply to all licensees

This Division, other than regulation 26, applies to, and in respect of, the following licensees only —

- (a) a water corporation licensee;

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- (b) Hamersley Iron Pty Ltd
(ABN 49 004 558 276);
- (c) Robe River Mining Company Pty Ltd
(ABN 71 008 694 246).

21. Licensee may determine size of meter and, if required, type of associated fittings

A licensee may, from time to time according to operational requirements, determine either or both of the following —

- (a) the size of the meter to be connected to water service works with which the licensee provides a water service;
- (b) whether or not any associated fittings are required for the meter, and if so, the type of fittings.

8. Regulation 23 replaced

Delete regulation 23 and insert:

23. Meters in multi-unit developments

- (1) If a water supply service is, or is to be, provided by a licensee in respect of a multi-unit development, the licensee may install a meter to measure the quantity or flow of water passing through a pipe supplying water to a unit in the development (the *unit*), at the request of —
 - (a) the owner of the land; or
 - (b) if the multi-unit development is a strata scheme or a survey-strata scheme — the strata company for the scheme.

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- (2) A person who made a request under subregulation (1) in relation to a unit in a multi-unit development, or an owner of such a unit, may request the licensee to assess whether a meter installed for the unit is satisfactory for the purpose of measuring the quantity or flow of water passing through a pipe supplying water to the unit.
- (3) If, as a result of a request under subregulation (2), the licensee determines that the meter is satisfactory, the person who made the request is liable to pay —
 - (a) if the licensee is the Bunbury Water Corporation — the charge set out in the *Water Services (Water Corporations Charges) Regulations 2014* Schedule 1 item 8; and
 - (b) if the licensee is the Water Corporation — the charge set out in the *Water Services (Water Corporations Charges) Regulations 2014* Schedule 7 item 2.
- (4) If the licensee determines that the meter is not satisfactory, the licensee may remove that meter and install another meter to measure the quantity or flow of water passing through a pipe supplying water to the unit.
- (5) If a meter is installed under subregulation (1) or (4), the person who requested the meter, or requested that the meter be assessed, as is relevant, is liable to pay —
 - (a) if the licensee is the Bunbury Water Corporation — the charge set out in the *Water Services (Water Corporations Charges) Regulations 2014* Schedule 1 item 7; and
 - (b) if the licensee is the Water Corporation — the charge set out in the *Water Services (Water Corporations Charges) Regulations 2014* Schedule 7 item 1.

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9. Regulation 24 amended

Before regulation 24(1) insert:

- (1A) In this regulation —
meter includes any associated fittings attached to the meter.

Note: The heading to amended regulation 24 is to read:

Access to meters and their associated fittings

10. Regulation 25 amended

Before regulation 25(1) insert:

- (1A) In this regulation —
meter includes any associated fittings attached to the meter.

Note: The heading to amended regulation 25 is to read:

Damage to, and malfunction of, meters and their associated fittings

11. Regulation 26 amended

In regulation 26(4):

- (a) in paragraph (a) delete “item 9; or” and insert:

item 9; and
- (b) delete paragraph (b).

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12. Part 4 Division 3 Subdivision 1 heading inserted

At the beginning of Part 4 Division 3 insert:

**Subdivision 1 — Land to which duty to give notice of
proposed building work does not apply**

13. Regulations 27 and 28 replaced

Delete regulations 27 and 28 and insert:

27. Terms used

In this Subdivision —

farmland includes land described in paragraph (a) of the definition of *farmland* in regulation 3(1);

unallocated Crown land has the meaning given in the *Land Administration Act 1997* section 3(1);

unmanaged reserve has the meaning given in the *Land Administration Act 1997* section 3(1).

28. Notification of building work: excluded land

For the purposes of section 82(3) of the Act, a person is not required to give notice under section 82(1) of the Act in respect of the construction, alteration or demolition of a building on the following prescribed types or areas of land —

- (a) unallocated Crown land and unmanaged reserves;
- (b) land in the operating area of a licence held by the Water Corporation that is farmland — if the notice would otherwise be required to be given to the Water Corporation;

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- (c) land in the operating area of a licence held by the Busselton Water Corporation — if the notice would otherwise be required to be given to the Busselton Water Corporation;
- (d) land in the operating area of a licence held by the Bunbury Water Corporation — if the notice would otherwise be required to be given to the Bunbury Water Corporation.

14. Part 4 Division 3 Subdivision 2 inserted

Before section 29 insert:

Subdivision 2 — Subdividing lots: deferring infrastructure contributions and concessions on water service charges**28A. This Subdivision applies to water corporation licensees only**

This Subdivision applies to, and in respect of, water corporation licensees only.

28B. Terms used

In this Subdivision —

developer, of a subdivision, means a person referred to in section 83(3) of the Act who is required to pay an infrastructure contribution in respect of the subdivision of land;

habitable lot means a lot that has on it a building that is used, or suitable to be used, for residential purposes;

infrastructure contribution has the meaning given in section 71 of the Act;

lot does not include a lot in relation to a strata scheme, unless the lot is a vacant lot;

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subdivided lot means a lot created by the subdivision of land into 2 or more lots, each of which —

- (a) is in an operating area that is specified in a licence for water supply or sewerage services; and
- (b) is not a habitable lot; and
- (c) has neither a water supply connection nor a property sewer connection; and
- (d) if the area of the lot is 2 000 m² or less — is to be used for residential purposes or for purposes that include residential purposes; and
- (e) if the area of the lot is more than 2 000 m² — is to be used for a building or group of buildings that —
 - (i) is, or are, to be used solely for residential purposes; and
 - (ii) contain a number of separate residential units;

vacant lot has the meaning given in the *Strata Titles Act 1985* section 7(6).

15. Regulation 29 amended

- (1) Delete regulation 29(1) and (2) and insert:

- (1) A licensee must, on the written request of a developer who is required to pay the licensee an infrastructure contribution in respect of a subdivided lot, defer the payment of the contribution unless subregulation (3) or (4) applies.

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- (2) In regulation 29(3) delete “allow the requirement to be deferred” and insert:

defer the payment of the infrastructure contribution

- (3) In regulation 29(4) delete “mortgage is registered against land, a requirement to pay an infrastructure contribution in respect of the land” and insert:

subdivided lot is subject to a mortgage, payment of an infrastructure contribution in respect of the lot

- (4) In regulation 29(5) delete “requirement” and insert:

payment of an infrastructure contribution in respect of a subdivided lot

- (5) In regulation 29(6) delete “the requirement to pay it ceases to be deferred,” and insert:

deferment of the payment ceases, then

- (6) In regulation 29(7):

- (a) delete “requirement to” and insert:

payment of an infrastructure contribution in respect of a subdivided lot to

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- (b) delete “requirement or” and insert:

payment or

- (7) In regulation 29(8) delete “requirement” and insert:

payment of an infrastructure contribution in respect of a
subdivided lot

- (8) In regulation 29(10) delete “lot” (1st occurrence) and insert:

subdivided lot

16. Regulation 30 amended

- (1) Delete regulation 30(1) and (2) and insert.

- (1) Water service charges in respect of a subdivided lot are
not payable to a licensee for any period that is a
concessional period in respect of that lot.

- (2) In regulation 30(3) delete “for the lot” and insert:

for a subdivided lot

17. Regulation 31 amended

- (1) In regulation 31 delete the definition of *vehicle*.

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- (2) In regulation 31 insert in alphabetical order:

vehicle has the meaning given in the *Road Traffic (Administration) Act 2008*;

water supply works of a licensee has the meaning given in section 71 of the Act.

18. Regulation 34A inserted

At the beginning of Part 4 Division 4 Subdivision 2 insert:

34A. This Subdivision does not apply to all licensees

This Subdivision, other than regulation 38, applies to, and in respect of, the following licensees only —

- (a) a water corporation licensee;
- (b) Hamersley Iron Pty Ltd
(ABN 49 004 558 276);
- (c) Robe River Mining Company Pty Ltd
(ABN 71 008 694 246).

19. Regulation 38A inserted

At the beginning of Part 4 Division 4 Subdivision 3 insert:

38A. This Subdivision does not apply to all licensees

This Subdivision applies to, and in respect of, the following licensees only —

- (a) a water corporation licensee;
- (b) Hamersley Iron Pty Ltd
(ABN 49 004 558 276);

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- (c) Robe River Mining Company Pty Ltd
(ABN 71 008 694 246).

20. Regulation 40A inserted

After regulation 40 insert:

40A. Protecting potable water supply reservoirs

- (1) In this regulation —

high water mark, for a reservoir, means the highest level that water can rise to in the reservoir before being released through a spillway or over the reservoir wall;

prohibited area, for a reservoir, means all of the water and land below the high water mark for the reservoir;

reservoir, of a licensee, means a dam, weir or reservoir that is —

- (a) for the storage of water for potable water supply services; and
- (b) located in an operating area that is specified in the licensee's licence for potable water supply services;

take, an animal, includes by shooting, hunting, trapping or fishing.

- (2) A person must not, without lawful authority, take, or attempt to take, any animal in a prohibited area for a licensee's reservoir.

Penalty for this subregulation: a fine of \$4 000.

21. Regulation 45 deleted

Delete regulation 45.

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22. Regulation 46 amended

In regulation 46(1) and (2) after “the Act,” insert:

and a prescribed proximity provided for in subregulation (3),

23. Regulation 47 amended

In regulation 47(3) delete “water service works —” and insert:

the water service works prescribed under subregulation (2) —

24. Regulation 48 deleted

Delete regulation 48.

25. Regulation 50 deleted

Delete regulation 50.

26. Part 4 Division 5 replaced

Delete Part 4 Division 5 and insert:

Division 5 — Fire service connections and fire hydrants**Subdivision 1 — Fire service connections****51A. This Subdivision applies to water corporation licensees only**

This Subdivision applies to, and in respect of, water corporation licensees only.

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51B. Water supplied through fire service connection to be used only for emergency purposes

- (1) A person must not use water supplied through a fire service connection other than for emergency purposes.
Penalty for this subregulation: a fine of \$1 000.
- (2) An owner of land to which a water supply service (fire) is provided must ensure that water supplied to the land through the fire service connection is not used other than for emergency purposes.
Penalty for this subregulation: a fine of \$1 000.
- (3) This regulation does not apply if the water used was taken, or permitted to be taken, under section 89 of the Act.

51C. Seals on water service connections

As soon as practicable after becoming aware that any seal affixed by the licensee to a fire service connection through which water is, or is to be, supplied to land is broken, the owner of the land must inform the licensee in writing.

Penalty: a fine of \$1 000.

Subdivision 2 — Fire hydrants

52. Taking water from fire hydrants: emergency purposes

For the purposes of section 97(1) of the Act, the following are prescribed purposes —

- (a) fire fighting;
- (b) dealing with an emergency (including a hazardous materials spill) other than a fire;
- (c) essential training for fire fighting;

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- (d) testing fire fighting equipment;
- (e) testing a fire service connection.

27. Part 4 Division 6 heading replaced

Delete the heading to Part 4 Division 6 and insert:

Division 6 — Discharge of trade waste

28. Part 4 Division 6 Subdivision 1 deleted

Delete Part 4 Division 6 Subdivision 1.

29. Part 4 Division 6 Subdivision 2 heading deleted

Delete the heading to Part 4 Division 6 Subdivision 2.

30. Regulation 59 deleted

Delete regulation 59.

31. Regulation 63A inserted

At the beginning of Part 4 Division 9 insert:

63A. This Division applies to water corporation licensees only

This Division applies to, and in respect of, Water Corporation licensees only.

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Water Services Regulations 2013 amended **Part 2**

r. 32

32. Regulation 65 amended

In regulation 65(4):

(a) in paragraph (b)(i) delete “item 10; or” and insert:

item 10; and

(b) delete paragraph (b)(ii).

33. Part 5 heading amended

In the heading to Part 5 after “**restrictions**” insert:

and water management efficiency plans

34. Part 5 Division 1 heading inserted

At the beginning of Part 5 insert:

Division 1 — Water use restrictions for scheme water

35. Regulation 76 amended

In regulation 76 delete “Part —” and insert:

Division —

Water Services Legislation Amendment Regulations 2016**Part 2** Water Services Regulations 2013 amended**r. 36**

36. Regulation 79 amended

In regulation 79(1):

- (a) in paragraph (f) delete “to the extent necessary for fire fighting; or” and insert:

for emergency purposes.

- (b) delete paragraph (g).

37. Regulation 80 amended

In regulation 80(6) delete “on the 90th day” and insert:

6 months

38. Part 5 Division 2 inserted

At the end of Part 5 insert:

**Division 2 — Water efficiency management plans for
water supplied by certain licensees**

Subdivision 1 — Preliminary

80A. This Subdivision does not apply to all licensees

This Division applies to, and in respect of, water supplied by the following licensees only —

- (a) a water corporation licensee;
- (b) Hamersley Iron Pty Ltd
(ABN 49 004 558 276);
- (c) Robe River Mining Company Pty Ltd
(ABN 71 008 694 246).

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80B. Terms used

In this Division —

approved plan, in relation to a consumer, means a water efficiency management plan for a non-residential lot —

- (a) to which a water supply service is provided by a licensee; and
- (b) in respect of which an approval is in effect under regulation 80I;

consumer, in relation to a licensee that provides a water supply service to a non-residential lot, means any of the following —

- (a) an owner of the lot;
- (b) an occupier of the lot;
- (c) another person who —
 - (i) is liable under the Act, or under an agreement with the owner of the lot, to pay the whole or a part of the water service charges for, or in relation to, the provision of that service; or
 - (ii) is authorised by an owner of the lot to receive bills for water service charges for, or in relation to, the provision of that service;

consumption year, in relation to a non-residential lot —

- (a) in relation to a licensee that is a water corporation — has the meaning given in respect of that water corporation under the *Water Services (Water Corporations Charges) Regulations 2014*; or
- (b) in relation to other licensees — means a financial year;

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non-residential lot has the meaning given in the *Water Services (Water Corporations Charges) Regulations 2014* regulation 6;

revised plan means a water efficiency management plan revised under regulation 80F, 80G(3) or 80H(3)(b);

water efficiency management plan or **plan** means a plan described in regulation 80C.

80C. What is a water efficiency management plan

- (1) A water efficiency management plan is a plan for ensuring that water supplied by a licensee to a non-residential lot is used as efficiently as practicable.
- (2) A water efficiency management plan submitted by a consumer must —
 - (a) be in a form approved by the licensee; and
 - (b) be in compliance with any notice given to the consumer under regulation 80E(1), 80G(1) or 80H(1)(c); and
 - (c) contain the following —
 - (i) the full name and address of each owner and occupier of the non-residential lot the subject of the plan;
 - (ii) a description of the nature of any business or other work being conducted on that lot;
 - (iii) details of the measures comprising the plan, including proposed timeframes for implementing each of those measures;
 - (iv) the estimated savings in water use under the plan;

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- (v) the substance of the most recent report (if any) prepared under regulation 80L or 80M in relation to the lot.

80D. Extension of time to comply with certain provisions

- (1) This regulation applies where —
 - (a) it is an offence under regulation 80E(2), 80G(3), 80H(3), 80L(1) or (4) or 80M(2) (the *offence*) for a consumer to fail to submit a plan or report or to provide further information to a licensee, within a specified period (the *period*); and
 - (b) in a particular case it is not practicable for the consumer to submit the plan or report or to provide the further information within the period.
- (2) A consumer may, before the end of the period, make a written application to a licensee to extend a period.
- (3) The licensee may, on an application under this regulation, extend the period.
- (4) The consumer does not commit the offence if the consumer provides the plan, report or information, as is relevant, to the licensee within the extended period.

Subdivision 2 — Requirements to provide water efficiency management plans

80E. Licensee may require a water efficiency management plan

- (1) A licensee may, by written notice given to a consumer, require the consumer to prepare and submit to the licensee for approval a water efficiency management plan for a consumption year (the *plan year*) for a

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non-residential lot to which the licensee provides a water supply service unless —

- (a) the lot was supplied by the licensee with less than 20 mL of water in the consumption year immediately before the plan year; or
 - (b) there is currently an approved plan for the non-residential lot.
- (2) A consumer given notice under subregulation (1) must prepare a water efficiency management plan in accordance with the notice and submit it to the licensee for approval within 90 days after the day the notice is given to the consumer.

Penalty for this subregulation: a fine of \$2 000.

80F. Revised plans

A consumer who has submitted a water efficiency management plan for a non-residential lot to a licensee may prepare a revised plan for the lot and submit it to the licensee for approval at any time, whether or not there is currently an approved plan for the lot.

80G. Licensee may require revised plan in some circumstances

- (1) A licensee may, by written notice given to a consumer who has an approved plan, require the consumer to prepare and submit to the licensee for approval a revised water efficiency management plan in respect of a non-residential lot if —
- (a) since the approval of the current approved plan for the lot there has been a significant change in —
 - (i) the use of water supplied to the lot; or
 - (ii) the quantity of water available for supply to the lot;

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or

- (b) the licensee is of the opinion that it is necessary or desirable to revise the approved water efficiency management plan —
 - (i) on the basis of a report under regulation 80L(1) or 80M(1); or
 - (ii) for any other reason.
 - (2) Notice given under subregulation (1) may specify measures that are to be included in the revised plan, including timeframes for implementing each specified measure.
 - (3) A consumer given notice under subregulation (1) must prepare a revised plan in accordance with the notice and submit it to the licensee within 60 days after the day the notice is given to the consumer.
- Penalty for this subregulation: a fine of \$2 000.

Subdivision 3 — Approval of water efficiency management plans

80H. Approval of water efficiency management plan

- (1) Within 60 days after a water efficiency management plan, or a revised plan, is submitted by a consumer the licensee must, by written notice given to the consumer —
 - (a) approve the plan in the form submitted; or
 - (b) request further information from the consumer relating to the plan, including the consumer's comments on any specific amendments to the plan the licensee considers might be necessary and specifies in the notice; or
 - (c) request a revised plan in accordance with any instructions specified in the notice.

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- (2) If a consumer submits to a licensee a revised plan in respect of a non-residential lot while the licensee is considering a plan already submitted by the consumer in respect of the lot (the *earlier plan*) then the licensee is not required to comply with subregulation (1) in respect of the earlier plan.
- (3) Within 30 days after receiving a notice under subregulation (1)(b) or (c), the consumer must comply with the notice.

Penalty for this subregulation: a fine of \$2 000.

80I. Period for which approval has effect

The approval of a water efficiency management plan for a non-residential lot has effect for a period commencing on and from the day on which the plan is approved under regulation 80H(1)(a) until whichever of the following occurs first —

- (a) the consumer that submitted the plan for approval to the licensee ceases to be a consumer of the licensee in respect of the lot;
- (b) the approval is revoked under regulation 80J;
- (c) a revised plan is approved under regulation 80H(1)(a);
- (d) a period of 5 years elapses after the approval was given.

80J. Revocation of approval of plan

- (1) A consumer may, in a form approved by the licensee, make an application for the licensee to revoke the approval of a water efficiency management plan.

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r. 38

- (2) On an application under subregulation (1), the licensee may revoke an approval if satisfied that —
 - (a) the lot was supplied with less than 20 mL of water in the consumption year immediately before the consumption year in which the application was made; and
 - (b) the consumer intends to use less than 20 mL of water in the consumption year in which the application is made.

Subdivision 4 — Consumer to comply with approved plan and to report to licensee

80K. Consumer must comply with approved plan

A consumer that has an approved plan for a non-residential lot must comply with the plan.

Penalty: a fine of \$2 000.

80L. Annual report on approved plan

- (1) A consumer is to prepare and submit to the licensee a report (the *annual report*) on the efficacy of an approved plan for a non-residential lot for every year that the plan has effect under regulation 80I, within 60 days of the anniversary of the day on which the consumer received notice under regulation 80E(1), to prepare and submit a plan for the lot.
Penalty for this subregulation: a fine of \$2 000.
- (2) An annual report is to be in a form approved by the licensee and is to —
 - (a) compare the use of water supplied to the lot during the period to which the report relates against the estimated savings in water use under the plan for that period; and

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- (b) contain any other information relating to the efficacy of the plan that the licensee reasonably requires, as specified in —
 - (i) any notice given to the consumer under regulation 80E(1), 80G(1) or 80H(1)(b) or (c); or
 - (ii) any other written notice served on the consumer for the purposes of this paragraph.
- (3) Within 90 days after an annual report is submitted to a licensee, the licensee may, by written notice given to the consumer, request any further information from the consumer relating to the efficacy of the plan that the licensee reasonably requires.
- (4) Within 30 days after receiving a notice under subregulation (3), the consumer must comply with the notice.

Penalty for this subregulation: a fine of \$2 000.

80M. Other reports on approved plan may be required by licensee

- (1) If a licensee suspects, on reasonable grounds, that a consumer has not complied, or is not complying, with an approved plan, the licensee may, by written notice given to the consumer, require the consumer to prepare and submit to the licensee a written report on the implementation of the plan.
- (2) Within 30 days after receiving a notice under subregulation (1), the consumer must comply with the notice.

Penalty for this subregulation: a fine of \$2 000.

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39. Regulation 83A inserted

After regulation 83 insert:

83A. Exempt works

Water service works, other than major works as defined in section 132 of the Act, are prescribed for the purposes of section 135(1)(f) of the Act if the works are exempt works under paragraph (b)(iii) of the definition of *exempt works* in the *Water Agencies (Powers) Act 1984* section 86.

40. Part 7 Division 2 inserted

At the end of Part 7 insert:

Division 2 — Provisions for the *Water Services Legislation Amendment Regulations 2016*

97. Terms used

In this Division —

commencement day means the day on which the *Water Services Legislation Amendment Regulations 2016* regulation 3 comes into operation;

former approved plan means a scheme water efficiency management plan an approval for which was in force under the former provisions immediately before commencement day;

former provisions means the *Water Agencies (Water Use) By-laws 2010* Part 3 as in force immediately before commencement day.

Water Services Legislation Amendment Regulations 2016**Part 2** Water Services Regulations 2013 amended**r. 40**

98. Scheme water efficiency management plans

On and after commencement day —

- (a) a former approved plan continues to have effect according to its terms as if it was an approved plan under Part 5 Division 2 of these regulations;
- (b) a scheme water efficiency management plan, a revised plan or an amended plan, submitted to a licensee, but not dealt with under by-law 21 of the former provisions, immediately before commencement day is to be dealt with as if it had been submitted under these regulations;
- (c) a notice given under by-law 20(2), 21(2), 25(2), 27(1) or 29(2)(b)(ii) or (3) of the former provisions that has not been complied with before commencement day continues to have effect according to its terms as if it was a notice given under regulation 80E(1), 80G(1), 80H(1)(b) or (c), 80L(2)(b)(ii) or (3) or 80M(1) of these regulations respectively;
- (d) a report about a former approved plan submitted under by-law 25 or 29 of the former provisions is taken to be a report made under regulation 80L(1) or 80M(1) of these regulations respectively.

Water Services Legislation Amendment Regulations 2016
Water Services Regulations 2013 amended **Part 2**

r. 41

41. Schedule 5 Division 1 amended

(1) In Schedule 5 Division 1 insert in numerical order:

r. 39(1)	Entering, swimming, bathing or washing anything in water supply works	\$400
r. 39(2)	Without lawful authority, bringing an animal, or allowing an animal to enter or remain, on land where water supply works of a licensee are provided or are located and that is not open to the public	\$400
r. 40(1)	Without lawful authority, camping on land controlled by a licensee or on which water service works are located other than in an area designated by authorised signs and in accordance with those signs	\$400
r. 40(2)	Without lawful authority, lighting, kindling, maintaining or using a campfire, barbeque or portable stove, or assisting another person to do so, on land controlled by a licensee or on which water service works are located other than in an area designated by authorised signs	\$400
r. 40A(2)	Without lawful authority, taking, or attempting to take (including by shooting, hunting or fishing) an animal in a prohibited area for a licensee's reservoir	\$400
r. 41(2)	Littering on land controlled by a licensee or where water service works are located	\$200

Water Services Legislation Amendment Regulations 2016**Part 2** Water Services Regulations 2013 amended**r. 42**

r. 51B(1)	Using water supplied through a fire service connection other than for emergency purposes	\$100
r. 51B(2)	Owner of land failing to ensure that water supplied through a fire service connection is used only for emergency purposes	\$100

- (2) In Schedule 5 Division 1 delete the item for “r. 53(2)”.

42. Schedule 5 Division 2 amended

In Schedule 5 Division 2 Form 1 delete:

Issuing officer	Name	
	Office	
	Signature	

and insert:

Issuing officer	Name	
	Office	

Water Services Legislation Amendment Regulations 2016
Water Services (Water Corporations Charges) Regulations **Part 3**
2014 amended

r. 43

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

43. Regulations amended

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

44. Regulation 3 amended

- (1) In regulation 3 delete “In” and insert:

(1) In

- (2) In regulation 3 delete the definitions of:

eligible pensioner

multi-unit development

water supply connection

- (3) In regulation 3 insert in alphabetical order:

eligible pensioner means a person to whom the *Rates and Charges (Rebates and Deferments) Act 1992* section 23(1), (2), (3), (4A) or (5) or 24 applies;

garden service connection means a water supply connection through which water is, or is to be, supplied exclusively for the purposes of watering a lawn and garden —

- (a) on land on which a dwelling is located, or is proposed to be located; and
- (b) in a street or road adjoining that land;

Water Services Legislation Amendment Regulations 2016

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

r. 45

- (4) In the definition of *vacant land* delete “section 4(1);” and insert:

section 4(1).

- (5) At the end of regulation 3 insert:

- (2) If a term is given a meaning in the *Water Services Regulations 2013*, it has the same meaning in these regulations unless the contrary intention appears in these regulations.

45. Regulation 11 amended

In regulation 11 delete the definition of *fire service connection*.

46. Regulation 16 amended

In regulation 16 delete the definitions of:

farmland

metropolitan area

sewer junction

47. Regulation 29 amended

In regulation 29 delete “of 11.88% per annum.” and insert:

set out in the *Water Services Regulations 2013* regulation 82.

Water Services Legislation Amendment Regulations 2016
Water Services (Water Corporations Charges) Regulations **Part 3**
2014 amended

r. 48

48. Regulation 46 amended

In regulation 46(2)(a) delete “website (as defined in the *Water Services Regulations 2013* regulation 3(1)); and” and insert:

website; and

49. Schedule 1 item 7 amended

In Schedule 1 item 7 delete “development,” and insert:

development under the *Water Services Regulations 2013* regulation 23(5),

50. Schedule 2 item 5 replaced

Delete Schedule 2 item 5 and insert:

5. Fire service connections

In respect of a fire service connection, the
charge is \$198.42

51. Schedule 2 item 9 replaced

Delete Schedule 2 item 9 and insert:

9. Water supply service (fire)

For each kilolitre of water supplied through a
fire service connection, the charge is \$2.04

Water Services Legislation Amendment Regulations 2016**Part 3** Water Services (Water Corporations Charges) Regulations
2014 amended**r. 52**

52. Schedule 3 item 12 amended

Delete Schedule 3 item 12(2)(b) and insert:

- (b) a garden service connection; and

53. Schedule 3 item 15 replaced

Delete Schedule 3 item 15 and insert:

15. Garden service connections

- (1) In respect of a garden service connection for water supplied to land —
- (a) in the suburb of Butler in the metropolitan area —
- (i) for land with an area of less than 400 m², the charge is \$79.69
- (ii) for land with an area equal to or greater than 400 m², the charge is \$159.38;
- and
- (b) in the suburb of Mulataga in the town of Karratha, the charge is \$51.86
- (2) The charge under subitem (1) is in addition to any other charge applicable to the land under this Schedule.

54. Schedule 3 item 22 replaced

Delete Schedule 3 item 22 and insert:

22. Fire service connections

In respect of a fire service connection, the charge is \$236.22

Water Services Legislation Amendment Regulations 2016
Water Services (Water Corporations Charges) Regulations **Part 3**
2014 amended

r. 55

55. Schedule 3 item 26 amended

In Schedule 3 item 26(2) delete “covered by item 15.” and insert:

through a garden service connection.

56. Schedule 3 item 37 replaced

Delete Schedule 3 item 37 and insert:

37. Garden service connection in Mulataga, Karratha

For each kilolitre of water supplied
through a garden service connection in
the suburb of Mulataga in the town of
Karratha, the charge is 158.6 cents

57. Schedule 7 item 1 amended

In Schedule 7 item 1 delete “regulation 23(1)” and insert:

regulation 23(5)

58. Schedule 7 item 16 replaced

Delete Schedule 7 item 16 and insert:

16. Plans of sewerage works

For a copy of a plan of sewerage works of the Water
Corporation —

- (a) in electronic form — the
charge is \$17.93

