

WESTERN AUSTRALIA.



ANNO TERTIO

EDWARDI SEPTIMI REGIS,

XXVIII.

No. 13 of 1904.

AN ACT to enable the purpose of Permanent Reserve No. 1667A[^], and portions of Permanent Reserves No. 4228A[^] and No. 4991A[^], to be changed.

[Assented to 16th January, 1904.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. PERMANENT reserve numbered 1667A[^], known as Melville Lots 1, 2, 3, 4, 5, 6, 44, 45, and 46, containing twelve acres three roods and five perches, and now dedicated to the purpose of recreation, is dedicated to the purpose of an Old Men's Depôt site, and the area is amended by adding thereto Melville Lot 144, comprising one acre and thirty-four perches.

Change of purpose
of reserve 1667A[^].

2. THE South-Western portion of permanent reserve numbered 4228A[^], known as Swan Location 2032, containing one acre one rood and thirty-three perches, and now dedicated to the purpose of recreation, is excised from the said reserve and dedicated to the purpose of water supply.

Change of purpose
of portion of reserve
4228A[^].

Change of purpose
of portion of reserve
4991AΛ.

3. PORTION of permanent reserve numbered 4991AΛ, known as portion of Bunbury Town Lot 352, containing one acre and twenty-six perches, and now dedicated to the purpose of park lands, is excised from the said reserve and dedicated to the purpose of a show ground.

The Metropolitan Water and Sewerage Act, 1904

(No. 14 of 1904).

ARRANGEMENT.

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4. Interpretation.
5. (1.) Metropolitan Water Works Board to cease to exist.
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PART II.—THE AREA AND DISTRICTS.

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7. Power to alter boundaries and define districts.

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8. The Board.
9. Incorporation.
10. Seal.
11. Chairman.
12. Acting chairman.
13. Term of office.
14. Remuneration of members.
15. Salary of chairman.
16. Removal from office.
17. Deputy members of Board.
18. Extraordinary vacancies.
19. Acts of Board not invalidated by vacancies.
20. Quorum.
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22. Method of entering into contracts.
23. Minutes of proceedings.
24. Annual report.

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25. Appointment of officers and servants.
26. Certain officers to give security.
27. Chairman may suspend officers.
28. Officers exacting or accepting fees.
29. Officers failing to render accounts or to pay balance and deliver up property of Board.
30. Proceedings after officer has ceased to hold office.

PART IV.—WATER RESERVES.

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32. Power to divert, intercept, and store water.
33. (1.) Power to take land.
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34. Penalty for diverting water.
35. Board may exercise powers of Local Board of Health.
36. Artesian bores not to be sunk without approval of Governor.

PART V.—THE CONSTRUCTION AND MAINTENANCE OF WORKS.

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38. Board to be advised of the Minister's intention to construct works.
39. Works to be transferred to Board on payment of cost.
40. Board may construct works.
41. Preliminaries to construction.
42. Plans, etc., open to inspection.
43. Minister may cause plans, etc., to be examined.
44. Objections.
45. Governor may authorise construction of works.
46. Powers of Board.
47. Notices to be served on local authority before breaking up streets.
48. Street not to be broken up except under superintendence of local authority.
49. Streets broken up to be reinstated without delay.
50. Local authorities to give particulars as to levels.
51. Gas pipes to be altered when necessary.
52. Altering sewers.
53. Board to keep sewers cleansed.
54. As to ventilators, etc.
55. Maps of water and sewerage districts.

PART VI.—WATER SUPPLY.

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56. Supply to rated land.
57. Request for supply to rated land.
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59. The Board may supply meter and charge by measure.
60. Record of meter to be *prima facie* evidence of water supplied.
61. Water may be cut off from unoccupied premises.
62. Provision for supplying groups of houses.
63. Supply to persons outside Area.
64. Fire plugs.
65. Repair of fire plugs.
66. Supply of water not compulsory.

2. *The Protection of Works and Prevention of Waste.*

67. Duty to keep fittings in repair.
68. Fittings not to be connected or disconnected without notice.
69. Power to enter and examine whether water is wasted, etc.
70. Protection of fittings.
71. Power to enter on land and fix fittings.
72. Penalty for using unauthorised fittings.

Metropolitan Water and Sewerage.

- Sec.
73. Penalty for not repairing fittings.
74. Penalty for destroying valves, etc.
75. Penalty for taking, etc., water in contravention of this Act.
76. Fraudulent taking of water.
77. Other consequences of contravening this Act or the by-laws.

PART VII.—DRAINAGE.

78. Owners and occupiers to make drains to public sewers.
79. Board may make drains and attach ventilators in default of compliance with orders.
80. Cost of drains, by whom payable.
81. Persons liable for payment for compulsory drainage may agree to pay by deferred payments.
82. No private drain or sewer to be made without notice.
83. Drains to be cleansed.
84. Notice to be given to the Board before commencing or continuing sanitary work.
85. Inspection by Minister.
86. Penalties on persons encroaching on sewers.
87. Inspection of communicating drains.
88. Penalty for giving use of drain without permission.
89. Penalty for destroying sewers and fittings.
90. Where separate properties are drained by a common drain, each to be liable.
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92. Rate books.
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94. Assessment on unimproved values.
95. Rate book to be open to inspection.
96. Board may inspect rate books of local authorities.
97. Access to be given.
98. Penalty for not permitting inspection.
99. (1.) Clerks of local authorities to supply copy of rate book.
(2.) Board to pay for copy rate book.
100. Clerk to notify amendments.
101. Rateable value.
102. Rate book may be amended.
103. Notice of amendment to be given.
104. Board may use previous year's rate book.

2. *Appeals.*

105. Grounds of appeal against assessment.
106. Appeals, how made.
107. Appeals to the Board.
108. Appeals to the Local Court from decisions of the Board.
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3. *The making of Rates.*

110. Land subject to water rates.
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112. Amount of rate.
113. Manner of making rate.
114. Rate for unexpired portion of year in case of new main or sewer.
115. *Gazette* evidence of striking of rate.

4. *Payment of Rates and for Water.*

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116. Rates, when payable.
117. Payment for water supplied by measure.
118. Payment by measure when land rated.
119. Supply to local authorities.
120. Recovery of rates by distress.
121. Bailiff may sell by auction without license.
122. Recovery by action or complaint.
123. In action against owner, proof of demand on occupier not necessary.
124. Persons liable may be resorted to in succession.
125. Rate books to be evidence.
126. (1.) Recovery of rates paid by owner from occupier.
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127. Apportionment of rates between successive owners or occupiers.
128. Premises may be sold for arrears of rates, etc., remaining unpaid for twelve months.
129. Person ordered to sell need not have auctioneer's license.

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131. Outstanding debts for other works.
132. Revenue, how applied.
133. Power to borrow money.
134. Money to be borrowed on debentures.
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137. Investment of sinking fund.
138. Accumulated sinking fund to be applied in payment of loan.
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141. Notice of trust not receivable.
142. Owners of securities not responsible for application of moneys.
143. Receiver may be appointed in certain cases.
144. Receiver an officer of Court, etc.
145. Application of assets by receiver.
146. Board may obtain bank overdraft.

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147. Books of account and inspection by persons interested.
148. Yearly balance and audit.
149. Examination and settlement of accounts by Board.
150. Certified statement of receipts and expenditure to be published.

2. *Special Audit.*

151. Audit by authority of Governor.
152. Report of special auditors.
153. Special auditors to hear explanations.
154. Proceedings on confirmation of certificate.
155. Costs of special audit.

3. *Powers of Special Auditors.*

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 (2.) Water reserves.
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 (4.) Managing works.
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 (6.) Construction and use of works.
 (7.) Protecting water and works.
 (8.) The use of pipes, drains, etc.
 (9.) Ventilators.
 (10.) Disinfection.
 (11.) Fees for tapping mains or connecting with sewers.
 (12.) Rates.
 (13.) Quantity of water.
 (14.) Domestic purposes.
 (15.) Scale of charges for water supplied by measure.
 (16.) Specifying purposes.
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 (18.) Fixing levels of water.
 (19.) Repair of fittings.
 (20.) Prohibiting alteration of fittings.
 (21.) Enabling Board to repair fittings at cost of consumer.
 (22.) Arrangements of fittings.
 (23.) Inspection.
 (24.) Licensing plumbers.
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 (26.) Forms.
 (27.) Generally.
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 (2.) When deemed to have been given.
 (3.) When name of owner or occupier unknown.
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165. Service on Board.
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167. Recovery of value of water misused, etc.
168. Obstructing Board or officers in performance of duty.
169. Penalty for refusing to give up possession of works.
170. Offenders may be arrested.
171. Summary proceedings for offences and recovery of penalties.
172. Application of penalties.
173. Board may be represented by secretary or other officer.
174. Actions against the Board or officers.
175. Books of land titles and other offices may be searched without fee.
176. Property of Board not to be taxed.
177. Proof of ownership or occupancy.
178. Minister may exercise powers of Board until transfer of works.
179. Provisions 64 Viet., No. 8, relating to water and sewerage not to apply to area.

SCHEDULES.