

Western Australia

Metropolitan Water Supply, Sewerage, and Drainage Act 1909

**Metropolitan Water Authority (Miscellaneous)
By-laws 1982**

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Western Australia

Metropolitan Water Supply, Sewerage, and Drainage Act 1909 ²

Metropolitan Water Authority (Miscellaneous) By-laws 1982

1. Citation

These by-laws may be cited as the *Metropolitan Water Authority (Miscellaneous) By-laws 1982* ¹.

[By-law 1 amended in Gazette 14 Jul 1987 p. 2653.]

2. Commencement

These by-laws shall come into operation on and from 1 July 1982.

3. Interpretation

In these by-laws unless the contrary intention appears —

land has the meaning given in section 3(1) of the *Water Agencies (Powers) Act 1984* and includes any part or piece of any land which is separately rated or supplied or provided with a service by the Corporation;

bl. 9

service in relation to water supplied, includes the pipes and fittings used or intended to be used for the supply of water from a water main up to and including the meter assembly, if any, of each separately assessed piece of land.

[By-law 3 amended in Gazette 24 Dec 1982 p. 4923; 28 Jun 1985 p. 2345; 27 Jun 1986 p. 2129; 14 Jul 1987 p. 2653; 29 Dec 1995 p. 6318 and 6319.]

[4. Deleted in Gazette 27 Jun 1986 p. 2129.]

[5-7. Deleted in Gazette 14 Jul 1987 p. 2658.]

[8. Deleted in Gazette 27 Jun 1986 p. 2130.]

9. Fixing, removing or replacing meters and fittings

- (1) The charges set out in item 2 of Schedule 2 apply where —
 - (a) a water supply connection is made to land that, but for that connection, would not be the subject of a charge under Schedule 1 Division 1 or 2 of the *Water Agencies (Charges) By-laws 1987*; or
 - (b) an additional water supply connection is made to land.
- (2) The respective charges set out in item 3 of Schedule 2 apply in respect of —
 - (a) the disconnection of a water supply connection; and
 - (b) the reconnection of a water supply connection that has been disconnected.
- (3) The turning or cutting off of the supply of water, or the reduction of the available rate of flow of water, under section 41 of the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* shall not be taken to be a disconnection for the purposes of sub-by-law (2).
- (4) A charge under this by-law is payable in advance.

- (5) The respective fees set out in item 4 of Schedule 6 apply in respect of —
- (a) the reconnection after the turning or cutting off of the water supply; and
 - (b) the restoration of the water supply after the reduction of the available rate of flow,

under section 41 of the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909*.

- (5a) Where a person applies to the Corporation to have a water supply disconnected or reconnected for the purposes of the redevelopment or consolidation of a serviced property the fee set out in item 6 of Schedule 6 is payable by the person to the Corporation.
- (6) Where a person so requests, the Corporation may relocate a water supply connection to within 500 mm of its existing position and the person shall pay the appropriate charge set out in item 4 of Schedule 2.
- (7) Where a person requests the Corporation to relocate a water supply connection 500 mm or more from its existing position, the Corporation may fix a new water supply connection and the person shall pay the appropriate charge set out in item 2(a) of Schedule 2.

[By-law 9 inserted in Gazette 14 Jul 1987 p. 2654; amended in Gazette 29 Jun 1988 p. 2123-4; 29 Jun 1989 p. 1886; 29 Jun 1990 p. 3244; 29 Dec 1995 p. 6318 and 6319; 29 Jun 2001 p. 3238.]

[10. Deleted in Gazette 14 Jul 1987 p. 2658.]

11. Testing of meters

- (1) If a consumer is dissatisfied with the reading of a meter and wishes to have the meter tested he may, within 21 days of the receipt of notice from the Corporation of a reading of the meter, give notice to the Corporation requesting that a test be made.

bl. 17

- (2) Where a consumer requests pursuant to this by-law that a meter be tested and pays the deposit prescribed in item 1 of Schedule 2 for testing that kind of meter, the Corporation shall test the meter by passing through it a predetermined (known) quantity of water.
- (3) Where upon testing under this by-law the meter shows an error of 5% or more, then the reading prior to the notice requesting the test shall be adjusted accordingly, the consumer informed of the result of the test and the amended reading, and the Corporation shall bear the expense of testing.
- (4) If upon testing the meter the Corporation is satisfied that the meter is correct or that any error is of less than 5%, the Corporation shall determine the expense of the testing and charge the expense to the consumer.

[By-law 11 amended in Gazette 14 Jul 1987 p. 2654; 29 Jun 1988 p. 2124; 29 Dec 1995 p. 6319.]

[12-16. Deleted in Gazette 14 Jul 1987 p. 2658.]

17. Notice of intention to build

- (1) The notice required by section 148 of the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* to be given before the construction or alteration of a building on land to which that section applies shall be in the form set out in Schedule 1.
- (2) The fee prescribed under section 148 of the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* for examining the plans required to be submitted under that section and for making or modifying connections as mentioned in that section is as set out in item 5 of Schedule 6.

[By-law 17 inserted in Gazette 14 Jul 1987 p. 2654; amended in Gazette 29 Jun 1988 p. 2124; 29 Jun 1989 p. 1886.]

18. Water for shipping

[(1) deleted]

- (2) The Corporation may require a person supplying water for the purposes of shipping —
- (a) to arrange to the satisfaction of the Corporation for the accurate measurement of the quantity supplied to any vessel; and
 - (b) to permit a person authorised by the Corporation at all reasonable times to inspect all accounts and equipment in connection with water so supplied and the measurement of that water.

[By-law 18 amended in Gazette 28 Jun 1985 p. 2346; 14 Jul 1987 p. 2658; 29 Dec 1995 p. 6319.]

[19. Deleted in Gazette 14 Jul 1987 p. 2658.]

20. Notice of arrears of rates

The form set forth in Schedule 5 shall be the prescribed form for the purposes of section 124A of the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909*.

21. Fees — statements

Where a person requests that the Corporation provide —

- (a) a copy of any portion of the rating records;
- (b) a reading of the meter supplied to any property; or
- (c) answers to requisitions in relation to a property,

the fees set forth in item 1 of Schedule 6 may be charged by the Corporation to the person by whom or on whose behalf the request was made.

[By-law 21 inserted in Gazette 24 Jun 1983 p. 2005; amended in Gazette 29 Dec 1995 p. 6319.]

22. Fees for records, plans and diagrams

The fees set out in item 2 of Schedule 6 are prescribed for the purposes specified in that item.

[By-law 22 inserted in Gazette 14 Jul 1987 p. 2654.]

bl. 24

[23. Deleted in Gazette 29 Jun 1989 p. 1886.]

24. Fees for standpipes

- (1) A person who applies to the Corporation to hire a standpipe for attachment to a fire hydrant shall pay the fee set out in item 3(a) of Schedule 6.
- (2) A person who hires a standpipe from the Corporation for attachment to a fire hydrant shall pay a fee calculated in accordance with the fees set out in item 3(b) and (c) of Schedule 6.
- (3) Where a person hires a standpipe from the Corporation for attachment to a fire hydrant, the person shall, in addition to the hire fee payable under sub-by-law (2), be liable to pay the charge set out in Schedule 1 item 31 to the *Water Agencies (Charges) By-laws 1987* for each kilolitre of water supplied through the standpipe.
- (4) The Corporation shall determine the type of standpipe to be made available for hire in any particular case.

[By-law 24 inserted in Gazette 29 Jun 1988 p. 2124; amended in Gazette 29 Jun 1989 p. 1886; 7 Jul 1989 p. 2077; 29 Dec 1995 p. 6318 and 6319; 29 Jun 2001 p. 3238; 1 Mar 2002 p. 871; 1 Jul 2002 p. 3146.]

25. Amounts rounded

Where a fee or charge calculated in accordance with these by-laws is an amount which is not a whole number multiple of 5 cents the amount shall be rounded up or down, as the case may be, to the nearest whole number multiple of 5 cents.

[By-law 25 inserted in Gazette 26 Jun 1992 p. 2839.]

Schedule 1

Form of notification of building construction or alteration

WATER CORPORATION

Notice of Construction or Alteration of Building

PROPERTY DESCRIPTION: (House/Office etc.)	
LOT No.: HOUSE No.: UNIT No.:	
STREET(S)	
(IF CORNER LOT ENTER BOTH STREET NAMES)	
SUBURB OR TOWN	
OWNER or OCCUPIER	
ADDRESS	
POSTCODE TELEPHONE	
LOCAL AUTHORITY	ESTIMATED VALUE
LIC No.	\$
Signature of Owner, Occupier or Agent	
Date	

*[Schedule 1 inserted in Gazette 14 Jul 1987 p. 2654; amended in
Gazette 29 Dec 1995 p. 6318.]*

[Schedules 1A and 1B deleted in Gazette 14 Jul 1987 p. 2658.]

Schedule 2 — Charges

[bl. 9(1), (2) and (6), 11(2)]

[Heading inserted in Gazette 23 Jun 2011 p. 2412.]

	\$
1. Meter testing deposit —	
(a) where the meter size is 20 – 25 mm	96.50
(b) where the meter is any greater size, an amount equal to the actual cost of testing the meter	
2. Charges for fixing water supply and fire fighting connections —	
(a) except within a central business district as described in Schedule 3 where the connection size is —	
20 mm	1 076.50
25 mm	1 091.00
40 mm	1 589.50
50 mm	1 964.00
80 – 100 mm	3 804.00
150 mm	4 540.50
(b) otherwise, an amount equal to the actual cost of fixing the connection	
3. Charge for —	
disconnection	681.00
reconnection	681.00
4. Charge for relocation of water supply connection (less than 500 mm) —	
(a) where the connection size is —	
20 mm	407.00
25 mm	464.50

40 mm	662.50
50 mm	776.50
(b) other sizes, an amount equal to the actual cost of relocation	

[Schedule 2 inserted in Gazette 23 Jun 2011 p. 2412-13.]

Schedule 3

Central business districts

Fremantle central business district

The land bounded by a line commencing at the intersection of Marine Terrace and South Street and proceeding then in a general northwesterly and westerly direction to Cliff Street, then generally northerly along Cliff Street to Phillimore Street, then northwesterly along Phillimore Street, Elder Place and Beach Street to the Fremantle traffic bridge, then generally easterly along Beach Street and Riverside Road to East Street, then southerly along East Street to High Street, then southwesterly along High Street to Ord Street, then southerly along Ord Street and Hampton Road to South Street, then westerly along South Street to the intersection of South Street and Marine Terrace.

Perth central business district

The land bounded by a line commencing at the intersection of Kings Park Road, Thomas Street and Bagot Road and proceeding thence in a northeasterly direction along Thomas Street and Loftus Street to Newcastle Street, then southeasterly along Newcastle Street to the Perth-Midland railway reserve, then northeasterly and easterly along the Perth-Midland and Perth-Armadale railway reserves to the western foreshore of the Swan River, then generally southerly and southwesterly along the western foreshore of the Swan River and the service road adjacent to the eastern boundary of Trinity College to Riverside Drive, then generally westerly along Riverside Drive and Mounts Bay Road to Spring Street, then northwesterly along Spring Street to Mount Street, then southwesterly along Mount Street to Cliff Street, then northwesterly along Cliff Street to Malcolm Street, then southwesterly along Malcolm Street to Kings Park Road, then westerly along Kings Park Road to the intersection of Kings Park Road, Thomas Street and Bagot Road.

[Schedule 3 inserted in Gazette 14 Jul 1987 p. 2655.]

[Schedule 4 deleted in Gazette 14 Jul 1987 p. 2658.]

Schedule 5

Metropolitan Water Supply, Sewerage, and Drainage Act 1909

Prohibition against dealing with land section 124A

Notice is hereby given that payment of water charges is in arrears in relation to the land set out in the undermentioned schedule.

Schedule

Land Description	Registered Proprietor Name, Address, Occupation
Location Lot, Certificate of Title (State whether whole or part of land in C. of T.)	

Dated this day of 20

.....
Chief executive officer of the Corporation

*[Schedule 5 amended in Gazette 14 Jul 1987 p. 2655; 29 Dec 1995
p. 6319.]*

Schedule 6 — Fees

[bl. 9(5) and (5a), 17(2), 21, 22, 24(1) and (2)]

[Heading inserted in Gazette 23 Jun 2011 p. 2413.]

		\$
1.	(a) Reading of meter	15.05
	(b) Urgent reading of meter	50.55
	(c) Electronic lodgment of a combined request for a single statement, reading of meter and orders and requisitions	39.90
	(d) Electronic lodgment of a combined request for a single statement, urgent reading of meter and orders and requisitions	75.35
	(e) Lodgment other than under paragraph (c) of a combined request for a single statement, reading of meter and orders and requisitions	68.55
	(f) Lodgment other than under paragraph (d) of a combined request for a single statement, urgent reading of meter and orders and requisitions	103.60
	(g) Provision of information other than under paragraphs (a) to (f) involving research or investigation of 15 minutes or more — per hour or part of an hour	75.70
2.	(a) Supply of copy of, or extract from, records or plans (other than those stored in digital format) under the <i>Water Agencies (Powers) Act 1984</i> section 102(3) (provided on A4 paper)	15.30
	(b) Property sewer diagram (per A4 copy)	15.30
3.	Hydrant standpipes —	
	(a) application fee	101.00

		\$
	(b) hire fee for a month —	
	small metered standpipe	207.00
	large metered standpipe	347.00
	(c) hire fee for part of a month is as for a month apportioned to reflect the number of days hiring	
4.	(a) Reconnection	138.00
	(b) Restoration —	
	(i) between 7.00 a.m. and 4.00 p.m. any day except Saturdays, Sundays and public holidays	138.00
	(ii) at any other time	219.00
5.	Fee under the <i>Metropolitan Water Supply, Sewerage, and Drainage Act 1909</i> section 148 in respect of land on which it is proposed to —	
	(a) construct a new residential building or alter an existing residential building	111.50
		<i>per residential unit</i>
	(b) construct an outbuilding to a residential building located in a sewerred area (including a pool, garage or pergola)	32.60
		<i>per residential unit</i>
	(c) construct or alter a building other than a residential building — an amount based on the cost of the construction or alteration as assessed by the Corporation, of —	
	up to \$22 500 (in a sewerred area)	31.00
	over \$22 500 but not over \$200 000	106.00

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Schedule 6 Fees

	\$
over \$200 000 but not over \$500 000	420.00
over \$500 000 but not over \$1 000 000	680.00
over \$1 000 000 but not over \$10 000 000 ...	1.10
	<i>per \$1 000 or part of \$1 000 of construction cost</i>
over \$10 000 000	11 000
	+ 0.30
	<i>per \$1 000 or part of \$1 000 of construction cost above \$10 000 000</i>
 6. Fee for application for disconnection or reconnection of water supply under by-law 9(5a) — on redevelopment or subdivision	 681.00
 <i>[Schedule 6 inserted in Gazette 23 Jun 2011 p. 2413-15.]</i>	

Notes

- ¹ This is a compilation of the *Metropolitan Water Authority (Miscellaneous) By-laws 1982* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Metropolitan Water Authority (Rates and Charges) By-laws 1982</i> ³	18 Jun 1982 p. 2025-9	1 Jul 1982 (see bl. 2)
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws (No. 2) 1982</i>	24 Dec 1982 p. 4923-4 (as amended 24 Jun 1983 p. 2005)	1 Jul 1983 (see bl. 2)
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws 1983</i>	24 Jun 1983 p. 2005-7	1 Jul 1983 (see bl. 2)
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws (No. 2) 1983</i>	12 Aug 1983 p. 2943-4	12 Aug 1983
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws (No. 3) 1983</i>	23 Dec 1983 p. 4951	15 Jan 1984 (see bl. 2)
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws 1984</i>	29 Jun 1984 p. 1811	1 Jul 1984 (see bl. 2)
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws (No. 2) 1984</i> ⁴	21 Dec 1984 p. 4183-4	15 Jan 1985 (see bl. 2)
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws 1985</i>	28 Jun 1985 p. 2345-8	1 Jul 1985 (see bl. 2)
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws 1986</i> ⁵	27 Jun 1986 p. 2129-31	27 Jun 1986
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws (No. 2) 1986</i>	19 Sep 1986 p. 3425	19 Sep 1986

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Citation	Gazettal	Commencement
<i>Water Authority Amendment By-laws 1987 Pt. IV</i> ⁶	14 Jul 1987 p. 2649-58 (errata 24 Jul 1987 p. 2841)	14 Jul 1987
<i>Water Authority Amendment By-laws 1988 Pt. 3</i> ⁶	29 Jun 1988 p. 2122-6	1 Jul 1988 (see bl. 3)
<i>Water Authority Amendment By-laws 1989 Pt. 4</i> ⁶	29 Jun 1989 p. 1883-91	1 Jul 1989 (see bl. 3)
<i>Metropolitan Water Authority (Miscellaneous) Amendment By-laws 1989</i>	7 Jul 1989 p. 2077	7 Jul 1989
<i>Water Authority Amendment By-laws 1990 Pt. 4</i> ⁶	29 Jun 1990 p. 3240-8 (errata 6 Jul 1990 p. 3318)	1 Jul 1990 (see bl. 3)
<i>Water Authority Amendment By-laws 1991 Pt. 4</i> ⁶	28 Jun 1991 p. 3281-9 (erratum 19 Jul 1991 p. 3692)	1 Jul 1991 (see bl. 3)
<i>Water Authority Amendment By-laws 1992 Pt. 4</i> ⁶	26 Jun 1992 p. 2832-44	1 Jul 1992 (see bl. 3)
<i>Water Authority Amendment By-laws 1993 Pt. 4</i> ⁶	1 Jul 1993 p. 3238-50	1 Jul 1993
<i>Water Authority Amendment By-laws 1994 Pt. 4</i> ⁶	29 Jun 1994 p. 3159-70	1 Jul 1994 (see bl. 2)
<i>Water Authority Amendment By-laws 1995 Pt. 4</i> ⁶	30 Jun 1995 p. 2767-76	1 Jul 1995 (see bl. 2)
<i>Water Agencies (Amendment and Repeal) By-laws 1995 Pt. 7</i>	29 Dec 1995 p. 6305-32	1 Jan 1996 (see bl. 2 and <i>Gazette</i> 29 Dec 1995 p. 6291)
Reprint of the Metropolitan Water Authority (Miscellaneous) By-laws 1982 as at 9 Apr 1996 (includes amendments listed above)		
<i>Water Agencies Amendment By-laws 1997 Pt. 4</i> ⁶	27 Jun 1997 p. 3204-20	1 Jul 1997 (see bl. 2)
<i>Water Agencies Amendment By-laws 1998 Pt. 4</i> ⁶	26 Jun 1998 p. 3417-21	1 Jul 1998 (see bl. 2)
<i>Water Agencies Amendment By-laws 1999 Pt. 5</i> ⁶	29 Jun 1999 p. 2775-87	1 Jul 1999 (see bl. 2)

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Citation	Gazettal	Commencement
<i>Water Agencies Amendment By-laws 2000 Pt. 5</i> ⁶	29 Jun 2000 p. 3365-79	1 Jul 2000 (see bl. 2)
<i>Water Agencies Amendment By-laws 2001 Pt. 6</i> ⁶	29 Jun 2001 p. 3230-42	1 Jul 2001 (see bl. 2)
<i>Metropolitan Water Authority (Miscellaneous) Amendment By-laws 2002</i> ⁷	1 Mar 2002 p. 871	1 Mar 2002
Reprint of the Metropolitan Water Authority (Miscellaneous) By-laws 1982 as at 17 May 2002 (includes amendments listed above)		
<i>Water Agencies Amendment By-laws 2002 Pt. 4</i>	1 Jul 2002 p. 3137-53	1 Jul 2002
<i>Water Agencies Amendment By-laws 2003 Pt. 5</i> ⁶	27 Jun 2003 p. 2422-32	1 Jul 2003 (see bl. 2)
<i>Water Agencies Amendment By-laws 2004 Pt. 4</i> ⁶	29 Jun 2004 p. 2497-503	1 Jul 2004 (see bl. 2)
<i>Water Agencies Amendment By-laws 2005 Pt. 5</i> ⁶	1 Jul 2005 p. 3009-17	1 Jul 2005 (see bl. 2)
<i>Water Agencies Amendment By-laws 2006 Pt. 5</i> ⁸	30 Jun 2006 p. 2399-412	1 Jul 2006 (see bl. 2)
Reprint 3: The Metropolitan Water Authority (Miscellaneous) By-laws 1982 as at 1 Dec 2006 (includes amendments listed above)		
<i>Water Agencies Amendment By-laws 2007 Pt. 5</i> ⁹	29 Jun 2007 p. 3233-44	1 Jul 2007 (see bl. 2)
<i>Water Agencies Amendment By-laws 2008 Pt. 5</i> ¹⁰	27 Jun 2008 p. 3076-84	1 Jul 2008 (see bl. 2(b))
<i>Water Agencies Amendment By-laws 2009 Pt. 5</i>	19 Jun 2009 p. 2393-406	bl. 1 and 2: 19 Jun 2009 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2009 (see bl. 2(b))
<i>Water Agencies Amendment By-laws 2010 Pt. 5</i>	25 Jun 2010 p. 2983-96	1 Jul 2010 (see bl. 2(b))
<i>Water Agencies Amendment By-laws 2011 Pt. 5</i>	23 Jun 2011 p. 2403-16	1 Jul 2011 (see bl. 2(b))

² These by-laws have effect for the purposes of the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* but the formal power to make them is now given by the *Water Agencies (Powers) Act 1984* s. 34.

³ Now known as the *Metropolitan Water Authority (Miscellaneous) By-laws 1982*; citation changed (see note under bl. 1).

⁴ The *Miscellaneous Regulations (Validation) Act 1985* applied to these regulations. It deems the regulations not to have ceased to have effect as a result of the failure to comply with section 42(1) of the *Interpretation Act 1984*, subject to their being laid before the Legislative Assembly. The *Interpretation Act 1984* s. 42(2) then applied as if the words “or if any regulations are not laid before both Houses of Parliament in accordance with subsection (1)” had been omitted.

⁵ The *Metropolitan Water Authority (Rates and Charges) Amendment By-laws 1986* bl. 11 was a savings provision that is of no further effect.

⁶ These by-laws contain an application provision concerning the period before the by-laws came into operation.

⁷ The *Metropolitan Water Authority (Miscellaneous) Amendment By-laws 2002* bl. 5 reads as follows:

“

5. Saving

Where, before the commencement of these by-laws, a person hired a standpipe from the Corporation for attachment to a fire hydrant, the charge under Schedule 6 item 3 to the *Metropolitan Water Authority (Miscellaneous) By-laws 1982* in respect of the standpipe is to be assessed as if these by-laws had not come into operation.

”

⁸ The *Water Authority Amendment By-laws 2006* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 2006 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

⁹ The *Water Agencies Amendment By-laws 2007* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 2007 of a by-law in force before that day insofar as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

¹⁰ The *Water Agencies Amendment By-laws 2008* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 2008 of a by-law in force before that day insofar as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”.