



# Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 36 ]

PERTH: WEDNESDAY, 1st MAY

[ 1968

Crown Law Department,  
Perth, 29th April, 1968.

THE undermentioned Regulations made under the provisions of the Country Areas Water Supply Act, 1947, and amended from time to time up to and including the 22nd March, 1968 are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,  
Under Secretary for Law.

COUNTRY AREAS WATER SUPPLY ACT, 1947.

## COUNTRY AREAS WATER SUPPLY BY-LAWS

Published in the *Government Gazette* on the 20th June, 1957, and incorporating the amendments thereto published in the *Government Gazette* on the 30th September, 1957; the 23rd December, 1957; the 15th July, 1958; the 25th July, 1958; the 12th December, 1958; the 17th March, 1959; the 15th July, 1959; the 2nd September, 1959; the 11th December, 1959; the 12th February, 1960; the 29th February, 1960; the 30th June, 1960; the 6th October, 1960; the 22nd June, 1961; the 17th August, 1961; the 13th June, 1962; the 21st February, 1963; the 29th August, 1963; the 30th October, 1963; the 8th January, 1964; the 19th February, 1964; the 20th August, 1964; the 1st October, 1964; the 22nd December, 1964; the 26th May, 1965; the 26th October, 1965; the 22nd April, 1966; the 26th July, 1966; the 8th December, 1966; the 15th December, 1966; the 3rd March, 1967; the 30th June, 1967 and the 6th September, 1967; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister for Justice, dated 26th April, 1968.

COUNTRY AREAS WATER SUPPLY ACT, 1947.  
COUNTRY AREAS WATER SUPPLY ACT BY-LAWS.

Division I.

Commencements.

1. (1) These by-laws shall take effect and have the force of law on and after the 1st day of July, 1957, in every country water area, catchment area and water reserve constituted under sections 8 and 9 of the principal Act.

(2) On the taking effect of these by-laws in accordance with sub-by-law (1) of this by-law, the by-laws made under the Country Areas Water Supply Act, 1947, and published in the *Gazette* on the 12th August, 1949, as amended from time to time thereafter and in force prior to the 1st day of July, 1957, shall, by operation of this by-law, be cancelled.

Interpretations.

By-law 1A  
amended by  
G.G.,  
22/12/64,  
p. 4067-8;  
G.G.,  
15/12/66,  
p. 3305;  
G.G.,  
30/6/67,  
p. 1718.

1A. (1) In these by-laws, unless the context otherwise requires—

(a) the expressions

“cesspool,” “drain,” “house,” “land,” “owner,” “piggery” and “public house”

have the meanings respectively assigned to them in section 3 of the Health Act, 1911-1956<sup>1</sup>;

(b) the expression

“bore” means a drilled bore hole from which water is drawn for a domestic supply;

“commercial purposes” means the purposes for which water is required in or about premises that are occupied or used as business, professional or commercial premises whether by private persons, government instrumentalities or local authorities, not being premises for which special provision is otherwise made in these by-laws but does not include the use of water as an essential commodity for manufacturing or processing;

“consumption year” means the period of twelve months terminating on a day—

(a) between the 30th June, in any year, and the next succeeding 15th September; or

(b) between the 31st December, in any year, and the 20th March, in the next succeeding year,

as the Minister may appoint.

“domestic purposes” means the ordinary household purposes for which water is required in or about a dwelling-house or flats, and includes the use of water for watering lawns and gardens appurtenant to the dwelling-house or flats of those growing or planted in a street or road adjoining private land upon which the dwelling-house or flats is or are erected where those lawns and gardens are grown by or cared for by the owner or any occupier of that land and are watered with water that has passed into that land through a supply of water installed by the Minister on that land;

“domestic supply” means a supply of water for domestic purposes;

“farm supply” means a supply of water for farm land purposes and includes a domestic supply, but does not include a supply of water for any other purpose;

<sup>1</sup> Now Health Act, 1911-1966.

- “feeder” means a watercourse, creek, stream or other channel with permanent or intermittent flow whereby water is or can be conveyed to a reservoir;
- “general purposes” means the purposes for which water is required on, in or about land or premises that are occupied or used for institutional, recreational, cultural, educational or religious purposes, or for public amenities, or for any other purposes whether of the same or a different kind and not being any of those included in the interpretations, “commercial purposes”, “domestic purposes”, “industrial purposes” or “vacant land” mentioned in this paragraph;
- “high water mark” means the level of full supply of a reservoir or a feeder;
- “industrial purposes” means the purposes for which water is required in or about premises that are occupied or used for manufacturing or processing and the water is used as an essential commodity in such manufacturing or processing;
- “inspector” means an inspector appointed by the Minister for the purposes of these by-laws;
- “local officer” means a person appointed as a local or other officer by the Minister for the purpose of administering these by-laws;
- “principal Act” means the Country Areas Water Supply Act, 1947, as amended;
- “private service” includes all pipes and fittings and all connections and apparatus whatsoever, whether used temporarily or otherwise on any part of premises owned or occupied by any person and supplied with water, whether by measure or otherwise, and also includes any pipes and fittings which are the property of the owner or occupier of those premises and which are used for conveying water from the drains of the Minister, whether or not that property is situated on those premises;
- “vacant land” means rateable land upon which there are no improvements and for which no water service is provided;
- “well” means an open excavation into which water percolates and from which water is drawn for domestic supply.

---

#### Division II.

##### By-laws for the Preventing of Pollution of the Catchment Area.

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

##### Cleaning and Filling Up of Cesspools.

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

##### Situation of Closets.

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

## Provision of Sanitary Conveniences.

5. (1) The owner and occupier of every house within the catchment area shall provide for the use of the occupants of the house—

- (a) an earth closet with a sufficient number of pans approved by an Inspector; or
- (b) septic tanks or other apparatus as may be required or approved by the Minister.

(2) The closet, septic tanks or approved apparatus shall be erected in a position as directed by an Inspector.

## Earth Closets and Privies.

6. No person shall construct or cause to be constructed any earth closet or privy which does not comply with the following conditions:—

- (a) It shall not be less than—
  - 4 ft. 8 in. in length, or
  - 3 ft. in width, or
  - 7 ft. in height.
- (b) It shall not be within 20 ft. of any house or tank, nor within 50 ft. of any other water supply, nor within 50 ft. of the milking shed or milk room of any dairy, and shall be so constructed that the pan may be withdrawn from the rear of the convenience.
- (c) The walls shall be of stone, brick, or other material approved by the Minister.
- (d) There shall be at least two ventilating openings, of 50 square inches, in area, one in each of two opposite walls, and situated 6 ft. above the floor level.
- (e) The roof shall be of galvanised iron, or other impervious material.
- (f) The door shall be hung so that there is, when the door is closed, a clear space of at least 3 in. above and below it.
- (g) The floor shall be of approved impervious material, and shall have a uniform fall of 1 in 30 from back to front and its upper surface shall be not less than 6 in. above the level of the ground adjoining.
- (h) The panstead shall measure 19½ in. long by 16 in. wide. It shall be totally enclosed and constructed in a manner to exclude flies.
- (i) The under surface of the seat shall be 15½ in. above the floor.
- (j) A hinged aperture cover shall be provided to the seat.
- (k) A service door shall be provided in the rear wall of the convenience, through which the pan must be withdrawn.

6A. In relation to sanitary conveniences to be provided in connection with houses and public and private places, the following provisions shall apply, that is to say:—

- (1) Every house, and every public place and every private place shall be provided with not less than one sanitary convenience.
- (2) In the case of any house, or public or private place in respect of which the requirements of more than twenty persons have to be provided for, there shall be additional sanitary conveniences in the proportion of one for every 20 persons, or portion of 20: Provided that this requirement shall not apply to public buildings under Part VI of the Health Act, 1911-1956, nor to licensed premises under the provisions of the Licensing Act, 1911-1956, nor to factories under the provisions of the Factories and Shops Act, 1920-1956.

6B. (1) The occupier of any premises whereon there is a sanitary convenience shall maintain the convenience in a cleanly condition.

(2) The owner of any premises whereon there is a sanitary convenience shall maintain the convenience in accordance with these by-laws.

(3) Every 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 at least once every week or as often as may be required by an Inspector.

#### Removal, and Re-erection of Closets.

7. Closets or urinals already in existence shall, whenever considered necessary by an Inspector be removed where directed by the Inspector, and the 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.

#### Nuisance shall not be Caused.

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

(2) 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 an Inspector, shall properly and effectively empty and cleanse the closet, urinal or pan, to the satisfaction of the Inspector.

#### Disposal of Nightsoil, etc.

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

(2) Nightsoil, faecal matter or refuse shall not be buried within the catchment area unless written consent thereto has been obtained from the Minister.

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

#### Disposal of Manure, etc.

10. Refuse, dung, manure or other offensive matter shall not be deposited or be permitted to be deposited within three hundred yards of highwater mark or of any well or bore.

#### Use of Poisons and Artificial Manure.

11. (1) The owner or occupier of any house, land or premises situated within a catchment area shall not use without the approval of the Minister—

- (a) any artificial manure for agricultural, horticultural, pastoral and silvicultural purposes; or
- (b) any weed killer or any other toxic substance; or
- (c) any poison for the destruction of rabbits, dogs, foxes, opossums, rats, mice or other vermin.

(2) The Minister may from time to time by notice published in the *Government Gazette*—

- (a) specify substances that may be used within a catchment area without his prior approval; or
- (b) permit the use within a catchment area of any specified substance or substances in a specified manner or in accordance with a specified method.

By-law 11  
amended by  
G.G.  
11/12/59,  
p. 3026.

(3) (a) Where a notice specifies a substance that may be used without the Minister's prior approval in accordance with paragraph (a) of sub-by-law (2) of this by-law that substance may be used within the catchment area in question without the approval referred to in sub-by-law (1) of this by-law.

(b) Where a notice permits the use of any substance in a specified manner or in accordance with a specified method no person shall without the approval of the Minister use the substance within the catchment area in question except in that manner or in accordance with that method.

#### Situation of Outbuildings.

12. (1) Buildings of any description shall not be used as or constructed for a stable, cow-shed, goat-shed, sheep-pen, pig-sty or fowl-house, and any animal or bird shall not be housed or yarded within three hundred yards of highwater mark or of any well or bore or in a position that stormwaters may wash any manure or refuse therefrom into any reservoir or feeder.

(2) Every such structure within the catchment area shall have attached thereto for containing all liquid and solid manure a watertight receptacle approved by an Inspector.

(3) (a) Land sloping to a feeder on which any such structure stands shall be excavated to a depth of at least 12 in. and the soil so obtained shall be used as an embankment around the area so excavated.

(b) Such work shall be done by and at the expense of the owner or occupier of such premises.

#### Cleaning of Outbuildings.

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

#### Disinfection.

14. The occupier of every house or premises whether public or private situated on any catchment area, shall when required by the Minister, cause all nightsoil or other matter deposited in any pan in any closet or privy to be thoroughly disinfected in the manner specified by an Inspector.

#### Treatment of Nightsoil.

15. 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 an Inspector.

#### Mode of Removal of Receptacles.

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

- (a) 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 an Inspector, in lieu of every pan so removed.
- (b) Each receptacle which is so 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 an 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 an Inspector.

- (c) After the receptacle has been emptied, it and its lid shall be thoroughly washed, and scrubbed in clean water and then the inside of the receptacle and both sides of the lid shall be thoroughly scrubbed in a disinfecting solution, a separate brush being used, and then wholly immersed in a solution of disinfectant having a germicidal value equal to a 5 per cent. solution of pure carbolic acid; or thoroughly cleansed in a steam-tight box or chamber with steam, to be applied to the receptacle and lid for not less than five minutes.
- (d) The interior surface of every receptacle and the underside of the lids shall, after being thoroughly cleansed, be properly coated with coal tar applied hot, and the coating shall be renewed, whenever necessary, so as to properly protect the whole internal surface of the receptacle and the underside of the lid.
- (e) The receptacle shall be emptied and perfectly cleansed as above once per week at least, or so much more frequently as the Minister or Inspector may from time to time direct.

#### Charges for Removal.

17. Every nightman is 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 is removed, such sum or sums of money as are specified in a contract and approved by the Minister, and shall not ask, demand, or receive more than the sums approved.

#### Licensing of Nightmen.

18. Nightsoil shall not be removed from any closet, house or premises within an area to which this provision applies, except by nightmen duly licensed by the Minister.

#### Private Contracts for Removal of Nightsoil.

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

#### Keeping Pigs.

19A. The keeping of swine on any portion of a catchment area within 500 yards of a reservoir or feeder situate within a catchment area or of a well or bore is hereby forbidden.

#### Straying of Animals.

20. A person shall not cause or permit horses, cattle, sheep, goats, pigs, ducks, geese, fowls or other species of livestock to stray or depasture over any portion of a catchment area in respect of which area the Minister has by notice in the *Government Gazette* prohibited the straying or depasturing of horses, cattle, sheep, goats, pigs, ducks, geese, fowls or other species of livestock.

#### Abattoirs, Slaughterhouses and Offensive Trades.

21. Abattoirs, slaughterhouses or any trade with offensive waste shall not be established or conducted in any part of the catchment area, except in an area defined in the Schedule to this by-law and set apart for the offensive trades, and unless provision is made for the disposal of all wastes, liquid or otherwise, either outside the catchment area, or in some other manner approved by the Minister.

By-law 21  
amended by  
G.G.  
25/7/58,  
p. 1689-90.

#### Schedule.

##### Area; Description.

Wellington Dam Catchment—Offensive Trades Waste Area; that piece of land delineated and bordered in red on Public Works Department Plan, W.A. 36033.

#### Removal and Destruction of Carcasses.

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

#### Burials.

23. (1) No human body shall be buried in any catchment area except in a place approved by the Minister.

(2) Any human body so buried with the approval of the Minister shall be covered with at least 5 ft. of earth.

#### Receptacle for Refuse.

24. (1) The occupier of every house or premises shall provide and keep in a position approved by an Inspector, such and so many receptacles or boxes of the material and of the dimensions as may be required by the Minister or Inspector for the temporary deposit of solid house refuse.

(2) The owner or occupier of the house shall regularly collect all refuse or rubbish from the premises, and place the same in receptacles and he shall not permit or suffer the receptacles to overflow or become offensive, and shall, when necessary, or directed by the Inspector, thoroughly disinfect the same forthwith.

(3) (a) The owner or occupier of every house or premises in which a receptacle or box is so provided or kept or used, shall cause same to be emptied at least once a week or as often as the Inspector may direct.

(b) The owner or occupier of the house or premises shall keep the receptacle or box in good repair, and upon notice from the Inspector immediately replace by a new and improved receptacle or box any receptacle or box that the Inspector may deem worn out or unfit for use.

#### Disposal of Household Rubbish.

25. (1) The owner or occupier of any house which is served by a rubbish removal service shall not deposit any rubbish whatsoever upon any catchment area, other than in the place set apart by the Minister or an Inspector for such purpose.

(2) Where a house is not served by a rubbish removal service, then the owner or occupier of the house may, subject to the next succeeding by-law, dispose of his own dry house refuse or rubbish by burial: Provided that such rubbish shall be covered by at least 12 in. of clean earth.

#### Disposal of and Receptacles for Noisome Things.

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

#### Location of Vehicles or Receptacles.

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



#### Reserve for Rubbish.

28. 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 an Inspector for that purpose.

#### Disposal of Industrial Wastes.

29. (1) No person shall pump, drain or discharge or permit to be pumped, drained, or discharged, any water or liquid waste from any quarry, mine pit, factory or industrial process upon any catchment area without the written permission of the Minister.

(2) Where any permitted water or liquid waste is so discharged the person so discharging it shall at all times comply with the requirements of the permit.

#### Pollution of Streams.

30. No person shall wash clothes or other articles in any watercourse, reservoir, aqueduct, or any waterworks within a catchment area, nor shall any person wash, throw, cause or permit 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.

#### Bathing.

31. Bathing in any watercourse, reservoir, aqueduct or any waterworks within a catchment area is prohibited except in the places and under the conditions as the Minister may from time to time specify.

#### Entry into Private Premises by Officers of Minister.

32. (1) It is lawful for an Inspector or any assistant acting under the directions of an Inspector or other officer authorised by the Minister 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 or left within that land, or house, or those premises in breach of these by-laws and to remove or cause to be removed anything so done, permitted or left thereon in breach of these by-laws, or to take steps as he may deem necessary for carrying out these provisions.

(2) The cost of removal or other necessary act shall be borne by the owner or occupier of the premises upon which the breach occurs.

#### Period for Compliance with Notices.

33. 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.

#### Cutting of Timber and Clearing.

34. No person, whether in possession of a timber cutter's license or not, shall cut or hew timber or destroy any trees, shrubs or vegetation of any kind or carry out any clearing of any kind, on any catchment area unless authorised so to do by the Minister.

#### Shooting, Hunting and Fishing Restrictions.

35. The Minister may from time to time prescribe restrictions on hunting, shooting and fishing in the catchment area.

#### Camps and Picnics.

36. (1) No person, body corporate or association or group of persons shall at any time camp or picnic within 300 yards of the high-water mark or of any well or bore or any reservoir or feeder thereto.

(2) The Minister may from time to time by notices erected in a catchment area, further restrict camping and picnicking in the catchment area.

## Division III.

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

## Trespassing Prohibited.

37. A person shall not enter any ground which is adjacent to or reserved for water supply works and which is fenced off and not open to the public, without the permission of the Minister or the officer in charge of that ground or any other officer acting on behalf of and with the authority of the Minister.

38. 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.

## Camping and Lighting of Fires.

39. No person shall camp or light a fire within an area set apart or reserved for a reservoir or bore except in such portion, if any, as may be set apart, by the authority controlling the area or in whom the area is vested, for camping or the lighting of fires as the case may be.

## Protection of Flora, Shrubs, etc.

40. 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 or bore is prohibited.

## Dogs Prohibited.

41. Dogs shall not be brought or taken on or to any portion of the grounds in the vicinity of any waterworks.

## Disposal of Refuse, etc.

42. 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 a receptacle provided therefor.

## Posting or Distribution of Bills, etc.

43. 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.

## Nuisances.

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

## Protection of Pipes.

45. 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.

## Protection of Works from Injury.

46. 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.

Plumbing Work shall be done by Licensed Plumbers.

47. A person shall not fix, alter or repair pipes, or fittings connected with the works of the Minister within a country water area, unless he is the holder of a water supply plumber's license duly granted by the Minister.

## Description and Scope of Licenses.

48. (1) The Minister may grant a water supply plumber's license operative in the areas to which these by-laws apply, excluding areas open for sewerage connections within a sewerage area or district constituted under the Country Towns Sewerage Act, 1948-1954, to a plumber who satisfies the Minister that he is a competent water supply plumber and is a fit and proper person to hold the license.

(2) A person who applies to the Minister for a water supply plumber's license may be required by the Minister to submit to an examination in the theory and practice of plumbing work.

## Annual Fee for License.

49. A fee of two dollars shall be payable for every water supply plumber's license issued by the Minister under these by-laws and for every renewal of any such license.

By-law 49 substituted by G.G., 30/6/60, p. 1953; amended by G.G., 26/7/66, p. 2082.

## Renewal of License.

50. Every license issued by the Minister under these by-laws shall be current only to the 30th June next following the date of issue and may be renewed each year for a period of twelve months expiring on the 30th June in the next succeeding year, and the holder of a water supply plumber's license shall apply for a renewal thereof and pay the necessary fee prior to the expiration of the period for which his existing license is current.

By-law 50 substituted by G.G., 30/6/60, p. 1953.

## List of Licensed Plumbers Shall be Published.

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

## Breaches of By-laws by Plumbers.

52. (1) Any licensed water supply plumber offending against any by-law, direction, or regulation of the Minister, or who refuses 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 forty dollars and is liable to have his license suspended or cancelled.

(2) Any person who is removed from the list shall not be re-admitted as a licensed water supply plumber unless and until he has served the suspension order or paid the fine not exceeding forty dollars as the Minister may determine.

By-law 52 amended by G.G., 26/7/66, p. 2082.

## Delay in Work.

53. 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.

## Damage to Pipes Shall be Reported.

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

Heading and  
By-law 55  
substituted  
by G.G.,  
30/6/60,  
p. 1953.

Declaration to be Signed.

55. Prior to issue of any license, the person to whom the same is to be issued shall sign a declaration that he accepts the license subject to and in conformity with the conditions thereof and the regulations, by-laws and directions of the Minister, and that he will conform and comply therewith.

56. [Deleted by G.G. 30/6/60, p.1953.]

Change of Address to be Notified.

57. 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.

Specifications of Pipes, Fittings and Apparatus for Private Services.

58. 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 to which the service is connected or to be connected:—

(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) (a) 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.

(b) 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:—

Diam. in inches.	lb. per yard.
$\frac{3}{8}$ inch	5
$\frac{1}{2}$ inch	6
$\frac{3}{4}$ inch	9
1 inch	12
$1\frac{1}{4}$ inches	16
$1\frac{1}{2}$ inches	20

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

Diam. in inches.	lb. per foot.
$\frac{1}{2}$ inch	.891
$\frac{3}{4}$ inch	1.262
1 inch	1.825
$1\frac{1}{4}$ inches	2.581
$1\frac{1}{2}$ inches	3.215
2 inches	4.093
$2\frac{1}{2}$ inches	5.705
3 inches	6.741
4 inches	8.820

(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.



(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 stop-cock, 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 depth less 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 pipe.

(19) (a) 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.

(b) No service pipe shall communicate directly with the fixture, or otherwise than with the cistern.

(20) (a) 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 those fixtures.

(b) The outlet of every fixture shall be provided with a perfectly watertight 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 changes of direction occur 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 in. overall.

(27) 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 and, if approved, such apparatus shall be fixed only under such conditions as the Minister shall notify in writing.

#### Maintenance of Private Services.

By-law 59  
amended by  
G.G.,  
26/7/66,  
p. 2082.

59. (1) 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 by-laws.

(2) Where the service pipe or apparatus within the boundary of any premises is the property of the owner or occupier of those premises, the occupier (if any) and if none, the owner shall, upon receiving notice that the 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 twenty dollars, and, in the event of continuing the offence, to a further penalty of four dollars for each day after receipt of such notice, and the Minister may stop the water from flowing into those premises, either by cutting off the service pipe, or otherwise, as the Minister may see fit, until the necessary repairs are effected.

(3) 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.

#### Interference Within Three Feet of Stop-cock.

60. (1) Licensed plumbers or other persons shall not, under any circumstances, disconnect the joints from a meter supplied by the Minister.

(2) No branch shall be taken off the service pipe within a distance of 3 ft. on the consumer's side of the stop-cock or meter of the Minister.

#### Division VI.

##### By-laws for General Purposes.

##### Applications for Service.

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

(2) 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.

##### Supply to Non-rated Premises.

62. (1) Any person or persons requiring a water service to any non-rated property may be supplied on payment of an annual charge which shall be fixed by the Minister, and such person or persons may be required to pay, in addition to that annual charge, the cost of providing such water service including the cost of any necessary extension of the main.

(2) The annual charge shall then take the place of a water rate, and the general provisions of these by-laws, as applying to rate-paying consumers, shall apply to consumers so required to pay an annual charge.

##### Supply of Water Not Compulsory.

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

##### Separate Services Required.

64. (1) Except with the written permission of the Minister, not more than one house or tenement shall be supplied from a single water service.

(2) 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 stop-cock on such sub-service.

By-law 62  
substituted  
by G.G.,  
22/12/64,  
p. 4068.

#### Size of Service Pipes.

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

#### Notice of Intention to Build.

66. The owner or occupier of any land supplied with water within a Country 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.

#### Obstruction of Pipes, Sewers, Drains or Fittings.

By-law 67  
amended by  
G.G.,  
26/7/66,  
p. 2082.

67. (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 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 against these by-laws and be punishable on summary conviction by a penalty not exceeding forty dollars, and in the case of a continuing breach of this by-law the offender shall be liable to a further penalty not exceeding ten dollars 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.

#### Locking of Taps, etc.

68. The occupier of any premises to which water is laid on, or in the event there being no occupier, the owner of such premises 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 those premises.

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

#### Misuse of Water.

70. 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 for which the water is supplied.

#### Illegal Taking or Selling of Water.

71. 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.

72. 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.

#### Turning Off When Repairing and Tapping.

73. 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 country water area.



## Reward—Reporting Leakage.

74. The Minister may in his discretion adequately reward any person (not being the person in fault), who communicates 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 gives such information as shall lead to the conviction of any person or persons who steals or cause to be stolen or improperly appropriated the water of the Minister.

## Waste of Water.

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

## Limiting Supply.

76. (1) 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 commercial, domestic and industrial, except with his permission in writing.

By-law 76  
amended by  
G.G.,  
22/12/64,  
p. 4069;  
G.G.,  
26/7/66,  
p. 2082.

(2) The Minister may also at and for such times and for such purposes as he may deem necessary and expedient, by notice published 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.

(3) A person who uses water or a hose, device or sprinkler in contravention of a notice so published shall be deemed to have committed a breach of the provisions of this by-law and shall be liable upon conviction to a penalty not exceeding forty dollars, and in the event of a continuing breach to a further penalty not exceeding ten dollars, for each day the breach continues.

## Fixing of Meters.

77. (1) An 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.

(2) Meters will be supplied by the Minister, and may be open or encased at the discretion of the Minister.

## Repairs and Maintenance of Meters.

78. (1) (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.

By-law 78  
amended by  
G.G.,  
22/12/64,  
p. 4069.

(b) 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.

(2) A person supplied with water through a meter not owned by the Minister shall pay the cost of keeping the meter in repair, and shall pay in advance an annual maintenance fee which shall be determined by the Minister.

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

79. 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.

## Interference with Meters.

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

Period for Reading.

By-law 81  
substituted  
by G.G.,  
15/12/66,  
p. 3306.

81. (1) The Minister shall, as the occasion may require, appoint the terminating day of the consumption year for each water area or for any part of a water area.

(2) Without limiting the occasions on which it may be read, a meter may, for the purpose of ascertaining the charges to be made pursuant to these by-laws, be read at any time within a period commencing twenty days before, and ending twenty days after, the terminating day of the consumption year for the water area in which the meter is installed; and a reading so made is deemed to have been made on the terminating day.

Averaging of Consumption.

82. During the time any meter is undergoing repairs, or should it cease properly to register or record 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.

Testing of Meters.

By-law 83  
amended by  
G.G.  
26/7/66,  
p. 2082.

83. If a consumer is at any time dissatisfied with any particular reading of a meter, and is desirous of having the meter tested, he shall give written notice thereof to the Minister or his officer within seven days of that reading and thereupon the meter shall be tested by passing through it a pre-determined quantity of water, and if upon being so tested it appears to the satisfaction of the Minister or his officer that the meter registered more than five per cent. in excess of the quantity that actually passes through it at the testing, then the Minister shall bear the expense of and incidental to the testing, and shall also adjust the charge to the consumer, but if the meter upon that testing does not register more than five per cent. in excess of the quantity that actually passes through it, then the consumer shall pay to the Minister all the expenses of and incidental to the testing, provided that the expense of every test shall be fixed by the Minister, subject to a minimum charge of \$1.00 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 gives notice as aforesaid.

Authority to Enter Premises.

84. (1) 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.

(2) Any person refusing admission or in any way hindering such officer in the execution of his duty shall be liable to a penalty as hereinafter prescribed.

Gratuities Prohibited.

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

Standard Drawings and Fittings.

86. (1) Approved standard fittings and type drawings will be exhibited at the Minister's office.

(2) 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.

(3) 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.

#### Connecting or Interfering with Pipes and Fittings.

87. No person shall make any connection or interference with any pipe 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 a workman of the Minister.

#### Inspection of Works.

88. (1) 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.

(2) 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.

(3) In no case shall any water pipes or apparatus in connection with water supply be used until the work has been inspected, and, if necessary, tested by the officer, and certified by him in a form approved by the Minister.

(4) No underground or enclosed work shall be covered up or concealed from view until the same has been duly inspected and passed by an 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 any inspection or tests.

### DIVISION VII.

#### Rates and Charges.

##### Rating.

89. (1) Within any country water area the water rate shall, pursuant to the provisions of paragraph (a) of subsection (1) of section 65 of the principal Act, be at a rate not exceeding seven and one half cents in the dollar per annum upon the estimated net annual value of all rateable land classified for the purposes prescribed by these by-laws as domestic purposes, provided that a minimum rate of two dollars per annum shall be payable on each separately assessed piece of land.

(2) Within any country water area the water rate shall, pursuant to the provisions of paragraph (b) of subsection (1) of section 65 of the principal Act, be at a rate not exceeding ten cents in the dollar per annum upon the estimated net annual value of all rateable land classified for the purposes prescribed by these by-laws as commercial purposes, provided that a minimum rate of two dollars per annum shall be payable on each separately assessed piece of land.

(3) On farm land within the boundaries of a country water area, the annual water rate on each rateable holding shall, subject to the provisions of paragraphs (b), (c) and (d) of subsection 2) of section 65 of the principal Act, be a sum not exceeding two cents per acre of the area of land rated, or three per centum of the unimproved value of the land, whichever is the lesser, provided that a minimum rate of not more than four dollars per annum shall be payable in respect of each rateable holding.

4) For the purposes of section 50 of the principal Act the financial year shall be—

(a) the year ending on the 31st day of December in respect of the following water areas:—

Albany, Belka, Beverly, Boddington, Bullaring, Carnarvon, Central, Cuballing, Cue-Day Dawn, Darlington, Denham, Derby, Dumbleyung, Esperance, Geraldton, Goomalling, Grass Patch, Kalannie, Kojonup, Kukerin, Lake Grace, Laverton, Leonora, Manjimup, Meekatharra, Mount Magnet, Mullewa, Mundaring, Newdegate, Northam, Nukarni, Onslow, Pingelly,

By-law 89 substituted by G.G., 22/12/64, p. 4069-70. Amended by G.G., 26/10/65, p. 3758; G.G., 22/4/66, p. 968; G.G., 26/7/66, p. 2082; G.G., 8/12/66, p. 3246; G.G., 3/3/67, p. 622; G.G., 6/9/67, p. 2213.

Popanyinning, Port Hedland, Roebourne, Toodyay, Wagin, Wandering, Westonia, Wickepin, Williams, Wittenoom, Yealering, York; and

- (b) the year ending on the 30th day of June in respect of the following water areas:—

Allanson, Augusta, Australind, Balingup, Ballidu, Barbalin, Bolgart, Borden, Boulder, Boyanup, Boyup Brook, Bridgetown, Brookton, Broome, Broomehill, Bruce Rock, Brunswick Junction, Bullfinch, Calingiri, Capel, Carnamah, Collie, Coolgardie, Coorow, Corrigin, Cranbrook, Dalwallinu, Dangin, Darkan, Denison, Denmark, Dongara, Donnybrook, Dowerin, Dwellingup, Eaton, Exmouth, Gingin, Gnowangerup, Greenbushes, Hamel, Highbury, Jerramungup, Kalgoorlie, Katanning, Kirup, Kondinin, Koolyanobbing, Koorda, Kulin, Lancelin, Margaret River, Marvel Loch, Miling, Miners Settlement Farmlands (Southern Cross), Mingenew, Moora, Morawa, Mount Barker, Nannup, Narembeen, Narrogin, Norseman, North Greenbushes, Northampton, Northcliffe, Ongerup, Pemberton, Perenjori, Piesseville, Pinjarra, Pithara, Quairading, Salmon Gums, Sandstone, Southern Cross, Tambellup, Three Springs, Walpole, Waroona, Watheroo, Wongan Hills, Woodanilling, Wubin, Wyalkatchem, Wyndham, Yarloop, Yunderup.

#### Rates—How Payable.

90. Water rates shall become due and payable in advance as from the date of making and levying of such water rates.

91. [By-law and heading revoked by G.G. 22/12/64, p. 4070.]

91A. [Revoked by G.G. 22/12/64, p.4070.]

92. [Revoked by G.G. 22/12/64, p. 4070.]

93. [By-law and heading revoked by G.G. 22/12/64, p.4070.]

94. [By-law and heading revoked by G.G. 22/12/64, p. 4070.]

#### Fees for Additional Services.

By-law 95 substituted by G.G., 22/12/64, p. 4070. Amended by G.G., 26/7/66, p. 2082.

95. When any place where the owner or occupier of any separately rated piece of land requires more than one service to be installed for supplying water to that land, the additional service or services shall, at the discretion of the Minister, be installed upon that owner or occupier paying in advance the cost of installation and a fee of not less than four dollars per annum for each additional service.

By-law 95A substituted by G.G., 22/12/64, p. 4070.

95A. Where rates of prices or charges are prescribed in the Schedule to these by-laws for water supplied to ships from any water area, those prices or charges shall be paid by the masters or agents of the ships to which water is so supplied at the rates so prescribed.

96. [By-law and heading revoked by G.G. 22/12/64, p.4071.]

By-law 97 substituted by G.G., 26/7/66, p. 2082.

97. (1) In every case in which the supply of water is 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 a local officer, necessary to prevent waste of water, or for other reasons, the actual cost of the disconnection or the sum of two dollars, whichever is the greater amount, shall be charged, and shall be payable by the owner or occupier for the time being, on demand.

(2) Where a service has been disconnected for any of the reasons referred to in sub-by-law (1) of this by-law, reconnection of that service shall be made only upon application of the owner or occupier for the time being and after payment of the estimated costs of the reconnection or the sum of two dollars, whichever is the greater amount.

## Private Fire Services.

98. (1) 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.

By-law 98  
amended by  
G.G.,  
22/12/64,  
p. 4071.

(2) For each such service the owner or occupier shall pay in advance the actual cost of installation and an annual fee 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.

(3) 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 these by-laws.

(4) No water shall be taken from any sealed portion except for extinction of fire.

(5) In the event of the seal being 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 re-sealing.

## Building Fees.

99. (1) Where water is required for building purposes, the Minister may permit the supply of water on payment of the appropriate fees prescribed in sub-by-law (2) of this by-law and on the following terms:—

By-law 99  
substituted  
by G.G.,  
22/12/64,  
p. 4071.  
Amended by  
G.G.,  
26/7/66,  
p. 2082.

- (a) All fees shall be paid in advance, and 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.
- (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.

(2) The fees referred to in sub-by-law (1) of this by-law are as follows:—

On all types of new buildings or additions to buildings, one dollar for each two thousand dollars, or part thereof, based on the estimated cost of the new building, or as the case may be, additions to a building.

(3) The fees prescribed in sub-by-law (2) of this by-law shall apply if a service is available before completion of the construction of the building, but—

- (a) if the service to be provided will become the rated service, no charge will be made for the building service;
- (b) if a special service is provided for building purposes, such service will be at the cost of the builder.

100. [By-law and heading revoked by G.G. 22/12/64, p. 4071.]

101. [By-law and heading revoked by G.G. 22/12/64, p. 4071.]

## Irrigation Supplies.

102. A supply of water for irrigation purposes and at irrigation prices shall not be granted except on such applications from consumers as may be in each case specifically approved by the Minister, and such supply may be discontinued at any time at the discretion of the Minister.

By-law 102  
substituted  
by G.G.,  
22/12/64,  
p. 4071.

103. [By-law and heading revoked by G.G. 22/12/64, p. 4071.]

## When Accounts Due and Payable.

By-law 104 amended by G.G., 12/2/60, p. 325. 104. 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.

## Classification of Holdings.

By-law 104A and heading added by G.G., 22/12/64, p. 4072. Amended by G.G., 26/5/65, p. 1614; G.G., 26/10/65, p. 3759; G.G., 26/7/66, p. 2032; G.G., 30/6/67, p. 1718. 104A. (1) The classes of purposes for which water may be used or primarily used by owners or occupiers of holdings are prescribed pursuant to section 63A of the principal Act as follows:—

Class 1.—Domestic Purposes, as defined in paragraph (b) of sub-by-law (1) of by-law 1A of these by-laws.

Class 2.—Commercial Purposes, as defined in paragraph (b) of sub-by-law (1) of by-law 1A of these by-laws.

Class 3.—Industrial Purposes, applicable to holdings or parts of holdings used for any of the manufactures or processes specified in Part A of the First Schedule to these by-laws.

Class 4.—Mining, Shipping and Stock Watering Purposes, applicable in relation to stock watering, to land not rated under the Act on which a stock watering service is provided, but not including land used for stock sale yards.

Class 4A.—Land used by Co-operative Bulk Handling Limited for the purpose of the storage of grain.

Class 5.—Farm Land, as defined in section 5 of the principal Act.

Class 6.—Orchards, Piggeries, and Poultry Farms.

Class 6A.—Market Gardens.

Class 7.—General Purposes, applicable to holdings or parts of holdings used for any of the purposes specified in Part B of the First Schedule to these by-laws.

Class 8.—Vacant Land, as defined in paragraph (b) of sub-by-law (1) of by-law 1A of these by-laws.

(2) Subject to sub-by-law (4) of this by-law, charges for water consumed by owners or occupiers of holdings or parts of holdings classified in any of Classes 1 to 7 (both inclusive) for those purposes shall be as prescribed in the Second Schedule to these by-laws.

(3) The annual charge in lieu of rate in respect of holdings or parts of holdings classified in Class 8 shall be four dollars.

(4) Where the owner or occupier of a holding or part of a holding classified in Class 6A agrees, or has agreed, in writing to limit the annual consumption of water to a quantity specified in the agreement, the charge for each one thousand gallons of water consumed in any year in respect of which the agreement applies in excess of that quantity shall be fifty-five cents.

## Service Charges.

By-law 104B and heading added by G.G., 22/12/64, p. 4072. Amended by G.G., 26/10/65, p. 3759; G.G., 26/7/66, p. 2032; G.G., 30/6/67, p. 1718. 104B. (1) An annual service charge in lieu of water rates shall be payable by owners or occupiers of holdings or parts of holdings classified in Class 4A, Class 6 or Class 6A, and such annual charge shall be ten dollars.

(2) An annual service charge in lieu of water rates shall be payable in respect of holdings or parts of holdings classified in Class 7, and such annual charge shall be four dollars.

## Division VIII.

## Penalties.

105. (1) A person who contravenes or commits a breach of any provision of these by-laws, whether by act or omission, for which a penalty is not expressly prescribed, is liable, on conviction, to a penalty not exceeding \$40, and in the case of a continuing contravention or breach, to a further penalty not exceeding \$10 for each day during which the offence continues after notice of the contravention or breach is given by or on behalf of the Minister to that person.

By-law 105  
amended by  
G.G., 12/2/60,  
p. 325.

(2) In addition to any penalty provided by these by-laws, any expense, loss or damage incurred by the Minister in consequence of the breach of any by-law shall be paid by the person committing the breach and recoverable in the same manner as compensation may be recovered under section forty-five subsection (3) of the Act.

## First Schedule.

## Part A.

## Manufactures and Processes included in Industrial Purposes.

Abattoirs and meat export works: aerated water factories: breweries: brickyards: building construction: butter and creamery factories: cement and concrete industries: charcoal, iron and steel industries: fishery and canning works: flax mills: ice and cold storage works: industrial extracts: plaster board works: power stations (including those of the State Electricity Commission and of local authorities): railways (exclusive of quarters, institutes and halls): road making: steam laundries: superphosphate works: woolen mills: and any other manufacture or process whatsoever in respect of which water is used for industrial purposes as defined in paragraph (b) of sub-by-law (1) of by-law 1A of these by-laws.

Schedule  
substituted  
by 1st and  
2nd  
Schedules.  
G.G.,  
22/12/64,  
p. 4073-4.  
Amended by  
G.G., 26/3/65,  
p. 1614; G.G.,  
26/10/65,  
p. 3759; G.G.,  
26/7/66,  
p. 2082; G.G.,  
15/12/66,  
p. 3306; G.G.,  
30/6/67,  
p. 1718.

## Part B.

Institutional and other Holdings included in  
General Purposes.

- (a) Bowling clubs: cemeteries: churches: Country Women's Association rest rooms: convents: croquet clubs: golf clubs: hospitals: kindergartens: licensed clubs: manses, monasteries: native reserves: orphanages: old-age homes: parks: prisons: race-courses: recreation grounds: St. John Ambulance centres: schools: scout and guide groups: showgrounds: sporting clubs: standpipes and street watering (exclusive of road making): students' hostels: surf clubs: swimming pools: trotting grounds: youth clubs: water ski clubs.
- (b) Amenities provided by local authorities including bowling greens, camping areas, caravan parks, change rooms, clinics, drinking fountains, golf links, halls, libraries, public toilets, public water troughs, rest rooms, riding schools, tennis courts, war memorials.
- (c) Any other land or premises on, in or about which water is required for use thereof for general purposes as defined in paragraph (b) of sub-by-law (1) of by-law 1A of these by-laws.

## Second Schedule.

Schedule of Prices at which Water will be Supplied to Various Classes of Consumers for each Consumption Year.

Classification of Purpose.	Price of Water Per 1,000 Gallons. c
Class 1—Domestic Purposes:	
First 60,000 gallons consumed ....	20
Next 40,000 gallons consumed ....	25
Over 100,000 gallons consumed ....	30
Class 2—Comercial Purposes:	
First 60,000 gallons consumed ....	20
Next 40,000 gallons consumed ....	25
Next 100,000 gallons consumed ....	30
Over 200,000 gallons consumed ....	40
Class 3—Industrial Purposes:	
All water consumed ....	40
Class 4—Mining, Shipping and Stock Watering Purposes:	
All water consumed ....	55
Class 4A—Co-operative Bulk Handling Limited grain storage installations:	
All water consumed ....	55
Class 5—Farm Land:	
First 60,000 gallons consumed ....	20
Next 40,000 gallons consumed ....	25
Over 100,000 gallons consumed ....	55
Class 6—Orchards, Piggeries and Poultry Farms:	
First 60,000 gallons consumed ....	20
Next 40,000 gallons consumed ....	25
Over 100,000 gallons consumed ....	30
Class 6A—Market Gardens:	
First 60,000 gallons consumed ....	20
Next 40,000 gallons consumed ....	25
Over 100,000 gallons consumed ....	28
Class 7—General Purposes:	
All water consumed ....	25