

WESTERN AUSTRALIA

WATER AGENCIES (POWERS) ACT 1984

**WATER AGENCIES
(CHARGES)
BY-LAWS 1987**

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WESTERN AUSTRALIA

**WATER AGENCIES (CHARGES)
BY-LAWS 1987**

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WESTERN AUSTRALIA

WATER AGENCIES (POWERS) ACT 1984

**WATER AGENCIES (CHARGES)
BY-LAWS 1987**

Citation

1. These by-laws may be cited as the *Water Agencies (Charges) By-laws 1987*¹.

[*By-law 1 amended in Gazette 29 December 1995 p.6330.*]

Interpretation

2. (1) In these by-laws, unless the contrary intention appears —

“**caravan bay**” means “**site**” as that word is defined in the
Caravan Parks and Camping Grounds Act 1995;

“**country sewerage area**” means a sewerage area constituted
under the *Country Towns Sewerage Act 1948*;

“**current year**” means the current financial year;

“**discharge charge**” means an amount calculated at 136.2 cents
for each kilolitre of discharge volume exceeding 200 kL for
the previous year;

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“discharge factor” means the estimated percentage of water discharged into the Corporation’s sewer in a discharge period, set for each property by the Corporation —

- (a) by individual assessment and consultation with the consumer; or
- (b) at a default level of 95%;

“discharge period” means the period commencing on a day determined by the Corporation, being a day between 15 January and 29 June in a year and ending on a day determined by the Corporation, being a day within 20 days of the expiration of one year after the commencement of the period;

“discharge volume” means the volume of water in kilolitres calculated as having been discharged into the Corporation’s sewer, by multiplying the volume of water delivered to a property in a discharge period by the discharge factor set for the period;

“GRV”, in relation to land, means the gross rental value of the land;

“Government trading organization” means one of the following organizations —

Albany Port Authority — constituted under the *Albany Port Authority Act 1926*;

Bunbury Port Authority — constituted under the *Bunbury Port Authority Act 1909*;

Dampier Port Authority — constituted under the *Dampier Port Authority Act 1985*;

Department of Marine and Harbours — established under section 4 of the *Marine and Harbours Act 1981*;

Electricity Corporation — established under section 4 of the *Electricity Corporation Act 1984*;

Esperance Port Authority — constituted under the
Esperance Port Authority Act 1968;

Fremantle Port Authority — constituted under the
Fremantle Port Authority Act 1902;

Gas Corporation — established under section 4 of the
Gas Corporation Act 1984;

Geraldton Port Authority — constituted under the
Geraldton Port Authority Act 1968;

Joondalup Development Corporation — established under
the *Joondalup Centre Act 1976*;

Lotteries Commission — continued under the
Lotteries Commission Act 1990;

Metropolitan Cemeteries Board — established under the
Cemeteries Act 1986;

Metropolitan (Perth) Passenger Transport
Trust — constituted under the *Metropolitan (Perth)
Passenger Transport Trust Act 1957*;

Perth Market Authority — preserved and continued under
the *Perth Market Act 1926*;

Perth Theatre Trust — established under the *Perth Theatre
Trust Act 1979*;

Port Hedland Port Authority — constituted under the
Port Hedland Port Authority Act 1970;

State Housing Commission (“Homeswest”) — preserved and
continued under the *Housing Act 1980*;

Western Australian Coastal Shipping
Commission — established under the
Western Australian Coastal Shipping Act 1965;

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Western Australian Development Corporation — established by the *Western Australian Development Corporation Act 1983*;

Western Australian Land Authority — established by the *Western Australian Land Authority Act 1992*;

Western Australian Meat Commission — established under the *Abattoirs' Act 1909*;

Western Australian Mint — preserved and continued under the *Gold Corporation Act 1987*, including —

- (a) GoldCorp Australia — constituted under the *Gold Corporation Act 1987*;
- (b) Gold Corporation — constituted under the *Gold Corporation Act 1987*; and
- (c) the Perth Branch of the Royal Mint — established by proclamation under the *Coinage Act 1870* of the Parliament of the United Kingdom;

Western Australian Government Railways Commission (“Westrail”) — constituted under the *Government Railways Act 1904*;

“holiday accommodation” means accommodation which, at any time during the year for which a charge is to be assessed —

- (a) is held out by the owner or occupier of the land on which the accommodation is situated as being available; or
- (b) is made available by that owner or occupier,

for occupation for holiday purposes by persons other than that owner or occupier unless, in the opinion of the Corporation, the accommodation is not so held out or made available substantially by way of trade or business or for the purpose of any trade or business;

“home for the aged” means an institution that, in the opinion of the Corporation, provides accommodation for aged persons and is not operated for the purpose of profit or gain;

“irrigation district” refers to an irrigation district constituted under the *Rights in Water and Irrigation Act 1914*;

“long term residential caravan bay” means a caravan bay that is rented by a person as the person’s principal place of residence;

“major fixture” means —

- (a) a water closet;
- (b) each urinal outlet contained within a floor mounted urinal;
- (c) each stand of wall-hung urinals contained within a separate ablution area; and
- (d) a pan washer;

“metropolitan area” means Metropolitan Water, Sewerage, and Drainage Area constituted under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909*;

“non-commercial Government property” means property held by a State Government body —

- (a) which is not used wholly or primarily for the provision of community services or public facilities;
- (b) which is not property classified as Government trading organization property under these by-laws; and
- (c) upon which revenue may be generated, but not to the extent that it approaches the funding level necessary for the body itself,

and includes associated buildings and facilities.

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“previous year” means the financial year immediately preceding the current year;

“quantity charge” means —

- (a) in relation to the supply of water, a charge prescribed in these by-laws according to the quantity of water supplied, whether or not for irrigation; or
- (b) in relation to the provision of sewerage, a charge prescribed in these by-laws according to the discharge volume;

“residence” means a private dwelling house, home unit, or flat, and includes any yard, garden, outhouse, or appurtenance belonging thereto or usually enjoyed therewith;

“residential property”, in relation to a charge, means a piece of land classified for the purposes of the Part or Division under which that charge is made as Residential that, in accordance with by-law 5, is the subject of a separate assessment of a charge;

“single capital infrastructure charge” means a charge set out in Schedule 1, Division 1, Part 5, Column 2;

“UV”, in relation to land, means the unimproved value of the land;

“water supply” does not include the supply of water under the *Rights in Water and Irrigation Act 1914* for irrigation but includes the supply of water under that Act for purposes other than irrigation;

“year”, preceded by a reference to 2 calendar years (for example, 1987/88) means —

- (a) in relation to a charge not mentioned in paragraph (b), the period commencing on 1 July in the first of the years referred to and ending immediately before 1 July in the second of those years;

- (b) in relation to a quantity charge —
- (i) that relates to water supplied under the *Country Areas Water Supply Act 1947*, the period commencing on a day determined by the Corporation, being a day between 1 July and 31 October, inclusive, in the first of the years referred to and ending on a day determined by the Corporation, being a day within 20 days of the expiration of one year after the commencement of the period;
 - (ii) that relates to water supplied under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* or the *Metropolitan Water Authority Act 1982*, the period commencing on a day determined by the Corporation, being a day between 15 January and 29 June in the first of the years referred to and ending on a day determined by the Corporation, being a day within 20 days of the expiration of one year after the commencement of the period;
 - (iii) that relates to industrial waste discharged under the *Metropolitan Water Supply, Sewerage and Drainage Act 1909*, the period commencing on a day determined by the Corporation, being a day between 15 June and 15 July in the first of the years referred to and ending on a day determined by the Corporation, being a day between 15 June and 15 July in the second of the years referred to; and
 - (iv) that relates to water discharged into the Corporation's sewer, the period under subparagraph (ii).

(2) A reference in these by-laws to a charge includes a reference to an amount in respect of rates under the *Land Drainage Act 1925*.

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(3) For the purposes of a formula in a Schedule —

- (a) the symbol “≤” means less than or equal to; and
- (b) the symbol “>” means greater than.

[By-law 2 amended in Gazette 29 June 1988 p.2112; 29 June 1989 p.1870; 28 June 1991 pp.3267-8; 1 July 1993 p.3215; 29 June 1994 p.3171; 30 June 1995 p.2735; 29 December 1995 p.6331; 28 June 1996 pp.3104-5; 23 August 1996 p.4129; 13 May 1997 p.2350; 27 June 1997 pp.3175 and 3203.]

PART 1 — GENERAL

Proportionate charges for part of year

3. (1) Subject to sub-by-law (3), where —
- (a) a charge, other than —
 - (i) a quantity charge; or
 - (ii) a charge prescribed under item 4 of Part 1 of Schedule 2,is prescribed for a year; and
 - (b) part of the way through that year, land becomes, or ceases to be, land in respect of which that charge applies,

the amount of the charge in respect of that land applicable for the part of the year concerned shall be an amount that bears to the charge prescribed for a full year the same ratio as the part of the year for which the charge applies bears to the full year.

(2) Subject to sub-by-law (1), a charge prescribed in respect of land for a year applies for the whole year notwithstanding that the charge may not have been prescribed until after the commencement of the year.

(3) Sub-by-law (1) does not apply in respect of land used, at any time during the year for which a charge is to be assessed, for the purpose of providing holiday accommodation unless —

- (a) the ownership or occupation of that land changes; and
- (b) the Corporation is of the opinion that the land ceases to be land used in whole or in part for the purpose of providing holiday accommodation.

*[By-law 3 amended in Gazette 29 June 1988 p.2112;
29 December 1995 p.6331.]*

b. 3A

Minimum charge prior to revaluation

3A. The charges under by-laws 11, 21 and 27 for land which —

- (a) is the subject of a subdivision or amalgamation of land, or becomes vacant from some other action in the period prior to a general valuation of that land by the Valuer General;
- (b) is, in the opinion of the Corporation, intended for residential purposes; and
- (c) does not exceed 1 200 m² in area,

until the commencement of the next rating year, are the minimum charges —

- (d) for water supply, set out in Schedule 1, Part 2, item 1 (a) (iv), 1 (b) (i) or 2 (b);
- (e) for sewerage, set out in Schedule 2, Part 2, item 2 (a) or 3 (d); and
- (f) for drainage, set out in Schedule 3, Part 2, item 2 (a),

which correspond to the location of the land.

[By-law 3A inserted in Gazette 20 September 1991 p.4953; amended in Gazette 1 July 1993 p.3215; 29 December 1995 p.6331.]

Exempt land

4. (1) The exemptions given by by-laws 12, 22, 28, and 32 apply, subject in each case to the by-law concerned, to —

- (a) land the property of the Crown in right of the State that is used for a public purpose or is unoccupied;
- (b) land vested in or in the use and occupation of a local government, not being land —
 - (i) used for the purposes of a trading concern; or
 - (ii) held or occupied by any tenant under the local government;

- (c) land belonging to a religious body, being land used or held exclusively as or for a place of public worship, Sunday-school, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood, and not being land leased or occupied for any private purpose;
- (d) land used exclusively as a public hospital, benevolent asylum, orphanage, public school, private school (being the property of a religious body), public library, public museum, public art gallery, or mechanics' institute, and not being land leased or occupied for any private purpose;
- (e) land used, occupied, or held exclusively for charitable purposes, not being land leased or occupied for any private purpose;
- (f) land vested in any board under the *Parks and Reserves Act 1895*, or in trustees for agricultural or horticultural show purposes, for zoological or acclimatisation gardens or purposes, or for public resort and recreation, and not being land leased or occupied for any private purpose;
- (fa) land used, occupied or held exclusively for the purposes of societies, clubs, associations and other bodies that —
 - (i) conduct sporting, hobby or like activities as their sole or principal activities;
 - (ii) in the opinion of the Corporation, are not operated for the purpose of profit or gain to individual members, shareholders or owners; and
 - (iii) are not listed in the following table —

Table

1. the body known as The Western Australian Turf Club, and any club or association formed for the conduct or promotion of galloping horse races in Western Australia;

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2. the Western Australian Trotting Association constituted under the *Western Australian Trotting Association Act 1946* and any trotting club or association formed for the conduct or promotion of trotting or pacing horse races in Western Australia;
 3. the Western Australian Greyhound Racing Association constituted under the *Western Australian Greyhound Racing Association Act 1981* and any greyhound club or association formed for the conduct or promotion of greyhound racing in Western Australia;
- (fb) land used on occasion for horse or greyhound racing if the land is used principally by societies, clubs, associations and other bodies referred to in paragraph (fa) and not listed in the table to that paragraph;
- (fc) land used, occupied or held exclusively for the purposes of a club or association referred to in the table to paragraph (fa) if —
- (i) the land is used principally for horse or greyhound racing; and
 - (ii) no off-course betting facilities are provided by the Totalisator Agency Board constituted under the *Totalisator Agency Board Betting Act 1960* for any of the race meetings conducted on the land;
- (g) land used or held as a cemetery; or
- (h) land that the Corporation may declare under this paragraph to be exempt land for the purposes of this by-law.

(2) Land does not cease to be used exclusively for a purpose mentioned in sub-by-law (1) merely because it is used for the purposes of a bazaar, or as a place of meeting for any religious, charitable, temperance, or benevolent object, or for a polling place at any parliamentary or other election.

(3) In sub-by-law (1) (e) “**charitable purposes**” means purposes that, in the opinion of the Corporation, involve —

- (a) the provision of relief or assistance to sick, aged, disadvantaged, unemployed or young persons; or
- (b) the conducting of other activities for the benefit of the public or in the interests of social welfare not otherwise mentioned in sub-by-law (1),

by a private organization that is not operated for the purpose of profit or gain to individual members, shareholders or owners.

[By-law 4 amended in Gazette 20 January 1989 p.121; 29 June 1989 p.1870; 29 December 1995 p.6331; 28 June 1996 p.3105.]

Separately assessable residential land

5. Where a charge prescribed by these by-laws is expressed to apply in respect of residential properties, land classified for the purposes of the Part or Division under which the charge is made as Residential that is used as a discrete residential unit shall be the subject of a separate assessment of the charge.

Estimation upon meter malfunction or of non-metered quantity

6. (1) Where a charge is to be assessed by reference to the quantity of water concerned and a meter for measuring that quantity is found not to be in proper order or has been removed for repair, the Corporation may estimate the quantity of water concerned —

- (a) by reference to a daily average of the quantity of water supplied during another period;
- (b) by adjusting the quantity registered by the meter to take account of the error found upon testing the meter; or
- (c) on such other basis as the Corporation may determine,

and the charge shall be assessed by reference to the quantity so estimated.

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(2) A charge that is to be assessed by reference to the quantity of water supplied for irrigation may, where the water —

- (a) is not supplied through a measuring device; or
- (b) is supplied through a measuring device but the measuring device is not functioning properly,

be assessed by reference to the quantity estimated by the Corporation to have been supplied having regard to the rate of flow and the period of supply.

[By-law 6 amended in Gazette 29 December 1995 p.6331.]

Manner of payment of charges other than quantity and single capital infrastructure charges

7. (1) In this by-law —

“charge” means —

- (a) a charge other than —
 - (i) a quantity charge; or
 - (ii) a single capital infrastructure charge;
- or
- (b) an amount payable in respect of rates under the *Land Drainage Act 1925*.

(2) Unless, in accordance with by-law 8, special arrangements for payment have been made a charge is payable in accordance with this by-law.

(3) Subject to sub-bylaws (4) and (8), a charge is payable to the Corporation in 2 equal instalments due on 31 July and 31 December, respectively, in the year for which the charge is made.

(4) Subject to sub-bylaws (5) and (8), a person may elect to pay an account relating to a charge —

(a) in full (whether or not it also relates to other charges in respect of the same year) on or before 31 July in that year in which case the person is to receive a discount of —

(i) the amount prescribed in Schedule 6, item 1 in respect of the account (irrespective of whether it relates to one or more charges); and

(ii) interest calculated at the rate prescribed in Schedule 6, item 3 for a period of 5 months on one-half of the charge for the year;

or

(b) in 4 equal instalments on or before 31 July, 31 October, 31 December, and 31 March, respectively, in that year, in which case the person is to be liable for an additional charge of —

(i) the amount prescribed in Schedule 6, item 2 in respect of the account (irrespective of whether it relates to one or more charges); and

(ii) interest calculated at the rate prescribed in Schedule 6, item 3 for a period of 3 months on one-half of the charge for the year.

(5) The options provided by sub-bylaw (4) do not apply where payment of any amount due and payable to the Corporation in relation to any water service in respect of the land concerned is outstanding.

(6) For the purposes of sub-bylaw (5), where payment of an amount has been deferred under the *Rates and Charges (Rates and Deferments) Act 1992* that amount shall not be regarded as due and payable until payment of it is required in accordance with that Act.

(7) The Corporation may, after having regard to the circumstances in a particular case, allow a person to elect to pay an account in accordance with the options provided in sub-bylaw (4), without the requirement for the appropriate amount to be paid on or before 31 July.

b. 7A

(8) Where —

- (a) a charge is for a period less than a full year; or
- (b) an account for a charge is given after 31 July in the year to which the charge relates,

the charge is due in full by the date stated in the account.

(9) For the purposes of sub-by-law (8), a date stated in an account shall be a date not earlier than 28 days after the giving of the account.

[By-law 7 inserted in Gazette 13 May 1997 pp.2350-1.]

Manner of payment of quantity charges

7A. (1) Unless, in accordance with by-law 8, special arrangements for payment have been made a quantity charge is due in full on the date stated in the account given for that charge.

(2) For the purposes of sub-by-law (1), a date stated in an account shall be a date not earlier than 14 days after the giving of the account.

[By-law 7A inserted in Gazette 13 May 1997 p.2351.]

Manner of payment of single capital infrastructure charges

7B. (1) A single capital infrastructure charge is due in full on the date stated in the account given for that charge.

(2) For the purposes of sub-by-law (1), a date stated in an account shall be a date not earlier than 28 days after the giving of the account.

[By-law 7B inserted in Gazette 13 May 1997 p.2351.]

Special arrangements

8. (1) Subject to sub-by-law (4), where in a particular case the Corporation is satisfied that there is proper cause, the Corporation may agree to special arrangements for payment of charges and any such arrangements shall provide for payment by regular quarterly, monthly, or semi-monthly instalments.

(2) In accordance with sub-by-law (1) the Corporation may provide for either —

(a) special arrangements for a person, and in that case the person shall be liable for an additional charge of the amount prescribed in item 2 of Schedule 6 for each instalment after the first 2 instalments plus interest calculated at the rate prescribed in item 3 of Schedule 6 on any amount payment of which is deferred beyond the date when it would ordinarily be due; or

(b) where the Corporation considers the circumstances so warrant, an arrangement for a person to pay at least half of a charge for a current year within the year to which the charge relates, and the balance to be deferred to the following year, in which case the person shall be liable for —

(i) an additional charge of the amount prescribed in item 2 of Schedule 6 for each instalment after the first 2 instalments plus interest calculated at the rate prescribed in item 3 of Schedule 6 on any amount deferred beyond the date when it would ordinarily be due; or

(ii) an additional charge of the amount prescribed in item 2 of Schedule 6 plus interest calculated at the rate prescribed in item 3 of Schedule 6 for a period of 3 months on one-half of the charge for the year,

whichever is the lesser amount.

(3) Where the Corporation has agreed to special arrangements, in accordance with sub-by-law (2) (b), for the payment of any charge, the Corporation may agree to the amount, or any of it, being further deferred without incurring any further additional charge, other than interest, in respect of that amount.

(4) This by-law does not apply to a single capital infrastructure charge.

*[By-law 8 amended in Gazette 29 June 1988 p.2112;
29 December 1995 p.6331; 13 May 1997 p.2352.]*

b. 8A

Concessional charges for retirement village residents

- 8A.** (1) Where a person is liable to pay a charge under —
- (a) item 1 of Part 1 of Division 1 of Schedule 1;
 - (b) item 1 of Part 2 of Schedule 2;
 - (c) item 3 (a) of Part 2 of Schedule 2; or
 - (d) item 1 of Part 2 of Schedule 3,

to these by-laws in respect of a unit in a retirement village, the person shall be allowed a concession in respect of the charge in accordance with sub-by-law (2).

(2) The concession to be allowed under this by-law in respect of a charge referred to in sub-by-law (1) is 25% of the charge, or the amount set out in item 4 of Schedule 6 opposite the particular kind of charge, whichever is the lesser amount.

(3) In this by-law, “**retirement village**” means a number of units, the residents of which have a right to life tenancy under a lease arrangement, or a similar form of lease, and are predominantly —

- (a) over 55 years old and not in full-time employment; or
- (b) retired.

[By-law 8A inserted in Gazette 29 June 1990 p.3227.]

Government trading organization and non-commercial Government property

8B. Where a body holding non-commercial Government property, or a Government trading organization is liable to pay a charge, whether in respect of exempt land or otherwise, under Schedule 1, Division 1 —

- (a) Part 1, item 2 (b), 7 (a) or (b);
- (b) Part 3, item 6 (b), 8 (a) or (g); or

(c) Part 4,

for each water service provided to property held by that body or organization, with the exception of services which are provided exclusively for fire fighting purposes and charged as such, and used for commercial (other than community-related or charitable) purposes, the body or organization shall instead pay the appropriate charge set out in Schedule 7.

[By-law 8B inserted in Gazette 29 June 1994 p.3172.]

Annual charges to Government trading organizations that supply water to lessees or ships

8BA. (1) Where a Government trading organization —

- (a) holds land that is provided with a water supply by the Corporation; and
- (b) supplies through a meter any of the water provided to it by the Corporation —
 - (i) to one or more lessees of any of that land; or
 - (ii) to a ship in port,

the annual charge payable by the Government trading organization shall be, instead of the charge that would otherwise apply under item 1 of Schedule 7, that charge less the charge that would apply under that item for a meter of the size that would be required to supply, in aggregate, water as described in paragraph (b).

(2) Sub-by-law (1) does not apply where the meter required by the Government trading organization for its water supply would be the same for size whether or not it supplied water as described in sub-by-law (1) (b).

(3) Where a body —

- (a) holds non-commercial Government property that is provided with a water supply by the Corporation; and

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- (b) supplies through a meter any of the water provided to it by the Corporation —
 - (i) to one or more lessees of any of that property; or
 - (ii) to a ship in port,

the annual charge payable by the body shall be, instead of the charge that would otherwise apply under item 1 of Schedule 7, that charge less the charge that would apply under that item for a meter of the size that would be required to supply, in aggregate, water as described in paragraph (b).

(4) Sub-by-law (3) does not apply where the meter required by the body holding the non-commercial Government property for its water supply would be the same size whether or not it supplied water as described in sub-by-law (3) (b).

[By-law 8BA inserted in Gazette 1 May 1992 p.1864; amended in Gazette 29 June 1994 p.3172; 29 December 1995 p.6331.]

[8C. Repealed in Gazette 30 June 1995 p.2735.]

Interest on overdue amounts

9. (1) For the purposes of section 41L, the time from which interest shall be calculated on overdue amounts is one day after the amount was due and payable, and interest shall be calculated at the rate set out in item 5 of Schedule 6 on a daily basis and becomes due and payable as if it were a charge for the following year to which by-law 7 (1) applies.

(2) For the purposes of section 100B of the *Land Drainage Act 1925*, the period after which interest is payable is prescribed to be one day and interest is prescribed to be payable at the rate set out in item 5 of Schedule 6 on a daily basis and becomes due and payable as if it were a charge for the following year to which by-law 7 (1) applies,

[By-law 9 amended in Gazette 26 June 1992 p.2813; 24 July 1992 p.3661.]

Amounts rounded

9A. 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 9A inserted in Gazette 26 June 1992 p.2813.]

PART 2 — WATER SUPPLY

Division 1 — Water supply other than under Rights in Water and Irrigation Act 1914

Certain matters to be disregarded

10. For the purposes of applying this Division and Division 1 of Schedule 1 the supply of water, or any other thing done or provided, under the *Rights in Water and Irrigation Act 1914*, or the fact that land is capable of being supplied with water under that Act, shall be disregarded.

Land subject to water supply charges under this Division

11. Land that is actually supplied or, although not actually supplied, is in the opinion of the Corporation reasonably capable of being supplied with water by the Corporation shall be taken, in accordance with section 41 (1) (b) of the *Water Agencies (Powers) Act 1984*, to be land in respect of which the Corporation provides water supply and, subject to by-law 12, charges as set out in Division 1 of Schedule 1 shall apply in respect of that land.

[By-law 11 amended in Gazette 29 December 1995 pp.6331-2.]

Exempt land

12. (1) In this by-law —

“**water supply connection**” does not include a local government standpipe.

(2) Where —

(a) land described in by-law 4; or

(b) land that is not classified Capital Infrastructure but is reasonably capable of being supplied by the Corporation

with water from works provided in relation to land that is so classified,

is not provided with a water supply connection, the land is exempt from any charge set out in Schedule 1, Division 1 other than a charge specifically provided in respect of local government standpipes.

[By-law 12 inserted in Gazette 13 May 1997 p.2352.]

Classification of land

13. (1) For the purposes of this Division land may, irrespective of any other classification under these by-laws, be classified by the Corporation as —

- (a) Residential, if the land —
 - (i) is used wholly or primarily for the purpose of providing the owner or occupier of the land with a residence for himself, his family or servants, or any of them; and
 - (ii) in the opinion of the Corporation, is not used in whole or in part for the purpose of providing holiday accommodation;
- (b) Commercial/Residential, if the land, although not used wholly or primarily for the purpose mentioned in paragraph (a), is used for the purpose while also being used for the purpose of a shop, workshop, office, bakery, surgery, or another business purpose;
- (ba) Semi-rural/Residential, if the land is in the metropolitan area and —
 - (i) although not used primarily for the purpose mentioned in paragraph (a), is used for that purpose; and
 - (ii) is also used for the purpose of primary production (which includes use for the purpose of a farm, market garden, kennel, plant nursery, orchard, stable, vineyard, or other similar purpose),

and water is used on the land wholly or primarily for the purpose mentioned in paragraph (a);

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- (c) Commercial, if the land is not in the metropolitan area and is used for business, professional, holiday accommodation or other commercial purposes that are not the subject of another class prescribed in this by-law;
- (d) Industrial, if the land is not in the metropolitan area and is used for manufacturing or processing involving the use of water as an essential commodity;
- (e) Vacant Land, if there is no building on the land and it is not appropriate to otherwise classify the land under this by-law;
- (f) Farmland, if the land comes within the definition of "farm land" in section 5 (1) of the *Country Areas Water Supply Act 1947* and is within 2.5 kilometres of a main or other pipe from which the Corporation is prepared to supply water to the land;
- (fa) Metropolitan Farmland, if the land is in the metropolitan area and was immediately before 1 July 1989 classified as Farmland;
- (g) Government, if the land is not in the metropolitan area and is used by the State or a local government for business, professional, commercial, or office purposes, or as a power station, and the classification of the land is not otherwise specifically provided for in this by-law;
- (h) CBH Grain Storage, if the land is not in the metropolitan area and is used by Cooperative Bulk Handling Limited for the purpose of the storage of grain;
- (i) Mining, if the land is not in the metropolitan area and is used for the purposes of mining;
- (j) Irrigated Market Gardens, if the land, not being in the metropolitan area, is used for growing vegetables or fruit for market and is irrigated with water other than water supplied under the *Rights in Water and Irrigation Act 1914*;

- (k) Institutional/Public, if the land is not in the metropolitan area and is used for such club, institutional, or public purpose as the Corporation approves, not being a purpose otherwise specifically provided for in this by-law;
- (l) Community Residential, if the land is occupied as a communal property on which several family units dwell at the same time and is managed by the persons dwelling on the land or a committee of them;
- (m) Railways, if the land, not being in the metropolitan area, is used for railway purposes other than for the purpose of quarters, institutes or halls;
- (n) Charitable purposes, if, in the opinion of the Corporation, the land is used for the purpose of —
 - (i) providing relief or assistance to sick, aged, disadvantaged, unemployed or young persons; or
 - (ii) conducting other activities for the benefit of the public or in the interests of social welfare,by a private organization that is not operated for the purpose of profit or gain to individual members, shareholders or owners.

(2) Land shall not be classified as Irrigated Market Gardens unless the Corporation considers that the availability of water in the locality is sufficient to justify the land being so classified.

(3) For the purposes of this Division, land may, irrespective of any other classification under sub-by-law (1), be classified by the Corporation as Capital Infrastructure if —

- (a) the Corporation determines that the land is in an area specified in Schedule 1, Division 1, Part 5, Column 1; and
- (b) the Corporation provides or is to provide works to ensure the supply of water to the land.

[By-law 13 amended in Gazette 31 July 1987 p.2884; 29 June 1988 p.2113; 29 June 1989 p.1871; 16 September 1994 p.4807; 29 December 1995 p.6331; 28 June 1996 p.3106; 13 May 1997 p.2352.]

[13A. Repealed in Gazette 29 June 1988 p.2113.]

Indexation of certain valuations

14. (1) This by-law does not apply to the assessment of a charge in respect of land if a value was assigned to the land pursuant to a general valuation under the *Valuation of Land Act 1978* that was expressed by a notice under section 21 or 22 of that Act to come into force and came into force for the purposes of this Act, at the commencement of the period for which the charge is to be imposed.

(2) for the purposes of this by-law, “**the relevant general valuation**”, in relation to a charge in respect of land, refers to the last general valuation under the *Valuation of Land Act 1978* pursuant to which a value was assigned to that land and which —

- (a) was expressed by a notice under section 21 or 22 of that Act to come into force; and
- (b) came into force for the purposes of this Act,

before the commencement of the period for which the charge is to be imposed.

(3) Subject to sub-by-law (1), where a charge in relation to the supply of water under the *Country Areas Water Supply Act 1947* is to be assessed in respect of land by reference to GRV, the GRV for the purposes of assessing that charge shall be the gross rental value assigned under the *Valuation of Land Act 1978* multiplied by the index applying, as set out in Schedule 5, according to when the relevant general valuation was expressed to come into force as mentioned in sub-by-law (2) (a).

Phasing in of certain valuations

15. Where a charge in relation to the supply of water under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* is to be assessed in respect of land by reference to GRV, the GRV for the purposes of assessing that charge shall be the gross rental value assigned under the *Valuation of Land Act 1978* reduced, where applicable, as referred to in section 41D (1) (a) or (b) of the *Water Agencies (Powers) Act 1984*.

[By-law 15 amended in Gazette 29 June 1994 p.3173;
29 December 1995 pp.6331-2.]

Notional residential units

16. In respect of land that is classified as Community Residential, the Corporation shall determine by reference to the anticipated water supply requirements, the number of residential units to which that land is in its opinion equivalent and the land shall be regarded as including that number of notional residential units.

[By-law 16 amended in Gazette 29 December 1995 p.6331.]

Change of tenancy

17. (1) This by-law applies where a charge is to be assessed according to the quantity of water supplied to a residential property and, during the year for which the charge is to be assessed, a change occurs in who occupies the property.

(2) Where this by-law applies, if the person who becomes the occupier of the property concerned has, within 10 days after he becomes the occupier, advised the Corporation of the change in occupation and obtained a meter reading from the Corporation, the amount of the quantity charge in respect of water supplied to the property after that time is the amount applying in accordance with Division 1 of Schedule 1 as if no change in occupation had occurred or, where a lesser amount would result from the calculation, an amount calculated as if —

- (a) each kilolitre of water used up to 150 kL were subject to the charge prescribed for the first kilolitre of water used over 150 kL; and
- (b) when the meter was read the amount of water already used in the year were —
 - (i) where the meter was read not more than 3 months after the year commenced — nil;
 - (ii) where the meter was read more than 3 but not more than 6 months after the year commenced — 100 kL;
 - (iii) where the meter was read more than 6 months after the year commenced — 200 kL.

[By-law 17 amended in Gazette 29 December 1995 p.6331.]

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Caravan parks

17A. (1) The charges for water supply to strata titled caravan bays are the annual charge per bay set out in Schedule 1, Division 1, Part 1, item 3 together with a quantity charge calculated as follows —

- (a) for bays in the metropolitan area, the first 150 kL of water supplied is charged at the rate for metropolitan residential usage shown in Schedule 1, Division 1, Part 3, item 1 and water usage over 150 kL is charged at the maximum rate for metropolitan Commercial/Residential usage set out in Schedule 1, Division 1, Part 3, item 5 (c);
- (b) for bays in the non-metropolitan area (according to the classification of the town/area set out in Schedule 8), the first 150 kL of water supplied is charged at the rate for non-metropolitan residential usage shown in Schedule 1, Division 1, Part 3, item 3 and water usage over 150 kL is charged at the maximum rate for non-metropolitan Commercial/Residential usage set out in Schedule 1, Division 1, Part 3, item 8 (i).

(2) Subject to sub-by-law (3), the charges for water supply to a commercial caravan park are calculated in the same manner as for other commercial properties, ie. —

- (a) for bays in the metropolitan area, the metropolitan non-residential meter-based charge set out in Schedule 1, Division 1, Part 2, item 1, together with the metropolitan non-residential quantity charge calculated in accordance with Schedule 1, Division 1, Part 3, item 5 (a);
- (b) for bays in the non-metropolitan area (according to the classification of the town/area set out in Schedule 8), the non-metropolitan non-residential meter-based charge set out in Schedule 1, Division 1, Part 2, item 2, together with the non-metropolitan non-residential quantity charge calculated in accordance with Schedule 1, Division 1, Part 3, item 8 (b).

(3) The operator of a commercial caravan park may, at his or her option, nominate a number of bays as long term residential caravan bays, and as a consequence —

- (a) those bays will be treated as if they were strata-titled bays for the purposes of annual charges, with the charges for the commercial park being adjusted accordingly and proportionally to the number of long term residential caravan bays in that commercial caravan park; and
- (b) the quantity charges apply for the property as a whole in accordance with sub-bylaws (1) (a) and (1) (b), except that the respective residential quantity charges only apply for the first 150 kL per nominated long term residential caravan bay.

[By-law 17A inserted in Gazette 30 June 1995 pp.2735-6; amended in Gazette 28 June 1996 p.3106; 27 June 1997 p.3176.]

Metropolitan non-residential property water supply charges

17B. (1) In this by-law —

“**formula**” means the formula set out in Schedule 1, Division 1, Part 2, item 1 (a);

“**metropolitan non-residential property**” means land referred to in Schedule 1, Division 1, Part 2, item 1 (a);

“**Table**” means the Table to Schedule 1, Division 1, Part 2, item 1 (a).

(2) Subject to sub-bylaws (4), (6), (7), (8), (9) and (10), and notwithstanding any other provision of these by-laws, the minimum charge payable for the current year for the provision of water supply to metropolitan non-residential property is —

- (a) the charge calculated in accordance with the formula; or
- (b) the minimum charge payable for the relevant size meter in the current year, as set out in the Table,

whichever is the greater.

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(3) Where land classified as metropolitan non-residential property for the whole or part of the current year was not so classified for the whole of the previous year, the Corporation shall estimate a notional charge for the previous year, being a charge that would have been payable for that year if —

- (a) the land had been classified as metropolitan non-residential property; and
- (b) the matters and circumstances currently prevailing had prevailed,

for the whole of the previous year, and that notional charge shall be regarded as the charge payable in the previous year for the purposes of variable "A" of the formula.

(4) Where part of the way through the current year land ceases to be, or becomes, metropolitan non-residential property, the charge payable in respect of that land shall be payable in the same ratio as the part of the year for which the charge applies bears to the full year.

(5) Where, for a portion of the current year, in respect of land that is metropolitan non-residential property, there is —

- (a) a change in the amount of the charges for the current year as a result of a change in the provision of water supply to that land; or
- (b) an interim valuation under the *Valuation of Land Act 1978* reflecting any development or change of use of that land,

the Corporation shall, for the purposes of sub-by-law (6), estimate a notional charge for the previous year in respect of that land, being the charge that would have been payable for that year if —

- (c) the matters and circumstances currently prevailing had prevailed;
- (d) any changed provision of water supply referred to in paragraph (a) had been provided; and

- (e) any interim valuation reflecting any development or change in use referred to in paragraph (b) had been made and in force, '

for the whole of that year.

(6) A charge payable for the portion of the current year referred to in sub-by-law (5) shall be payable in the same ratio as the portion of the year bears to the full year.

(7) If a charge calculated under this by-law for the current year is more than 30% greater than the charge calculated for the same service (and under the same circumstances) in the previous year, the charge is only payable up to that 30% increase.

(8) Where a metropolitan non-residential property is not directly served by the Corporation, the minimum charge payable for the current year for the provision of water supply to the property is the charge calculated —

- (a) in accordance with the formula; and
- (b) as if the water supply to the property was metered through a 20 mm meter.

(9) Where a metropolitan non-residential property is served but not metered by the Corporation, the minimum charge payable for the current year for the provision of water supply to the property is the charge calculated —

- (a) in accordance with the formula; and
- (b) as if the water supply to the property was metered through a meter of a size equal to the diameter of the connecting pipe serving that property.

(10) Where a metropolitan non-residential property is not metered by the Corporation, the Corporation and the property owner may agree to a consumption charge which will apply to that property or, if agreement cannot be reached, the charge payable is 7.4% of the amount payable for the 1993/94 year.

[By-law 17B inserted in Gazette 27 June 1997 pp.3176-7.]

b. 17C

Non-metropolitan Commercial or Industrial property water supply charges

17C. (1) In this by-law —

“formula” means the formula set out in Schedule 1, Division 1, Part 2, item 2 (a);

“non-metropolitan Commercial or Industrial property” does not include vacant land or farmland;

“Table” means the Table to Schedule 1, Division 1, Part 2, item 2 (a).

(2) Subject to sub-bylaws (4), (6), (7), (8) and (9), and notwithstanding any other provision of these by-laws, the minimum charge payable for the current year for the provision of water supply to non-metropolitan Commercial or Industrial property is —

- (a) the charge calculated in accordance with the formula; or
- (b) the minimum charge payable for the relevant size meter in the current year, as set out in the Table,

whichever is the greater.

(3) Where land classified as non-metropolitan Commercial or Industrial property for the whole or part of the current year was not so classified for the whole of the previous year, the Corporation shall estimate a notional charge for the previous year, being a charge that would have been payable for that year if —

- (a) the land had been classified as non-metropolitan Commercial or Industrial property; and
- (b) the matters and circumstances currently prevailing had prevailed,

for the whole of the previous year, and that notional charge shall be regarded as the charge payable in the previous year for the purposes of variable **“A”** of the formula.

(4) Where part of the way through the current year land ceases to be, or becomes, non-metropolitan Commercial or Industrial property, the charge payable in respect of that land shall be payable in the same ratio as the part of the year for which the charge applies bears to the full year.

(5) Where, for a portion of the current year, in respect of land that is non-metropolitan Commercial or Industrial property, there is —

- (a) a change in the amount of the charges for the current year as a result of a change in the provision of water supply to that land; or
- (b) an interim valuation under the *Valuation of Land Act 1978* reflecting any development or change of use of that land,

the Corporation shall, for the purposes of sub-by-law (6), estimate a notional charge for the previous year in respect of that land, being the charge that would have been payable for that year if —

- (c) the matters and circumstances currently prevailing had prevailed;
- (d) any changed provision of water supply referred to in paragraph (a) had been provided; and
- (e) any interim valuation reflecting any development or change in use referred to in paragraph (b) had been made and in force,

for the whole of that year.

(6) A charge payable for the portion of the current year referred to in sub-by-law (5) shall be payable in the same ratio as the portion of the year bears to the full year.

(7) If a charge calculated under this by-law for the current year is more than 14% greater than the charge calculated for the same service (and under the same circumstances) in the previous year, the charge is only payable up to that 14% increase.

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(8) Where a non-metropolitan Commercial or Industrial property is not directly served by the Corporation, the minimum charge payable for the current year for the provision of water supply to the property is the charge calculated —

- (a) in accordance with the formula; and
- (b) as if the water supply to the property was metered through a 20 mm meter.

(9) Where a non-metropolitan Commercial or Industrial property is served but not metered by the Corporation, the minimum charge payable for the current year for the provision of water supply to the property is the charge calculated —

- (a) in accordance with the formula; and
- (b) as if the water supply to the property was metered through a meter of a size equal to the diameter of the connecting pipe serving that property.

[By-law 17C inserted in Gazette 27 June 1997 pp.3178-9.]

Various non-metropolitan water supply charges and classifications

17D. (1) The charges for water supplied to non-metropolitan residential properties and non-metropolitan commercial properties (including caravan parks), set out in —

- (a) Schedule 1, Part 3, item 3;
- (b) Schedule 1, Part 3, item 8 (b);
- (c) Schedule 1, Part 3, item 8 (i); and
- (d) Schedule 7, item 2,

apply to towns/areas according to the classifications given to the towns/areas by the Corporation.

(2) The classification of each town/area is based on the operating cost per kilolitre consumed or the total cost per kilolitre consumed, whichever is the greater, for those towns/areas, determined in accordance with the following Table —

Table

<i>Class</i>	<i>Operating cost</i>	<i>Total cost</i>
1	less than or equal to \$1.00 per kL	less than or equal to \$2.00 per kL
2	greater than \$1.00 per kL but less than or equal to \$1.50 per kL	greater than \$2.00 per kL but less than or equal to \$3.00 per kL
3	greater than \$1.50 per kL but less than or equal to \$2.50 per kL	greater than \$3.00 per kL but less than or equal to \$5.00 per kL
4	greater than \$2.50 per kL but less than or equal to \$5.00 per kL	greater than \$5.00 per kL but less than or equal to \$10.00 per kL
5	greater than \$5.00 per kL	greater than \$10.00 per kL.

(3) For the purpose of determining quantity charges in the previous year, the towns/areas and the respective classes to which they are allocated are set out in Schedule 8.

(4) For the purpose of determining quantity charges in the 1997/98 year, the towns/areas and the respective classes to which they are allocated are set out in Schedule 9.

[By-law 17D inserted in Gazette 27 June 1997 pp.3179-80.]

Concessional non-metropolitan quantity charge

18. (1) In this by-law —

“eligible pensioner” has the same meaning as in section 3 (1) of the *Rates and Charges (Rebates and Deferments) Act 1992*.

(2) Notwithstanding any other provisions of these by-laws a person who is liable to pay a charge under by-law 17A (1) (b) or 17A (3) (b) or under item 3 of Part 3 of Division 1 of Schedule 1 in respect of particular land shall be allowed a discount under this by-law in respect of the charge if —

- (a) at the time payment is made, he satisfies the Corporation that he is an eligible pensioner;
- (b) subject to sub-by-law (3), the land is occupied by the eligible pensioner referred to in paragraph (a), whether or not the land is also occupied by any other person;
- (c) he is not liable for the payment of any amount due in respect of a charge assessed according to the quantity of water supplied to that or any other land during a period that commenced before the period to which the discount relates;
- (d) he has not been allowed a discount under this by-law in respect of water supplied to any other land except where the portions of the period to which the discounts relate do not, to any extent, coincide; and
- (e) payment is made in full of the total amount of the charge within 3 months after the giving of the account for that charge.

(3) Where the Corporation, having regard to the circumstances of the case, sees fit, it may dispense with the requirements of sub-by-law (2) (b).

(4) The discount to be allowed under this by-law in respect of a charge under by-law 17A (1) (b) or 17A (3) (b) or under item 3 of Part 3 of Division 1 of Schedule 1 is 50% of the amount assessed in respect of water supplied —

- (a) where the land concerned is —
 - (i) in the town of Cue, Laverton, Leonora, Meekatharra, Menzies, Mt Magnet (from 1995/1996 onwards), Sandstone, Wiluna or Yalgoo (from 1995/1996 onwards) — up to 600 kL in the year for which the amount is assessed; or
 - (ii) any other land south of 26° South Latitude — up to 400 kL in the year for which the amount is assessed;

- (b) where the land concerned is north of 26° South Latitude — up to 600 kL in the year for which the amount is assessed.

(5) A person who, in connection with or for the purpose of obtaining a discount under this by-law, gives information that he knows or has reasonable cause to believe to be false or misleading in any material respect commits an offence.

Penalty: \$1 000.

[By-law 18 amended in Gazette 29 June 1988 p.2113; 14 October 1988 p.4174; 31 December 1992 pp.6412-13; 4 March 1994 p.904; 30 June 1995 pp.2736-7; 17 November 1995 p.5344; 29 December 1995 p.6331.]

Concessional metropolitan quantity charge

18A. (1) In this by-law, “**eligible pensioner**” has the same meaning as in section 3 (1) of the *Rates and Charges (Rebates and Deferments) Act 1992*.

(2) Notwithstanding any other provisions of these by-laws a person who is liable to pay a charge under by-law 17A (1) (a) or 17A (3) (a) or under item 1 or 2 of Part 3 of Division 1 of Schedule 1 in respect of land in the metropolitan area shall be allowed a concession under this by-law in respect of that charge if —

- (a) at the time the account is issued, or at the time the payment is made, that person satisfies the Corporation that he is an eligible pensioner;
- (b) subject to sub-by-law (3), the land is occupied by the eligible pensioner referred to in paragraph (a), whether or not the land is also occupied by any other person;
- (c) he is not liable for the payment of any amount due in respect of a charge assessed according to the quantity of water supplied to that or any other land during a period that commenced before the period to which the concession relates;

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- (d) he has not been allowed a concession under this by-law in respect of water supplied to any other land except where the portions of the periods to which the concessions relate do not, to any extent, coincide; and
- (e) payment is made in full of the total amount of the charge within 3 months after the giving of the account for that charge.

(3) The concession to be allowed under this by-law in respect of a charge under by-law 17A (1) (a) or 17A (3) (a) or under item 1 or 2 of Part 3 of Division 1 of Schedule 1 is 50% of the amount assessed in respect of water supplied up to 150 kL, where the land concerned is in the metropolitan area.

(4) A person who, in connection with or for the purpose of being allowed a concession under this by-law, gives information that he knows or has reasonable cause to believe to be false or misleading in any material respect commits an offence.

Penalty: \$1 000.

[By-law 18A inserted in Gazette 1 July 1993 p.3215; amended in Gazette 30 June 1995 p.2737; 29 December 1995 p.6331.]

Residential multi-unit properties — rebates for eligible pensioners

18B. (1) In this by-law —

“eligible pensioner” has the same meaning as in section 3 (1) of the *Rates and Charges (Rebates and Deferments) Act 1992*;

“registered” in the case of an eligible pensioner who is a tenant, means registered or listed with the Corporation for the purposes of assessment under this by-law.

(2) Where land comprises a residential multi-unit property served by a single meter and one or more of those units are occupied by —

- (a) an eligible pensioner who has registered an entitlement under the *Rates and Charges (Rebates and Deferments) Act 1992* before the commencement of the period to which a quantity charge applies; or
- (b) an eligible pensioner who is registered as a tenant with the Corporation before the commencement of the period to which a quantity charge applies,

then sub-bylaw (3) applies.

(3) Where the Corporation is satisfied that a person described in paragraph (a) or (b) of sub-bylaw (2) is liable to pay a charge in relation to the water supplied to the property referred to in that sub-bylaw, the person is entitled to a rebate to be calculated as 50% of the charge applicable, based on averaged unit consumption —

- (a) of up to and including 150 kL of water supplied to that unit for the consumption year, where the land concerned is in the metropolitan area and charged under by-law 17A (1) (a), 17A (1) (b), 17A (3) (a) or 17A (3) (b) or in accordance with Schedule 1, Division 1, Part 3, item 1 or 2;
- (b) of up to and including —
 - (i) 600 kL of water supplied to that unit for the consumption year, where the land concerned is in the town of Cue, Laverton, Leonora, Meekatharra, Menzies, Mt Magnet (from 1995/1996 onwards), Sandstone, Wiluna or Yalgoo (from 1995/1996 onwards); or
 - (ii) 400 kL of water supplied to that unit for the consumption year, where the land concerned is any other land south of 26^o South Latitude,

and charged under by-law 17A (1) (a), 17A (1) (b), 17A (3) (a) or 17A (3) (b) or in accordance with Schedule 1, Division 1, Part 3, item 3; or

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- (c) of up to and including 600 kL of water supplied to that unit for the consumption year, where the land concerned is land north of 26° South Latitude and charged under by-law 17A (1) (a), 17A (1) (b), 17A (3) (a) or 17A (3) (b) or in accordance with Schedule 1, Division 1, Part 3, item 3,

and the rebate is to be credited in accordance with sub-by-law (4).

- (4) The rebate set out in sub-by-law (3) can only be given —

- (a) in the case of a person described in sub-by-law 2 (a), by direct credit to that person's bank account or to his or her Annual Charges assessment;
- (b) in the case of a person described in sub-by-law 2 (b), by direct credit to that person's bank account or credit to that person by such other means as the Corporation sees fit.

(5) The Corporation may, after having regard to the circumstances in a particular case, dispense with the requirement in sub-by-law (2) for a pensioner to register or be listed prior to the commencement of the period to which a quantity charge applies.

(6) An eligible pensioner registered for the purpose of this by-law must advise the Corporation, in writing, if that pensioner —

- (a) ceases to be an eligible pensioner; or
- (b) ceases to occupy the property which is the subject of the registration.

(7) A person who, in connection with or for the purpose of being eligible to have a rebate credited in accordance with this by-law, gives information that he or she knows or has reasonable cause to believe to be false or misleading commits an offence.

Penalty: \$1 000.

[By-law 18B inserted in Gazette 30 December 1994 pp.7351-53; amended in Gazette 30 June 1995 p.2737; 17 November 1995 pp.5344-5; 29 December 1995 p.6331.]

Meter rent

19. The meter rent prescribed under section 39 (3) of the *Metropolitan Water Supply, Sewerage and Drainage Act 1909* is as set out in Part 4 of Division 1 of Schedule 1 and applies in respect of —

- (a) each meter fixed to land described in by-law 4 that is in the metropolitan area other than the first meter fixed to land used for a hospital or a residence; and
- (b) each meter, other than the first meter, supplied or fixed to land except —
 - (i) land referred to in paragraph (a);
 - (ii) non-residential property in the metropolitan area, for which a charge is provided in Schedule 1, Part 1 item 9 (a) (ii);
 - (iii) property held by a Government trading organisation or non-commercial Government property, for which a charge is provided in Schedule 7.

*[By-law 19 inserted in Gazette 29 June 1988 p.2113;
amended in Gazette 29 June 1994 p.3173.]*

Capital infrastructure charges

19A. (1) In this by-law —

“**land**” means a residential property or any other land.

(2) Subject to sub-by-law (3), if land is classified as Capital Infrastructure, the charge —

- (a) set out in Schedule 1, Division 1, Part 5, Column 3; and
- (b) corresponding to the area within which the land is situated as specified in Schedule 1, Division 1, Part 5, Column 1,

is a charge for a year in respect of that land, applicable for the number of years specified in Schedule 1, Division 1, Part 5, Column 4.

b. 20

(3) A person liable to pay a charge under sub-by-law (2) may, within 28 days of receiving notice of the charge from the Corporation, elect to pay the corresponding single charge specified in Schedule 1, Division 1, Part 5, Column 2.

(4) Where a person elects to pay a single charge under sub-by-law (3) the single charge is payable in relation to the land instead of the annual charges specified in sub-by-law (1).

(5) A charge set out in Schedule 1, Division 1, Part 5 is payable in addition to any other charges payable for water supply under these by-laws.

[By-law 19A inserted in Gazette 13 May 1997 pp.2352-3.]

Division 2 — Water supply under Rights in Water and Irrigation Act 1914 other than for irrigation

Land subject to water supply charges under this Division

20. Land that is actually supplied by the Corporation under the *Rights in Water and Irrigation Act 1914* with water for purposes other than irrigation shall be taken, in accordance with section 41 (1) (b) of the *Water Agencies (Powers) Act 1984*, to be land in respect of which the Corporation provides water supply and charges under Division 2 of Schedule 1 shall apply in respect of that land.

[By-law 20 amended in Gazette 29 December 1995 pp.6331 and 6331-2.]

[Divisions 3 and 4. Repealed in Gazette 27 June 1997 p.3180.]

PART 3 — SEWERAGE

Interpretation

21A. In this Part —

“**formula**” means the formula set out in Schedule 2, Part 4, item 1;

“**metropolitan non-residential property**” means land referred to in Schedule 2, Part 4, item 1;

“**Table**” means the Table to Schedule 2, Part 5, item 1.

[By-law 21A inserted in Gazette 28 June 1996 p.3109; (Correction in Gazette 9 July 1996 p.3281).]

Land subject to sewerage charges

21. Land that is connected with a sewer or, although not connected —

- (a) is in the opinion of the Corporation reasonably capable of being connected with a sewer; and
- (b) has been the subject of a notice advising the owner or occupier of the land that it is reasonably capable of being connected with a sewer,

shall be taken, in accordance with section 41 (1) (b) of the *Water Agencies (Powers) Act 1984*, to be land in respect of which the Corporation provides sewerage and, subject to by-law 22, charges as set out in Schedule 2, shall apply in respect of that land.

[By-law 21 amended in Gazette 29 December 1995 pp.6331 and 6331-2.]

Exempt land

22. Where land described in by-law 4 is not connected with a sewer, it is exempt from any charge set out in Schedule 2.

Classification of land

23. (1) For the purposes of this Part land described in by-law 4 that is in a country sewerage area and is connected with a sewer may, irrespective of any other classification under these by-laws, be classified by the Corporation as —

- (a) Institutional/Public, if the land is used for such club, institutional, or public purpose as the Corporation approves, not being a purpose mentioned in paragraph (b) or (c);
- (b) CBH Grain Storage, if the land is used by Co-operative Bulk Handling Limited for the purpose of the storage of grain; or
- (c) Charitable Purposes, if, in the opinion of the Corporation, the land is used for the purpose of —
 - (i) providing relief or assistance to sick, aged, disadvantaged, unemployed or young persons; or
 - (ii) conducting other activities for the benefit of the public or in the interests of social welfare,

by a private organization that is not operated for the purpose of profit or gain to individual members, shareholders or owners,

and, where it is not classified under paragraph (a), (b) or (c), shall be taken to have been classified as General Exempt.

(2) For the purposes of this Part land, not being land mentioned in sub-by-law (1), may, irrespective of any other classification under these by-laws, be classified by the Corporation as —

- (a) Residential, if the land is used wholly or primarily for the purpose of providing the owner or occupier of the land with a residence for himself, his family or servants, or any of them;

- (b) Commercial/Industrial, if the land is in a country sewerage area and is used for business, professional or commercial purposes or for manufacturing or processing;
- (c) Vacant Land, if there is no building on the land.

[*By-law 23 amended in Gazette 29 June 1993 p.1871; 29 December 1995 p.6331.*]

Indexation of certain valuations

24. (1) This by-law does not apply to the assessment of a charge in respect of land if a value was assigned to the land pursuant to a general valuation under the *Valuation of Land Act 1978* that was expressed by a notice under section 21 or 22 of that Act to come into force and came into force for the purposes of this Act, at the commencement of the period for which the charge is to be imposed.

(2) For the purposes of this by-law, “**the relevant general valuation**”, in relation to a charge in respect of land, refers to the last general valuation under the *Valuation of Land Act 1978* pursuant to which a value was assigned to that land and which —

- (a) was expressed by a notice under section 21 or 22 of that Act to come into force; and
- (b) came into force for the purposes of this Act,

before the commencement of the period for which the charge is to be imposed.

(3) Subject to sub-by-law (1), where a charge in relation to the provision of sewerage under the *Country Towns Sewerage Act 1948* is to be assessed in respect of land by reference to GRV, the GRV for the purposes of assessing that charge shall be the gross rental value assigned under the *Valuation of Land Act 1978* multiplied by the index applying, as set out in Schedule 5, according to when the relevant general valuation was expressed to come into force as mentioned in sub-by-law (2) (a).

Phasing in of certain valuations

25. Where a charge in relation to the provision of sewerage under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* is to be assessed in respect of land by reference to GRV, the GRV for the purposes of assessing that charge shall be the gross rental value assigned under the *Valuation of Land Act 1978* reduced, where applicable, as referred to in section 41D (1) (a) or (b) of the *Water Agencies (Powers) Act 1984*.

[By-law 25 amended in Gazette 29 December 1995
pp.6331-2.]

Metered metropolitan non-residential property sewerage charges

25A. (1) Subject to sub-by-laws (3), (5) and (6) and notwithstanding any other provision of these by-laws, the minimum charge payable for the current year for the provision of sewerage to metropolitan non-residential property that has metered water supply is —

- (a) the charge calculated in accordance with the formula; or
- (b) the minimum charge payable for relevant number of major fixtures in the current year, as set out in the Table,

whichever is the greater.

(2) Where land classified as metropolitan non-residential property for the whole or part of the current year was not so classified for the whole of the previous year, the Corporation shall estimate a notional charge for the previous year, being a charge that would have been payable for that year if —

- (a) the land had been classified as metropolitan non-residential; and
- (b) the matters and circumstances currently prevailing had prevailed,

for the whole of the previous year, and that notional charge shall be regarded as the charge payable in the previous year as set out for the purposes of variable "A" of the formula.

(3) Where part of the way through the current year land ceases to be, or becomes, metropolitan non-residential property, the charge payable in respect of that land shall be payable in the same ratio as the part of the year for which the charge applies bears to the full year.

(4) Where, for a portion of the current year, in respect of metropolitan non-residential property, there is —

- (a) a change in the amount of the charges for the current year as a result of an alteration in the method in which the discharge charge is calculated for that property;
- (b) a change in the amount of the charges for the current year as a result of a change in the number of major fixtures relevant to that property; or
- (c) an interim valuation under the *Valuation of Land Act 1978* reflecting any development or change of use of that land,

the Corporation shall, for the purposes of sub-by-law (5), estimate a notional charge for the previous year in respect of that property, being the charge that would have been payable for that year if —

- (d) the matters and circumstances currently prevailing had prevailed;
- (e) the method of calculation of the discharge charge currently prevailing had been used;
- (f) any changed number of major fixtures referred to in paragraph (b) had been provided; and
- (g) any interim valuation reflecting any development or change in use referred to in paragraph (c) had been made and in force,

for the whole of that year.

b. 25B

(5) A charge payable for the portion of the current year referred to in sub-by-law (4) is payable in the same ratio as the portion bears to the full year.

(6) If a charge calculated under this by-law for the current year is more than 14% greater than the charge calculated for the same service (and under the same circumstances) in the previous year, the charge is only payable up to that 14% increase.

*[By-law 25A inserted in Gazette 28 June 1996 pp.3110-11;
(Correction in Gazette 9 July 1996 p.3281); amended in
Gazette 27 June 1997 pp.3180 and 3203.]*

Un-metered or unconnected metropolitan non-residential property sewerage charges

25B. (1) Subject to sub-by-law (2), the minimum charge payable for the current year for the provision of sewerage to a metropolitan non-residential property which has sewerage available but not connected is calculated in accordance with the formula, with the variable "Q" in the formula having a value of nil.

(2) Where a metropolitan non-residential property has no major fixtures, or no shared major fixtures as described in by-law 25C, the minimum charge payable for the current year for one major fixture, as set out in the Table, is the value of the variable "P" in the formula.

(3) The minimum charge payable for the current year for the provision of sewerage to a metropolitan non-residential property which is sewered but where any water supply to the property is not separately metered by the Corporation, is calculated in accordance with the formula, and, for the purposes of the calculation, the discharge charge has a value of nil.

*[By-law 25B inserted in Gazette 28 June 1996 p.3111;
amended in Gazette 27 June 1997 pp.3180 and 3203.]*

Charging for shared sewerage fixtures on metropolitan non-residential property

25C. Where all or some major sewerage fixtures are shared between metropolitan non-residential properties the number of major fixtures for a single property shall be calculated as —

the number of major fixtures exclusive to that property
(if any)

plus

the number of major fixtures divided by the number of properties sharing those fixtures, rounded down to the nearest whole number but with a minimum of one additional fixture per property.

[By-law 25C inserted in Gazette 30 June 1995 pp.2743-4.]

[26. *Repealed in Gazette 29 June 1989 p.1871.]*

PART 4 — DRAINAGE

Land subject to drainage charges

27. Land in a drainage area within the meaning of the *Metropolitan Water Authority Act 1982* shall be taken, in accordance with section 41(1) (b) of the *Water Agencies (Powers) Act 1984*, to the land in respect of which the Corporation provides drainage and, subject to by-law 28, charges as set out in Schedule 3 shall apply in respect of that land.

[By-law 27 amended in Gazette 29 December 1995 pp.6331 and 6331-2.]

Exempt land

28. Land described in by-law 4 is exempt from any charge set out in Schedule 3.

Classification of land

29. For the purposes of this Part, land may, irrespective of any other classification under these by-laws, be classified by the Corporation as —

- (a) Residential, if the land is used wholly or primarily for the purpose of providing the owner or occupier of the land with a residence for himself, his family or servants, or any of them; or
- (b) Vacant land, if there is no building on the land.

[By-law 29 amended in Gazette 29 December 1995 p.6331.]

Phasing in of certain valuations

30. Where a charge in relation to the provision of drainage under the *Metropolitan Water Authority Act 1982* is to be assessed in respect of land by reference to GRV, the GRV for the purposes of assessing that charge shall be the gross rental value assigned under the *Valuation of Land Act 1978* reduced, where applicable, as referred to in section 41D (1) (a) or (b) of the *Water Agencies (Powers) Act 1984*.

[By-law 30 amended in Gazette 29 December 1995 pp.6331-2.]

PART 5 — IRRIGATION

Land subject to irrigation charges

31. Land that is actually supplied under the *Rights in Water and Irrigation Act 1914* with water for irrigation or, although not actually so supplied, is land —

- (a) that is, in the opinion of the Corporation —
 - (i) suitable for irrigation; and
 - (ii) reasonably capable of being supplied under that Act with water for irrigation;
- and
- (b) to which the Corporation is prepared to supply water under that Act for irrigation,

shall be taken, in accordance with section 41 (1) (b) of the *Water Agencies (Powers) Act 1984*, to be land in respect of which the Corporation provides irrigation and, subject to by-law 32, charges as set out in Schedule 4 shall apply in respect of that land.

*[By-law 31 inserted in Gazette 26 June 1992 p.2813;
amended in Gazette 29 December 1995 pp.6331 and 6331-2.]*

Exempt land

32. Land described in by-law 4 is exempt from any charge set out in Schedule 4.

Classification of land

33. For the purposes of this Part, land may, irrespective of any other classification under these by-laws, be classified by the Corporation as —

- (a) Crop Group 1, where the land is used for the cultivation of permanent pasture, orchards (other than citrus), vegetables (flood irrigated), or other crops and the assessed average water usage on that land is 9 megalitres per hectare;

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- (b) Crop Group 2, where the land is used for the cultivation of fodder crops (full season), citrus orchards, or other crops and the assessed average water usage on that land is 6.5 megalitres per hectare; or
- (c) Crop Group 3, where the land is used for the cultivation of early germination crops, pumpkins, vines, vegetables (trickle irrigated), or other crops and the assessed average water usage on that land is 3 megalitres per hectare.

*[By-law 33 inserted in Gazette 29 June 1990 p.3227;
amended in Gazette 29 December 1995 p.6331.]*

[PART 6. Repealed in Gazette 29 June 1989 p.1871.]

SCHEDULE 1

CHARGES FOR WATER SUPPLY FOR 1997/98

Division 1 — Water supply other than under Rights in Water and Irrigation Act 1914

[By-laws 11, 17B, 17C and 19A]

Part 1 — Fixed charges

1.	<u>Residential</u>	
	In respect of each residential property, not being land mentioned in item 2, 3 or 6	\$126.30
2.	<u>Connected metropolitan exempt</u>	
	In respect of land described in by-law 4 that is in the metropolitan area —	
	(a) in the case of land described in by-law 4 (1) (e)	\$126.30
	(b) in any other case	\$130.90
3.	<u>Strata-titled (or long term residential) caravan bays</u>	
	In respect of each caravan bay that is a residential property and a lot within the meaning of the <i>Strata Titles Act 1985</i> , or a caravan bay designated as a long term residential caravan bay	\$86.85
3A.	<u>Strata-titled storage unit</u>	
	In respect of land comprised in a unit used for storage purposes that is a lot within the meaning of the <i>Strata Titles Act 1985</i>	\$42.65
4.	<u>Community Residential</u>	
	In respect of land that is classified as Community Residential, a charge equal to the number of notional residential units as determined under by-law 16 multiplied by	\$126.30

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5.	<u>Semi-rural/Residential</u>	
	In respect of each semi-rural/residential property not being land mentioned in item 2	\$126.30
6.	<u>Connected non-metropolitan residential exempt</u>	
	In respect of land described in by-law 4 that is comprised in a residential property and is not in the metropolitan area	\$126.30
7.	<u>Non-metropolitan non-residential</u>	
	In respect of land that is neither in the metropolitan area nor comprised in a residential property, where the land is classified as —	
	(a) Government or CBH Grain Storage	\$403.55
	(b) Irrigated Market Gardens, Institutional/ Public or Charitable Purposes	\$126.30
8.	<u>Stock</u>	
	For the supply of water for the purpose of watering stock on land that is not the subject of a charge under Part 2	\$126.30
9.	<u>Additional connections</u>	
	Where water is supplied to land through more than one water supply connection, for each additional connection not the subject of a charge under item 12 —	
	(a) for —	
	(i) residential property in the metropolitan area and for property charged under Part 2, item 1 (b), a charge of	\$74.00
	(ii) non-residential property in the metropolitan area, a charge based on meter size of the additional service as	

set out in the following Table —

Table of meter-based fixed charges

Meter size	Charge
mm	\$
20	374.40
25	585.00
30	842.40
40	1 416.70
50	1 868.00
80	3 815.75
100	5 912.15
150	13 989.25
200	26 847.35
250	58 500.00
300	84 240.00

- (b) not in the metropolitan area, for additional connections and fire services, a charge of \$121.40
 or
 not in the metropolitan area, for additional commercial and industrial water services, the meter based services charges as set out in the following Table —

Table of meter-based fixed charges

Meter size	Charge
mm	\$
15	374.40
20	374.40
25	433.00
30	564.30
35	598.50
38	598.50
40	598.50
50	786.60
70	1 561.80
75	1 561.80
80	1 561.80
100	2 496.60
140	5 899.50
150	5 899.50

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- 10. Shipping (non-metropolitan)
For each water supply connection provided for the purpose of water being taken on board any ship in a port not in the metropolitan area \$126.30

- 11. Local government standpipes
For each local government standpipe \$126.30

- 12. Metropolitan fire-fighting connections
For each water supply connection provided for the purpose of fire-fighting that is in the metropolitan area \$130.90

Part 2 — Variable charges and charges by way of a rate

- 1. Metropolitan non-residential
In respect of land in the metropolitan area, being neither land comprised in a residential property nor land mentioned in item 2 or 3A of Part 1 —
 - (a) in the case of land not mentioned in paragraph (b), (c) or (d), an amount calculated in accordance with the following formula —
$$\text{IF } (A \times B) \leq Y, \text{ THEN —}$$
$$Y$$

$$\text{OR IF } (A \times B) > Y, \text{ THEN —}$$
$$(A \times B) - [(A \times B - Y) \times Z]$$

where —
A = the amount payable in the 1996/97 year;
B = 1.040;

Y = the amount payable for the relevant meter size in the 1997/98 year as set out in the Table to this paragraph; and

Z = 0.330;

Table of meter-based minimum charges

Meter Size	1996/1997	1997/1998
mm	\$	\$
20	360	374.40
25	523	585.00
30	804	842.40
40	1 222	1 497.60
50	1 876	2 340.00
80	4 563	5 990.40
100	7 360	9 360.00
150	16 622	21 060.00
200	29 765	37 440.00
250	46 828	58 500.00
300	69 779	84 240.00

- (b) in the case of land required by any other written law to be rated on unimproved value 0.485 cents/\$ of UV
 subject to a minimum in respect of any land the subject of a separate assessment, of \$374.40
- (c) in the case of land classified as Metropolitan Farmland 10.460 cents/hectare
 subject to a minimum in respect of any land the subject of a separate assessment, of \$114.60
- (d) in the case of land classified as Vacant land an amount for each dollar of the GRV —
 - (i) up to \$5 100 3.580 cents/\$ of GRV
 - (ii) over \$5 100 but not over \$1 026 900 2.760 cents/\$ of GRV

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(iii) over \$1 026 900	2.580 cents/\$ of GRV
subject to a minimum in respect of any land the subject of a separate assessment, of	\$126.30

2. Non-metropolitan non-residential

In respect of land that is neither in the metropolitan area nor comprised in a residential property —

(a) where the land is classified as Commercial or Industrial property, an amount calculated in accordance with the following formula —

IF $(A \times B) \leq X$, THEN —

X

OR IF —

$(A \times B) > X$; AND

$(A \times B) \leq Y$,

THEN —

$(A \times B) - [(A \times B - Y) \times Z]$

where —

A = the amount payable in the 1996/97 year;

B = 1.040;

X = the amount payable for the relevant meter size in the 1997/98 year as set out in the Table to this paragraph;

Y = the amount payable for the relevant meter size in the 2000/2001 year as set out in the Table to this paragraph; and

Z = 0.267;

Table of meter-based minimum charges

Meter Size	1996/1997	1997/1998	1998/1999	1999/2000	2000/2001
mm	\$	\$	\$	\$	\$
15	360	374.40	374.40	374.40	374.40
20	360	374.40	374.40	374.40	374.40
25	390	433.00	476.00	519.00	585.00
30	495	594.00	716.00	838.00	842.40
35	525	754.00	983.00	1 211.00	1 497.60
38	525	754.00	983.00	1 211.00	1 497.60
40	525	754.00	983.00	1 211.00	1 497.60
50	690	1 080.00	1 470.00	1 860.00	2 340.00
70	1 370	2 468.00	3 565.00	4 663.00	5 990.40
75	1 370	2 468.00	3 565.00	4 663.00	5 990.40
80	1 370	2 468.00	3 565.00	4 663.00	5 990.40
100	2 190	3 893.00	5 595.00	7 298.00	9 360.00
140	5 175	8 944.00	12 713.00	16 485.00	21 060.00
150	5 175	8 944.00	12 713.00	16 485.00	21 060.00

- subject to a minimum, in respect of any land the subject of a separate assessment, of \$374.40
- (b) where the land is classified as Vacant Land 6.000 cents/\$ of GRV
- subject to a minimum, in respect of any land the subject of a separate assessment, of \$104.50
- (c) where the land is classified as Farmland 10.460 cents/hectare
- subject to a minimum, in respect of any land the subject of a separate assessment, of \$114.60

Part 3 — Quantity charges

1. Metropolitan residential

For each kilolitre of water supplied to a residential property in the metropolitan area, not being water for which a charge is otherwise specifically provided in this Part —

up to 150 kL	35.4 cents
over 150 but not over 350 kL	57.2 cents
over 350 but not over 550 kL	70.8 cents
over 550 but not over 750 kL	77.3 cents
over 750 but not over 1 150 kL	82.2 cents
over 1 150 but not over 1 950 kL	91.6 cents
over 1 950 kL	113.1 cents

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2. Semi-rural/residential

For each kilolitre of water supplied to a semi-rural residential property, not being water for which a charge is otherwise specifically provided in this Part —

up to 150 kL	35.4 cents
over 150 but not over 350 kL	57.2 cents
over 350 but not over 550 kL	70.8 cents
over 550 but not over 750 kL	77.3 cents
over 750 but not over 1 150 kL	82.2 cents
over 1 150 but not over 1 950 kL	91.6 cents
over 1 950 kL	113.1 cents

3. Non-metropolitan residential

For each kilolitre of water, not being water for which a charge is otherwise specifically provided in this Part, supplied to a residential property not in the metropolitan area, according to the classification of the town/area set out in Schedule 9 —

Consumption (kL)	Class 1 (c/kL)	Class 2 (c/kL)	Class 3 (c/kL)	Class 4 (c/kL)	Class 5 (c/kL)
Up to 150	35.4	35.4	35.4	35.4	35.4
Over 150 but not over 350	57.2	57.2	57.2	57.2	57.2
Over 350 but not over 450	62.6	70.8	70.8	70.8	70.8
Over 450 but not over 550	62.6	83.2	91.2	99.8	102.6
Over 550 but not over 750	73.1	94.1	108.3	119.7	131.1
Over 750 but not over 1 150	119.9	148.2	165.3	188.1	210.9
Over 1 150 but not over 1 550	172.4	216.6	250.8	342.0	421.8
Over 1 550 but not over 1 950	198.7	267.9	330.6	410.4	490.2
Over 1 950	231.1	342.0	399.0	478.8	547.2

except that if the property is —

- (a) in the town of Cue, Laverton, Leonora, Meekatharra, Menzies, Mt Magnet, Sandstone, Wiluna or Yalgoo; or
- (b) north of 26°S Latitude,

the charge for each kilolitre of water supplied over 350 kL but not over 650 kL is —

Consumption (kL)	Class 1 (c/kL)	Class 2 (c/kL)	Class 3 (c/kL)	Class 4 (c/kL)	Class 5 (c/kL)
Over 350 but not over 550	57.2	57.2	57.2	57.2	57.2
Over 550 but not over 650	62.6	67.0	67.0	67.0	67.0

4. Community residential

For each kilolitre of water supplied to land classified as Community Residential the charge is that prescribed for water supplied to a residential property except that in the scale of charges to be applied the quantities of water shall be multiplied

by the number of notional residential units determined under by-law 16.

5. Metropolitan non-residential

For each kilolitre of water supplied to land in the metropolitan area that is not comprised in a residential property, not being water for which a charge is otherwise specifically provided in this Part —

(a) in the case of land not mentioned in paragraph (b) or (c) —

up to 600 kL	58.8 cents
over 600 kL but not over 1 100 000 kL	65.6 cents
over 1 100 000 kL	64.1 cents

(b) in the case of land classified as Metropolitan Farmland —

up to 1 600 kL	65.6 cents
over 1 600 kL	118.2 cents

(c) in the case of land classified as Commercial/Residential —

up to 150 kL	35.4 cents
over 150 kL but not over 750 kL	58.8 cents
over 750 kL	65.6 cents

6. Connected metropolitan exempt

For each kilolitre of water, not being water for which a charge is otherwise provided in item 9 or 11, supplied to land described in by-law 4 that is in the metropolitan area —

(a) in the case of land described in by-law 4 (1) (e) —

up to allowance	no charge
beyond allowance	59.3 cents

where the allowance is the quantity ascertained by dividing the charge payable in respect of the land under item 2 (a) of Part 1 by 59.3 cents per kL;

(b) in any other case —

up to allowance	no charge
beyond allowance	60.1 cents

where the allowance is the quantity ascertained by dividing the charge payable in respect of the land under item 2 (b) of Part 1 by 60.1 cents per kL.

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7. Connected non-metropolitan residential exempt

For each kilolitre of water, not being water for which a charge is otherwise specifically provided in this Part, supplied to land described in by-law 4 that is comprised in a residential property and is not in the metropolitan area —

up to 400 kL	40.2 cents
over 400 but not over 1 600 kL	69.5 cents
over 1 600 kL	118.1 cents

8. Non-metropolitan non-residential

For each kilolitre of water, not being water for which a charge is otherwise specifically provided in this Part, supplied to land that is neither in the metropolitan area nor comprised in a residential property, where the land is classified as —

(a) Government or CBH Grain Storage —

up to 300 kL	65.6 cents
over 300 kL	118.2 cents

(b) Commercial or Industrial property (according to the classification of the town/area in which that property is situated, as set out in Schedule 9) —

Consumption (kL)	Class 1 (c/kL)	Class 2 (c/kL)	Class 3 (c/kL)	Class 4 (c/kL)	Class 5 (c/kL)
Up to 300	62.6	83.2	91.2	99.8	102.6
Over 300	119.9	148.2	165.3	188.1	210.9

(c) Vacant Land —

all water supplied	99.3 cents
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(d) Farmland —

up to 1 600 kL	65.6 cents
over 1 600 kL	118.2 cents

(e) Mining —

all water supplied	136.3 cents
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(f) Irrigated Market Gardens —

up to the quota	40.2 cents
over the quota	118.1 cents

where the quota is 1 000 kL or such greater amount as the Corporation may from time to time determine for the land concerned;

(g) Institutional/Public —

up to 400 kL	40.2 cents
over 400 but not over 1 600 kL	69.5 cents
over 1 600 kL	118.1 cents

(h) Charitable Purposes

up to 400 kL	38.1 cents
over 400 but not over 1 600 kL	65.2 cents
over 1 600 kL	111.1 cents

(i) Commercial/Residential (according to the classification of the town/area in which that property is situated, as set out in Schedule 9) —

Consumption (kL)	Class 1 (c/kL)	Class 2 (c/kL)	Class 3 (c/kL)	Class 4 (c/kL)	Class 5 (c/kL)
Up to 150	35.4	35.4	35.4	35.4	35.4
Over 150 but not over 450	62.6	83.2	91.2	99.8	102.6
Over 450	119.9	148.2	165.3	188.1	210.9

9. Denham desalinated

For each kilolitre of water supplied to land in the Denham Country Water Area, being water that has been treated to reduce the level of or remove salts —

(a) in the case of land classified as Residential —

up to quota	38.3 cents
over quota by up to 1 kL per 7 kL of quota	280.5 cents
over quota by more than 1 kL per 7 kL of quota	874.1 cents

where the quota, for each of the periods of 4 consecutive months during the year, is 35 kL or such greater amount as the Corporation may from time to time determine for the land concerned;

(b) in the case of land not classified as Residential —

up to quota	38.3 cents
over quota	874.1 cents

where the quota for the year is 105 kL or such greater amount as the Corporation may from time to time determine for the land concerned.

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10. Local government standpipes
 For each kilolitre of water supplied through a local government standpipe 40.2 cents
11. Shipping
 For each kilolitre of water supplied for the purpose of being taken on board any ship in port —
 (a) in the metropolitan area 77.7 cents
 (b) not in the metropolitan area 97.9 cents
12. Stock
 For each kilolitre of water supplied for the purpose of watering stock on land that is not the subject of a charge under Part 2 97.9 cents
13. Building
 For each kilolitre of water supplied to land through a water supply connection that is provided for building purposes —
 (a) in the metropolitan area, the charge that would apply under item 5 if the water supplied through that connection were the only water supplied to the land;
 (b) not in the metropolitan area 99.3 cents
14. Metropolitan hydrant standpipes
 For each kilolitre of water in excess of 600 kL supplied through a large metered hydrant standpipe in the metropolitan area 65.6 cents

Part 4 — Metropolitan Meter Rent

An annual rent for each meter according to the following Table —

Meter size	Rent
20 mm	\$15.60
25 mm	\$18.20
40 mm	\$44.70
50 mm	\$88.40
80-100 mm	\$106.60
150 mm and over	\$140.40

**Part 5 — Capital infrastructure charges determined under
by-law 19A**

Column 1	Column 2	Column 3	Column 4
<i>Area</i>	<i>Single Charge</i>	<i>Annual Charge</i>	<i>No. of years</i>
Golden Bay	\$215	\$27	10
Madora	\$1 000	\$123	10
Singleton	\$200	\$25	10

***Division 2 — Water supply under Rights in
Water and Irrigation Act 1914 other than for irrigation***

[By-law 20]

Part 1 — Fixed charges

[1 and 2 deleted]

3. In respect of land to which water is supplied under by-law 31A of the *Ord Irrigation District By-laws* for purposes other than those mentioned in Part 2, an amount per supply point of —
 - (a) where the supply is assured \$102.65
 - (b) where the supply is not assured \$75.15
4. In respect of land to which water is supplied by an additional supply point supplied under by-law 15 of the *Carnarvon Irrigation District By-laws*, an amount per supply point of \$201.45

Part 2 — Variable charges and charges by way of a rate

In respect of land to which water is supplied under by-law 31A of the *Ord Irrigation District By-laws* for the purposes of stock-water or dust prevention in feed lots —

- (a) where the maximum area used as a feed lot during the year is not more than 4 hectares \$275.30

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- (b) where the maximum area used as a feed lot during the year is more than 4 hectares, the amount specified in paragraph (a) and, for each hectare (or part thereof) in excess of 4 hectares that is so used, a further amount of \$54.75

[Schedule 1 inserted in Gazette 30 June 1995 pp.2744-53; amended in Gazette 17 November 1995 p.5345; 29 December 1995 p.6331; 28 June 1996 pp.3111-16; 13 May 1997 p.2353; 10 June 1997 p.2670; 27 June 1997 pp.3181-8.]

SCHEDULE 2

[By-laws 21, 25A, 25B and 25C]

CHARGES FOR SEWERAGE FOR 1997/98

Part 1 — Fixed charges

1. Connected metropolitan exempt
 In respect of land described in by-law 4 that is in the metropolitan area, not being a non-commercial Government property, or a property held by a Government trading organization —
 - (a) in the case of land used as a home for the aged —

for the first major fixture that discharges into the sewer	\$115.80
for each additional major fixture that discharges into the sewer	\$50.90
 - (b) in any other case, a charge equal to the number of major fixtures multiplied by \$115.80

2. Connected country exempt
 In respect of land in a country sewerage area that is classified as —
 - (a) Institutional/Public an amount of —

for the first major fixture that discharges into the sewer	\$115.80
for each additional major fixture that discharges into the sewer	\$50.90
 - (b) Charitable Purposes, an amount of —

for the first major fixture that discharges into the sewer	\$115.80
for each additional major fixture that discharges into the sewer	\$50.90
 - (c) CBH Grain Storage or General Exempt, an amount for each connection to the sewer of . \$643.75

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3. Strata-titled caravan bay

In respect of each residential property being a single caravan bay that is a lot within the meaning of the *Strata Titles Act 1985* \$100.00

3A. Strata-titled storage unit

In respect of comprised in a unit used for storage purposes that is a lot within the meaning of the *Strata Titles Act 1985* \$42.65

4. Land from which industrial waste is discharged into a sewer of the Corporation in the metropolitan area

Discharge pursuant to a permit classified by the Corporation as —

- (a) a minor permit \$106.60
(including first fixture) plus \$15.45 for each additional fixture
- (b) a medium permit —
 - (i) coin operated laundries \$106.60
(including first 2 washing units) plus \$53.30 for each additional washing unit
 - (ii) other \$106.60
plus \$53.30 for each fixture
- (c) a major permit \$342.00

5. Land from which industrial waste is discharged into a sewer of the Corporation outside the metropolitan area

Discharge pursuant to a permit classified by the Corporation as —

(a) a medium permit —

- (i) coin operated laundries \$106.60
(including first 2 washing units) plus \$53.30 for each additional washing unit
- (ii) other \$106.60
plus \$53.30 for each fixture

(b) a major permit \$342.00

Part 2 — Variable charges and charges by way of a rate

1. Metropolitan residential

In respect of each residential property in the metropolitan area not being —

- (a) subject to a charge under item 1 or 3 of Part 1; or
- (b) a caravan park or a nursing home,

an amount for each dollar of the GRV —

up to \$6 500	6.150 cents/\$ of GRV
over \$6 500 but not over \$17 600	4.310 cents/\$ of GRV
over \$17 600	3.990 cents/\$ of GRV

subject to a minimum of \$155.50.

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2. Vacant metropolitan non-residential

In respect of vacant land in the metropolitan area not being —

- (a) land comprised in a residential property;
- (b) a nursing home;
- (c) a caravan park; or
- (d) land referred to in item 1 or 3 of Part 1,

an amount for each dollar of the GRV —

up to \$5 100	4.140 cents/\$ of GRV
over \$5 100 but not over \$1 026 900	4.100 cents/\$ of GRV
over \$1 026 900	4.070 cents/\$ of GRV
subject to a minimum in respect of any vacant land the subject of a separate assessment of . . .	\$147.00

3. Country

In respect of land in a country sewerage area referred to in column 1 of the following Table —

- (a) where the land is classified as Residential, an amount for each dollar of the GRV as set out in column 2 of the Table;
- (b) where the land is not classified as Residential, a percentage of the amount set out in column 3 of the Table for each dollar of the GRV —

up to \$124 800	100% of the amount
over \$124 800 but not over \$624 000	80% of the amount
over \$624 000 but not over \$1 248 000	60% of the amount

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- over \$1 248 000 but not over \$2 496 000 . 40% of the amount
- over \$2 496 000 20% of the amount

subject to a minimum in respect of any land the subject of a separate assessment of —

- (c) in the case of land classified as Residential, \$135.30;
- (d) in the case of land classified as Vacant Land, \$100.00;
- (e) in the case of land not classified as Residential or Vacant Land, \$364.00.

Column 1	Column 2 (Residential)	Column 3 (Non-residential)
Country sewerage area	cents/\$ of GRV	cents/\$ of GRV
ALBANY	8.687	8.298
AUGUSTA	8.445	7.650
AUSTRALIND	6.069	2.154
BINNINGUP	10.529	5.572
BODDINGTON	6.364	4.678
BREMER BAY	6.523	6.784
BRIDGETOWN	8.174	8.894
BROOME	4.693	4.102
BRUNSWICK	5.873	6.162
BUNBURY	5.164	5.582
BUREKUP	6.296	2.590
BUSSELTON	4.711	4.577
CAPE BURNEY	6.841	6.208

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Column 1	Column 2 (Residential)	Column 3 (Non-residential)
Country sewerage area	cents/\$ of GRV	cents/\$ of GRV
CAPEL	9.534	6.394
CARNARVON	8.621	7.439
CERVANTES	6.365	6.620
COLLIE	8.498	7.901
CORRIGIN	7.411	5.859
COWARAMUP	12.000	12.000
CRANBROOK	11.220	12.000
CUNDERDIN	6.098	10.025
DAMPIER	2.969	4.650
DARDANUP	12.000	12.000
DENMARK	5.651	6.125
DERBY	5.418	6.021
DONGARA- DENISON	7.824	4.932
DUNSBOROUGH	6.797	6.821
EATON	7.151	6.308
ENEABBA	8.787	9.139
ESPERANCE	5.516	6.376
EXMOUTH	5.980	3.965
FITZROY CROSSING	8.335	8.948
GERALDTON	5.353	4.937
GERALDTON/ EFFLUENT	—	1.263

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Column 1	Column 2 (Residential)	Column 3 (Non-residential)
Country sewerage area	cents/\$ of GRV	cents/\$ of GRV
GNOWANGERUP	8.739	9.089
HALLS CREEK	4.937	7.802
HARVEY	6.173	4.919
JURIEN BAY	6.839	7.113
KALBARRI	6.766	5.281
KARRATHA	3.056	3.643
KATANNING	5.129	6.387
KELLERBERRIN	9.030	11.161
KOJONUP	9.056	10.028
KUNUNURRA	4.316	4.569
LAKE ARGYLE	5.744	5.476
LANCELIN	7.493	5.799
LAVERTON	4.653	7.849
LEDGE POINT	7.688	7.688
LEEMAN	7.354	7.648
LEONORA	4.053	6.979
MANDURAH (1/7/94 values)	7.078	5.403
MANDURAH (1/7/96 values)	5.229	4.044
MANJIMUP	6.397	7.594
MARGARET RIVER	4.536	3.936
MECKERING	5.861	6.625
MERREDIN	7.901	7.038

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Column 1	Column 2 (Residential)	Column 3 (Non-residential)
Country sewerage area	cents/\$ of GRV	cents/\$ of GRV
MOUNT BARKER	7.582	7.276
MUKINBUDIN	12.000	12.000
NAREMBEEN	12.000	11.936
NARROGIN	5.041	6.011
NEWDEGATE	8.950	6.643
NEWMAN	4.497	4.844
NORTHAM	5.880	7.341
ONSLOW	12.000	12.000
PARABURDOO	5.191	4.533
PEMBERTON	12.000	12.000
PINGELLY	8.670	7.282
PINJARRA	4.741	5.356
PORT HEDLAND	5.963	6.202
ROEBOURNE	8.825	12.000
SEABIRD	12.000	12.000
THREE SPRINGS	8.403	9.125
TOM PRICE	4.019	5.620
WAGIN	8.312	7.433
WALPOLE	12.000	12.000
WAROONA	7.472	9.172
WICKHAM	5.573	6.850
WONGAN HILLS	3.562	4.336

Column 1	Column 2 (Residential)	Column 3 (Non-residential)
Country sewerage area	cents/\$ of GRV	cents/\$ of GRV
WUNDOWIE	4.604	8.669
WYALKATCHEM	10.981	11.424
WYNDHAM	6.713	9.486

Part 3 — Quantity charges

1. For industrial waste discharged into a sewer of the Corporation pursuant to a permit of the Corporation classified as a major permit —
 - (a) for volume 63.4 c/kL;
 - (b) for B.O.D. 94.0 c/kg;
and
 - (c) for suspended solids 80.6 c/kg.

No charge is payable under this Part if the sum of the amounts payable under paragraphs (a), (b) and (c) is less than 60% of the amount payable under items 1 and 2 of Part 1 or items 3 (b) or 3 (e) of Part 2, or item 1 of Part 5, as the case requires. Where the sum of the amounts payable under paragraphs (a), (b) and (c) exceeds 60% of the amount payable under items 1 and 2 of Part 1 or items 3 (b) or 3 (e) of Part 2, or item 1 of Part 5, as the case requires, the total amount payable under this Part shall be the sum of the amounts payable under paragraphs (a), (b) and (c) less 60% of the amount payable under items 1 and 2 of Part 1 or items 3 (b) or 3 (e) of Part 2, or item 1 of Part 5, as the case requires.

2. For tankered raw wastewater discharged into a sewer of the Corporation 106.0 c/kL
3. For effluent discharged from a septic tank effluent pumping system into a sewer of the Corporation 81.6 c/kL

Part 4 — Combined charges

1. Metropolitan non-residential (other than vacant land)

In respect of land in the metropolitan area that is not —

- (a) comprised in a residential property;
- (b) referred to in item 1, 3 or 3A of Part 1 of this Schedule; or
- (c) referred to in item 2, 3 or 4 of this Part,

the charge calculated in accordance with the following formula —

IF $(P + Q) \leq R$, THEN —

$P + Q$

OR IF —

$(P + Q) > R$; AND

$N \leq W$,

THEN —

R

OR IF —

$(P + Q) > R$; AND

$N > W$,

THEN —

$R + \{(N - W) \times I\}$

where —

P = the annual charge calculated in accordance with the formula in item 1 of Part 5 of this Schedule;

Q = the quantity charge calculated in accordance with the formula in item 2 of Part 5 of this Schedule;

R = the charge calculated in accordance with the following formula —

$$A \times S$$

where —

A = the charge payable in the 1997/98 year; and

S = 1.140;

N = the discharge volume for the 1997/98 year;

W = the discharge volume for the 1996/97 year; and

I = 0.590.

2. Government trading organization and non-commercial Government property

In respect of a non-commercial Government property, or a property held by a Government trading organization, the charge payable in accordance with the following formula —

$$Y + Q$$

where —

Y = the charge payable for the relevant number of major fixtures in the 1997/98 year as set out in the Table to item 1 of Part 5 of this Schedule;

and

Q = the quantity charge calculated in accordance with the formula in item 2 of Part 5 of this Schedule.

3. Metropolitan, non-strata titled caravan park with long term residential caravan bays

In respect of a caravan park in the metropolitan area —

(a) not consisting of strata-titled caravan bays referred to in item 3 of Part 1 of this Schedule; and

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(b) having long term residential caravan bays,

the charge payable in accordance with the following formula —

AA + AB

where —

AA = a charge of \$100.00 for each long term residential caravan bay; and

AB = the charge for any part of the caravan park not comprised in long term residential caravan bays, calculated in accordance with the following formula —

IF $(Y + Q) \leq R$, THEN —

$Y + Q$

OR IF —

$(Y + Q) > R$; AND

$N \leq W$,

THEN —

R

OR IF —

$(Y + Q) > R$; AND

$N > W$,

THEN —

$R + \{(N - W) \times I\}$

where —

Y = the charge payable for the number of major fixtures in the relevant part of the caravan park in the 1997/98 year as set out in the Table to item 1 of Part 5 of this Schedule;

Q = the quantity charge calculated in accordance with the formula in item 2 of Part 5 of this Schedule;

R = the charge calculated in accordance with the following formula —

$$A \times S$$

where —

A = the amount specified for the relevant number of fixtures in relation to the 1996/97 year as set out in the Table to item 1 of Part 5 of this Schedule; and

$$S = 1.140;$$

N = the discharge volume for the 1997/98 year;

W = the discharge volume for the 1996/97 year; and

$$I = 0.590.$$

4. Metropolitan nursing home

In respect of a nursing home in the metropolitan area, not being a nursing home which is, or is part of, a home for the aged the charge calculated in accordance with the following formula —

IF $(T + Q) \leq R$, THEN —

$$T + Q$$

OR IF $(T + Q) > R$, THEN —

R

where —

T = the charge calculated in accordance with the following formula —

$$U \times V$$

where —

U = the number of beds in the nursing home; and

$$V = \$78.00;$$

Q = the quantity charge calculated in accordance with the formula in item 2 of Part 5 of this Schedule; and

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R = the charge calculated in accordance with the following formula —

$$A \times S$$

where —

A = the amount payable in 1996/97, or the amount specified for the relevant number of fixtures in relation to that year as set out in the Table to item 1 of Part 5 of this Schedule, whichever is the greater;

and

$$S = 1.140.$$

Part 5 — Computation of combined charges

1. Formula for annual charge

For the purposes of Part 4 of this Schedule, the annual charge (“P”) is calculated according to the following formula —

IF $(A \times B) \leq X$, THEN —

X

OR IF —

$(A \times B) > X$; AND

$(A \times B) \leq (C + D)$

THEN —

$(A \times B)$

OR IF $(A \times B) > (C + D)$, THEN —

$(A \times B) - [(A \times B) - (C + D)] \times E$

where —

A = the amount payable in the 1996/97 year;

B = 1.040;

C = the charge payable for the relevant number of major fixtures for the 2000/2001 year as set out in the Table to this item;

D = discharge charge;

E = 0.209; and

X = the amount specified in relation to the 1997/98 year for the relevant number of major fixtures as set out in the Table to this paragraph.

Table of major fixture-based minimum charges

No. of fixtures	1996/ 1997	1997/ 1998/	1998/ 1999	1999/ 2000	2000/ 2001
	\$	\$	\$	\$	\$
1	350	364	364	364	364
2	70	92	114	136	156
3	80	113	145	178	208
4-5	83	119	156	192	226
6-10	103	134	166	197	226
11-20	123	149	176	202	226
21-50	143	164	186	207	226
51+	203	209	216	222	226

2. Formula for quantity charge

For the purposes of Part 4 of this Schedule, the quantity charge (“**Q**”) is calculated in accordance with the following formula —

IF $(F \times G) \leq H$, THEN —

NIL

OR IF $(F \times G) > H$, THEN —

$((F \times G) - H) \times I$

where —

F = the volume of water delivered to the property in the 1997/98 year;

G = the discharge factor set for the property for the 1997/98 year;

H = the discharge allowance for the 1997/98 year calculated in accordance with item 3 of Part 5 of this Schedule; and

I = 0.590,

and where only the integer value (i.e., rounded down to the nearest whole number) of $(F \times G) - H$ is to be used in calculating the final charge.

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3. Discharge allowance

For the purposes of item 2 of this Part, the discharge allowance is —

- (a) for land to which Part 4, item 1 of this Schedule applies, an amount of water in kilolitres calculated in accordance with

the following formula —

IF $X \leq Y$, THEN —

L

OR IF —

$X > Y$; AND

$X \leq Z$,

THEN —

$(X - Y) \div I + L$

OR IF $X > Z$, THEN —

$W + [(J \times (X - Z)) \div K]$

where —

X = the annual charge for the 1997/98 year calculated in accordance with the formula in item 1 of this Part;

Y = the minimum charge for the relevant number of major fixtures for the 1997/98 year as set out in item 1 of this Part;

L = 200;

Z = the charge calculated in accordance with the following formula —

C + D

where —

C = the charge payable for the relevant number of major fixtures for the 2000/2001 year as set out in the Table to item 1 of this Part; and

D = discharge charge;

W = the discharge volume for the 1996/97 year;

I = 0.590;

J = 0.791; and

K = 1.362;

(b) for a non-commercial Government property, or a property held by a Government trading organization, 200 kL of water;

(c) for a caravan park referred to in item 3 of Part 4 of this Schedule, an amount of water in kilolitres calculated in accordance with the following formula —

$L + M$

where —

L = 200; and

M = 75 kL of water for each long term residential caravan bay;

(d) for a nursing home referred to in item 5 of Part 4 of this Schedule, 75 kL of water per bed;

and

(e) for properties served through a common metered service, 200 kL of water for each property.

[Schedule 2 inserted in Gazette 30 June 1995 pp.2754-60; amended in Gazette 29 December 1995 p.6331; 28 June 1996 pp.3116-25; 5 July 1996 p.3255; 23 August 1996 p.4129; 13 September 1996 p.4606; 7 February 1997 p.779; 27 June 1997 pp.3188-96.]

SCHEDULE 3

[By-law 27]

CHARGES FOR DRAINAGE FOR 1997/98

Part 1 — Fixed charge

1. Strata-titled caravan bay
 In respect of each residential property being a single caravan bay that is a lot within the meaning of the *Strata Titles Act 1985* \$13.30

2. Strata-titled storage unit
 In respect of land comprised in a unit used for storage purposes that is a lot within the meaning of the *Strata Titles Act 1985* \$5.30

Part 2 — Charge by way of a rate

1. In respect of all land in a drainage area as referred to in by-law 27 that is classified as Residential or Semi-rural/residential land 0.71 cents/\$ of GRV
 subject to a minimum in respect of any land the subject of a separate assessment of \$35.00.

2. In respect of all land in a drainage area as referred to in by-law 27 other than land to which Part 1 or item 1 of this Part applies 0.823 cents/\$ of GRV
 subject to a minimum in respect of any land the subject of a separate assessment of —
 - (a) in the case of land classified as Vacant Land, \$35.00;
 - (b) in any other case, \$38.70.

[Schedule 3 inserted in Gazette 30 June 1995 pp.2760-1; amended in Gazette 28 June 1996 pp.3125-6; 27 June 1997 p.3196.]

SCHEDULE 4

[By-law 31]

CHARGES FOR IRRIGATION FOR 1997/98

Part 1 — Fixed charges

[1, 2 and 3 deleted]

Part 2 — Charges by way of a rate

[1 and 2 deleted]

- 3. In respect of land in the Carnarvon Irrigation District \$258.00/ hectare
 subject to a maximum in respect of any land the subject of a separate assessment of \$1 548.00
 Plus an additional charge to maintain the allocation (to a maximum of 6 hectares). \$63.05/ hectare
 subject to a maximum in respect of any land the subject of a separate assessment of \$378.30.
- 4. In respect of land in the Ord Irrigation District —
 - (a) where the land is in the Packsaddle Horticultural Farms Sub-Area 1 —
 - (i) an amount of \$31.25/ hectare
 subject to a minimum in respect of any land the subject of a separate assessment of \$244.00;
 - (ii) a further amount per hectare of land actually irrigated of \$679.40/ hectare
 - (b) where the land is in Ord Irrigation District Sub-Area 2 \$63.95/ hectare

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- (c) where under by-law 31A of the *Ord Irrigation District By-laws*, the land is irrigated by pumping from works, an amount per hectare of land so irrigated of —
 - (i) where the supply is assured \$58.80
 - (ii) where the supply is not assured \$44.40

Part 3 — Quantity charges

- [1. *deleted*]
- 2. For each 1 000 cubic metres of water —
 - (a) allocated under by-law 17 of the *Preston Valley Irrigation District By-laws*, whether or not it is used; or
 - (b) supplied other than as so allocated from the Preston River (as defined in by-law 3 of the *Preston Valley Irrigation District By-laws*) for the irrigation of land outside the District (as defined in that by-law) \$114.05

For each 1 000 cubic metres of water over the allocation \$208.45.
- 3. For water supplied for irrigation in the Carnarvon Irrigation District —
 - (a) in accordance with a notice under by-law 23 of the *Carnarvon Irrigation District By-laws* for each 1 000 cubic metres \$201.80
 - (b) not in accordance with a notice mentioned in paragraph (a) —
 - (i) up to 200 cubic metres \$0.82/
cubic metre
 - (ii) over 200 cubic metres but not over 1 000 cubic metres \$2.33/
cubic metre
 - (iii) over 1 000 cubic metres \$3.30/
cubic metre.

[Schedule 4 inserted in Gazette 30 June 1995 pp.2761-3; amended in Gazette 21 May 1996 p.2139; 28 June 1996 pp.3126-8; 7 January 1997 p.63; 27 June 1997 p.3197.]

SCHEDULE 5

[By-laws 14 (3), 24 (3)]

**INDEX FOR INCREASING GROSS RENTAL VALUE UNDER
VALUATION OF LAND ACT 1978**

Day from which relevant general valuation affecting land was expressed under the <i>Valuation of Land Act 1978</i> to come into force	Index for the 1997/98 year
1 July 1981	1.995
1 July 1982	1.814
1 July 1983	1.649
1 July 1984	1.601
1 July 1985	1.556
1 July 1986	1.453
1 July 1987	1.390
1 July 1988	1.337
1 July 1989	1.249
1 July 1990	1.158
1 July 1991	1.113
1 July 1992	1.102
1 July 1993	1.066
1 July 1994	1.040
1 July 1995	1.040
1 July 1996	1.040
1 July 1997	1.000

[Schedule 5 inserted in Gazette 27 June 1997 p.3198.]

SCHEDULE 6

[By-laws 7, 8, 8A and 9]

DISCOUNTS AND ADDITIONAL CHARGES

1.	Discount —	
	by-law 7 (4) (a) (i)	\$1.50
2.	Additional charges —	
	(a) by-law 7 (4) (b) (i)	\$3.00
	(b) by-law 8 (2) (a)	\$1.50
	(c) by-law 8 (2) (b) (i)	\$1.50
	(d) by-law 8 (2) (b) (ii)	\$3.00
3.	Rates of interest —	
	by-laws 7 (4) (a) (ii), 7 (4) (b) (ii), 8 (2) (a), 8 (2) (b) (i), 8 (2) (b) (ii)	7% per annum
4.	Concession (by-law 8A (2)) —	
	(a) charge for water supply	\$57.95
	(b) charge for sewerage	\$93.80
	(c) charge for drainage	\$10.45
5.	Interest on overdue amounts (by-law 9)	12.75%

[Schedule 6 inserted in Gazette 30 June 1995 p.2764;
amended in Gazette 28 June 1996 p.3128; 13 May
1997 p.2353; 27 June 1997 pp.3198-9.]

SCHEDULE 7

[By-law 8B]

**WATER SUPPLY CHARGES FOR
GOVERNMENT TRADING ORGANIZATIONS AND
NON-COMMERCIAL GOVERNMENT PROPERTY**

1. Annual charge (based on meter size).

Meter size	\$
20 mm or less	257
25 mm	401
30 mm	577
40 mm	1 025
50 mm	1 603
70 mm	3 143
75 mm	3 607
80 mm	4 105
100 mm	6 414
140 mm	12 571
150 mm	14 433
200 mm	25 655
250 mm	40 088
300 mm	57 726
350 mm	78 572

with a minimum charge, where property is served
but not metered by the Corporation, of \$257

2. Volume charge (c/kL)

(a) Metropolitan

First 600 kL	58.8 cents
Over 600 kL	65.6 cents

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- (b) Country (according to the classification of the town/area in which that property is situated, as set out in Schedule 9) —

Consumption (kL)	Class 1 (c/kL)	Class 2 (c/kL)	Class 3 (c/kL)	Class 4 (c/kL)	Class 5 (c/kL)
Up to 300	62.6	83.2	91.2	99.8	102.6
Over 300	119.9	148.2	165.3	188.1	210.9

[Schedule 7 inserted in Gazette 27 June 1997 pp.3199-200.]

SCHEDULE 8

[By-law 17D]

**CLASSIFICATION OF TOWNS/AREAS FOR THE PURPOSES
OF BY-LAW 17D (3)**

Class 1

Albany, Albany Farmlands, Allanooka Farmlands, Augusta, Australind, Avon Hills, Bodallin, Boyanup, Broome, Brunswick, Burekup, Cape Burney, Capel, Carnamah, Cervantes, Collie, Collie Farmlands, Coodanup, Coorow, Cue, Cunderdin, Dampier, Dardanup, Dathagnoorara Farmlands, Denison, Derby, Dongara, Donnybrook, Dowerin, Dunsborough, Dwellingup, Eaton, Elleker, Emu Point, Eneabba, Eradu, Esperance, Furnissdale, Geraldton, Goode Beach, Grass Valley, Gravity Main, Greenhead, Halls Creek, Hamel, Harvey, Hines Hill, Jurien, Kalbarri, Karratha, Karratha Supply Mains, Kellerberrin, Kununurra, Lancelin, Leeman, Little Grove, Lower King, Madora, Mandurah, Margaret River, Meckering, Meekatharra, Mingenew, Moora, Mount Magnet, Narngulu, Newman, North Dandalup, Northam, Paraburdoo, Park Ridge, Pemberton, Pinjarra, Porongorups, Port Hedland, Preston Beach, Ravenswood, Riverside Gardens, Roelands, Sandstone, Seaview Park, South Hedland, Sovereign Hill, Tammin, Three Springs, Three Springs Farmlands, Tom Price, Walkaway, Waroona, Wedgefield, Wiluna, Wokalup, Wundowie, Yalgoo, Yallingup, Yarloop/Wagerup, Yunderup.

Class 2

Bakers Hill, Balingup, Beverley, Bindoon/Chittering, Binningup, Boddington, Boyup Brook, Bridgetown, Burracoppin, Calingiri, Carnarvon, Denham (Saline), Doodlakine, Exmouth, Fitzroy Crossing, Gingin, Goomalling, Greenbushes, Guilderton, Hester, Highbury, Laverton, Ledge Point, Leonora, Manjimup, Merredin, Nannup, Narrogin, Roebourne, Seabird, Southern Cross, Toodyay, Wagin, Williams, Woodridge, York.

Class 3

Allanson, Allanson Park, Arrowsmith Farmlands, Bolgart, Boulder, Bremer Bay, Brookton, Broomehill, Bruce Rock, Bullaring, Camballin, Coolgardie, Cowaramup, Cuballing, Dalwallinu, Dandaragan, Dangin, Darkan, Denmark, Gascoyne, Gibson,

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Hopetoun, Hyden, Jerramungup, Kalgoorlie, Katanning, Katanning Farmlands, Kendenup Farmlands, Kirup, Kojonup, Koorda, Marble Bar, Marvel Loch, Moorine Rock, Morawa, Morawa Farmlands, Mount Barker, Mullewa, Mullewa Farmlands, Muradup, Myalup, Nabawa, Narembeen, Narrikup, Newdegate, Norseman, Northam Farmlands, Northampton, Northcliffe, Peppermint Beach, Perenjori, Pingelly, Popanyinning, Quairading, Shackleton, Walpole, Warralakin, Watheroo, Westonia, Wickepin, Wickham, Widgiemooltha, Wongan Hills, Woodanilling, Wyalkatchem, Wyndham, Yealering.

Class 4

Badgingarra, Ballidu, Bending, Bullfinch, Bunjil, Condingup, Corrigin, Cranbrook, Dudinin, Dumbleyung, Frankland, Gnowangerup, Harrismith, Horrocks, Jitarning, Kalannie, Kalgoorlie Farmlands, Kendenup, Kondinin, Kukerin, Kulin, Kununoppin, Lake Argyle, Lake Grace, Latham, Merredin Farmlands, Miling, Moulyinning, Mukinbudin, Narrogin Farmlands, New Norcia, Nullagine, Nungarin, Nyabing, Onslow, Ora Banda, Piesseville, Pingaring, Pithara, Point Samson, Quininup, Ravensthorpe, Rocky Gully, Tambellup, Tincurrin, Trayning, Wandering, Wittenoom, Wubin.

Class 5

Arrino, Beacon, Bencubbin, Bindi Bindi, Borden, Broad Arrow, Buntine, Caron, Coomberdale, Grass Patch, Karlgarin, Koolyanobbing, Lake King, Menzies, Mount Roe, Mullalyup, Munglinup, Muntadgin, Ongerup, Pingrup, Salmon Gums, Varley, Wellstead, Yerecoin, Yuna.

[Schedule 8 inserted in Gazette 27 June 1997 pp.3200-1.]

SCHEDULE 9

[By-law 17D]

**CLASSIFICATION OF TOWNS/AREAS FOR THE PURPOSES
OF BY-LAW 17D (4)**

Class 1

Albany, Albany Farmlands, Allanooka Farmlands, Augusta, Australind, Avon Hills, Boyanup, Broome, Brunswick, Burekup, Cape Burney, Capel, Carnamah, Cervantes, Collie, Collie Farmlands, Coodanup, Coorow, Cue, Cunderdin, Dampier, Dathagnoorara Farmlands, Denison, Derby, Dongara, Donnybrook, Dowerin, Dunsborough, Dwellingup, Eaton, Elleker, Emu Point, Eneabba, Eradu, Esperance, Fitzroy Crossing, Furnissdale, Geraldton, Goode Beach, Grass Valley, Gravity Main, Greenhead, Halls Creek, Hamel, Harvey, Hines Hill, Jurien, Kalbarri, Karratha, Karratha Supply Mains, Kellerberrin, Kununurra, Lancelin, Leeman, Little Grove, Lower King, Madora, Mandurah, Margaret River, Meckering, Meekatharra, Mingenew, Moora, Mount Magnet, Narngulu, Newman, North Dandalup, Northam, Paraburdoo, Park Ridge, Pinjarra, Porongorups, Port Hedland, Preston Beach, Ravenswood, Riverside Gardens, Roelands, Sandstone, Seaview Park, South Hedland, Sovereign Hill, Tammin, Three Springs, Three Springs Farmlands, Tom Price, Walkaway, Waroona, Wedgefield, Wiluna, Wokalup, Wundowie, Yalgoo, Yallingup, Yarloop/Wagerup, Yunderup.

Class 2

Bakers Hill, Balingup, Beverley, Binningup, Bodallin, Boddington, Boyup Brook, Bridgetown, Burracoppin, Calingiri, Carnarvon, Dardanup, Denham (Saline), Doodlakine, Exmouth, Gingin, Goomalling, Greenbushes, Guilderton, Hester, Highbury, Laverton, Ledge Point, Leonora, Manjimup, Merredin, Nannup, Narrogin, Pemberton, Roebourne, Seabird, Southern Cross, Toodyay, Wagin, Williams, Woodridge, York.

Class 3

Allanson, Allanson Park, Arrowsmith Farmlands, Bindoon/Chittering, Bolgart, Boulder, Bremer Bay, Brookton, Broomehill, Bruce Rock, Bullaring, Bullfinch, Camballin, Coolgardie, Cuballing, Dalwallinu, Dandaragan, Dangin, Darkan, Denmark, Gascoyne, Gibson, Hopetoun, Hyden, Jerramungup,

Kalgoorlie, Katanning, Katanning Farmlands, Kendenup Farmlands, Kirup, Kojonup, Koorda, Lake Argyle, Marble Bar, Marvel Loch, Moorine Rock, Morawa, Morawa Farmlands, Mount Barker, Mullewa, Mullewa Farmlands, Muradup, Myalup, Nabawa, Narrikup, Newdegate, Northam Farmlands, Northampton, Northcliffe, Peppermint Beach, Perenjori, Pingelly, Popanyinning, Quairading, Shackleton, Walpole, Warralakin, Watheroo, Westonia, Wickepin, Wickham, Widgiemooltha, Wongan Hills, Woodanilling, Wyalkatchem, Wyndham, Yealering.

Class 4

Badgingarra, Ballidu, Bending, Bunjil, Buntine, Caron, Condingup, Corrigin, Cowaramup, Cranbrook, Dudinin, Dumbleyung, Frankland, Gnowangerup, Harrismith, Horrocks, Jitarning, Kalannie, Kalgoorlie Farmlands, Kendenup, Kondinin, Kukerin, Kulin, Kununoppin, Lake Grace, Latham, Merredin Farmlands, Miling, Moulyinning, Mukinbudin, Narembeen, Narrogin Farmlands, New Norcia, Norseman, Nullagine, Nungarin, Nyabing, Onslow, Ora Banda, Piesseville, Pingaring, Pithara, Point Samson, Quininup, Rocky Gully, Tambellup, Tincurrin, Trayning, Wandering, Wubin, Yerecoin.

Class 5

Arrino, Beacon, Bencubbin, Bindi Bindi, Borden, Broad Arrow, Coomberdale, Grass Patch, Karlgarin, Koolyanobbing, Lake King, Menzies, Mount Roe, Mullalyup, Munghlinup, Muntadgin, Ongerup, Pingrup, Ravensthorpe, Salmon Gums, Varley, Wellstead, Wittenoom, Yuna.

[Schedule 9 inserted in Gazette 27 June 1997 pp.3201-2.]

Water Agencies (Charges) By-laws 1987

NOTES

¹. This reprint is a compilation as at 25 August 1997 of the *Water Agencies (Charges) By-laws 1987* and includes the amendments effected by the by-laws referred to in the following Table.

Table of By-laws

By-law	Gazettal	Commencement	Miscellaneous
<i>Water Authority (Charges) By-laws 1987</i>	14 July 1987 pp.2658-72		Citation amended in <i>Gazette</i> 29 December 1995 p.6330
Errata	24 July 1987 p.2841		
<i>Water Authority (Charges) Amendment By-laws 1987</i>	31 July 1987 p.2884	31 July 1987	
<i>Water Authority (Charges) Amendment By-laws 1988</i>	29 June 1988 pp.2112-22	29 June 1988	
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1988</i>	4 July 1988 p.2178	4 July 1988	
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1988</i>	8 July 1988 p.2387	8 July 1988	
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1988</i>	14 October 1988 p.4174	14 October 1988	
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1988</i>	20 January 1989 p.121	20 January 1989	
<i>Water Authority (Charges) Amendment By-laws 1989</i>	10 March 1989 p.712	10 March 1989	
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1989</i>	23 June 1989 p.1824	23 June 1989	
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1989</i>	29 June 1989 pp.1870-83	29 June 1989	By-law 3: application ²
Errata	7 July 1989 p.2075		

Water Agencies (Charges) By-laws 1987

By-law	Gazettal	Commencement	Miscellaneous
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1989</i>	7 July 1989 p.2077	7 July 1989	
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1989</i>	7 July 1989 p.2078	7 July 1989	
<i>Water Authority (Charges) Amendment By-laws (No. 6) 1989</i>	27 October 1989 pp.3898-9	27 October 1989	
<i>Water Authority (Charges) Amendment By-laws (No. 7) 1989</i>	17 November 1989 p.4117	17 November 1989	
<i>Water Authority (Charges) Amendment By-laws 1990</i>	29 June 1990 pp.3226-40	29 June 1990	By-law 3: application ³
Errata	6 July 1990 p.3317		
<i>Water Authority (Charges) Amendment By-laws 1991</i>	28 June 1991 pp.3267-80	28 June 1991	By-laws 3 and 7: application ^{4,5}
Errata	5 July 1991 p.3379		
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1991</i>	20 September 1991 pp.4952-3	20 September 1991	
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1991</i>	20 September 1991 pp.4954-5	20 September 1991	
<i>Water Authority (Charges) Amendment By-laws 1992</i>	28 February 1992 p.1024	28 February 1992	By-law 4: application ⁶
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1992</i>	28 February 1992 p.1025	28 February 1992	
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1992</i>	1 May 1992 p.1864	1 May 1992	
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1992</i>	1 May 1992 p.1865	1 May 1992	By-law 4: application ⁷

Water Agencies (Charges) By-laws 1987

By-law	Gazettal	Commencement	Miscellaneous
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1992</i>	26 June 1992 pp.2812-31	1 July 1992 (see by-law 2)	
<i>Water Authority (Charges) Amendment By-laws (No. 6) 1992</i>	26 June 1992 pp.2831-2	1 July 1992 (see by-law 2)	
<i>Water Authority (Charges) Amendment By-laws (No. 7) 1992</i>	6 July 1992 p.3079	6 July 1992	
<i>Water Authority (Charges) Amendment By-laws (No. 8) 1992</i>	24 July 1992 pp.3660-1	24 July 1992	
<i>Water Authority (Charges) Amendment By-laws (No. 9) 1992</i>	31 December 1992 pp.6412-13	31 December 1992	
<i>Water Authority (Charges) Amendment By-laws 1993</i>	1 July 1993 pp.3214-36	1 July 1993	
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1992</i>	1 July 1993 pp.3236-7	1 July 1993	
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1992</i>	27 July 1993 pp.4096-7	27 July 1993	
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1992</i>	28 September 1993 p.5328	28 September 1993	
<i>Water Authority (Charges) Amendment By-laws 1994</i>	4 March 1994 pp.900-1	4 March 1994	
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1994</i>	4 March 1994 p.901	4 March 1994	
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1994</i>	4 March 1994 pp.901-3	1 July 1994	
<i>Water Authority (Charges) Amendment By-laws (No. 6) 1994</i>	4 March 1994 p.904	4 March 1994	
<i>Water Authority (Charges) Amendment By-laws (No. 7) 1994</i>	6 May 1994 p.1934	6 May 1994	

Water Agencies (Charges) By-laws 1987

By-law	Gazettal	Commencement	Miscellaneous
<i>Water Authority (Charges) Amendment By-laws (No. 8) 1994</i>	29 June 1994 pp.3171-200	1 July 1994 (see by-law 2)	
<i>Water Authority (Charges) Amendment By-laws (No. 9) 1994</i>	16 September 1994 pp.4806-7	16 September 1994	
<i>Water Authority (Charges) Amendment By-laws (No. 10) 1994</i>	28 October 1994 pp.5556-7	28 October 1994	
<i>Water Authority (Charges) Amendment By-laws (No. 11) 1994</i>	30 December 1994 pp.7351-3	30 December 1994	
<i>Water Authority (Charges) Amendment By-Laws 1995</i>	2 June 1995 p.2215	2 June 1995	
<i>Water Authority (Charges) Amendment By-Laws (No. 2) 1995</i>	30 June 1995 pp.2735-66	1 July 1995 (see by-law 2)	
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1995</i>	17 November 1995 pp.5344-5	17 November 1995	
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1995</i>	17 November 1995 pp.5345-6	17 November 1995	
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1995</i>	17 November 1995 p.5346	17 November 1995	
<i>Water Agencies (Amendment and Repeal) By-laws 1995, Part 11</i>	29 December 1995 pp.6330-2	1 January 1996 (see by-law 2 and Gazette 29 December 1995 p.6291)	
<i>Water Agencies (Charges) Amendment By-laws 1996</i>	21 May 1996 p.2139	21 May 1996	
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 1996 Correction</i>	28 June 1996 pp.3103-30 9 July 1996 p.3281	1 July 1996 (see by-law 2)	

Water Agencies (Charges) By-laws 1987

By-law	Gazettal	Commencement	Miscellaneous
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 1996</i>	5 July 1996 p.3255	5 July 1996	
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 1996</i>	19 July 1996 pp.3489-90	19 July 1996	
<i>Water Agencies (Charges) Amendment By-laws (No. 5) 1996</i>	23 August 1996 pp.4128-9	23 August 1996	
<i>Water Agencies (Charges) Amendment By-laws (No. 6) 1996</i>	13 September 1996 p.4606	13 September 1996	
<i>Water Agencies (Charges) Amendment By-laws (No. 7) 1996</i>	7 January 1997 p.63	7 January 1997	
<i>Water Agencies (Charges) Amendment By-laws 1997</i>	7 February 1997 p.779	7 February 1997	
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 1997</i>	13 May 1997 pp.2350-3	13 May 1997	
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 1997</i>	10 June 1997 pp.2669-70	10 June 1997	
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 1997</i>	27 June 1997 pp.3175-203	1 July 1997 (see by-law 2)	

² By-law 3 of *Water Authority (Charges) Amendment By-laws (No. 3) 1989* reads as follows —

“ **Application**

3. Nothing in these by-laws affects the application after the day of the coming into operation of these by-laws of a by-law in force before that day insofar as that by-law relates to a charge for a period commencing before that day, to a charge for any matter or thing done before that day, or to a charge for water supplied during a period ending before 31 October 1989.

”.

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³ By-law 3 of *Water Authority (Charges) Amendment By-laws 1990* reads as follows —

“ **Application**

3. Nothing in these by-laws affects the application after the day of the coming into operation of these by-laws of a by-law in force before that day insofar as that by-law relates to a charge for a period commencing before that day, to a charge for any matter or thing done before that day, or to a charge for water supplied during a period ending before 31 October 1990. ”.

⁴ By-law 3 of *Water Authority (Charges) Amendment By-laws 1991* reads as follows —

“ **Application**

3. Nothing in these by-laws affects the application after the day of the coming into operation of these by-laws of a by-law in force before that day insofar as that by-law relates to a charge for a period commencing before that day, to a charge for any matter or thing done before that day, or to a charge for water supplied during a period ending before 31 October 1991. ”.

⁵ By-law 7 of *Water Authority (Charges) Amendment By-laws 1991* reads as follows —

“ **Application of certain charges by way of a rate (sewerage)**

7. The charges by way of a rate applicable to land in the areas set out in paragraphs (a), (b), and (c), and imposed under Schedule 2, Part 2, item 3 of the principal by-laws, shall apply to land in the areas set out in paragraphs (a), (b) and (c), which is connected to, or capable of being connected with a sewer and shall be calculated —

(a) in the case of Augusta, from
1 March 1991;

(b) in the case of Capel, from
1 October 1990;

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- (c) in the case of Dongara-Denison, from the date of the initial sale of the land; or
- (d) in the case of Augusta, Capel, or Dongara-Denison, from the date of connection with the sewer,

whichever date is the earlier for the particular area. ”.

⁶ By-law 4 of *Water Authority (Charges) Amendment By-laws 1992* reads as follows —

“ **Application**

4. The charge set out in by-law 3 applies to and in relation to —

- (a) land connected with a sewer, commencing from the day of such connection; and
- (b) land that is capable of being connected with a sewer and, in relation to which a notice has been sent under by-law 21 of the principal by-laws, commencing from 1 January 1992. ”.

⁷ By-law 4 of *Water Authority (Charges) Amendment By-laws (No. 4) 1992* reads as follows —

“ **Application**

4. The charge set out in by-law 3 applies to and in relation to —

- (a) land connected with a sewer, commencing from the day of such connection; and

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- (b) land that is capable of being connected with a sewer and in relation to which a notice has been sent under by-law 21 of the principal by-laws, commencing from 1 April 1992.

”.