



Western Australia

Country Towns Sewerage Act 1948

Country Towns Sewerage By-laws 1952

Reprinted as at 2 January 2001

Western Australia

Country Towns Sewerage By-laws 1952

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Defined Terms



Western Australia

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Country Towns Sewerage Act 1948^{1a}

Country Towns Sewerage By-laws 1952

Part 1 — Preliminary

[Heading inserted in Gazette 25 August 1998 p.4737.]

1.² Citation

These by-laws may be cited as the *Country Towns Sewerage By-laws 1952*¹.

[By-law 1 inserted in Gazette 3 January 1992 p.32.]

2.² Interpretation

In these by-laws unless the contrary intention appears —

“Book of forms” means —

- (a) in relation to a notice or certificate, a book of approved forms of notice and certificate; and
- (b) in relation to a multi-entry plumbing certificate, a book of approved forms of multi-entry plumbing certificate,

as referred to in by-law 18G(1).

“Bore”, **“diameter”** or **“size”** in reference to any pipe means the internal diameter thereof.

“Building” means any building used as a work place, residence, place of business, place of amusement, or a place of human

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habitation, or used for the storage of food intended for human consumption, but does not include outbuildings unless such are used for any of the above purposes or are provided with plumbing fixtures.

“Certificate” means a certificate of completion and compliance under by-law 18B.

“Combined pipe system” means that type of plumbing installation in which disconnector traps are omitted and both soil and waste pipes are connected directly to the drain or to a common pipe taking both soil and waste discharges, and in which a common system of venting is used for all classes of pipe.

“Combined waste pipe” means any pipe which receives the discharge from both soil and waste fixtures and conveys the same to the drain. Combined waste pipes are connected directly to the drain and are used only in connection with the “combined pipe system”.

“Disconnector trap” means a trap for isolating or disconnecting waste pipes from the drain and soil pipes, and for providing inlet ventilation to the waste pipe or pipes discharging into it.

“Domestic wastewater” means all faecal matter, urine, household slops and household liquid refuse.

“Drain” has the same meaning as property sewer.

“Drainage Plumbing” has the same meaning as it has in the *Water Services Coordination (Plumbers Licensing) Regulations 2000*.

“Emergency work” means work that must be carried out immediately by a licensed plumber to prevent —

- (a) the entry into the Corporation’s sewerage system of any substance or matter that is likely to hinder or prevent the proper functioning of that system; or
- (b) the escape from the Corporation’s sewerage system of foul air or offensive matter.

“Industrial waste” means the liquid, solid or gaseous refuse from any business, industry, warehouse or manufacturing premises other than domestic wastewater, stormwater, or unpolluted water.

“Inspector” means any person appointed by the Corporation for the purpose of these by-laws or to administer the said by-laws.

“Licensed Plumber” means a person who holds a plumber’s licence under the *Water Services Coordination (Plumbers Licensing) Regulations 2000*.

“Multi-entry plumbing certificate” means a certificate under by-law 18E.

“Multi-entry work” means —

- (a) emergency work; and
- (b) maintenance, repair or replacement work of a kind described in each book of forms of multi-entry plumbing certificate.

“Notice” means a notice of intention to commence work under by-law 18A.

“Notified work” means work described in a notice.

“Property” for the purposes of these by-laws includes either house, building, tenement, land or premises.

“Sanitary Plumbing” has the same meaning as it has in the *Water Services Coordination (Plumbers Licensing) Regulations 2000*.

“Separate Pipe System” means that type of plumbing installation in which separate pipes are provided for soil and waste discharges and for the ventilation of soil and waste fixtures, and in which all waste pipes are connected to the drain through a disconnector trap.

“Soil Pipe” means any pipe which conveys the discharge from water closets, slop hoppers, urinals, mortuaries, or operating theatres to the drain.

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“The Act” means the *Country Towns Sewerage Act 1948*, and any amendment thereof.

“Trap” means any fitting designed to retain a quantity of water for the purpose of preventing the passage of air or gases through such fitting.

“Waste Pipe” means any pipe which conveys the discharge from any fixture, other than water closets, slop hoppers, urinals, mortuaries, or operating theatres, to a disconnector trap in the case of “The Separate Pipe System” or directly to the drain in the case of the “Combined Pipe System”.

“Water Supply Plumbing” has the same meaning as it has in the *Water Services Coordination (Plumbers Licensing) Regulations 2000*.

“working day” means a day of the week other than a Saturday, Sunday, public holiday or public service holiday.

*[By-law 2 amended in Gazette 28 June 1985 p.2334;
29 June 1988 p.2128; 22 December 1989 p.4624;
3 January 1992 p.32; 29 December 1995 pp.6314 and 6315;
4 February 1997 p.708; 25 August 1998 p.4738; 16 June 2000
p.2963.]*

Part 2 — Protection of water, grounds, etc.

[Heading inserted in Gazette 25 August 1998 p.4737.]

3.² Trespassing prohibited

No person shall trespass within the fenced-off ground adjacent to or reserved for Sewerage Works nor enter without proper authority any Sewerage Work not open to the public.

4.² Dogs prohibited

No person shall permit any dog of which he is the owner to trespass on any portion of the ground in the vicinity of any sewerage works.

5.² Disposal of refuse, etc.

No person shall leave loose paper or other refuse on any portion of the grounds in the vicinity of any reservoir or works, except in the receptacles provided therefor.

6.² Posting or distribution of bills, etc.

No person shall post or distribute bills, advertisements, or other notices on any portion of any reservoir or works, or on any portion of the works or ground in the vicinity thereof.

7.² Nuisances

No person shall commit a nuisance on any portion of the grounds in the vicinity of any reservoir or works.

8.² Protection of works from injury

No person shall in the vicinity of any works carry on or cause to be carried on any mining or quarrying operation, or make any excavation of any sort, or cause any explosion so as to injure any waterworks, sewerage works, sewers, drains, pipes, or fittings whatsoever.

bl. 8A

Part 3 — Provisions related to sanitary plumbing and drainage plumbing

[Heading inserted in Gazette 25 August 1998 p.4737; amended in Gazette 16 June 2000 p.2963.]

8A. Requirements for sanitary plumbing and drainage plumbing

- (1) A person who carries out sanitary plumbing or drainage plumbing shall ensure that the plumbing is carried out in accordance with the requirements specified in by-law 16.1 of the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

Penalty: \$2 000.

- (2) Despite sub-by-law (1), if there is any conflict or inconsistency between a provision of AS/NZS 3500.2.2:1996 specified in by-law 16.1 of the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981* and a provision of these by-laws, the latter provision prevails.

- (3) A person who carries out sanitary plumbing or drainage plumbing shall ensure that the design operating conditions of pipes and other fittings, as specified by the manufacturer, are not exceeded.

Penalty: \$1 000.

[By-law 8A inserted in 25 August 1998 p.4738.]

[9-17B. Repealed in Gazette 16 June 2000 p.2964.]

18.² Penalties for breaches of by-laws by plumbers

- (a) Any licensed plumber who shall refuse either by himself or by those employed by him to give any needful or proper information required by an officer of the Corporation shall be guilty of an offence and liable on conviction to a fine not exceeding \$40.

[(b) and (c) deleted.]

[By-law 18 amended in Gazette 29 December 1995 pp.6311 and 6314; 4 February 1997 p.712; 16 June 2000 p.2963.]

18A. Notification of work

- (1) Subject to by-laws 18E and 18I, a licensed plumber shall not carry out or cause to be carried out any drainage plumbing or sanitary plumbing which is connected, or is intended to connect to the Corporation's works unless the licensed plumber has lodged with the Corporation a notice of intention to commence work not less than 2 working days before commencement of the work.

Penalty: \$500.

- (2) A notice of intention to commence work shall be in a form approved by the Corporation, legibly completed and signed by the licensed plumber who is to carry out the work.
- (3) The Corporation may refuse to accept for lodgement a notice that does not comply with sub-by-law (2).
- (4) A licensed plumber who lodges a notice —
- (a) is responsible for the performance of the notified work whether the work is carried out by that licensed plumber or by another person under the direction and supervision of that licensed plumber; and
 - (b) shall ensure that the notified work is carried out in accordance with these by-laws.

Penalty for contravention of paragraph (b): \$2 000.

[By-law 18A inserted in Gazette 22 December 1989 p.4624; amended in Gazette 21 September 1990 p.4954; 29 December 1995 p.6315; 4 February 1997 p.712.]

bl. 18B

18B. Certification of work

- (1) Within 7 working days of completing notified work the licensed plumber shall lodge with the Corporation —
 - (a) a certificate of completion and compliance in respect of the notified work; and
 - (b) in the case of a property sewer installation, a diagram or diagrams of the completed work in such form or forms as the Corporation may require.

Penalty: \$1 000.

- (1a) Where the Corporation provides plan sheets for the preparation of diagrams under sub-by-law (1)(b), the appropriate fee set out in Part VIII of Schedule C is payable in respect of the provision of those sheets.
- (2) A certificate of completion and compliance shall be in a form approved by the Corporation, legibly completed and signed by the licensed plumber responsible for the notified work.
- (3) The licensed plumber shall give a copy of a certificate lodged under sub-by-law (1) to the owner or occupier of the property on which the notified work was carried out within 7 working days of completing that work.

Penalty: \$500.

[By-law 18B inserted in Gazette 22 December 1989 p.4624; amended in Gazette 29 June 1990 p.3242; 29 December 1995 p.6315.]

18C. Alteration, withdrawal or cancellation of notice

- (1) If after the commencement of notified work a licensed plumber wishes to alter or withdraw the notice lodged in respect of that work, the licensed plumber shall —
 - (a) lodge with the Corporation —
 - (i) the certificate that corresponds to the notice, duly completed in accordance with the instructions set out in the book of forms; and

- (ii) in the case of alteration, a fresh notice complying with by-law 18A(2);
 - and
 - (b) give a copy of the certificate that corresponds to the notice to the owner or occupier of the premises concerned.
- (2) Where notified work is not to be commenced the licensed plumber shall cancel the notice in respect of that work by lodging with the Corporation the certificate that corresponds to the notice, duly completed in accordance with the instructions set out in the book of forms.
- (3) A licensed plumber who fails to comply with any of the requirements of sub-by-law (1) or (2) in relation to the alteration, withdrawal or cancellation of a notice commits an offence.
- Penalty: \$500.

[By-law 18C inserted in Gazette 22 December 1989 pp.4624-5; amended in Gazette 29 December 1995 p.6315.]

18D. Work taken over by another licensed plumber

- (1) Where notified work has been commenced by a licensed plumber other than the licensed plumber named in the notice (in this by-law called “**the first licensed plumber**”) is to take over and complete the work, the first licensed plumber shall withdraw the notice in the manner set out in by-law 18C(1)(a)(i) and (b).
- (2) The licensed plumber taking over the work referred to in sub-by-law (1) shall —
 - (a) lodge with Corporation a fresh notice advising the Corporation of the change of licensed plumber;
 - (b) provide the Corporation with written confirmation of the change of licensed plumber from the owner or occupier of the premises on which the work was carried out; and

bl. 18E

(c) within 7 working days of completing the work, lodge a certificate in respect of the work carried out, including any work carried out but not certified by the first licensed plumber.

(3) A licensed plumber who fails to comply with a requirement of sub-by-law (1) or (2) commits an offence.

Penalty: \$500.

[By-law 18D inserted in Gazette 22 December 1989 p.4625; amended in Gazette 29 December 1995 p.6315.]

18E. Multi-entry plumbing certificates

(1) Notwithstanding by-law 18A, a licensed plumber is not required to lodge a notice before commencing multi-entry work but upon completion of such work shall —

(a) enter the details of the work in a multi-entry plumbing certificate; and

(b) lodge with the Corporation —

(i) the multi-entry plumbing certificate; and

(ii) in the case of any property sewer installation, a diagram or diagrams of the completed work in such form or forms as the Corporation may require,

within one month of the date of completion of the work first described in that certificate.

Penalty: \$500.

(2) A multi-entry plumbing certificate shall be in a form approved by the Corporation, legibly completed and signed by the licensed plumber responsible for the work described in that certificate.

[By-law 18E inserted in Gazette 22 December 1989 p.4625; amended in Gazette 29 December 1995 p.6315.]

18F. Directions by Corporation as to work

- (1) Where the Corporation is of the opinion that a licensed plumber —
 - (a) has not commenced notified work within 12 months of the date of lodgement of a notice and has not withdrawn or cancelled that notice under by-law 18C;
 - (b) has commenced notified work or multi-entry work but has failed to complete that work within a reasonable time; or
 - (c) has carried out notified work or multi-entry work that is not in accordance with these by-laws,

the Corporation may, by notice in writing given to the licensed plumber or the owner or occupier of the property concerned, direct the person so notified to ensure that the work is commenced, completed or otherwise carried out within such time and subject to such conditions as are specified in the notice.

- (2) The Corporation may by further notice in writing vary or cancel a notice given under sub-by-law (1).
- (3) A person who fails to comply with a direction contained in a notice given under sub-by-law (1), or in such a notice as varied under sub-by-law (2), commits an offence.

Penalty: \$1 000 and if the offence is a continuing one a further fine of \$50 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender.

- (4) Where a notice under sub-by-law (1), or such a notice as varied under sub-by-law (2), is not complied with, the Corporation may refuse permission for connection of the work to the Corporation's works.
- (5) A person convicted of an offence under sub-by-law (3) shall, in addition to any penalty incurred under that sub-by-law, pay any

bl. 18G

expense, loss or damage incurred by the Corporation in consequence of the offence.

- (6) The appropriate fee set out in item 3 of Part I of Schedule C is payable by the person to whom a notice is given under sub-by-law (1) for the inspection of work commenced, completed or otherwise carried out in accordance with that notice.

[By-law 18F inserted in Gazette 22 December 1989 p.4625; amended in Gazette 29 December 1995 pp.6311 and 6315; 29 June 1999 p.2779.]

18G. Forms

- (1) A licensed plumber may obtain a book of the approved forms of notice and certificate, or multi-entry plumbing certificate from the Corporation on payment of the appropriate fee set out in Part VI of Schedule C.
- (2) A licensed plumber shall comply with any instructions contained in a book of forms in relation to the completion and place of lodgement of a notice, certificate or multi-entry plumbing certificate.

Penalty: \$100.

[By-law 18G inserted in Gazette 22 December 1989 p.4625; amended in Gazette 29 December 1995 p.6315.]

18H. False or misleading statements

A licensed plumber in completing a notice, certificate or multi-entry plumbing certificate shall not make a statement or give any information which the licensed plumber knows is false or misleading in a material particular.

Penalty: \$1 000.

[By-law 18H inserted in Gazette 22 December 1989 p.4625; erratum in Gazette 23 February 1990 p.1260.]

18I. Exemption

- (1) The Corporation may, by notice in writing given, as far as is practicable, to every licensed plumber, exempt a type or types of work specified in the notice from the notification and certification requirements of by-laws 18A and 18B.
- (2) The Corporation may by further notice in writing vary or cancel a notice given under sub-bylaw (1).

*[By-law 18I inserted in Gazette 22 December 1989 p.4626;
amended in Gazette 29 December 1995 p.6315.]*

19.³ Testing and inspection of work

- (1) Property sewers or apparatus in connection with drainage plumbing or sanitary plumbing shall not be used until the work has been tested by the licensed plumber responsible for the work, or by a person under the direction and supervision of that licensed plumber, to ensure compliance with these by-laws.
- (2) An inspector may inspect or test work carried out by, or under the direction and supervision of, a licensed plumber, and for this purpose a licensed plumber shall —
 - (a) immediately report to the Corporation work that is ready for inspection or testing; and
 - (b) ensure that every facility is made available to an inspector for conducting an inspection or test of the work.

*[By-law 19 inserted in Gazette 21 September 1990 p.4954;
amended in Gazette 29 December 1995 p.6315;
4 February 1997 p.712.]*

[20. Repealed in Gazette 22 December 1989 p.4626.]

21.² Damage to pipes shall be reported

Damage caused by licensed plumbers or their employees to water, sewer, gas, or other pipes shall be reported forthwith to

bl. 21A

the authority concerned, and immediate steps shall be taken to have repairs effected, and the cost of same shall be defrayed by such plumber.

[By-law 21 amended in Gazette 4 February 1997 p.712.]

21A. Plumber to report certain matters

A licensed plumber shall immediately report to the Corporation anything found by, or brought to the attention of, the plumber, in the course of carrying out plumbing work (as defined in section 59I of the *Water Services Coordination Act 1995*), that is likely to result in the entry into the Corporation's sewerage system of any substance or matter likely to hinder or prevent the proper functioning of that system.

Penalty: \$2 000.

[By-law 21A inserted in Gazette 22 December 1989 p.4626; amended in Gazette 29 December 1995 p.6315; 16 June 2000 p.2964.]

[22. Repealed in Gazette 16 June 2000 p.2964.]

[23. Repealed in Gazette 30 June 1960 p.1954.]

[24. Repealed in Gazette 16 June 2000 p.2964.]

Part 4 — Sewerage and drainage

[Heading inserted in Gazette 25 August 1998 p.4738.]

25.² Procedure for connections to sewer

When a sewer is completed and ready for use, action may be taken under sections 35 and 36 of the Act.

26.² Proof of connections having been made

The certificate of such officer as the Corporation may appoint, in writing, shall be prima facie evidence that water closet or water closets, or drains, appliances, apparatus and connections have been provided, or the works, matters, and things have been performed, as the case may be, and prima facie evidence as to the amount of costs, expenses, and interest recoverable in respect thereof.

[By-law 26 amended in Gazette 29 December 1995 p.6314.]

27.² Work carried out under system of deferred payment

If any owner wishes to avail himself of the provisions of the Act regarding deferred payments, and the Corporation has approved of his doing so, he shall sign an agreement to pay the costs incurred by the Corporation in relation to such works, in not more than 24 quarterly instalments, with interest at the prescribed rate per annum on the amount remaining to be paid added to each instalment. But the said owner may at any time pay to the Corporation such portion as then remains unpaid of such costs and expenses, together with interest thereon, at the said rate, to the date of such payment. In the event of any of the instalments or interest not being paid within 14 days after the due date thereof, the whole amount then unpaid shall, if the Corporation so desires, become due, payable and recoverable with interest as prescribed by the said principal or any amending Act.

[By-law 27 amended in Gazette 29 December 1995 p.6314.]

bl. 28

28.² Maintenance by Minister

In the event of the Corporation carrying out the work or providing such water closet or water closets and such drains, appliances, apparatus and connections, the owner or occupier is legally liable for the cost of repairs and maintenance, but the Corporation shall, for a period of 12 months from the date of completion of the said work, and without charging the owner or occupier therefor, carry out any work of maintenance and repair which in the opinion of the Corporation is necessary, and which is not, in the opinion of the Corporation, occasioned by any neglect or wilful act of the owner or occupier.

[By-law 28 amended in Gazette 29 December 1995 p.6314.]

29.² Plans required for property sewerage and fees for preparation and examination of plans

- (1a) The notice required by section 41A of the Act to be given before the construction alteration of a building shall be in the form set out in Schedule B, and the fee prescribed under that section for examining the plans required to be submitted under that section and for making or modifying connections as mentioned in that section is as set out in Part II of Schedule C except that, where a like fee is payable under section 43A of the *Country Areas Water Supply Act 1947*, no further fee applies under this sub-by-law.
- (1b) The owner or occupier of an existing dwelling who proposes to have constructed or altered any property sewer, or to have fixtures on that property connected to, or other work of a sanitary nature carried out for connection to, the Corporation's sewerage system shall —
- (a) give notice of that connection in the form of an approved form; and
 - (b) furnish with the notice 2 copies of a plan in a form acceptable to the Corporation showing the location of

the building in relation to the boundaries of the land and showing the location and level of the proposed fixtures.

[(1) *repealed*]

- (2) The fees to be paid in respect of proposals to carry out plumbing works —
- (a) are set out in items 1 and 2 of Part I of Schedule C; and
 - (b) will be assessed and are payable at the time of lodgment of a notice under sub-by-law (1b).
- (3) For the purposes of the fees charged under this by-law “**major fixtures**” include water closets, slop hoppers, urinal outlets, bidets and industrial waste traps.

[By-law 29 inserted in Gazette 27 February 1981 p.825; amended in Gazette 28 June 1985 p.2334; 14 July 1987 p.2651; 29 June 1988 p.2128; 22 December 1989 p.4626; 29 December 1995 p.6315; 29 June 1999 p.2779.]

30.² Plan to remain the property of owner

The plan supplied by the Corporation shall be produced, whenever required during the progress of the work, to an Inspector or other officer of the Corporation. Any special instruction which may be written on the plan shall be strictly adhered to.

[By-law 30 amended in Gazette 29 December 1995 p.6314.]

31. Prescribed proximity to a sewer

For the purposes of section 42 of the *Country Towns Sewerage Act 1948* the prescribed proximity to a sewer is —

- (a) 1 m around the perimeter of a chamber giving access to a sewer; and

bl. 32

- (b) 15 m above the surface of a chamber giving access to a sewer.

[By-law 31 inserted in Gazette 14 November 2000 p.6255.]

32.² Work incidental to sewerage installations

Any work of a structural nature in connection with a new building and additions or alterations to existing building, which is not part of either the actual plumbing or drainage installation but which is necessary in order to conform with these by-laws shall be carried out by the owner. This provision applies to lighting, ventilation, approaches and floors to water closets, slop hoppers, urinals, baths and similar conveniences.

33.² Use of drains

Either the owner or the occupier of any sewered property shall discharge into the sewerage system all faecal matter, urine, household slops, and household liquid refuse from such property and such other polluted water from stables, washing areas, manure bins, basements, cellars, and roofed yards and, subject to these by-laws in regard thereto, such industrial waste as may be authorised by the Corporation.

*[By-law 33 amended in Gazette 29 June 1988 p.2128;
29 December 1995 p.6311.]*

34.² Infectious disease

Solid or liquid discharge from patients suffering from typhoid fever or any other infectious or contagious disease shall not be emptied into any sewer or drain from any hospital, institution, or other private or public building, unless such discharge has been thoroughly disinfected.

35.² Prohibited discharges

The deposition or discharge of any of the following substances into any drain or into any sewer shall be an offence against these by-laws, viz:

- (a) Any animal matter, other than as mentioned in by-law 33, fleshing, wool, hair, dead animal, grease, dust, ashes, rubbish, garbage, offal, vegetable and fruit or their parings, rags, oil, fat, mud, sand, gravel or like substance, or any other substance, which is, in the opinion of the Corporation, liable to be injurious to any part of the sewerage system or to officers or agents of the Corporation engaged in the operation or maintenance of the same.
- (b) Any petrol or other inflammable or explosive substance, whether solid, liquid, or gaseous.
- (c) Any rain, roof, surface, river or floodwaters, except by special permission in writing from the Corporation.
- (d) The contents of any nightsoil cart, cesspool or privy unless special permission in writing from the Corporation is obtained.
- (e) Any industrial waste or any substance which has an acid reaction to litmus paper.
- (f) Any industrial waste which is above the temperature of 100 degrees Fahrenheit, or such lower temperature as may be prescribed by the Corporation, having regard to the special circumstances of any particular case.
- (g) Any liquid which contains such percentage of common salt, or of any other mineral, salt, acid, or gas, as is, in the opinion of the Corporation, injurious to, or liable to form compounds injurious to, any part of the sewerage system or to officers or agents of the Corporation engaged in the operation or maintenance of the same.

*[By-law 35 amended in Gazette 29 June 1988 p.2130;
29 December 1995 pp.6311 and 6314.]*

bl. 36

36.² Industrial waste

- (1) (a) No industrial waste shall be discharged into a sewer unless —
 - (i) a written permit has been granted by the Corporation; and
 - (ii) an agreement has been executed by the applicant for the permit containing a covenant to agree with the conditions of the permit.
 - (b) Where a permit has not been granted under sub-by-law (1) to the occupier of a property from which industrial waste is discharged directly or indirectly into any sewer of the Corporation, the Corporation may by its officers, servants, agents, or workmen enter upon the property and every part thereof and carry out such works as may be necessary in order to prevent the discharge of such industrial waste into its sewer. Any expense incurred by the Corporation in carrying out such works shall be payable by the occupier and may be recovered in addition to any penalty for which he may be liable.
- (2) An application for permission to discharge industrial wastes from a property into a sewer shall —
 - (a) be made in writing;
 - (b) set out —
 - (i) the processes of manufacture from which industrial waste is to be discharged into the Corporation's sewer;
 - (ii) the nature of the industrial waste from every such process;
 - (iii) the estimated maximum rate of discharge of industrial waste from every such process;
 - (iv) the hours of the day during which discharge of industrial waste from every such process will normally take place; and

- (v) estimated maximum daily discharge of such industrial waste into the Corporation's sewer;
and
 - (c) be accompanied by detailed plans of the apparatus to be used for the treatment of the industrial waste and by such other information regarding the nature, quantity, rates, and times of discharge as may be required by the Corporation.
- (3) It is a condition of a permit granted under sub-by-law (1) —
- (a) That if at any time in the opinion of the Corporation —
 - (i) the quantity, quality, or rate of the discharge of the industrial waste is not in compliance with the terms, provisions, or conditions of the permit;
 - (ii) the occupier is not fully and faithfully performing and observing the terms, provisions, and conditions of the permit and of these by-laws;
 - (iii) the treatment apparatus is not in efficient working order; or
 - (iv) any other breach of the permit has been made,the Corporation may serve a notice upon the occupier of the property —
 - (v) specifying the matter or matters in respect of which a breach has taken place, or as to which the occupier is in default, or concerning which there is any complaint by the Corporation;
 - (vi) requiring the occupier to rectify the breach to the satisfaction of the Corporation, within a period stated in the notice from the date of service of the notice, and in a manner specified in the notice; and
 - (vii) stating that if the requirements of the notice have not been complied with on the expiration of the period specified in the notice, the permit is automatically terminated and without further or other notice from the Corporation is deemed to

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be at an end except as to the covenants on the part of the occupier to be performed, and as to the power of entry of the Corporation's officers, and the occupier shall not be entitled to any compensation whatever in connection therewith.

- (b) The Corporation shall be the sole judge as to the quality, quantity, and rate of discharge of such industrial waste and as to whether such quality, quantity, or rate complies with the conditions of the said permit and of the by-laws, and its decision in regard thereto shall be final and conclusive.
- (c) The maximum daily quantity of wastes, including, where there is a common discharge, both industrial waste and ordinary domestic wastewater which may pass from any property into a sewer of the Corporation, the maximum rate of discharge of such wastes, the size and capacity of the drain for conveying such wastes from the property to such sewer, and the hours during which such flow shall be permitted shall be determined by the Corporation.
- (d) Before discharge into any sewer of the Corporation, all such industrial waste shall be passed through such apparatus or machinery, and shall be subjected to such treatment as the Corporation may determine, and all such apparatus or machinery shall be approved in type and general arrangement by the Corporation, but the occupier shall determine the size, capacity, and details of the apparatus or machinery necessary to provide treatment in compliance with the requirements of the said permit and of this by-law.
- (e) The occupier shall notify the Corporation, in writing, of his desire to make any change in any process of trade or manufacture which may in any way affect —
 - (i) the nature of the industrial waste from any process of trade or manufacture, or

- (ii) the quality, quantity, or rate of discharge of such industrial waste from any such process of trade or manufacture, or
- (iii) the hours of the day and the days of the week during which industrial waste is to be discharged from any such process,

and no alteration or addition to the apparatus or machinery or to the method of treatment shall be made without the approval, in writing, of the Corporation.

- (f) In all cases of change of the occupancy of any property from which is discharged industrial waste which the Corporation has agreed to admit into its sewer, the occupier shall prior to such change give not less than 30 days' notice thereof, in writing to the Corporation, and in default of such notice he shall remain liable for all charges and all other moneys payable to the Corporation under the said permit or terms of this by-law, which may after the change of occupancy be incurred in connection with the discharge of such trade waste.
- (g) The said permit shall not be assigned or transferred except by permission, in writing, from the Corporation.
- (h) Any person who, before obtaining a permit from the Corporation, has entered into the occupation of any property from which has been discharged industrial waste which the Corporation has permitted a previous occupier to admit into a sewer, is not permitted to discharge industrial waste into a sewer unless —
 - (i) the Corporation has first permitted the assignment or transfer of the permit under which industrial waste was admitted into a sewer; or
 - (ii) the Corporation has granted a fresh permit to the incoming occupier to admit into a sewer industrial waste from that property.

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- (ha) A person referred to in paragraph (h) who discharges directly or indirectly industrial waste into a sewer before obtaining the permission of the Corporation or obtaining a fresh permit shall, in addition to any penalties prescribed in these by-laws, be liable for all amounts in respect of the discharge of industrial waste owing at the time that person entered into occupation of the property, as well as such amounts as would have been payable in respect of any discharge of industrial waste after that time if that person had obtained a permit to discharge industrial waste.
- (hb) Neither the payment of an amount referred to in paragraph (ha) nor the acceptance of that amount by the Corporation shall in any way constitute permission to admit industrial waste into a sewer.
- (i) Any authorised officer, servant, agent, or workman of the Corporation shall be at liberty at any time and from time to time to enter upon the property and every part thereof for the purpose of ascertaining whether the quality, quantity, or rate of discharge of industrial waste complies with the conditions of the said permit and of the by-laws for the purpose of inspecting the treatment apparatus installed in or upon such property, for the purpose of making any measurement or assessment of the volume of such industrial waste admitted into the Corporation's sewer, or for any other purpose set forth in this by-law.
- (j) All apparatus for the treatment of industrial waste in accordance with this by-law, shall be cleansed and maintained by the occupier at his own expense so that it operates efficiently at all times and does not cause a nuisance.
- (k) Notwithstanding the permission or approval of the Corporation, the occupier of any property shall be solely liable for and in respect of —
 - (i) any accident or damage, loss or injury directly or indirectly arising out of or resulting from the

discharge of industrial waste from the said property into any sewer of the Corporation, and the occupier shall agree to hold harmless and keep indemnified the Corporation against all claims and demands for such damage, loss, or injury of any description made or suffered by the workmen of the Corporation or any person or persons whomsoever, and

- (ii) all damage or injury occasioned or done to any sewer of the Corporation or any property belonging to the Corporation or any person whomsoever by reason of such discharge failing to comply with the terms, conditions, and provisions of the said permit or of the by-laws, and the Corporation shall be at liberty at the expense in all things of the occupier to repair, remedy, and make good all such damage or injury as aforesaid, and the Corporation shall certify the cost and expense thereof, and such certificate shall be final and conclusive as to such amount which shall be paid forthwith to the Corporation.

- (l) The Corporation may when thought necessary, without payment of any compensation therefor, exclude from its sewers all industrial waste from any property during the repairing, examination, or maintenance of the said sewers or the carrying out by the Corporation of any works in connection therewith.

[(m) deleted]

- (n) For the purpose of calculating the amount payable, pursuant to the preceding subparagraph, the volume of industrial waste admitted into any sewer of the Corporation shall be determined by any of the following methods as directed from time to time by the Corporation: —
 - (i) Measurement by an approved meter of the volume of industrial waste discharged.

- (ii) Measurement by an approved meter of the volume of industrial waste and ordinary domestic wastewater discharged, and deducting an allowance for ordinary domestic wastewater as hereinafter provided.
- (iii) Measurement or assessment of the total volume of water supplied to the property and multiplying such volume by a factor determined by an officer of the Corporation by measuring or assessing the water supplied to the property over such a period, being not less than 2 weeks, as may be directed by the Corporation, and
 - (a) measuring or assessing the industrial waste discharged to the sewer over the same period, and dividing the volume of industrial waste so determined by the volume of water supplied, or
 - (b) measuring or assessing the volume of industrial waste and domestic wastewater discharged during the same period, and deducting an allowance for ordinary domestic wastewater as hereinafter provided, and dividing the volume of industrial waste so determined by the volume of water supplied.
- (iv) Measurement or assessment of the portion of the water supplied to the property and not discharged to the sewer, and deducting this amount together with any allowance for ordinary domestic wastewater as hereinafter provided, from the total amount of water supplied to the property.
- (v) From information supplied by, the occupier, in accordance with subparagraph (2):
Provided that for the purpose of any calculation or determination to be made under this

subparagraph, the volume of water supplied to any property shall include water supplied from the Corporation's mains and water from any other source.

Where an occupier considers that the Corporation's determination of the volume of industrial waste being discharged to any sewer of the Corporation is in excess of the actual volume so discharged, the Corporation may upon the receipt of written application by the said occupier carry out such measurements as it considers practicable and necessary to determine the volume of industrial waste discharged, and all costs incurred by the Corporation in so doing shall be borne by the occupier unless the volume then determined is at least 10% less than the Corporation's determination.

- (o) Notwithstanding any other provision of this by-law, the occupier of any property from which industrial waste is discharged into any sewer of the Corporation shall if and where directed by the Corporation install any or all of the following:
- (i) Approved meters or devices for measuring the volume or rate of discharge.
 - (ii) Approved chambers for sampling and measurement of the industrial waste discharged.
 - (iii) Approved meters or devices for measuring the volume of water supplied to the property from any source other than the Corporation's mains, where any portion of such water is discharged to any sewer of the Corporation.

Notwithstanding anything contained in this by-law, the Corporation may from time to time, at its own expense, install such meters or devices as in its opinion may be necessary for the measurement of water, domestic

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wastewater, or industrial waste, and at any time may remove such meters or devices.

- (p) All meters or devices installed by or for the occupier for the purposes of paragraph (o) shall at all times be readily accessible to the officers of the Corporation, and shall be maintained in correct adjustment and working condition by it. The occupier shall on demand, make available to the Corporation all charts and records of discharge as may be required, and shall preserve for this purpose such charts and records for a period of 18 months.
- (q) If in the opinion of the Corporation any approved meter or other approved measuring device installed in any property shall at any time be found to be out of repair or in an inefficient state or condition or to have registered incorrectly or to have ceased to register, then the Corporation may adjust the charge in respect of the period from the last preceding reading as follows:
 - (a) If a reading was recorded for the corresponding period of the previous year, the charge may be calculated upon the basis of the daily discharge equal to the average daily discharge during such corresponding period of the previous year, or
 - (b) if no reading was recorded for the corresponding period of the previous year, the charge may be calculated upon the basis of the daily discharge equal to the average daily discharge during the period covered by the first reading after the meter or measuring device as aforesaid has been put into good repair and in an efficient state and condition, or another meter or other measuring device has been fixed in its place, or
 - (c) the Corporation may carry out such measurements as are considered necessary to determine the relationship, which the quantity

registered by the meter or other measuring device
bears to the correct quantity:

Provided that in any such case the charge may be adjusted upon such other basis as is mutually agreed upon between the Corporation and the occupier of the property from which industrial waste is discharged.

- (r) The Corporation may at any time give 12 months' notice of the termination of the said permit, and immediately upon the expiration of such period of 12 months the said permit shall, save, and except for the covenants on the part of the occupier to be performed and as to the power of entry by the Corporation's officers as hereinafter set forth, be at an end.
- (s) Upon termination and ending of the said permit whether by notice given, pursuant to the provisions of this subparagraph or otherwise, the occupier shall at its own expense in all things and to the satisfaction of the Corporation disconnect the pipe or pipes used to discharge industrial waste into the sewer of the Corporation, and put an end to the further entry or discharge of the said industrial waste into the said sewer and in default of the occupier so doing within a period of 7 days from the date of termination of the said permit or such further period as the Corporation may allow, the Corporation by its officers, servants, agents, or workmen may enter upon the said property, and at the cost and expense in all things of the occupier disconnect such pipe or pipes and put an end to the further entry of industrial waste to such sewer, and the amount of such cost and expense shall be certified by the Corporation, and its certificate shall be final and conclusive as to the amount thereof, and such amount shall be paid forthwith by the occupier.
- (t) A written permit to discharge industrial waste granted by the Corporation shall remain in operation until —
 - (i) the permit is terminated under this sub-by-law;

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- (ii) the permit is surrendered by the holder of the permit; or
- (iii) there is a change of occupancy of the property from which it is permitted to discharge that industrial waste, unless the Corporation permits the assignment or transfer of the permit.

[By-law 36 amended in Gazette 29 June 1988 pp.2129-30; 28 June 1991 p.3283; 29 December 1995 pp.6311-12, 6314 and 6315.]

37. Prohibited discharge — offence

- (1) Any person who —
 - (a) discharges directly or indirectly or causes, permits or allows to be so discharged from any property occupied by him into a sewer of the Corporation any industrial waste, unless the Corporation has granted that person a permit to admit such industrial waste into the sewer under by-law 36;
 - (b) discharges directly or indirectly or causes, permits or allows to be so discharged industrial waste into a sewer of the Corporation otherwise than in conformity with the terms and conditions of a permit granted by the Corporation under by-law 36; or
 - (c) where the permit granted under by-law 36 held by that person has been terminated, continues to discharge industrial waste directly or indirectly or to cause, permit or allow industrial waste to be so discharged into a sewer of the Corporation,

commits an offence.

Penalty: \$200 and \$20 for each day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender.

- (2) A person convicted of an offence under sub-by-law (1) shall, in addition to any penalty incurred under that by-law, pay any expense, loss or damage incurred by the Corporation in consequence of the offence.

[By-law 37 inserted in Gazette 29 June 1988 p.2130; amended in Gazette 29 December 1995 p.6315.]

37A. Agreement to allow discharge of trade waste

Notwithstanding by-laws 36 and 37, where the Corporation has, before the coming into operation of the *Country Towns Sewerage Amendment By-laws 1988*¹, entered into an agreement with an occupier of a property from which industrial waste is discharged to allow the trade waste to be discharged into a sewer, that agreement shall continue to have effect according to its terms until such time as the Corporation requires the occupier to surrender the agreement and to obtain a permit and enter into a further agreement in accordance with by-law 36.

[By-law 37A inserted in Gazette 29 June 1988 p.2130; amended in Gazette 29 December 1995 p.6315.]

38.² Steam exhaust

No steam exhaust, blow-off, or drip pipe shall be connected with any drain or any soil, waste, or combined waste pipe.

39.² Sub-soil water

- (1) Upon written application, the Corporation may grant permission in writing to any person to discharge sub-soil water into any drain or into any sewer of the Corporation.
- (2) Every such permission shall be subject to such terms and conditions as may be imposed in such permit.

[By-law 39 amended in Gazette 29 December 1995 p.6314.]

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40.² Fittings etc. to be above flood level

- (1) No inlets or openings shall be placed, or, if already placed, shall be permitted to remain placed in such positions that any extraneous water, due to rise of sub-soil water level, or from any river, bay, gully or creek, or any other source, whether in flood or otherwise, may gain access to the Corporation's sewers.
- (2) Without in any way limiting the generality of paragraph (1) of this by-law in areas liable to be flooded or affected by rise of sub-soil water level, no person shall place in position for use any fitting, fixture, or apparatus having an inlet or opening into any drain or into any sewer of the Corporation unless the inlet or opening is above a level fixed by the Corporation for the particular district or locality; such level providing a safe margin above the highest known sub-soil water level or flood level.

[By-law 40 amended in Gazette 29 December 1995 pp.6314 and 6315.]

[41. Repealed in Gazette 21 September 1990 p.4954.]

42. Corporation may require certain tests

The Corporation may, by notice in writing given, as far as is practicable to every licensed plumber, require work carried out by, or under the direction and supervision of, a licensed plumber to be tested by the application of the water test in accordance with by-law 43, the smoke test in accordance with by-law 44, or any other test that the Corporation considers necessary and specifies in the notice.

[By-law 42 inserted in Gazette 21 September 1990 p.4954; amended in Gazette 29 December 1995 p.6315.]

43. Water test

- (1) The water test shall be applied to either the drainage or plumbing systems and their fittings in their entirety or in sections, and shall be applied by hermetically sealing all

openings below the top of the section to be tested. The system shall then be filled with water to the highest point of the section, or, if considered necessary, to such additional height as the responsible officer may order, and every joint, fitting and pipe carefully examined for leaks.

- (2) In testing stoneware or concrete drains a loss allowance at the rate of 2½% per hour of the capacity of the drain under test and at 5 feet head shall be permitted.

[By-law 43 amended in Gazette 20 April 1999 p.1642.]

44. Smoke tests

The smoke test shall be applied by forcing into the system thick smoke to a pressure of one inch of water by means of a smoke test apparatus, closing all openings at which smoke appears and keep up the pressure for 5 minutes after last opening is closed. Every joint or pipe shall then be carefully examined for leaks.

[By-law 44 amended in Gazette 20 April 1999 p.1642.]

45. Equipment

The equipment, material, power and labour necessary for a test required under by-law 42 shall be furnished by the licensed plumber responsible for the work to be tested.

[By-law 45 amended in Gazette 21 September 1990 p.4954; 20 April 1999 p.1642.]

46. Defective works

Any materials, pipes, bends, junctions, fittings, fixtures, and apparatus found to be defective shall be removed and replaced by sound ones, and all defective joints made tight and every part of the work shall be made to conform to the by-law and shall be subject to the approval of the Corporation.

[By-law 46 amended in Gazette 29 December 1995 p.6312; 20 April 1999 p.1642.]

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[47. *Repealed in Gazette 22 December 1989 p.4626.*]

48. Maintenance by occupier

Every silt trap, grease trap, oil trap or neutraliser, and such other appliance as the Corporation may direct, shall be maintained by the owner or occupier at his own expense and shall be cleaned at such intervals as may be necessary to ensure that such trap or appliance operates in an efficient and hygienic manner.

[By-law 48 amended in Gazette 29 December 1995 p.6314; 20 April 1999 p.1642.]

49.³ Authorisation of materials, fittings and fixtures

- (1) A material, fitting or fixture, other than a fixture of a kind described in Part 1 of Schedule D, shall not be connected to the works of the Corporation unless —
- (a) it is a product that —
 - (i) is manufactured or supplied under a StandardsMark licence or a Water-Mark licence granted by the Standards Association of Australia as a water or sanitary plumbing product intended for use in plumbing installations; and
 - (ii) bears, or the packaging of which, bears the StandardsMark or Water-Mark, as appropriate, of the Standards Association of Australia and the product or its packaging complies with such other marking requirements as are set out in the “Manual of Authorization Procedures for Plumbing and Drainage Products, SAA MP52 — 1988”, published by that Association;

or

 - (b) it is the same as a material, fitting or fixture that is currently authorised for such connection by the Coordinator under sub-by-law (5) and complies with any conditions as to marking imposed under that sub-by-law.

- (2) Notwithstanding compliance with sub-bylaw (1)(a), a material, fitting or fixture of a kind described in Part 2 of Schedule D shall not be connected to the works of the Corporation.
- (3) Every application for authorisation of a material, fitting or fixture for connection to the works of the Corporation shall be made in writing in a form acceptable to the Coordinator and shall be accompanied by —
 - (a) 2 copies of drawings in a form acceptable to the Coordinator;
 - (b) unless exempted by the Coordinator, a sample of the material, fitting or fixture; and
 - (c) the application fee set out in item 1 of Part VII of Schedule C.
- (4) The Coordinator may, by notice in writing, require the applicant to provide details of test results and such other information as may be needed for the purpose of determining a particular application.
- (5) The Coordinator may, by notice in writing, give or refuse to give authorisation to any material, fitting or fixture for connection to the works of the Corporation or may give such authorisation subject to such conditions as the Coordinator thinks fit.
- (6) The Coordinator may, by notice in writing, vary, add to or remove conditions imposed under sub-bylaw (5).
- (7) Where the Coordinator examines drawings submitted under sub-bylaw (3)(a) or tests, inspects, or evaluates a material, fitting or fixture for the purpose of assessing its suitability for authorisation, the fee set out in item 2 of Part VII of Schedule C is payable by the applicant for the examination, test, inspection or evaluation.
- (8) In addition to the fee payable under sub-bylaw (7), the applicant shall pay the reasonable costs of travel and accommodation

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incurred by the Coordinator in carrying out a test, inspection or evaluation.

[By-law 49 inserted in Gazette 22 December 1989 pp.4632-3; amended in Gazette 29 December 1995 pp.6312, 6315 and 6316.]

[49A, 50. Repealed in Gazette 22 December 1989 p.4632.]

[51-56. Repealed in Gazette 25 August 1998 p.4738.]

57.² Separate or combined drains

- (a) Every house shall be separately drained unless a combined drain is ordered or approved by the Corporation.
- (b) Owners desiring to have the drainage of their properties combined shall sign a request for a combined drain, and if approved by the Corporation, they shall complete the prescribed agreement as required by the Corporation and comply with any other provision that the Corporation may require from time to time.

[By-law 57 amended in Gazette 29 December 1995 p.6314.]

[58, 59. Repealed in Gazette 25 August 1998 p.4738.]

[60. Repealed in Gazette 22 December 1989 p.4633.]

[61-69. Repealed in Gazette 25 August 1998 p.4738.]

70.² Connections for polluted areas

The Corporation may by notice in writing require any owner or occupier of any land to which section 35 of the Act applies to connect with the sewer of the Corporation in accordance with these by-laws any stables, cowsheds, dairies, market-places, abattoirs, areas for washing vehicles, or other polluted areas upon such land.

[By-law 70 amended in Gazette 29 December 1995 p.6314.]

71.² Conditions governing connection

No such connection shall be made unless the following conditions have been complied with:

- (a) The place to be connected, if of an area greater than 20 square yards, shall be so roofed as to prevent the entry of rainwater from it to the sewers, and in no case shall rainwater be permitted to discharge on to such place from adjoining surfaces.
- (b) The property to be connected shall be paved with approved bricks on edge or bluestone pitchers, both set in cement mortar, or with concrete or other approved materials, and graded to the satisfaction of the Inspector.
- (c) The drain from any such place shall be provided with an approved silt trap with a removable grating.

[72-87. Repealed in Gazette 25 August 1998 p.4738.]

88. Provision of grease, petrol and oil traps

Wastes from the following fixtures and areas shall first discharge into an approved apparatus for retaining objectionable matter, that is to say:

- (a) Every fixture or area from which petrol, benzine, or other inflammable or explosive substance, or grease, oil or greasy or oily matter, is likely to be discharged or conveyed into waste, combined waste, or soil pipes or into drains;
- (b) Every sink in all food-packing houses, butchers' shops, lard rendering establishments, hotels, restaurants, boarding houses, and such other places as the Corporation may direct; and
- (c) Such other fixtures, areas, or apparatus as the Corporation may direct.

[By-law 88 amended in Gazette 29 December 1995 p.6314; 20 April 1999 p.1642.]

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89. Construction of grease traps

- (1) Grease traps shall be fixed outside buildings or outbuildings wherever practicable.
- (2) External grease traps shall be constructed of glazed stoneware, brick in cement, or other approved material.
- (3) Internal grease traps shall be constructed of copper or other approved material, and, if directed, fixed upon a tray.
- (4) The outlet from any grease trap shall be connected to a disconnector trap.
- (5) The occupier of any property in which a grease trap is fixed shall cleanse and maintain such grease trap so that it operates efficiently at all times and does not cause a nuisance.

[By-law 89 amended in Gazette 20 April 1999 p.1642.]

90. Grease trap ventilation

Every internal grease trap, and all external grease traps which are within 20 feet of any door, window, or other opening into a building, shall have approved independent provision made for inlet and outlet ventilation as provided for waste pipes in by-law 105.

[By-law 90 amended in Gazette 20 April 1999 p.1642.]

91. Size of grease trap

- (1) The dimensions of grease trap to be provided shall be such as to ensure the retention of all grease entering such trap.
- (2) The minimum size for grease traps serving either kitchen sinks or mechanical dishwashers shall be as follows:
 - (a) The capacity of the grease trap below the level of the invert of the outlet shall be not less than the total capacity of either the sinks or dishwashers served, and in accordance with the Corporation's type drawings.

- (b) The height from the top of the outlet of grease trap to the vent take off shall not be less than 4 inches.
- (c) The difference in level between invert of inlet and invert of outlet shall be not less than one inch.
- (3) The capacity of a sink shall be measured to the overflow level, or, in the event of there being no overflow, to the top of the sink.
- (4) The capacity of a dishwasher shall be taken as the capacity of the sump or water container.

*[By-law 91 amended in Gazette 29 December 1995 p.6315;
20 April 1999 p.1642.]*

92. Outlet pipes from grease traps

The outlet pipe from any grease trap shall be at least one size larger than the size of pipe which has a cross sectional area equivalent to the total area of incoming waste pipes and except by special permission no outlet pipe shall be less than 2½ inches in diameter.

[By-law 92 amended in Gazette 20 April 1999 p.1642.]

93. Construction of petrol and oil traps

- (1) Petrol and oil traps shall be constructed in accordance with the Corporation's type drawings.
- (2) Every such trap shall be connected to a disconnecter trap and shall be provided with independent ventilation in accordance with the provisions of by-law 90 for grease trap ventilation.

*[By-law 93 amended in Gazette 29 December 1995 p.6315;
20 April 1999 p.1642.]*

94. Construction of silt traps

Silt traps shall be constructed in accordance with the Corporation's type drawings.

*[By-law 94 amended in Gazette 29 December 1995 p.6315;
20 April 1999 p.1642.]*

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[95-128. Repealed in Gazette 25 August 1998 p.4738.]

[129-132. Repealed in Gazette 22 December 1989 p.4633.]

[133-173. Repealed in Gazette 25 August 1998 p.4738.]

[174, 175. Repealed in Gazette 22 December 1989 p.4633.]

176. Flushing apparatus

- (1) Approved apparatus shall be provided for the effective application of water to the closet pan, and for the efficient flushing and cleansing of the pan, and the removal therefrom of any solid or liquid matter which may, from time to time, be deposited therein.
- (2) Subject to sub-bylaws (3) and (4), approved apparatus referred to in sub-bylaw (1), shall be so constructed, fitted and placed as to supply water for use in the pan without any direct connection from the pan to any water service pipe upon the property.
- (3) Subject to sub-bylaw (4), all approved apparatus referred to in sub-bylaw (1) installed on or after 1 January 1993 for use with closet pans shall be of the 6/3 litre dual-flush type.
- (4) If any approved apparatus referred to in sub-bylaw (1) and installed before 1 January 1993 for use with a closet pan (in this sub-bylaw called "**the old apparatus**") is to be replaced and the closet pan with which the old apparatus is used cannot be efficiently cleansed with approved apparatus of the 6/3 litre dual-flush type, approved apparatus referred to in sub-bylaw (1) other than a 6/3 litre dual-flush apparatus may be installed by way of replacement for the old apparatus.

*[By-law 176 amended in Gazette 22 December 1989 p.4623;
3 January 1991 p.32; 31 December 1992 p.6416; 20 April 1999
p.1642.]*

[177-196. Repealed in Gazette 25 August 1998 p.4738.]

[197. Repealed in Gazette 22 December 1989 p.4633.]

[198-206. Repealed in Gazette 25 August 1998 p.4738.]

[207. Repealed in Gazette 22 December 1989 p.4633.]

[208-223. Repealed in Gazette 25 August 1998 p.4738.]

Part 5 — Certain fees

[Heading inserted in Gazette 25 August 1998 p.4738.]

224. Statements

The fee prescribed —

- (a) for furnishing a copy of any portion of the records kept under section 69A of the *Water Agencies (Powers) Act 1984*, is as set out in Part IV of Schedule C;
- (b) for providing answers to orders and requisitions in relation to land, is as set out in Part IV of Schedule C,

except that, where a like fee is payable under by-law 104C of the *Country Areas Water Supply By-laws 1957*, no further fee applies under this by-law.

[By-law 224 inserted in Gazette 14 July 1987 p.2651; amended in Gazette 29 June 1988 p.2130; 29 December 1995 p.6313.]

225. Records, plans and diagrams

The fees set out in Part III of Schedule C are prescribed for the purposes specified in that Part.

[By-law 225 inserted in Gazette 14 July 1987 p.2651; amended in Gazette 29 June 1988 p.2131.]

225A. Amounts rounded

Where a fee 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 225A inserted in Gazette 26 June 1992 p.2836.]

Part 6 — General

[Heading inserted in Gazette 25 August 1998 p.4738.]

[Division (1) repealed in Gazette 14 July 1987 p.2658.]

Division (2) — Offences and Penalties

229.² Gratuities prohibited

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

[By-law 229 amended in Gazette 29 December 1995 pp.6314-15.]

230.² Junction or interference with pipes, sewers, or fittings

- (1) No person shall make any connection or interfere with any pipe, sewer, or fitting of the Corporation or with any sewer, or drain communicating therewith, at any other place than shall be approved of by the Corporation, and the main shall only be tapped by the Corporation upon receipt of the appropriate minimum fee prescribed in Schedule C, Part IX.

[By-law 230 amended in Gazette 1 July 1993 p.3241; 29 December 1995 pp.6313 and 6314-15.]

231.² Obstruction of pipes, sewers, drains, or fittings

- (1) Any person who, without the written consent of the Corporation places or keeps any material or thing or causes any material or thing to be placed or kept over any pipe, sewer, drain or fitting whether the property of the Corporation or otherwise and thereby —
- (a) trespasses on or causes injuries to such pipe, sewer, drain or fitting; or

Country Towns Sewerage By-laws 1952

Part 6 General

Division (2) Offences and Penalties

bl. 232

- (b) prevents or in any way impedes or obstructs the inspection, maintenance, cleansing, repair, management or use, of such pipe, sewer, drain or fitting,

shall be guilty of an offence and be punishable on summary conviction by a penalty not exceeding \$40, and in the case of a continuing breach of this by-law the offender shall be liable to a further penalty not exceeding \$10 for each day the offence continues after notice thereof has been given by or on behalf of the Corporation to the offender.

- (2) The Corporation may cause any material or thing placed or kept over any pipe, sewer, drain or fitting contrary to sub-by-law (1) to be removed or otherwise dealt with as it thinks fit.
- (3) Any person committing any breach of this by-law shall, in addition to any penalty imposed on him, pay any expense incurred by the Corporation in consequence of such breach.
- (4) This by-law applies irrespective of whether the material or thing concerned was placed over a pipe, sewer, drain, or fitting before or after this by-law came into force.

*[By-law 231 amended in Gazette 14 July 1987 p.2652;
29 December 1995 p.6315.]*

232.² Penalties

Any person committing a breach of any of the provisions of these by-laws, to which no specific penalty is attached, shall be liable on summary conviction to a penalty not exceeding \$40 and in addition may be ordered to pay any expense incurred by the Corporation in consequence of such breach.

In the case of a continuing breach the offender shall be liable in addition to the fine and payment of expenses to a daily penalty not exceeding \$10 for each day the breach continues after notice thereof has been given by or on behalf of the Corporation to the offender.

*[By-law 232 amended in Gazette 29 December 1995
pp.6314-15.]*

Division (3) — Miscellaneous

[233. *Repealed in Gazette 14 July 1987 p.2658.*]

234.² Authority to enter premises

Any officer acting under the Corporation's authority may at all reasonable times enter any house or premises connected, or intended to be connected with sewers, in order to examine whether the water pipes, drains, and other fittings in such house or premises are in proper order. Any person refusing such admission or in any way hindering such officer in the execution of his duty shall be guilty of an offence and liable to a penalty as prescribed in by-law 232.

[By-law 234 amended in Gazette 29 December 1995 p.6315.]

235.² Standard drawings for fixtures and fittings

- (1) Approved standard drawings of fixtures and fittings will be exhibited at the offices of the Corporation.
- (2) Due consideration shall be given by the Corporation to the claims of any other fittings which may be presented for approval, and, if considered satisfactory, the same may be placed among and become one of the approved standard fittings.
- (3) The Corporation may, from time to time, amend, alter, or cancel any or all of the standard fittings or type drawings, and replace them by such other approved fittings or drawings.

[By-law 235 amended in Gazette 29 December 1995 pp.6313 and 6314-15.]

[Schedule A repealed in Gazette 25 August 1998 p.4739.]

Schedule B

Schedule B

Form of notification of building construction or alteration

WATER CORPORATION

Notice of Construction or Alteration of Building

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

[Schedule B inserted in Gazette 14 July 1987 p.2652; amended in Gazette 29 December 1995 p.6314.]

Schedule C — Fees

Part I — Plumbing fees

[bl. 18F(6) and 29(2)(a)]
\$

- 1. For works to be connected to the sewer —
 - (a) single residential building —
 - (i) one major fixture..... 74.50
 - (ii) each additional major fixture..... 18.50
 - (iii) reinspection..... 41.25
 - (b) other than single residential building — single storey —
 - (i) one major fixture..... 115.00
 - (ii) each additional major fixture..... 38.50
 - (iii) reinspection..... 63.25
 - (c) other than single residential building — more than one storey — fee per floor —
 - (i) one major fixture on floor..... 190.50
 - (ii) each additional major fixture on floor..... 63.50
 - (iii) reinspection..... 105.05
- 2. For works to be connected to a septic tank —
 - (a) one major fixture..... 45.00
 - (b) each additional major fixture..... 22.50
- 3. For inspection of work under by-law 18F —
 - (a) single residential building..... 41.25
 - (b) other than single residential building — single storey..... 63.25
 - (c) other than single residential building — more than one storey — fee per floor..... 105.05

Part II — Fees under section 41A

[bl. 29(1a)]
\$

- In respect of land on which it is proposed to —
 - (a) construct a new single residential building 57.50
 - (b) alter an existing single residential building at a cost, as assessed by the Corporation, of over \$22 500 — per \$1 000 of the cost so assessed, up to a maximum of \$57.50..... 1.15

Schedule C Fees

	\$
(c) construct or alter a building other than a single residential building, the cost of which construction or alteration the Corporation assesses to be over \$22 500, an amount for each \$1 000 of the cost assessed —	
up to \$1 000 000.....	1.30
over \$1 000 000 but not over \$10 000 000.....	0.85
over \$10 000 000 but not over \$50 000 000.....	0.45
over \$50 000 000.....	0.20

Part III — Fees for copies of records, plans and diagrams

	[bl. 225] \$
1. Supply of copy of, or extract from, records or plans (other than those stored in digital format) under section 102(3) of the <i>Water Agencies (Powers) Act 1984</i> —	
A1 film.....	13.20
A1 paper.....	10.45
A2 paper.....	8.25
A3 paper.....	7.15
A4 paper.....	7.15
2. Property sewer diagram (per A4 copy).....	7.15
3. Additional fee (A4 only) for facsimile transmission.....	4.40

Part IV — Statements and information

	[bl. 224] \$
1. Electronic lodgment of a combined request for a copy of any portion of the records kept under s.69A of the <i>Water Agencies (Powers) Act 1984</i> and answers to orders and requisitions in relation to land.....	21.50

	Fees	Schedule C
		\$
2. Lodgment other than under item 1 of a combined request for a copy of any portion of the records kept under s. 69A of the <i>Water Agencies (Powers) Act 1984</i> and answers to orders and requisitions in relation to land.....	27.00	
3. Provision of information other than under items 1 or 2 that involves research or investigation of 15 minutes or more — per hour or part of an hour.....	27.00	

Part VI — Fees for books of forms

		[bl. 18G(1)]
		\$
1. Book of forms of notice and certificate of completion and compliance.....	19.25	
2. Book of forms for multi-entry plumbing certificate.....	7.15	

Part VII — Fees for authorisation of materials, fittings and fixtures

		[bl. 49(3)(c) and (7)]
		\$
1. Application fee —		
(a) for first item of product type.....	400.40	
(b) for each additional item of product type.....	55.55	
2. Examination, testing, inspection or evaluation (per hour or part of an hour).....	93.50	

Part VIII — Fees for the provision of plan sheets for preparation of diagrams of property sewer installations

		[bl. 18B(1)(a)]
		\$
1. A4 size (per pad of 25 sheets).....	4.40	
2. A3 size (per pad of 25 sheets).....	8.25	
3. A1 size (per sheet)	1.65	

Schedule C Fees

Part IX — Minimum fees for installation of sewer junction

		[bl. 230(1)]
		\$
1.	100 mm sewer junction.....	281.00
2.	150 mm sewer junction.....	348.50

[Schedule C inserted in Gazette 29 June 2000 pp.3370-3.]

Schedule D

[By-law 49(1) and (2)]

Part 1 — Fixtures

Baths	Laundry troughs
Basins	Shower recess bases
Sinks	

Part 2 — Prohibited materials, fittings and fixtures

Food waste disposal units
Rubber or plastic olives in metallic water service fittings
Non-demand operated urinal flushing devices

[Schedule D inserted in Gazette 22 December 1989 p.4633.]

Notes

¹ This reprint is a compilation as at 2 January 2001 of the *Country Towns Sewerage By-laws 1952* and includes all amendments effected by the by-laws referred to in the following Table ^{1a}.

Table of By-laws

Citation	Gazettal	Commencement	Miscellaneous
<i>Country Towns Sewerage Act By-laws</i>	22 February 1952 pp.478-510	22 February 1952	Short title subsequently amended (see note under by-law 1)
	29 August 1952 pp.2021-2	29 August 1952	
	19 December 1952 p.2953	19 December 1952	
	28 May 1957 p.1560	28 May 1957	
	30 June 1960 pp.1953-4	30 June 1960	
	15 October 1964 p.3540	15 October 1964	
	8 February 1965 p.466	8 February 1965	
	17 March 1966 p.732	17 March 1966	
	17 August 1966 p.2219	17 August 1966	
	8 November 1967 p.3061	8 November 1967	
	24 July 1968 p.2111	24 July 1968	
	26 September 1968 p.2858	26 September 1968	
	9 March 1970 p.756	9 March 1970	
21 July 1978 pp.2653-4	21 July 1978		

Country Towns Sewerage By-laws 1952

Citation	Gazettal	Commencement	Miscellaneous
	17 November 1978 p.4310	17 November 1978	
	27 June 1980 pp.1964-5	27 June 1980	
<i>Country Towns Sewerage Act Amendment By-laws 1981</i>	27 February 1981 p.825	27 February 1981	
<i>Country Towns Sewerage Act Amendment By-laws (No. 2) 1981</i>	26 June 1981 p.2321	26 June 1981	
<i>Country Towns Sewerage Act Amendment By-laws 1982</i>	25 June 1982 pp.2129-30	25 June 1982	
<i>Country Towns Sewerage Amendment By-laws 1983</i>	24 June 1983 p.2002	24 June 1983	
<i>Country Towns Sewerage Amendment By-laws 1984</i>	29 June 1984 p.1790	29 June 1984	
<i>Country Towns Sewerage Amendment By-laws 1985</i>	28 June 1985 pp.2334-5	1 July 1985 (see by-law 3)	
<i>Country Towns Sewerage Amendment By-laws 1986</i>	27 June 1986 p.2135 (Erratum 4 July 1986 p.2302)	27 June 1986	By-law 6: savings
<i>Country Towns Sewerage Amendment By-laws (No. 2) 1986</i>	21 November 1986 p.4275	21 November 1986	
<i>Water Authority Amendment By-laws 1987, Part III</i>	14 July 1987 pp.2651-3	14 July 1987	
<i>Country Towns Sewerage Amendment By-laws 1988</i>	29 June 1988 p.2128-32	1 July 1988 (see by-law 3)	By-law 2: application
<i>Country Towns Sewerage Amendment By-laws (No. 2) 1988</i>	14 October 1988 p.4173	14 October 1988	
<i>Water Authority Amendment By-laws 1989, Part 3</i>	29 June 1989 pp.1884-5	1 July 1989 (see by-law 3)	

Country Towns Sewerage By-laws 1952

Citation	Gazettal	Commencement	Miscellaneous
<i>Country Towns Sewerage Amendment By-laws 1989</i>	22 December 1989 p.4623	1 January 1990 (see by-law 3)	
<i>Country Towns Sewerage Amendment By-laws (No 2) 1989</i>	22 December 1989 pp.4623-7 (Erratum 23 February 1990 p.1260)	1 February 1990 (see by-law 2 and <i>Gazette</i> 5 January 1990 p.38)	By-law 12: savings and transitional
<i>Country Towns Sewerage Amendment By-laws (No. 3) 1989</i>	22 December 1989 pp.4632-3	1 February 1990 (see by-law 2 and <i>Gazette</i> 5 January 1990 p.38)	
<i>Water Authority Amendment By-laws 1990, Part 3</i>	29 June 1990 pp.3242-4	1 July 1990 (see by-law 3)	
<i>Country Towns Sewerage Amendment By-laws 1990</i>	21 September 1990 pp.4953-4	21 September 1990	
<i>Water Authority Amendment By-laws 1991, Part 3</i>	28 June 1991 pp.3283-5	1 July 1991 (see by-law 3)	
<i>Country Towns Sewerage Amendment By-laws 1991</i>	3 January 1992 pp.31-2	3 January 1992	
<i>Water Authority Amendment By-laws 1992, Part 3</i>	26 June 1992 pp.2836-9	1 July 1992 (see by-law 3)	
<i>Water Authority Amendment By-laws (No. 2) 1992, Part 3</i>	31 December 1992 p.6416	1 January 1993 (see by-law 2)	
<i>Water Authority Amendment By-laws 1993, Part 3</i>	1 July 1993 pp.3240-3	1 July 1993	By-law 2: application
<i>Water Authority Amendment By-laws 1994, Part 3</i>	29 June 1994 pp.3162-5	1 July 1994 (see by-law 2)	By-law 3: application
<i>Water Authority Amendment By-laws 1995, Part 3</i>	30 June 1995 pp.2769-71	1 July 1995 (see by-law 2)	By-law 3: application

Citation	Gazettal	Commencement	Miscellaneous
<i>Water Agencies (Amendment and Repeal) By-laws 1995, Part 4</i>	29 December 1995 pp.6310-16	1 January 1996 (see by-law 2 and <i>Gazette</i> 29 December 1995 p.6291)	
<i>Country Towns Sewerage Amendment By-laws 1996</i>	4 February 1997 pp.707-12	4 February 1997	
<i>Water Agencies Amendment By-laws 1997, Part 3</i>	27 June 1997 pp.3209-12	1 July 1997 (see by-law 2)	By-law 3: application ⁴
<i>Country Towns Sewerage Amendment By-laws 1997</i>	18 July 1997 pp.3801-4	18 July 1997	
<i>Water Agencies Amendment By-laws 1998, Part 3</i>	26 June 1998 pp.3418-19	1 July 1998 (see by-law 2)	By-law 3: application ⁵
<i>Country Towns Sewerage Amendment By-laws 1998</i>	25 August 1998 pp.4737-9	25 August 1998	
<i>Country Towns Sewerage Amendment By-laws 1999</i>	20 April 1999 pp.1641-2	20 April 1999	
<i>Water Agencies Amendment By-laws 1999, Part 4</i>	29 June 1999 pp.2778-82	1 July 1999 (see by-law 2)	By-law 3: application ⁶
<i>Country Towns Sewerage Amendment By-laws 2000</i>	16 June 2000 pp.2962-4	19 June 2000 (see by-law 2 and <i>Gazette</i> 16 June 2000 p.2939)	
<i>Water Agencies Amendment By-laws 2000, Part 4</i>	29 June 2000 pp.3370-3	1 July 2000 (see by-law 2)	By-law 3: application ⁷
<i>Country Towns Sewerage Amendment By-laws (No. 2) 2000</i>	14 November 2000 pp.6254-5	14 November 2000	

^{1a} The power to make these by-laws is now contained in section 34 of the *Water Agencies (Powers) Act 1984*.

² The heading to this provision was deleted by the *Country Towns Sewerage Amendment By-laws 1999* see *Gazette* 20 April 1999 pp.1641-2.

³ The heading to this provision was deleted by the *Water Agencies Amendment By-laws 1999*. See *Gazette* 29 June 1999 pp.2778-82.

⁴ By-law 3 of the *Water Agencies Amendment By-laws 1997* reads as follows —

“

3. Application

Nothing in these by-laws affects the application after 1 July 1997 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

⁵ By-law 3 of the *Water Agencies Amendment By-laws 1998* reads as follows —

“

3. Application

Nothing in these by-laws affects the application after 1 July 1998 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

⁶ By-law 3 of the *Water Agencies Amendment By-laws 1999* reads as follows —

“

3. Application

Nothing in these by-laws affects the application after 1 July 1999 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

⁷ By-law 3 of the *Water Agencies Amendment By-laws 2000* reads as follows —

“

3. Application

Nothing in these by-laws affects the application after 1 July 2000 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
Book of forms	2
Bore.....	2
Building	2
Certificate.....	2
Combined pipe system.....	2
Combined waste pipe	2
diameter	2
Disconnecter trap	2
Domestic wastewater	2
Drain	2
Drainage Plumbing	2
Emergency work	2
Industrial waste	2
Inspector.....	2
Licensed Plumber.....	2
major fixtures	29(3)
Multi-entry plumbing certificate	2
Multi-entry work	2
Notice.....	2
Notified work	2
Property.....	2
Sanitary Plumbing.....	2
Separate Pipe System.....	2
size	2
Soil Pipe	2
The Act	2
the first licensed plumber	18D(1)
the old apparatus	176(4)
Trap.....	2
Waste Pipe	2
Water Supply Plumbing	2
working day	2