



Western Australia

Water Agencies (Powers) Act 1984

Water Agencies (Charges) By-laws 1987

As at 31 Mar 2006

Version 04-a0-02

Extract from www.slp.wa.gov.au, see that website for further information

Western Australia

Water Agencies (Charges) By-laws 1987

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Defined Terms



Reprinted under the
Reprints Act 1984 as at
31 March 2006

Western Australia

Water Agencies (Powers) Act 1984

Water Agencies (Charges) By-laws 1987

1. Citation

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

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

2. Interpretation

- (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*;
 - “**consumption year**”, in relation to a property, means the period determined by the Corporation for the purposes of calculating the quantity charge for the supply of water to the property;
 - “**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 —
 - (a) when used in a metropolitan context, an amount calculated in accordance with the formula in Schedule 3 item 20; or

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- (b) when used in a country context, an amount calculated in accordance with the formula in Schedule 3 item 38; or

“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 1 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 approximate volume of water in kilolitres discharged into the Corporation’s sewer —

- (a) calculated by multiplying the volume of water delivered to a property (where known) in a discharge period by the discharge factor set for the period;
- (b) where delivery of water by other providers or suppliers means that the actual volume delivered is not known, calculated by multiplying the estimated volume of water delivered to a property in a discharge period by the discharge factor set for the period; or
- (c) where neither paragraph (a) nor (b) are appropriate, the volume estimated by the Corporation for the period;

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

“Government trading organisation” means one of the following organisations —

Albany Port Authority — constituted under the *Albany Port Authority Act 1926*²;

Bunbury Port Authority — constituted under the *Bunbury Port Authority Act 1909*²;

Dampier Port Authority — constituted under the *Dampier Port Authority Act 1985*²;

Department of Marine and Harbours³ — established under section 4 of the *Marine and Harbours Act 1981*;

Electricity Corporation — established under section 4 of the *Electricity Corporation Act 1994*;

Esperance Port Authority — constituted under the *Esperance Port Authority Act 1968*²;

Fremantle Port Authority — constituted under the *Fremantle Port Authority Act 1902*²;

Gas Corporation — established under section 4 of the *Gas Corporation Act 1994*⁴;

Geraldton Port Authority — constituted under the *Geraldton Port Authority Act 1968*²;

Joondalup Development Corporation — established under the *Joondalup Centre Act 1976*⁵;

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*⁶;

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

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

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Port Hedland Port Authority — constituted under the *Port Hedland Port Authority Act 1970*²;

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

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

Western Australian Development Corporation — established by the *Western Australian Development Corporation Act 1983*⁷;

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

Western Australian Meat Commission — established under the *Abattoirs’ Act 1909*⁸;

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*⁹;

“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 organisation property under these by-laws; and

bl. 2

- (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.

“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 Column 2 of the Table to Schedule 1 item 33;

“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 or 1999/2000) 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 1 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 subparagraphs (i) or (ii).

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- (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*.
- (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 Jun 1988 p. 2112;
29 Jun 1989 p. 1870; 28 Jun 1991 p. 3267-8; 1 Jul 1993
p. 3215; 29 Jun 1994 p. 3171; 30 Jun 1995 p. 2735;
29 Dec 1995 p. 6331; 28 Jun 1996 p. 3104-5; 23 Aug 1996
p. 4129; 13 May 1997 p. 2350; 27 Jun 1997 p. 3175 and 3203;
7 May 1999 p. 1859; 29 Jun 1999 p. 2789; 29 Jun 2001
p. 3187; 27 Jun 2003 p. 2285-6.]*

Part 1 — General

3. Proportionate charges for part of year

- (1) Subject to sub-by-law (3), where —
 - (a) a charge, other than —
 - (i) a quantity charge; or
 - (ii) a charge prescribed under Schedule 3 item 6 or 7, 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.
- (4) Where, part of the way through a year, a property is provided with a new meter and, as a result, there is a change in a meter-based charge applicable to the property, the amount of the meter-based charge for that year is to be calculated on a pro rata basis.

*[By-law 3 amended in Gazette 29 Jun 1988 p. 2112;
29 Dec 1995 p. 6331; 29 Jun 2000 p. 3323; 29 Jun 2001
p. 3187.]*

bl. 3A

3A. Minimum charge prior to revaluation

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 item 17;
- (e) for sewerage, set out in Schedule 3 item 9 or 10(d); and
- (f) for drainage, set out in Schedule 4 item 4,

which correspond to the location of the land.

[By-law 3A inserted in Gazette 20 Sep 1991 p. 4953; amended in Gazette 1 Jul 1993 p. 3215; 29 Dec 1995 p. 6331; 29 Jun 1999 p. 2789-90; 29 Jun 2001 p. 3187-8; 1 Jul 2002 p. 3155.]

4. Exempt land

- (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*¹⁰ 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-bylaw (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-bylaw (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-bylaw (1),

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

[By-law 4 amended in Gazette 20 Jan 1989 p. 121; 29 Jun 1989 p. 1870; 29 Dec 1995 p. 6331; 28 Jun 1996 p. 3105.]

5. Separately assessable residential land

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.

6. Estimation upon meter malfunction or of non-metered quantity

- (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

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(c) on such other basis as the Corporation may determine, and the charge shall be assessed by reference to the quantity so estimated.

(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 Dec 1995 p. 6331.]

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

(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 7 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 7 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 7 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 7 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 (Rebates 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.

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- (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-by-law (4), without the requirement for the appropriate amount to be paid on or before 31 July.
- (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 p. 2350-1;
amended in Gazette 29 Jun 2001 p. 3188.]*

7A. Manner of payment of quantity charges

- (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.]

7B. Manner of payment of single capital infrastructure charges

- (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.]

8. Special arrangements

- (1) Subject to sub-bylaw (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-bylaw (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 Schedule 7 item 2 for each instalment after the first 2 instalments plus interest calculated at the rate prescribed in Schedule 7 item 3 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 Schedule 7 item 2 for each instalment after the first 2 instalments plus interest calculated at the rate prescribed in Schedule 7 item 3 on any amount deferred beyond the date when it would ordinarily be due; or
 - (ii) an additional charge of the amount prescribed in Schedule 7 item 2 plus interest calculated at the rate prescribed in Schedule 7 item 3 for a period of 3 months on one-half of the charge for the year,whichever is the lesser amount.

bl. 8A

- (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 Jun 1988 p. 2112; 29 Dec 1995 p. 6331; 13 May 1997 p. 2352; 29 Jun 2001 p. 3188.]

8A. Concessional charges for retirement village residents

- (1) This by-law does not apply —
 - (a) to a person who registers an entitlement to a rebate under the *Rates and Charges (Rebates and Deferments) Act 1992* in respect to a unit in a retirement village; or
 - (b) to a unit in a retirement village once a person has registered an entitlement to a rebate under the *Rates and Charges (Rebates and Deferments) Act 1992*.
- (1a) Where a person was liable, immediately prior to 1 July 2005, to pay a charge under —
 - (a) Schedule 1 item 1;
 - (b) Schedule 3 item 8;
 - (c) Schedule 3 item 10(a); or
 - (d) Schedule 4 item 3,

to these by-laws in respect of a unit in a retirement village and that person is liable on or after 1 July 2005 to pay that charge in respect of that unit, the person is to 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 (1a) is 25% of the charge, or the

amount set out in Schedule 7 item 4 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 Jun 1990 p. 3227; amended in Gazette 29 Jun 1999 p. 2790; 29 Jun 2001 p. 3189; 1 Jul 2005 p. 3008-9.]

8B. Government trading organisation and non-commercial Government property

Where a body holding non-commercial Government property, or a Government trading organisation is liable to pay a charge, whether in respect of exempt land or otherwise, under —

- (a) Schedule 1 item 2(b) or 9(a) or (b);
- (b) Schedule 1 item 23(b) or 25(a) or (g); or
- (c) Schedule 1 item 32,

for each water service provided to property held by that body or organisation, with the exception of services that 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 organisation is instead to pay the appropriate charge set out in Schedule 8.

[By-law 8B inserted in Gazette 29 Jun 2001 p. 3189.]

8BA. Annual charges to Government trading organisations that supply water to lessees or ships

- (1) Where a Government trading organisation —
- (a) holds land 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 land; or
- (ii) to a ship in port,

the annual charge payable by the Government trading organisation shall be, instead of the charge that would otherwise apply under Schedule 8 item 1, 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 organisation 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
- (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 Schedule 8 item 1, 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 Jun 1994 p. 3172; 29 Dec 1995 p. 6331; 29 Jun 2001 p. 3189-90.]

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

9. Interest on overdue amounts

- (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 Schedule 7 item 5 on a daily basis and becomes due and payable as if it were a charge to which by-law 7 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 Schedule 7 item 5 on a daily basis and becomes due and payable as if it were a charge to which by-law 7 applies.

[By-law 9 amended in Gazette 26 Jun 1992 p. 2813; 24 Jul 1992 p. 3661; 9 Apr 1998 p. 2035; 29 Jun 2001 p. 3190.]

9A. Amounts rounded

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

[By-law 9A inserted in Gazette 26 Jun 1992 p. 2813.]

9B. Prescribed percentage under section 41B(5)

- (1) For the purposes of section 41B(5) of the Act, a percentage of 12.2% is prescribed in relation to a charge payable under Schedule 3 item 8 or 10(c), or Schedule 4 item 3.
- (2) For the purposes of section 41B(5) of the Act, a percentage of 12.2% is prescribed in relation to a charge payable under Schedule 3 item 10, other than subitem 10(c), or Schedule 4 item 4 or 5.

[By-law 9B inserted in Gazette 29 Jun 2004 p. 2467; amended in Gazette 1 Jul 2005 p. 3033.]

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10. Certain matters to be disregarded

For the purposes of applying this Division and 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.

[By-law 10 amended in Gazette 29 Jun 1999 p. 2791; 29 Jun 2001 p. 3190.]

11. Land subject to water supply charges under this Division

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 Schedule 1 shall apply in respect of that land.

[By-law 11 amended in Gazette 29 Dec 1995 p. 6331-2; 29 Jun 1999 p. 2791; 29 Jun 2001 p. 3190.]

12. Exempt land

- (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 other than a charge specifically provided in respect of local government standpipes.

[By-law 12 inserted in Gazette 13 May 1997 p. 2352; amended in Gazette 29 Jun 1999 p. 2791; 29 Jun 2001 p. 3190.]

13. Classification of land

- (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

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- (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);
- (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 Co-operative 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;

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- (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 organisation 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-bylaw (1), be classified by the Corporation as Capital Infrastructure if —
- (a) the Corporation determines that the land is in an area specified in Column 1 of the Table to Schedule 1 item 33; and

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- (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 Jul 1987 p. 2884; 29 Jun 1988 p. 2113; 29 Jun 1989 p. 1871; 16 Sep 1994 p. 4807; 29 Dec 1995 p. 6331; 28 Jun 1996 p. 3106; 13 May 1997 p. 2352; 29 Jun 1999 p. 2791; 29 Jun 2001 p. 3190.]

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

14. Indexation of certain valuations

- (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) 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 an adjusted GRV (“**AGR**V”) calculated in accordance with the formula in Schedule 6.

[By-law 14 amended in Gazette 29 Jun 1999 p. 2791; 29 Jun 2001 p. 3190.]

[15. Repealed in Gazette 1 Jul 2002 p. 3156.]

16. Notional residential units

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 Dec 1995 p. 6331.]

17. Quantity charges for the supply of water

- (1) Except as provided in this by-law, the quantity charge payable for the supply of water to a property is an amount calculated under Schedule 1 Division 3.
- (2) Where Schedule 1 Division 3 is amended during a charge period the amount payable for the period is to be calculated as if that amendment had not occurred.
- (3) Where —
 - (a) there is a change in the occupation of a property referred to in Schedule 1 item 18, 19, 20 or 21; and
 - (b) within 10 days before or after the change in occupation the new occupier has obtained a special meter reading from the Corporation,

the quantity charge payable for the supply of water to the property from that day until the end of the consumption year is the sum of all of the amounts calculated in accordance with the formula in Schedule 1 item 32.

[By-law 17 inserted in Gazette 6 Jan 1998 p. 40; amended in Gazette 7 May 1999 p. 1859-60; 29 Jun 1999 p. 2791-2; 29 Jun 2001 p. 3191.]

17A. Caravan parks

- (1) The charges for water supply to strata titled caravan bays are the annual charge per bay set out in Schedule 1 item 3 together with a quantity charge calculated under by-law 17 with the following variations to Schedule 1 —
 - (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 item 18 and water usage over 150 kL is charged at the maximum rate for metropolitan Commercial/Residential usage set out in item 22(c);
 - (b) for bays in the non-metropolitan area (according to the classification of the town/area set out in Schedule 10), the first 150 kL of water supplied is charged at the rate

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for non-metropolitan residential usage shown in item 20 and water usage over 150 kL is charged at the maximum rate for non-metropolitan Commercial/Residential usage set out in item 25(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, i.e. —
 - (a) for bays in the metropolitan area, the metropolitan non-residential meter-based charge set out in Schedule 1 item 16, together with the metropolitan non-residential quantity charge calculated under by-law 17 and Schedule 1 item 22(a);
 - (b) for bays in the non-metropolitan area (according to the classification of the town/area set out in Schedule 10), the non-metropolitan non-residential meter-based charge set out in Schedule 1 item 9(d), together with the non-metropolitan non-residential quantity charge calculated under by-law 17 and Schedule 1 item 25(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-by-laws (1)(a) and (1)(b), except that the respective rates for residential quantity charges only apply for the first 150 kL per nominated long term residential caravan bay.

[By-law 17A inserted in Gazette 30 Jun 1995 p. 2735-6; amended in Gazette 28 Jun 1996 p. 3106; 27 Jun 1997 p. 3176; 6 Jan 1998 p. 40; 26 Jun 1998 p. 3400; 29 Jun 1999 p. 2792-3; 29 Jun 2001 p. 3191-2; 1 Jul 2002 p. 3156.]

17B. Metropolitan non-residential property water supply charges

- (1) Where a metropolitan non-residential property is metered by the Corporation, the charge payable for the current year for the provision of water supply to the property is the charge payable for the relevant size meter as set out in Schedule 1 Item 16.
- (2) Where a metropolitan non-residential property is not directly served by the Corporation, the charge payable for the current year for the provision of water supply to the property is the charge determined as if the water supply to the property was metered through a 20 mm meter.
- (3) Where a metropolitan non-residential property is served but not metered by the Corporation, the charge payable for the current year for the provision of water supply to the property is the charge determined 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.
- (4) If a charge determined 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.

[By-law 17B inserted in Gazette 1 Jul 2002 p. 3156-7.]

17C. Non-metropolitan, non-strata titled, Commercial or Industrial property water supply charges

- (1) Where a property referred to in Schedule 1 item 9(c) is not directly served by the Corporation, the charge payable for the current year for the provision of water supply to the property is the charge determined as if the water supply to the property was metered through a 20 mm meter.
- (2) Where a property referred to in Schedule 1 item 9(c) is served but not metered by the Corporation, the charge payable for the current year for the provision of water supply to the property is the charge calculated as if the water supply to the property was

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metered through a meter of a size equal to the diameter of the connecting pipe serving that property.

- (3) Where a charge for the current year under Schedule 1 item 9(c) is more than 12.2% 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 12.2% increase.

[By-law 17C inserted in Gazette 29 Jun 2000 p. 3324; amended in Gazette 29 Jun 2001 p. 3192; 7 Aug 2001 p. 4037; 1 Jul 2002 p. 3157; 27 Jun 2003 p. 2287; 29 Jun 2004 p. 2467-8; 1 Jul 2005 p. 3034.]

17D. Various non-metropolitan water supply charges and classifications

- (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 item 20;
 - (b) Schedule 1 item 25(b);
 - (c) Schedule 1 item 25(i); and
 - (d) Schedule 8 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

Class	Operating cost	Total cost
1	less than or equal to \$1.00 per kL	less than or equal to \$2.00 per kL

Class	Operating cost	Total cost
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 9.
- (4) For the purpose of determining quantity charges in the current year, the towns/areas and the respective classes to which they are allocated are set out in Schedule 10.

[By-law 17D inserted in Gazette 27 Jun 1997 p. 3179-80; amended in Gazette 6 Jan 1998 p. 40; 26 Jun 1998 p. 3400; 29 Jun 1999 p. 2793; 29 Jun 2001 p. 3192-3; 5 Oct 2001 p. 5479.]

18. Concessional non-metropolitan quantity charge

- (1) In this by-law —
“**eligible pensioner**” means a person to whom section 23(1), (2) or (3) or section 24 of the *Rates and Charges (Rebates and Deferments) Act 1992* applies.
- (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 Schedule 1 item 20 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;

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- (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 by-law 17 and Schedule 1 item 20 is 50% of the amount calculated from the annual charge rates applicable —
- (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) and where up to 600 kL of water is supplied in one year; or
 - (ii) any other land south of 26° South Latitude and where up to 400 kL of water is supplied in one year;
 - (b) where the land concerned is north of 26° South Latitude and where up to 600 kL of water is supplied in one year.

- (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 Jun 1988 p. 2113; 14 Oct 1988 p. 4174; 31 Dec 1992 p. 6412-13; 4 Mar 1994 p. 904; 30 Jun 1995 p. 2736-7; 17 Nov 1995 p. 5344; 29 Dec 1995 p. 6331; 6 Jan 1998 p. 40; 29 Jun 1999 p. 2793-4; 29 Jun 2001 p. 3193; 7 Aug 2001 p. 4037.]

18A. Concessional metropolitan quantity charge

- (1) In this by-law —

“eligible pensioner” means a person to whom section 23(1), (2) or (3) or section 24 of the *Rates and Charges (Rebates and Deferments) Act 1992* applies.

- (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 by-law 17 and Schedule 1 item 18 or 19 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;
- (d) he has not been allowed a concession under this by-law in respect of water supplied to any other land except

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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 by-law 17 and Schedule 1 item 18 or 19 is 50% of the amount calculated from the annual charge rates applicable where up to 150 kL of water is supplied in one year and 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 Jul 1993 p. 3215; amended in Gazette 30 Jun 1995 p. 2737; 29 Dec 1995 p. 6331; 6 Jan 1998 p. 40; 26 Jun 1998 p. 3400; 29 Jun 1999 p. 2794; 29 Jun 2001 p. 3193; 7 Aug 2001 p. 4038.]

18B. Residential multi-unit properties — rebates for eligible pensioners

- (1) In this by-law —
 - “**eligible pensioner**” means a person to whom section 23(1), (2) or (3) or section 24 of the *Rates and Charges (Rebates and Deferments) Act 1992* applies;
 - “**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-by-law (3) applies.

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

- (a) where up to 150 kL of water is supplied in one year and where the land concerned is in the metropolitan area and is charged under by-law 17A(1)(a), 17A(1)(b), 17A(3)(a) or 17A(3)(b) or under by-law 17 and Schedule 1 item 18 or 19;

- (b) where up to —

- (i) 600 kL of water is supplied in one year and 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 is supplied in one year and where the land concerned is any other land south of 26° South Latitude,

and is charged under by-law 17A(1)(a), 17A(1)(b), 17A(3)(a) or 17A(3)(b) or under by-law 17 and Schedule 1 item 20; or

- (c) where up to 600 kL of water is supplied in one year and where the land concerned is land north of 26° South Latitude and is charged under by-law 17A(1)(a),

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Part 2 Water supply

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

bl. 19A

17A(1)(b), 17A(3)(a) or 17A(3)(b) or under by-law 17 and Schedule 1 item 20,

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 Dec 1994 p. 7351-3; amended in Gazette 30 Jun 1995 p. 2737; 17 Nov 1995 p. 5344-5; 29 Dec 1995 p. 6331; 6 Jan 1998 p. 41; 26 Jun 1998 p. 3400; 29 Jun 1999 p. 2794; 29 Jun 2001 p. 3193; 7 Aug 2001 p. 4038.]

[19. *Repealed in Gazette 26 Jun 1998 p. 3400.]*

19A. Capital infrastructure charges

- (1) In this by-law —
“**land**” means a residential property or any other land.
- (2) Subject to sub-bylaw (3), if land is classified as Capital Infrastructure, the charge —
- (a) set out in Column 3 of the Table to Schedule 1 item 33;
and
 - (b) corresponding to the area within which the land is situated as specified in Column 1 of the Table to Schedule 1 item 33,

is a charge for a year in respect of that land, applicable for the number of years specified in Column 4 of the Table to Schedule 1 item 33.

- (3) A person liable to pay a charge under sub-bylaw (2) may, within 28 days of receiving notice of the charge from the Corporation, elect to pay the corresponding single charge specified in Column 2 of the Table to Schedule 1 item 33.
- (4) Where a person elects to pay a single charge under sub-bylaw (3) the single charge is payable in relation to the land instead of the annual charges specified in sub-bylaw (2).
- (5) A charge set out in the Table to Schedule 1 item 33 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 p. 2352-3; amended in Gazette 7 May 1999 p. 1860; 29 Jun 1999 p. 2794-5; 29 Jun 2001 p. 3193.]

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Part 2 Water supply

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

bl. 20

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

20. Land subject to water supply charges under this Division

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 Schedule 2 shall apply in respect of that land.

*[By-law 20 amended in Gazette 29 Dec 1995 p. 6331-2;
29 Jun 1999 p. 2795; 29 Jun 2001 p. 3194.]*

[Divisions 3 and 4 repealed in Gazette 27 Jun 1997 p. 3180.]

Part 3 — Sewerage

21A. Interpretation

In this Part —

“country Commercial/Industrial property” means land referred to in Schedule 3 item 32;

“formula” means —

- (a) in a metropolitan context, the formula set out in Schedule 3 item 19; or
- (b) in a country context, the formula set out in Schedule 3 item 37;

“metropolitan non-residential property” means land referred to in Schedule 3 item 14;

“Table” means —

- (a) in a metropolitan context, the Table to Schedule 3 item 19; or
- (b) in a country context, the Table to Schedule 3 item 37.

[By-law 21A inserted in Gazette 27 Jun 2003 p. 2287.]

21. Land subject to sewerage charges

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,

bl. 22

charges as set out in Schedule 3, shall apply in respect of that land.

[By-law 21 amended in Gazette 29 Dec 1995 p. 6331-2; 29 Jun 2001 p. 3194.]

22. Exempt land

Where land described in by-law 4 is not connected with a sewer, it is exempt from any charge set out in Schedule 3.

[By-law 22 amended in Gazette 29 Jun 2001 p. 3194.]

23. Classification of land

(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 organisation 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) country Commercial/Industrial property, 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 Jun 1993 p. 1871;
29 Dec 1995 p. 6331; 27 Jun 2003 p. 2288.]*

24. Indexation of certain valuations

- (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) 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 an adjusted GRV (“**AGR**V”) calculated in accordance with the formula in Schedule 6.

*[By-law 24 amended in Gazette 29 Jun 1999 p. 2795;
29 Jun 2001 p. 3194.]*

[25. Repealed in Gazette 1 Jul 2002 p. 3157.]

bl. 25A

25A. Metered metropolitan non-residential property sewerage charges

- (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 may 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 may, 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.

- (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 12.2% 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 12.2% increase.

[By-law 25A inserted in Gazette 28 Jun 1996 p. 3110-11 (correction 9 Jul 1996 p. 3281); amended in Gazette 27 Jun 1997 p. 3180 and 3203; 26 Jun 1998 p. 3400; 29 Jun 1999 p. 2795; 29 Jun 2001 p. 3194; 1 Jul 2002 p. 3157; 27 Jun 2003 p. 2288; 29 Jun 2004 p. 2468; 1 Jul 2005 p. 3034.]

bl. 25B

25B. Un-metered or unconnected metropolitan non-residential property sewerage charges

- (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 Jun 1996 p. 3111; amended in Gazette 27 Jun 1997 p. 3180 and 3203.]

25C. Charging for shared sewerage fixtures on metropolitan non-residential property

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 Jun 1995 p. 2743-4.]

26. Metered country Commercial/Industrial property sewerage charges

- (1) Subject to sub-bylaws (3) and (5) and notwithstanding any other provision of these by-laws, the minimum charge payable for the current year for the provision of sewerage to country Commercial/Industrial 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 country Commercial/Industrial property for the whole or part of the current year was not so classified for the whole of the previous year, the Corporation may 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 country Commercial/Industrial; 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, country Commercial/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.
- (4) Where, for a portion of the current year, in respect of country Commercial/Industrial 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;

bl. 26A

- (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 may, 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.

- (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.

[By-law 26 inserted in Gazette 27 Jun 2003 p. 2288-90.]

26A. Un-metered or unconnected country Commercial/Industrial property sewerage charges

- (1) Subject to sub-by-law (2), the minimum charge payable for the current year for the provision of sewerage to a country Commercial/Industrial 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 country Commercial/Industrial property has no major fixtures, or no shared major fixtures as described in by-law 26B, 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 country Commercial/Industrial property which is sewered but where any water supply to the property —
- (a) is not separately metered by the Corporation but is supplied solely by the Corporation — is calculated in accordance with the formula; or
 - (b) is not separately metered by the Corporation and is partially or fully supplied by a supplier other than the Corporation — is calculated, based on an estimate of water volume delivered or using an estimate of the water volume discharged, in accordance with the formula,

and the discharge charge will be applied accordingly.

[By-law 26A inserted in Gazette 27 Jun 2003 p. 2290-1.]

26B. Charging for shared sewerage fixtures on country Commercial/Industrial property

Where all or some major sewerage fixtures are shared between country Commercial/Industrial 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 26B inserted in Gazette 27 Jun 2003 p. 2291-2.]

Part 4 — Drainage

27. Land subject to drainage charges

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 4 shall apply in respect of that land.

*[By-law 27 amended in Gazette 29 Dec 1995 p. 6331-2;
29 Jun 2001 p. 3194.]*

28. Exempt land

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

[By-law 28 amended in Gazette 29 Jun 2001 p. 3194.]

29. Classification of land

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 Dec 1995 p. 6331.]

[30. Repealed in Gazette 1 Jul 2002 p. 3157.]

Part 5 — Irrigation

31. Land subject to irrigation charges

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 5 shall apply in respect of that land.

[By-law 31 inserted in Gazette 26 Jun 1992 p. 2813; amended in Gazette 29 Dec 1995 p. 6331-2; 29 Jun 2001 p. 3195.]

32. Exempt land

Land described in by-law 4 is exempt from any charge set out in Schedule 5.

[By-law 32 amended in Gazette 29 Jun 2001 p. 3195.]

33. Charge options for land in Carnarvon Irrigation District

- (1) In this by-law —

“**customer**” means an owner or occupier of land in the Carnarvon Irrigation District who is entitled under the *Rights in Water and Irrigation Act 1914* to the supply to the land of water for irrigation purposes.

bl. 33

- (2) A customer is to select whether the charges for the supply to the land of water for irrigation purpose are to be made in accordance with —
 - (a) Schedule 5 clause 1(1)(a) (“**option A**”); or
 - (b) Schedule 5 clause 1(1)(b) (“**option B**”).
- (3) Until a customer selects otherwise, the customer is taken to have selected option A.
- (4) A customer may change the customer’s selection by giving notice in writing to the Corporation.
- (5) If notice of a change of selection is received by the Corporation before 1 June in a calendar year, the change has effect with respect to water supplied on or after 1 July in that year.
- (6) If notice of a change of selection is received by the Corporation on or after 1 June in a calendar year, the change has effect with respect to water supplied on or after 1 July in the next year.
- (7) If there is a change in the person who is the customer in respect of land, then until the new customer selects otherwise, the new customer is taken to have selected the option that applied in relation to the old customer immediately before the change.

[By-law 33 inserted in Gazette 22 Feb 2002 p. 767-8.]

[Part 6 repealed in Gazette 29 Jun 1989 p. 1871.]

Schedule 1 — Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006

[Heading inserted in Gazette 27 Jun 2003 p. 2292; amended in Gazette 29 Jun 2004 p. 2468; 1 Jul 2005 p. 3034.]

[bl. 11, 17B, 17C and 19A]

Division 1 — Fixed charges

[Heading inserted in Gazette 27 Jun 2003 p. 2292.]

1. Residential

In respect of each residential property, not being land mentioned in item 2, 3 or 6 \$152.30

2. Connected metropolitan exempt

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) No charge
- (b) in any other case No charge

3. Strata-titled (or long term residential) caravan bays

In respect of each caravan bay that is a residential property and a lot within the meaning of the *Strata Titles Act 1985*, or a caravan bay designated as a long term residential caravan bay \$104.80

4. Strata-titled storage unit and strata-titled parking bay

In respect of land comprised in a unit used for storage purposes or as a parking bay that is a lot within the meaning of the *Strata Titles Act 1985* \$52.60

5. Non-residential strata-titled units that share a service

In respect of land that —

- (a) is not referred to in item 3 or 4;
- (b) comprises a unit that is a lot within the meaning of the *Strata Titles Act 1985*; and

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Schedule 1 Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006

Division 1 Fixed charges

(c) shares a service with another unit described in paragraph (b) \$152.30

6. Community Residential

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 \$152.30

7. Semi-rural/residential

In respect of each semi-rural/residential property not being land mentioned in item 2 \$152.30

8. Connected non-metropolitan exempt

In respect of land described in by-law 4 that is comprised in a residential property and is not in the metropolitan area No charge

9. Non-metropolitan non-residential

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

(a) the land is classified as Government or Charitable Purposes No charge

(b) the land is classified as Institutional/Public No charge

(c) the land —
 (i) is classified as Commercial or Industrial, CBH Grain Storage, or Irrigated Market Gardens; and
 (ii) is not mentioned in item 4 or 5,

a charge payable for the relevant meter size as set out in the following Table —

Table of meter-based fixed charges

Meter size mm	Charge \$
15	461.90
20	461.90
25	721.70
30	1 039.30

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Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006 **Schedule 1**

Fixed charges **Division 1**

Meter size mm	Charge \$
35	1 848.00
38	1 848.00
40	1 848.00
50	2 887.00
70	7 390.00
75	7 390.00
80	7 390.00
100	11 548.00
140	25 982.00
150	25 982.00

10. Stock

For the supply of water for the purpose of watering stock on land that is not the subject of a charge under item 9 \$152.30

11. Additional connections

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 14 —

- (a) for —
 - (i) residential property in the metropolitan area a charge of \$152.30
 - (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 mm	Charge \$
20	461.90
25	721.70
30	1 039.30
40	1 848.00
50	2 887.00

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Schedule 1 Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006

Division 1 Fixed charges

Meter size mm	Charge \$
80	7 390.00
100	11 548.00
150	25 982.00
200	46 190.00
250	72 172.00
300	103 928.00
350	141 457.00

(b) not in the metropolitan area, for additional connections, a charge of \$152.30
or

(c) not in the metropolitan area, for additional commercial and industrial water services, 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 mm	Charge \$
15	461.90
20	461.90
25	721.70
30	1 039.30
35	1 553.20
38	1 553.20
40	1 553.20
50	2 041.85
70	4 053.60
75	4 053.60
80	4 053.60
100	6 476.15
140	15 311.60
150	15 311.60

12. 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 the charge applicable for the relevant meter size in the Table to item 9.

13. Local government standpipes

For each local government standpipe \$152.30

14. Fire-fighting connections

For each water supply connection provided for the purpose of fire-fighting \$152.30

15. Farmland and metropolitan farmland

In respect of land that is —

- (a) classified as Farmland \$152.30
- (b) classified as Metropolitan Farmland \$152.30

16. Metropolitan non-residential (except strata-titled units that share a service)

In respect of non-residential land in the metropolitan area, not being land mentioned in item 17, a charge determined by meter size as set out in the following Table —

Table of meter-based fixed charges

Meter size mm	2005/2006 \$
20	461.90
25	721.70
30	1 039.30
40	1 848.00
50	2 887.00
80	7 390.00
100	11 548.00
150	25 982.00
200	46 190.00

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Schedule 1 Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006

Division 3 Quantity charges

Meter size mm	2005/2006 \$
250	72 172.00
300	103 928.00
350	141 457.00

17. Vacant land

In respect of land classified as Vacant Land \$152.30

[Division 1 inserted in Gazette 27 Jun 2003 p. 2292-7; amended in Gazette 29 Jun 2004 p. 2468-70; 1 Jul 2005 p. 3034-8.]

Division 3 — Quantity charges

[Heading inserted in Gazette 1 Jul 2005 p. 3039.]

18. Metropolitan residential

For each kilolitre of water supplied to a residential property, or any other land classified as Vacant Land and held for residential purposes, in the metropolitan area, not being water for which a charge is otherwise specifically provided in this Division —

up to 150 kL	42.5 cents
over 150 but not over 350 kL	68.9 cents
over 350 but not over 550 kL	93.0 cents
over 550 but not over 950 kL	122.6 cents
over 950 kL	153.3 cents

19. 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 Division —

up to 150 kL	42.5 cents
over 150 but not over 350 kL	68.9 cents
over 350 but not over 550 kL	93.0 cents
over 550 but not over 950 kL	122.6 cents
over 950 kL	153.3 cents

20. Non-metropolitan residential

For each kilolitre of water, not being water for which a charge is otherwise specifically provided in this Division, supplied to a residential property, or any other land classified as Vacant Land and

held for residential purposes, not in the metropolitan area, according to the classification of the town/area set out in Schedule 10 —

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	42.5	42.5	42.5	42.5	42.5
Over 150 but not over 350	68.9	68.9	68.9	68.9	68.9
Over 350 but not over 450	85.1	87.6	87.6	87.6	87.6
Over 450 but not over 550	85.1	113.1	124.3	135.7	139.5
Over 550 but not over 750	122.6	128.0	147.4	163.0	178.4
Over 750 but not over 1 150	156.0	211.3	235.7	268.2	300.7
Over 1 150 but not over 1 550	224.1	308.8	357.4	487.6	601.1
Over 1 550 but not over 1 950	258.3	381.9	471.3	585.1	698.8
Over 1 950	300.2	487.6	568.8	682.4	780.0

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	68.9	68.9	68.9	68.9	68.9
Over 550 but not over 650	77.7	83.2	83.2	83.2	83.2

21. 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

Water Agencies (Charges) By-laws 1987

Schedule 1 Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006

Division 3 Quantity charges

the quantities of water shall be multiplied by the number of notional residential units determined under by-law 16.

22. Metropolitan non-residential

For each kilolitre of water supplied to land in the metropolitan area that is not comprised in a residential property, or any other land classified as Vacant Land held for residential purposes, not being water for which a charge is otherwise specifically provided in this Division —

- (a) in the case of land not mentioned in paragraph (b) or (c) —
 - Up to 600 kL 72.6 cents
 - Over 600 kL but not over 1 100 000 kL 81.1 cents
 - Over 1 100 000 kL 79.0 cents
- (b) in the case of land classified as Metropolitan Farmland —
 - All water supplied 95.1 cents
- (c) in the case of land classified as Commercial/Residential —
 - Up to 150 kL 42.5 cents
 - Over 150 kL but not over 750 kL 72.6 cents
 - Over 750 kL 81.1 cents

23. Connected metropolitan exempt

For each kilolitre of water, not being water for which a charge is otherwise provided in item 26 or 28, supplied to land described in by-law 4 that is in the metropolitan area —

- Up to 600 kL 72.6 cents
- Over 600 kL but not over 1 100 000 kL 81.1 cents
- Over 1 100 000 kL 79.0 cents

24. Connected non-metropolitan residential exempt

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

- up to 300 kL 84.7 cents
- over 300 kL 148.0 cents

25. Non-metropolitan non-residential

For each kilolitre of water, not being water for which a charge is otherwise specifically provided in this Division, supplied to land that is neither in the metropolitan area nor comprised in a residential property, or any other land classified as Vacant Land held for residential purposes, where the land is classified as —

- (a) Government —
 - up to 300 kL 84.7 cents
 - over 300 kL 148.0 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 10), CBH Grain Storage or Irrigated Market Gardens —

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	84.7	112.5	123.6	135.1	138.8
Over 300	148.0	200.6	223.6	254.6	285.3

- (c) Vacant Land —
 - all water supplied 122.4 cents
- (d) Farmland —
 - all water supplied 95.1 cents
- (e) Mining —
 - all water supplied 168.2 cents
- (f) Institutional/Public —
 - up to 300 kL 84.7 cents
 - over 300 kL 148.0 cents
- (g) Charitable Purposes —
 - up to 300 kL 84.7 cents
 - over 300 kL 148.0 cents

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Schedule 1 Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006

Division 3 Quantity charges

- (h) Commercial/Residential (according to the classification of the town/area in which that property is situated, as set out in Schedule 10) —

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	42.5	42.5	42.5	42.5	42.5
Over 150 but not over 450	84.7	112.5	123.6	135.1	138.8
Over 450	148.0	200.6	223.6	254.6	285.3

26. 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 | 46.0 cents |
| over quota by up to 1 kL per 7 kL of quota | 338.0 cents |
| over quota by more than 1 kL per 7 kL of quota | 1 053.2 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 | 46.0 cents |
| over quota | 1 053.2 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.

27. Local government standpipes

For each kilolitre of water supplied through a local government standpipe 95.1 cents

28. Shipping

For each kilolitre of water supplied for the purpose of being taken on board any ship in port —

- (a) in the metropolitan area —
 - up to 600 kL 72.6 cents
 - over 600 kL but not over 1 100 000 kL 81.1 cents
 - over 1 100 000 kL 79.0 cents
- (b) not in the metropolitan area (according to the classification of the town/area in which that property is situated, as set out in Schedule 10) —

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	84.7	112.5	123.6	135.1	138.8
Over 300	148.0	200.6	223.6	254.6	285.3

29. Stock

For each kilolitre of water supplied for the purpose of watering stock on land that is not the subject of a charge under item 9

95.1 cents

30. Building

For each kilolitre of water supplied to land that is neither a residential property, nor any other property held for residential purposes, through a water supply connection that is provided for building purposes —

- (a) in the metropolitan area, the charge that would apply under item 22 if the water supplied through that connection were the only water supplied to the land;
- (b) not in the metropolitan area 122.4 cents

31. Metropolitan hydrant standpipes

For each kilolitre of water supplied through a hydrant standpipe in the metropolitan area

81.1 cents

[Division 3 inserted in Gazette 1 Jul 2005 p. 3039-44.]

Water Agencies (Charges) By-laws 1987

Schedule 1 Charges for water supply other than under the Rights in Water and Irrigation Act 1914 for 2005/2006

Division 4 Formula for the purposes of by-law 17(3)

Division 4 — Formula for the purposes of by-law 17(3)

[Heading inserted in Gazette 27 Jun 2003 p. 2304.]

32. Formula for the purposes of by-law 17(3)

The formula for the purposes of by-law 17(3) is as follows —

$$A \times B$$

where —

A = an applicable charge rate set out in Division 3; and

B = the quantity of water in kilolitres determined in accordance with the following formula —

If **C** ≤ 350, then —

$$C \times D$$

or if **C** > 350, then —

$$C - 350 + (350 \times D)$$

where —

C = the maximum consumption level in the range set out in Division 3 corresponding to “A” or, if the range is open ended, a level of 100 000 000 kL;

D = the number of whole or part months before the end of the consumption year, divided by 12.

[Division 4 inserted in Gazette 27 Jun 2003 p. 2304.]

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

[Heading inserted in Gazette 27 Jun 2003 p. 2304.]

33. Capital infrastructure charges determined under by-law 19A

The capital infrastructure charges determined under by-law 19A are as follows —

Column 1 <i>Area</i>	Column 2 <i>Single Charge</i>	Column 3 <i>Annual Charge</i>	Column 4 <i>No. of years</i>
Golden Bay	\$215.00	\$27.00	10
Greenough Flats	\$4 800.00	\$667.70	10

Water Agencies (Charges) By-laws 1987

Charges for water supply other than under the Rights in Water
and Irrigation Act 1914 for 2005/2006

Schedule 1

Capital infrastructure charges determined under by-law 19A

Division 5

Column 1 <i>Area</i>	Column 2 <i>Single Charge</i>	Column 3 <i>Annual Charge</i>	Column 4 <i>No. of years</i>
Madora	\$1 000.00	\$123.00	10
Prevelly	\$2 755.00	\$345.00	10
Singleton	\$200.00	\$25.00	10
South-west Moora	\$3 074.00	\$427.60	10
Stirling Trunk Main Services	\$2 448.00	\$401.00	10

[Division 5 inserted in Gazette 27 Jun 2003 p. 2304-5.]

Water Agencies (Charges) By-laws 1987

Schedule 2 Charges for water supply under the Rights in Water and Irrigation Act 1914 for 2005/2006

Division 1 Fixed charges

Schedule 2 — Charges for water supply under the *Rights in Water and Irrigation Act 1914* for 2005/2006

[Heading inserted in Gazette 27 Jun 2003 p. 2305; amended in Gazette 29 Jun 2004 p. 2473; 1 Jul 2005 p. 3045.]

[bl. 20]

Division 1 — Fixed charges

[Heading inserted in Gazette 27 Jun 2003 p. 2305.]

1. Supply under by-law 31A of the *Ord Irrigation District By-laws* other than under Division 2

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 Division 2, an amount per supply point of —

- (a) where the supply is assured \$190.35
- (b) where the supply is not assured \$139.30

[2. *deleted.*]

[Division 1 inserted in Gazette 27 Jun 2003 p. 2305; amended in Gazette 29 Jun 2004 p. 2473; 1 Jul 2005 p. 3045.]

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

[Heading inserted in Gazette 27 Jun 2003 p. 2306.]

3. Supply under by-law 31A of the *Ord Irrigation District By-laws*

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 \$510.55
- (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 \$101.55

*[Division 2 inserted in Gazette 27 Jun 2003 p. 2306; amended in
Gazette 29 Jun 2004 p. 2473; 1 Jul 2005 p. 3045.]*

Schedule 3 — Charges for sewerage for 2005/2006

[bl. 21, 25A, 25B, 25C, 26, 26A, 26B]

[Heading inserted in Gazette 1 Jul 2005 p. 3045.]

Division 1 — Fixed charges

[Heading inserted in Gazette 1 Jul 2005 p. 3045.]

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 organisation —

- (a) in the case of land used as a home for the aged —
 - for the first major fixture that discharges into the sewer \$142.90
 - for each additional major fixture that discharges into the sewer \$62.85
- (b) in any other case, a charge equal to the number of major fixtures multiplied by \$142.90

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 \$142.90
 - for each additional major fixture that discharges into the sewer \$62.85
- (b) Charitable Purposes, an amount of —
 - for the first major fixture that discharges into the sewer \$142.90
 - for each additional major fixture that discharges into the sewer \$62.85
- (c) General Exempt, an amount for each connection to the sewer of \$794.10

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* \$175.60

4. Strata-titled storage unit and strata-titled parking bay

In respect of land comprised in a unit used for storage purposes or as a parking bay that is a lot within the meaning of the *Strata Titles Act 1985* \$52.60

5. Commercial or Industrial strata-titled unit (except a storage unit or parking bay)

In respect of land that —

- (a) is classified Commercial or Industrial;
- (b) comprises a unit that is a lot within the meaning of the *Strata Titles Act 1985*;
- (c) shares a major fixture with another unit described in paragraph (b) and has no other major fixtures that discharge into the sewer; and
- (d) is not land mentioned in item 4,

and where the total number of major fixtures shared by all the units on the relevant strata plan is less than the number of those units .. \$320.70

6. 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 \$167.00
- (b) a medium permit \$167.00
- (c) a major permit \$167.00

7. 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 minor permit \$167.00
- (b) a medium permit \$167.00

Water Agencies (Charges) By-laws 1987

Schedule 3 Charges for sewerage for 2005/2006

Division 2 Variable charges and charges by way of a rate

(c) a major permit \$167.00

[Division 1 inserted in Gazette 1 Jul 2005 p. 3045-7.]

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

[Heading inserted in Gazette 1 Jul 2005 p. 3048.]

8. Metropolitan residential

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

- (a) subject to a charge under item 1 or 3; or
- (b) a caravan park or a nursing home, an amount for each dollar of the GRV —
 - up to \$9 300 5.330 cents/\$ of GRV
 - over \$9 300 but not over
 - \$25 300 3.240 cents/\$ of GRV
 - over \$25 300 1.450 cents/\$ of GRV
 - Subject to a minimum of .. \$241.30

9. 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, an amount for each dollar of the GRV —
 - Up to \$12 400 2.350 cents/\$ of GRV
 - Over \$12 400 2.330 cents/\$ of GRV
 - Subject to a minimum in respect of any vacant land the subject of a separate assessment of \$181.60

10. Country

In respect of land in a country sewerage area referred to in column 1 of the following Table, not being land referred to in Division 1 or Division 7 —

- (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, an amount for each dollar of the GRV as set out in column 3 of the Table,

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 \$241.30
- (d) in the case of land classified as Vacant Land \$158.90
- (e) in the case of land not classified as Residential or Vacant Land \$516.00

and subject to a maximum in respect of any land classified as Residential, or classified as Vacant Land and held for residential purposes \$612.40

Column 1 Country sewerage area	Column 2 (Residential) cents/\$ of GRV	Column 3 (Non-residential) cents/\$ of GRV
Albany	9.693	9.544
Augusta	7.188	3.257
Australind	7.443	1.759
Beverley	12.000	12.000
Binningup	11.725	5.700
Boddington	9.800	4.067
Boyanup	12.000	12.000
Bremer Bay	7.811	6.400
Bridgetown	10.215	12.000
Broome	4.285	1.888
Brunswick	6.890	7.566
Bunbury (1/7/04 Values)	5.738	4.968

Water Agencies (Charges) By-laws 1987**Schedule 3** Charges for sewerage for 2005/2006**Division 2** Variable charges and charges by way of a rate

Column 1 Country sewerage area	Column 2 (Residential) cents/\$ of GRV	Column 3 (Non-residential) cents/\$ of GRV
Bunbury (1/7/02 Values)	5.738	4.968
Burekup	8.543	4.299
Busselton	5.148	3.028
Cape Burney	9.108	7.817
Capel	10.766	6.780
Carnarvon	10.514	9.663
Cervantes	7.881	2.114
Collie	10.527	11.713
Coral Bay	12.000	12.000
Corrigin	11.061	9.303
Cowaramup	7.914	3.890
Cranbrook	12.000	12.000
Cunderdin	9.611	12.000
Dardanup	12.000	11.439
Denham	8.984	7.583
Denmark	7.808	8.246
Derby	6.598	7.771
Dongara-Denison	9.795	6.198
Donnybrook	12.000	12.000
Dunsborough	6.390	2.502
Eaton (1/07/04 Values)	6.399	4.849
Eaton (1/7/03 Values)	8.618	6.479
Eneabba	12.000	12.000
Esperance	6.693	6.387
Exmouth	6.751	3.774
Fitzroy Crossing	9.915	10.635
Geraldton	7.206	6.035
Gnowangerup	10.836	9.842
Greenhead	9.706	7.718
Halls Creek	6.036	11.198

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 Charges for sewerage for 2005/2006 **Schedule 3**
 Variable charges and charges by way of a rate **Division 2**

Column 1 Country sewerage area	Column 2 (Residential) cents/\$ of GRV	Column 3 (Non-residential) cents/\$ of GRV
Harvey	7.814	6.532
Hopetoun	12.000	12.000
Horrocks	12.000	7.725
Jurien Bay	8.207	4.133
Kalbarri	7.447	3.737
Kambalda	5.075	5.075
Karratha	3.129	3.488
Katanning	6.344	8.076
Kellerberrin	11.890	12.000
Kojonup	9.523	11.941
Kulin	12.000	12.000
Kununurra	5.535	5.391
Lake Argyle	10.101	12.000
Lancelin	7.917	3.115
Laverton	6.511	8.451
Ledge Point	7.718	6.294
Leeman	10.480	8.333
Leonora	6.422	12.000
Mandurah (1/7/01 Values)	5.685	4.564
Mandurah (1/7/02 Values)	8.022	5.039
Manjimup	9.341	9.304
Margaret River	4.485	1.817
Meckering	11.582	12.000
Merredin	9.531	8.961
Mount Barker	10.057	9.131
Mukinbudin	12.000	8.675
Nannup	12.000	12.000
Narembeen	12.000	12.000
Narrogin	6.759	7.705
Newdegate	12.000	7.859
Newman	6.133	12.000

Water Agencies (Charges) By-laws 1987

Schedule 3 Charges for sewerage for 2005/2006

Division 3 Variable charges

Column 1 Country sewerage area	Column 2 (Residential) cents/\$ of GRV	Column 3 (Non-residential) cents/\$ of GRV
Northam	7.107	8.357
Onslow	12.000	8.105
Pemberton	12.000	12.000
Pingelly	10.888	9.275
Pinjarra	7.041	6.730
Port Hedland	6.128	3.164
Quairading	11.982	12.000
Roebourne	10.280	12.000
Seabird	12.000	12.000
Three Springs	11.287	8.901
Toodyay	12.000	10.667
Wagin	8.755	10.534
Walpole	12.000	11.789
Waroon	5.545	5.514
Wickham	6.913	8.936
Williams	12.000	10.286
Wongan Hills	6.981	8.182
Wundowie	8.150	9.959
Wyalkatchem	12.000	12.000
Wyndham	12.000	12.000
York	12.000	12.000

[Division 2 inserted in Gazette 1 Jul 2005 p. 3048-52; amended in Gazette 4 Nov 2005 p. 5321.]

Division 3 — Variable charges

[Heading inserted in Gazette 1 Jul 2005 p. 3052.]

11. Industrial waste discharged into a sewer of the Corporation pursuant to a major permit

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 102.0 c/kL

(b) for B.O.D. —	
(i) with a concentration of up to 5 kg per kL	89.0 c/kg
(ii) with a concentration of over 5 kg per kL	178.0 c/kg
(c) for suspended solids —	
(i) with a concentration of up to 2 kg per kL	84.0 c/kg
(ii) with a concentration of over 2 kg per kL	168.0 c/kg
(d) for chemical oxygen demand —	
(i) with a concentration of up to 10 kg per kL	36.0 c/kg
(ii) with a concentration of over 10 kg per kL	72.0 c/kg
(e) for oil and grease —	
(i) with a concentration of up to 0.3 kg per kL	40.0 c/kg
(ii) with a concentration over 0.3 kg per kL but not over 0.6 kg per kL ..	80.0 c/kg
(iii) with a concentration of over 0.6 kg per kL	160.0 c/kg
(f) for acidity (pH < 6) —	
(i) with a concentration of up to 0.1 kg per kL	31.0 c/kg
(ii) with a concentration over 0.1 kg per kL but not over 0.3 kg per kL ..	62.0 c/kg
(iii) with a concentration of over 0.3 kg per kL	124.0 c/kg
(g) for alkalinity (pH > 10) —	
(i) with a concentration of up to 0.1 kg per kL	11.0 c/kg
(ii) with a concentration over 0.1 kg per kL but not over 0.2 kg per kL ..	22.0 c/kg
(iii) with a concentration of over 0.2 kg per kL	44.0 c/kg

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Schedule 3 Charges for sewerage for 2005/2006

Division 3 Variable charges

(h) for nitrogen	26.0 c/kg
(i) for phosphorus	28.0 c/kg
(j) for sulphate —	
(i) with a concentration of up to 0.05 kg per kL	no charge
(ii) with a concentration of over 0.05 kg per kL	42.0 c/kg
(k) for total dissolved salts —	
(i) with a concentration of up to 1 kg per kL	no charge
(ii) with a concentration over 1 kg per kL but not over 3 kg per kL	0.1 c/kg
(iii) with a concentration over 3 kg per kL but not over 6 kg per kL	3.0 c/kg
(iv) with a concentration of over 6 kg per kL	10.0 c/kg
(l) for chromium —	
(i) with a concentration of up to 0.03 kg per day	421.0 c/kg
(ii) with a concentration over 0.03 kg per day but not over 1 kg per day ..	841.0 c/kg
(iii) with a concentration of over 1 kg per day	3 355.0 c/kg
(m) for copper —	
(i) with a concentration of up to 0.03 kg per day	421.0 c/kg
(ii) with a concentration over 0.03 kg per day but not over 0.12 kg per day	841.0 c/kg
(iii) with a concentration of over 0.12 kg per day	3 355.0 c/kg
(n) for lead —	
(i) with a concentration of up to 0.03 kg per day	421.0 c/kg
(ii) with a concentration over 0.03 kg per day but not over 0.3 kg per day	841.0 c/kg

(iii) with a concentration of over 0.3 kg per day	3 355.0 c/kg
(o) for nickel —	
(i) with a concentration of up to 0.006 kg per day	421.0 c/kg
(ii) with a concentration over 0.006 kg per day but not over 0.15 kg per day	841.0 c/kg
(iii) with a concentration of over 0.15 kg per day	3 355.0 c/kg
(p) for zinc —	
(i) with a concentration of up to 0.05 kg per day	421.0 c/kg
(ii) with a concentration over 0.05 kg per day but not over 0.5 kg per day	841.0 c/kg
(iii) with a concentration of over 0.5 kg per day	3 355.0 c/kg
(q) for arsenic —	
(i) with a concentration of up to 0.001 kg per day	421.0 c/kg
(ii) with a concentration over 0.001 kg per day but not over 0.04 kg per day	4 205.0 c/kg
(iii) with a concentration of over 0.04 kg per day	42 050.0 c/kg
(r) for cadmium —	
(i) with a concentration of up to 0.001 kg per day	421.0 c/kg
(ii) with a concentration over 0.001 kg per day but not over 0.015 kg per day	4 205.0 c/kg
(iii) with a concentration of over 0.015 kg per day	42 050.0 c/kg
(s) for molybdenum or selenium —	
(i) with a concentration of up to 0.001 kg per day	421.0 c/kg

Water Agencies (Charges) By-laws 1987

Schedule 3 Charges for sewerage for 2005/2006

Division 3 Variable charges

(ii) with a concentration over 0.001 kg per day but not over 0.02 kg per day	4 205.0 c/kg
(iii) with a concentration of over 0.02 kg per day	42 050.0 c/kg
(t) for silver —	
(i) with a concentration of up to 0.002 kg per day	421.0 c/kg
(ii) with a concentration over 0.002 kg per day but not over 0.01 kg per day	4 205.0 c/kg
(iii) with a concentration of over 0.01 kg per day	42 050.0 c/kg
(u) for mercury —	
(i) with a concentration of up to 0.0001 kg per day	421.0 c/kg
(ii) with a concentration over 0.0001 kg per day but not over 0.001 kg per day	42 050.0 c/kg
(iii) with a concentration of over 0.001 kg per day	315 425.0 c/kg

12. Shipping wastewater tankered to the sewer

For raw shipping wastewater tankered from Fremantle and discharged into a sewer of the Corporation

	250.0 c/kL
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13. Effluent discharged from a septic tank effluent pumping system into a sewer of the Corporation

For effluent discharged from a septic tank effluent pumping system into a sewer of the Corporation

	107.1 c/kL
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[Division 3 inserted in Gazette 1 Jul 2005 p. 3052-7.]

Division 4 — Metropolitan combined charges

[Heading inserted in Gazette 1 Jul 2005 p. 3057.]

14. 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, 4, 15, 16 or 17,

the charge is 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 19;

Q = the quantity charge calculated in accordance with the formula in item 20;

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

$A \times S$

where —

A = the charge payable in the 2004/2005 year;

S = 1.122;

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Division 4 Metropolitan combined charges

N = the discharge volume for the 2005/2006 year;

W = the discharge volume for the 2004/2005 year;
and

I = 1.931.

15. Metropolitan Government trading organisation and non-commercial Government property

In respect of a non-commercial Government property, or a property held by a Government trading organisation, in the metropolitan area 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 2005/2006 year as set out in the Table to item 19; and

Q = the quantity charge calculated in accordance with the formula in item 20.

16. 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; and
- (b) having long term residential caravan bays, the charge payable in accordance with the following formula —

AA + AB

where —

AA = a charge of \$175.60 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 —

$$(Y + Q) > R; \text{ and}$$

$$N \leq W,$$

then —

R

or if —

$$(Y + Q) > R; \text{ and}$$

$$N > W,$$

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 2005/2006 year as set out in the Table to item 19;

Q = the quantity charge calculated in accordance with the formula in item 20;

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

$$A \times S$$

where —

A = the amount payable in the 2004/2005 year;

$$S = 1.122;$$

N = the discharge volume for the 2005/2006 year;

W = the discharge volume for the 2004/2005 year; and

$$I = 1.931.$$

17. 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 is 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 = \$96.20;

Q = the quantity charge calculated in accordance with the formula in item 20; and

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

$A \times S$

where —

A = the amount payable in the 2004/2005 year; and

S = 1.122.

18. Certain metropolitan strata-titled units

In respect of land in the metropolitan area that —

- (a) is not classified Residential or Vacant;

- (b) comprises a unit that is a lot within the meaning of the *Strata Titles Act 1985*; and
- (c) shares a major fixture with another unit described in paragraph (b) and has no other major fixtures that discharge into the sewer,

and where the total number of major fixtures shared by all the units on the relevant strata plan is less than the number of those units, an amount calculated in accordance with the following formula —

T + Q

where —

T = \$320.70; and

Q = the quantity charge calculated in accordance with the formula in item 20.

[Division 4 inserted in Gazette 1 Jul 2005 p. 3057-61.]

Division 5 — Computation of combined metropolitan charges

[Heading inserted in Gazette 1 Jul 2005 p. 3061.]

19. Formula for annual charge

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

If $(\mathbf{A} \times \mathbf{B}) \leq (\mathbf{C} + \mathbf{D})$, then —

X

or if $(\mathbf{A} \times \mathbf{B}) > (\mathbf{C} + \mathbf{D})$, then —

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

where —

A = the amount payable in the 2004/2005 year;

B = 1.022;

C = the charge payable for the relevant number of major fixtures for the 2005/2006 year as set out in the Table to this item;

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Division 5 Computation of combined metropolitan charges

D = discharge charge;

E = 0.440; and

X = the amount specified in relation to the 2005/2006 year for the relevant number of major fixtures as set out in the Table to this item.

Table of major fixture-based minimum charges per fixture

No. of fixtures	2005/2006
	\$
1	516.00
2	220.80
3	294.90
4+	320.70

20. Formula for quantity charge

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

If $(\mathbf{F} \times \mathbf{G}) \leq \mathbf{H}$, then —

nil

or if $(\mathbf{F} \times \mathbf{G}) > \mathbf{H}$, then —

$\{(\mathbf{F} \times \mathbf{G}) - \mathbf{H}\} \times \mathbf{I}$

where —

F = the volume of water delivered to the property in the 2005/2006 year;

G = the discharge factor set for the property for the 2005/2006 year;

H = the discharge allowance for the 2005/2006 year calculated in accordance with item 21; and

I = 1.931,

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

21. Discharge allowance

For the purposes of item 20, the discharge allowance is —

- (a) for land to which item 14 applies that is not mentioned in paragraphs (b) or (e), an amount of water in kilolitres calculated in accordance with the following formula —

If $X \leq C$, then —

L

or if $X > C$, then —

$L + \{(X - C) / K\}$

where —

X = the annual charge for the 2005/2006 year calculated in accordance with the formula in item 19;

L = 200;

C = the charge payable for the relevant number of major fixtures for the 2005/2006 year as set out in the Table to item 19; and

K = 1.931;

- (b) for a non-commercial Government property, or a property held by a Government trading organisation, 200 kL of water;
- (c) for a caravan park referred to in item 16, 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 17, 75 kL of water per bed; and
- (e) for properties served through a common metered service, 200 kL of water for each property.

[Division 5 inserted in Gazette 1 Jul 2005 p. 3061-4.]

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Division 6 Service charges for industrial waste

Division 6 — Service charges for industrial waste

[Heading inserted in Gazette 1 Jul 2005 p. 3064.]

22. Inspection — routine program	
For an inspection for a routine program	\$94.00/hour
23. Meter reading — routine program	
For each meter reading for a routine program	\$18.85
24. Grab samples — routine program	
For each grab sample for a routine program.....	\$200.00
25. Composite samples — routine program	
For each composite for a routine program	\$469.00
26. Establishment fee — unscheduled visit	
Establishment fee for an unscheduled visit	\$94.00/hour
27. Product evaluation — unscheduled visit	
Product evaluation for an unscheduled visit	\$118.00/hour
28. Grab samples — unscheduled visit	
For each grab sample for an unscheduled visit	\$350.00
29. Composite samples — unscheduled visit	
For each composite sample for an unscheduled visit	\$619.00
30. Non permit holders discharging industrial waste	
For a one-off discharge of industrial waste by a person who does not hold an industrial waste permit	\$94.00/hour

31. Discharging industrial waste from an open area

For discharging industrial waste from an open
area \$1.11/square metre

[Division 6 inserted in Gazette 1 Jul 2005 p. 3064-5.]

Division 7 — Combined charges for country Commercial/Industrial

[Heading inserted in Gazette 1 Jul 2005 p. 3065.]

32. Country Commercial/Industrial

In respect of land in a country sewerage area that is classified as country Commercial/Industrial property and is not referred to in item 4, 5, 33, 34 or 35, the charge is 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 37;

Q = the quantity charge calculated in accordance with the formula in item 38;

R = the maximum charge calculated in accordance with the formula in item 36;

N = the discharge volume for the 2005/2006 year;

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Division 7 Combined charges for country Commercial/Industrial

W = the discharge volume for the last available consumption year;
and

I = 1.931.

33. Country non-strata titled caravan park with long term residential caravan bays

In respect of a caravan park in a country sewerage area —

- (a) not consisting of strata-titled caravan bays referred to in item 3; and
- (b) having long term residential caravan bays,

the charge payable in accordance with the following formula —

AA + AB

where —

AA = a charge of \$175.60 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) × I}

where —

Y = the charge payable for the number of major fixtures in the relevant part of the caravan park in the 2005/2006 year as set out in the Table to item 37;

Q = the quantity charge calculated in accordance with the formula in item 38;

R = the charge calculated in accordance with the formula in item 36;

N = the discharge volume for the 2005/2006 year;

W = the discharge volume for the last available consumption year; and

I = 1.931.

34. Country nursing home

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

If $(\mathbf{T} + \mathbf{Q}) \leq \mathbf{R}$, then —

T + Q

or if $(\mathbf{T} + \mathbf{Q}) > \mathbf{R}$, then —

R

where —

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

$\mathbf{U} \times \mathbf{V}$

where —

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

V = \$96.20;

Q = the quantity charge calculated in accordance with the formula in item 38; and

R = the charge calculated in accordance with the formula in item 36.

35. Certain country strata-titled units

In respect of country Commercial/Industrial property that is in a country sewerage area that —

- (a) comprises a unit that is a lot within the meaning of the *Strata Titles Act 1985*; and
- (b) shares a major fixture with another unit described in paragraph (a) and has no other major fixtures that discharge into the sewer,

and where the total number of major fixtures shared by all the units on the relevant strata plan is less than the number of those units, an amount is calculated in accordance with the following formula —

$$\mathbf{T + Q}$$

where —

$$\mathbf{T = \$320.70; \text{ and}}$$

$$\mathbf{Q = \text{the quantity charge calculated in accordance with the formula in item 38.}}$$

36. Limit on increase

For the purposes of this Division, the maximum charge (“**R**”) is calculated in accordance with the following formula —

If $(\mathbf{P + Q}) - \mathbf{A} > \mathbf{B}$, then —

if $(\mathbf{A \times S}) > (\mathbf{A + J})$, then

$$(\mathbf{A \times S})$$

or if $(\mathbf{A \times S}) \leq (\mathbf{A + J})$, then

$$(\mathbf{A + J})$$

or if $(\mathbf{P + Q}) - \mathbf{A} \leq \mathbf{B}$, then —

if $(\mathbf{A \times S}) > [\mathbf{A + \{(P + Q) - A\} / O}]$, then

$$(\mathbf{A \times S})$$

or if $(\mathbf{A \times S}) \leq [\mathbf{A + \{(P + Q) - A\} / O}]$, then

$$[\mathbf{A + \{(P + Q) - A\} / O}]$$

where —

P = the target annual charge, based on the number of major fixtures calculated using the Table in item 37;

Q = the ultimate discharge charge calculated using the formula in item 38, except that the discharge allowance calculated in accordance with item 39(a) is 200 kL;

A = the equivalent full year charge payable in the 2004/2005 year;

S = 1.122;

B = \$666.66;

J = \$166.67; and

O = 4.

[Division 7 inserted in Gazette 1 Jul 2005 p. 3065-9.]

**Division 8 — Computation of combined charges for country
Commercial/Industrial property**

[Heading inserted in Gazette 1 Jul 2005 p. 3069.]

37. Formula for annual charge

For the purposes of Division 7, the annual charge (“**P**”) is calculated according to the following formula —

If $A \leq (C + D)$, then —

X

or if $A > (C + D)$, then —

$A - \{[A - (C + D)] / E\}$

where —

A = the equivalent amount payable in the 2004/2005 year;

C = the charge payable for the relevant number of major fixtures for the 2005/2006 year as set out in the Table to this item;

D = the ultimate discharge charge;

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Division 8 Computation of combined charges for country
Commercial/Industrial property

E = 4; and

X = the amount specified in relation to the 2005/2006 year for the relevant number of major fixtures as set out in the Table to this item.

Table of major fixture-based minimum charges per fixture

No. of fixtures	2005/2006
	\$
1	516.00
2	220.80
3	294.90
4+	320.70

38. Formula for quantity charge

For the purposes of Division 7, the quantity charge (“**Q**”) is calculated in accordance with the following formula —

If $(\mathbf{F} \times \mathbf{G}) \leq \mathbf{H}$, then —

nil

or if $(\mathbf{F} \times \mathbf{G}) > \mathbf{H}$, then —

$\{(\mathbf{F} \times \mathbf{G}) - \mathbf{H}\} \times \mathbf{I}$

where —

F = the volume of water delivered to the property in the 2005/2006 year;

G = the discharge factor set for the property for the 2005/2006 year;

H = the discharge allowance for the 2005/2006 year calculated in accordance with item 39; and

I = 1.931,

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

39. Discharge allowance

For the purposes of item 38, the discharge allowance is —

- (a) for land to which item 36 applies that is not mentioned in paragraph (d), an amount of water in kilolitres calculated in accordance with the following formula —

If $X \leq C$, then —

L

or if $X > C$, then —

$L + [(X - C) / K]$

where —

X = the annual charge for the 2005/2006 year calculated in accordance with the formula in item 37;

L = 200;

C = the charge payable for the relevant number of major fixtures for the 2005/2006 year as set out in the Table to item 37; and

K = 1.931;

- (b) for a caravan park referred to in item 33, 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;

- (c) for a nursing home referred to in item 34, 75 kL of water per bed; and
- (d) for properties served through a common metered service, 200 kL of water for each property.

[Division 8 inserted in Gazette 1 Jul 2005 p. 3069-71.]

Schedule 4 — Charges for drainage for 2005/2006

[bl. 27]

[Heading inserted in Gazette 1 Jul 2005 p. 3072.]

Division 1 — Fixed charges

[Heading inserted in Gazette 1 Jul 2005 p. 3072.]

- 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 \$16.00
- 2. Strata-titled storage unit and strata-titled parking bay**
In respect of land comprised in a unit used for
storage purposes or as a parking bay that is a lot
within the meaning of the *Strata Titles*
Act 1985 \$6.55

[Division 1 inserted in Gazette 1 Jul 2005 p. 3072.]

Division 2 — Charges by way of a rate

[Heading inserted in Gazette 1 Jul 2005 p. 3072.]

- 3. Land in a drainage area as referred to in by-law 27 classified as Residential or Semi-rural/residential**
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 0.556 cents/\$ of GRV
subject to a minimum in respect of any land
the subject of a separate assessment of \$53.30
- 4. Land in a drainage area classified as Vacant Land**
In respect of all land in a drainage area
classified as Vacant Land 0.574 cents/\$ of GRV
subject to a minimum in respect of any land
the subject of a separate assessment of \$53.30

5. Land in a drainage area as referred to in by-law 27 other than land to which item 1, 2, 3 or 4 applies

In respect of all land in a drainage area as referred to in by-law 27 other than land to which item 1, 2, 3 or 4 applies	0.644 cents/\$ of GRV
subject to a minimum in respect of any land the subject of a separate assessment of	\$53.30

[Division 2 inserted in Gazette 1 Jul 2005 p. 3072-3.]

Schedule 5 — Charges for irrigation

[bl. 31]

[Heading inserted in Gazette 1 Jul 2005 p. 3073.]

1. Ord Irrigation District

Charges by way of rate for land in the Ord Irrigation District 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 —

- | | |
|---|----------|
| (a) where the supply is assured | \$109.00 |
| (b) where the supply is not assured | \$82.30 |

[Schedule 5 inserted in Gazette 1 Jul 2005 p. 3073.]

Schedule 6 — Formula for calculating AGRV

[bl. 14(2) and 24(2)]

[Heading inserted in Gazette 29 Jun 2001 p. 3224.]

1. Interpretation

In this Schedule —

“**relevant general valuation**”, in relation to a charge in respect of land, means the last general valuation under the *Valuation of Land Act 1978* pursuant to which a value was assigned to that land and that —

- (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.

2. Formula for calculating AGRV

If the relevant general valuation was conducted in the previous year, then —

$$\text{AGRV} = \text{GRV} \times \text{A}$$

or if the relevant general valuation was conducted in any earlier year —

$$\text{AGRV} = \text{GRV} \times \text{A} \times \text{B}$$

where —

A = 1.00; and

B = the product of the values of “**A**” prescribed for each year after the year in which the relevant general valuation was conducted, up to but not including the previous year as defined in by-law 2(1).

[Schedule 6, formerly Schedule 5, inserted in Gazette 29 Jun 1999 p. 2822-3; amended in Gazette 29 Jun 2000 p. 3357; 29 Jun 2001 p. 3224.]

Schedule 7 — Discounts and additional charges

[bl. 7, 8, 8A and 9]

[Heading inserted in Gazette 1 Jul 2002 p. 3196.]

- 1. Discount**
By-law 7(4)(a)(i) \$1.50
- 2. Additional charges**
By-law 7(4)(b)(i) \$3.00
By-law 8(2)(a) \$1.50
By-law 8(2)(b)(i) \$1.50
By-law 8(2)(b)(ii) \$3.00
- 3. Rates of interest**
By-law 7(4)(a)(ii) 4.30% per annum
By-law 7(4)(b)(ii) 5.30% per annum
By-law 8(2)(a) 5.30% per annum
By-law 8(2)(b)(i) 5.30% per annum
By-law 8(2)(b)(ii) 5.30% per annum
- 4. Concession (by-law 8A(2))**
Charge for water supply \$70.00
Charge for sewerage \$132.85
Charge for drainage \$13.35
- 5. Interest on overdue amounts (by-law 9)**
Interest on overdue amounts (by-law 9) 12.35% per annum
[Schedule 7 inserted in Gazette 1 Jul 2002 p. 3196-7; amended in Gazette 27 Jun 2003 p. 2335; 29 Jun 2004 p. 2493; 1 Jul 2005 p. 3073-4.]

Schedule 8 — Water supply charges for Government trading organisations and non-commercial Government property

[bl. 8B]

[Heading inserted in Gazette 1 Jul 2005 p. 3074.]

1. Annual charge (based on meter size)

Meter size	\$
20 mm or less	461.90
25 mm	721.70
30 mm	1 039.30
40 mm	1 848.00
50 mm	2 887.00
70 mm	7 390.00
75 mm	7 390.00
80 mm	7 390.00
100 mm	11 548.00
140 mm	25 982.00
150 mm	25 982.00
200 mm	46 190.00
250 mm	72 172.00
300 mm	103 928.00
350 mm	141 457.00
subject to a minimum charge, where property is served but not metered by the Corporation, of	\$461.90

2. Volume charge (c/kL)

(1) Metropolitan —		
	(a) first 600 kL	72.6 cents
	(b) 601 kL to 1 100 000 kL ..	81.1 cents
	(c) over 1 100 000 kL	79.0 cents

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Schedule 8 Water supply charges for Government trading organisations and non-commercial Government property

- (2) Country (according to the classification of the town/area in which that property is situated, as set out in Schedule 10) —

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	84.7	112.5	123.6	135.1	138.8
Over 300	148.0	200.6	223.6	254.6	285.3

[Schedule 8 inserted in Gazette 1 Jul 2005 p. 3074-5.]

Schedule 9 — Classification of towns/areas for the purpose of determining quantity charges in the previous year

[bl. 17D(3)]

[Heading inserted in Gazette 1 Jul 2005 p. 3075.]

Class 1

Albany, Albany Farmlands, Allanooka Farmlands, Australind/Eaton, Avon Hills, Bakers Hill, Boyanup, Broome, Brunswick/Roelands/Burekup, Capel, Cervantes, Collie, Collie Farmlands, Cunderdin, Dalyellup, Dampier, Dathagnoorara Farmlands, Dongara/Denison, Donnybrook, Dunsborough/Yallingup, Elleker, Esperance, Gabbadah, Geraldton, Gnarabup, Grass Valley, Hamel/Waroona, Harvey/Wokalup, Jurien, Kalbarri, Karakin, Karratha, Karratha Supply Mains, Kellerberrin, Kununurra, Mandurah, Margaret River, Meckering, Mingenew, Moora, Narngulu, North Dandalup, Northam, Park Ridge, Pinjarra, Porongorup, Port Hedland, Riverside Gardens, South Hedland, Tammin, Walkaway, Wedgefield, Wundowie, Yarloop/Wagerup.

Class 2

Augusta, Beverley, Binningup, Bodallin, Boddington, Boyup Brook, Bridgetown/Hester, Burracoppin, Carnamah, Carnarvon, Coorow, Dardanup, Darkan, Derby, Doodlakine, Dowerin, Dwellingup, Eneabba, Eradu, Exmouth, Fitzroy Crossing, Gingin, Goomalling, Greenbushes/Balingup, Greenhead, Guilderton, Halls Creek, Highbury, Hines Hill, Lancelin, Laverton, Ledge Point, Leeman, Leonora, Manjimup, Meekatharra, Merredin, Mount Magnet, Nannup, Narrogin, Newman, Pemberton, Peppermint Beach, Preston Beach, Three Springs, Three Springs Farmlands, Toodyay, Wagin, Williams, Wiluna, Woodridge, York.

Class 3

Allanson, Arrowsmith Farmlands, Bindoon/Chittering, Bolgart, Bremer Bay, Brookton, Broomehill, Bruce Rock, Bullaring, Calingiri, Camballin, Condingup, Coolgardie, Cuballing, Cue, Dalwallinu, Dangin, Denham (Saline), Denmark, Gascoyne, Gibson, Hopetoun, Hyden, Kalgoorlie/Boulder, Kambalda, Katanning, Katanning Farmlands, Kendenup Farmlands, Kirup, Kojonup/Muradup, Koorda, Lake Argyle, Marble Bar, Marvel Loch, Morawa, Morawa Farmlands, Mount Barker, Myalup, Nabawa, Narrikup, Northam Farmlands, Northampton, Northcliffe, Pingelly, Pithara, Point Samson,

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Schedule 9 Classification of towns/areas for the purpose of determining quantity charges in the previous year

Popanyinning, Porongorup Farmlands, Quairading, Roebourne, Seabird, Shackleton, Southern Cross, Walpole, Warralakin, Watheroo, Westonia, Wickepin, Wickham, Wongan Hills, Woodanilling, Wyalkatchem, Wyndham, Yalgoo, Yealering.

Class 4

Badgingarra, Ballidu, Bendering, Bullfinch, Bunjil, Caron, Corrigin, Cowaramup, Cranbrook, Dandaragan, Dudinin/Harrismith/Jitarning, Dumbleyung, Frankland, Gnowangerup, Horrocks, Jerramungup, Kalannie, Kalgoorlie Farmlands, Kendenup, Kondinin, Kukerin/Moulyinning, Kulin, Kununoppin, Lake Grace, Latham, Merredin Farmlands, Miling, Moorine Rock, Mukinbudin, Mullewa, Mullewa Farmlands, Narembeen, Narrogin Farmlands, Newdegate, New Norcia, Norseman, Nullagine, Nyabing, Onslow, Perenjori, Piesseville, Pingaring, Sandstone, Tambellup, Tincurrin, Trayning, Wandering, Widgiemooltha, Wubin, Yerecoin.

Class 5

Arrino, Beacon, Bencubbin, Bindi Bindi, Borden, Broad Arrow, Buntine, Coomberdale, Grass Patch, Karlgarin, Koolyanobbing, Lake King, Menzies, Mount Roe, Mullalyup, Munglinup, Muntadgin, Nungarin, Ongerup, Ora Banda, Pingrup, Quininup, Ravensthorpe, Rocky Gully, Salmon Gums, Varley, Wellstead, Wittenoom, Yuna.

[Schedule 9 inserted in Gazette 1 Jul 2005 p. 3075-7.]

Schedule 10 — Classification of towns/areas for the purpose of determining quantity charges in the current year

[bl. 17D(4)]

[Heading inserted in Gazette 1 Jul 2005 p. 3077.]

Class 1

Albany, Albany Farmlands, Allanooka Farmlands, Australind/Eaton, Avon Hills, Boyanup, Broome, Brunswick/Roelands/Burekup, Capel, Cervantes, Collie, Collie Farmlands, Cunderdin, Dalyellup, Dampier, Dathagnoorara Farmlands, Dongara/Denison, Donnybrook, Elleker, Esperance, Geraldton, Gnarabup, Grass Valley, Hamel/Warooka, Harvey/Wokalup, Jurien, Kalbarri, Kununurra, Mandurah, Margaret River, Moora, Narngulu, Northam, Park Ridge, Pinjarra, Porongorup, Port Hedland, Riverside Gardens, South Hedland, Walkaway, Wedgefield, Wundowie, Yarloop/Wagerup.

Class 2

Allanson, Bakers Hill, Beverley, Binningup, Bodallin, Boddington, Boyup Brook, Burracoppin, Carnamah, Carnarvon, Coorow, Dardanup, Darkan, Derby, Dowerin, Dunsborough/Yallingup, Dwellingup, Eneabba, Eradu, Exmouth, Fitzroy Crossing, Gabbadah, Gingin, Greenbushes/Balingup, Greenhead, Guilderton, Karakin, Karratha, Karratha Supply Mains, Kellerberrin, Lancelin, Ledge Point, Leeman, Manjimup, Meckering, Meekatharra, Merredin, Mingenew, Mount Magnet, Nannup, Narrogin, Newman, North Dandalup, Pemberton, Peppermint Beach, Tammin, Toodyay, Wagin, Williams, Wiluna, Woodridge, York.

Class 3

Arrowsmith Farmlands, Augusta, Bindoon/Chittering, Bolgart, Bremer Bay, Bridgetown/Hester, Brookton, Broomehill, Bullaring, Calingiri, Camballin, Coolgardie, Cuballing, Cue, Dalwallinu, Dangin, Denham (Saline), Denmark, Doodlakine, Gascoyne, Gibson, Goomalling, Halls Creek, Highbury/Piesseville, Hines Hill, Hopetoun, Kalgoorlie/Boulder, Kambalda, Katanning, Katanning Farmlands, Kendenup Farmlands, Kirup, Kojonup/Muradup, Koorda, Laverton, Leonora, Marvel Loch, Morawa, Morawa Farmlands, Mount Barker, Myalup, Nabawa, Narrikup, Northampton, Northcliffe, Pingelly, Pithara, Point Samson, Porongorup Farmlands, Preston Beach, Quairading, Roebourne, Seabird,

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Schedule 10 Classification of towns/areas for the purpose of determining quantity charges in the current year

Southern Cross, Three Springs, Warralakin, Westonia, Wickepin, Wickham, Woodanilling, Wyalkatchem, Wyndham, Yalgoo, Yealering.

Class 4

Badgingarra, Ballidu, Bending, Bruce Rock, Bunjil, Caron, Condingup, Corrigin, Cowaramup, Cranbrook, Dandaragan, Frankland, Gnowangerup, Horrocks, Hyden, Jerramungup, Kalannie, Kalgoorlie Farmlands, Kendenup, Kondinin, Kulin, Kununoppin, Lake Argyle, Lake Grace, Latham, Marble Bar, Merredin Farmlands, Miling, Moorine Rock, Mukinbudin, Mullewa, Mullewa Farmlands, Narembeen, Narrogin Farmlands, Newdegate, New Norcia, Norseman, Northam Farmlands, Nullagine, Nyabing, Onslow, Perenjori, Pingaring, Popanyinning, Sandstone, Tambellup, Trayning, Walpole, Wandering, Watheroo, Widgiemooltha, Wongan Hills, Wubin.

Class 5

Arrino, Beacon, Bencubbin, Bindi Bindi, Borden, Broad Arrow, Bullfinch, Buntine, Coomberdale, Dudinin/Harrismith/Jitarning, Dumbleyung, Grass Patch, Karlgarin, Koolyanobbing, Kukerin/Moulyinning, Lake King, Menzies, Mount Roe, Mullalyup, Munglinup, Muntadgin, Nungarin, Ongerup, Ora Banda, Pingrup, Quininup, Ravensthorpe, Rocky Gully, Salmon Gums, Tincurrin, Varley, Wellstead, Yerecoin, Yuna.

[Schedule 10 inserted in Gazette 1 Jul 2005 p. 3077-8.]

Notes

¹ This reprint is a compilation as at 31 March 2006 of the *Water Agencies (Charges) By-laws 1987* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Water Authority (Charges) By-laws 1987</i> ¹¹	14 Jul 1987 p. 2658-72 (errata 24 Jul 1987 p. 2841)	14 Jul 1987
<i>Water Authority (Charges) Amendment By-laws 1987</i>	31 Jul 1987 p. 2884	31 Jul 1987
<i>Water Authority (Charges) Amendment By-laws 1988</i>	29 Jun 1988 p. 2112-22	29 Jun 1988
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1988</i>	4 Jul 1988 p. 2178	4 Jul 1988
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1988</i>	8 Jul 1988 p. 2387	8 Jul 1988
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1988</i>	14 Oct 1988 p. 4174	14 Oct 1988
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1988</i>	20 Jan 1989 p. 121	20 Jan 1989
<i>Water Authority (Charges) Amendment By-laws 1989</i>	10 Mar 1989 p. 712	10 Mar 1989
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1989</i>	23 Jun 1989 p. 1824	23 Jun 1989
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1989</i> ¹²	29 Jun 1989 p. 1870-82 (errata 7 Jul 1989 p. 2075)	29 Jun 1989
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1989</i>	7 Jul 1989 p. 2077	7 Jul 1989
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1989</i>	7 Jul 1989 p. 2078	7 Jul 1989
<i>Water Authority (Charges) Amendment By-laws (No. 6) 1989</i>	27 Oct 1989 p. 3898-9	27 Oct 1989

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Citation	Gazettal	Commencement
<i>Water Authority (Charges) Amendment By-laws (No. 7) 1989</i>	17 Nov 1989 p. 4117	17 Nov 1989
<i>Water Authority (Charges) Amendment By-laws 1990</i> ¹³	29 Jun 1990 p. 3226-40 (errata 6 Jul 1990 p. 3317)	29 Jun 1990
<i>Water Authority (Charges) Amendment By-laws 1991</i> ¹⁴	28 Jun 1991 p. 3267-80 (errata 5 Jul 1991 p. 3379)	28 Jun 1991
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1991</i>	20 Sep 1991 p. 4952-3	20 Sep 1991
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1991</i>	20 Sep 1991 p. 4954-5	20 Sep 1991
<i>Water Authority (Charges) Amendment By-laws 1992</i> ¹⁵	28 Feb 1992 p. 1024	28 Feb 1992
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1992</i>	28 Feb 1992 p. 1025	28 Feb 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> ¹⁶	1 May 1992 p. 1865	1 May 1992
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1992</i>	26 Jun 1992 p. 2812-31	1 Jul 1992 (see bl. 2)
<i>Water Authority (Charges) Amendment By-laws (No. 6) 1992</i>	26 Jun 1992 p. 2831-2	1 Jul 1992 (see bl. 2)
<i>Water Authority (Charges) Amendment By-laws (No. 7) 1992</i>	6 Jul 1992 p. 3079	6 Jul 1992
<i>Water Authority (Charges) Amendment By-laws (No. 8) 1992</i>	24 Jul 1992 p. 3660-1	24 Jul 1992
<i>Water Authority (Charges) Amendment By-laws (No. 9) 1992</i>	31 Dec 1992 p. 6412-13	31 Dec 1992
<i>Water Authority (Charges) Amendment By-laws 1993</i>	1 Jul 1993 p. 3214-36	1 Jul 1993
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1993</i>	1 Jul 1993 p. 3236-7	1 Jul 1993 (see bl. 2)

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Citation	Gazettal	Commencement
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1993</i>	27 Jul 1993 p. 4096-7	27 Jul 1993
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1993</i>	28 Sep 1993 p. 5328	28 Sep 1993
<i>Water Authority (Charges) Amendment By-laws 1994</i>	4 Mar 1994 p. 900-1	4 Mar 1994
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1994</i>	4 Mar 1994 p. 901	4 Mar 1994
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1994</i>	4 Mar 1994 p. 902-3	1 Jul 1994 (see bl. 2)
<i>Water Authority (Charges) Amendment By-laws (No. 6) 1994</i>	4 Mar 1994 p. 904	4 Mar 1994
<i>Water Authority (Charges) Amendment By-laws (No. 7) 1994</i>	6 May 1994 p. 1934	6 May 1994
<i>Water Authority (Charges) Amendment By-laws (No. 8) 1994</i>	29 Jun 1994 p. 3171-200	1 Jul 1994 (see bl. 2)
<i>Water Authority (Charges) Amendment By-laws (No. 9) 1994</i>	16 Sep 1994 p. 4806-7	16 Sep 1994
<i>Water Authority (Charges) Amendment By-laws (No. 10) 1994</i>	28 Oct 1994 p. 5556-7	28 Oct 1994
<i>Water Authority (Charges) Amendment By-laws (No. 11) 1994</i>	30 Dec 1994 p. 7351-3	30 Dec 1994
<i>Water Authority (Charges) Amendment By-Laws 1995</i>	2 Jun 1995 p. 2215	2 Jun 1995
<i>Water Authority (Charges) Amendment By-laws (No. 2) 1995</i>	30 Jun 1995 p. 2735-66	1 Jul 1995 (see bl. 2)
<i>Water Authority (Charges) Amendment By-laws (No. 3) 1995</i>	17 Nov 1995 p. 5344-5	17 Nov 1995
<i>Water Authority (Charges) Amendment By-laws (No. 4) 1995</i>	17 Nov 1995 p. 5345-6	17 Nov 1995
<i>Water Authority (Charges) Amendment By-laws (No. 5) 1995</i>	17 Nov 1995 p. 5346	17 Nov 1995
<i>Water Agencies (Amendment and Repeal) By-laws 1995 Pt. 11</i>	29 Dec 1995 p. 6305-32	1 Jan 1996 (see bl. 2 and <i>Gazette</i> 29 Dec 1995 p. 6291)
<i>Water Agencies (Charges) Amendment By-laws 1996</i>	21 May 1996 p. 2139	21 May 1996 (see bl. 2 and <i>Gazette</i> 21 May 1996 p. 2140)

Water Agencies (Charges) By-laws 1987

Citation	Gazettal	Commencement
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 1996</i>	28 Jun 1996 p. 3103-30 (correction 9 Jul 1996 p. 3281)	1 Jul 1996 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 1996</i>	5 Jul 1996 p. 3255	5 Jul 1996
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 1996</i>	19 Jul 1996 p. 3489-90	19 Jul 1996
<i>Water Agencies (Charges) Amendment By-laws (No. 5) 1996</i>	23 Aug 1996 p. 4128-9	23 Aug 1996
<i>Water Agencies (Charges) Amendment By-laws (No. 6) 1996</i>	13 Sep 1996 p. 4606	13 Sep 1996
<i>Water Agencies (Charges) Amendment By-laws (No. 7) 1996</i>	7 Jan 1997 p. 63	7 Jan 1997
<i>Water Agencies (Charges) Amendment By-laws 1997</i>	7 Feb 1997 p. 779	7 Feb 1997
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 1997</i>	13 May 1997 p. 2350-3	13 May 1997
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 1997</i>	27 Jun 1997 p. 3175-203	1 Jul 1997 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 1997</i>	10 Jun 1997 p. 2669-70	10 Jun 1997
Reprint of the Water Agencies (Charges) By-laws 1987 as at 25 Aug 1997 (includes amendments listed above)		
<i>Water Agencies (Charges) Amendment By-laws (No. 5) 1997¹⁷</i>	6 Jan 1998 p. 39-41	6 Jan 1998
<i>Water Agencies (Charges) Amendment By-laws 1998</i>	9 Apr 1998 p. 2035	14 Apr 1998 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 1998</i>	26 Jun 1998 p. 3399-415	1 Jul 1998 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 1998</i>	26 Jun 1998 p. 3415-16	26 Jun 1998
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 1998</i>	1 Jul 1998 p. 3561	1 Jul 1998 (see bl. 2 and <i>Gazette</i> 26 Jun 1998 p. 3399)
<i>Water Agencies (Charges) Amendment By-laws (No. 5) 1998</i>	30 Oct 1998 p. 6017-18	30 Oct 1998
<i>Water Agencies (Charges) Amendment By-laws 1999</i>	7 May 1999 p. 1859-61	7 May 1999

Citation	Gazettal	Commencement
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 1999</i>	25 Jun 1999 p. 2742	25 Jun 1999
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 1999</i> ¹⁸	29 Jun 1999 p. 2789-828	1 Jul 1999 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 1999</i>	1 Jul 1999 p. 2907	1 Jul 1999 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws 2000</i>	15 Feb 2000 p. 524-5	15 Feb 2000
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 2000</i>	29 Jun 2000 p. 3323-63	1 Jul 2000 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws 2001</i>	13 Feb 2001 p. 892	13 Feb 2001
Reprint of the Water Agencies (Charges) By-laws 1987 as at 16 Feb 2001 (includes amendments listed above)		
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 2001</i>	29 Jun 2001 p. 3187-229	1 Jul 2001 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 2001</i>	7 Aug 2001 p. 4037-8	7 Aug 2001
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 2001</i>	5 Oct 2001 p. 5478-9	5 Oct 2001
<i>Water Agencies (Charges) Amendment By-Laws (No. 5) 2001</i> ¹⁹	22 Feb 2002 p. 767-9	22 Feb 2002
<i>Water Agencies (Charges) Amendment By-laws 2002</i> ²⁰	1 Mar 2002 p. 869-70	1 Mar 2002
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 2002</i>	1 Mar 2002 p. 870	1 Mar 2002
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 2002</i>	1 Jul 2002 p. 3155-201	1 Jul 2002
<i>Water Agencies (Charges) Amendment By-laws 2003</i>	29 Apr 2003 p. 1293-4	29 Apr 2003
Reprint 3: The Water Agencies (Charges) By-laws 1987 as at 9 May 2003 (includes amendments listed above)		
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 2003</i>	24 Jun 2003 p. 2273	24 Jun 2003
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 2003</i>	27 Jun 2003 p. 2283-340	1 Jul 2003 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 2003</i>	9 Dec 2003 p. 5007-8	9 Dec 2003

Water Agencies (Charges) By-laws 1987

Citation	Gazettal	Commencement
<i>Water Agencies (Charges) Amendment By-laws 2004</i>	29 Jun 2004 p. 2467-96	1 Jul 2004 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 2004</i>	24 Dec 2004 p. 6157-8	24 Dec 2004
<i>Water Agencies (Charges) Amendment By-laws 2005</i>	13 May 2005 p. 2088	13 May 2005
<i>Water Agencies (Charges) Amendment By-laws (No. 3) 2005</i>	1 Jul 2005 p. 3008-9	1 Jul 2005 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 2) 2005</i>	1 Jul 2005 p. 3031-78	1 Jul 2005 (see bl. 2)
<i>Water Agencies (Charges) Amendment By-laws (No. 4) 2005</i>	4 Nov 2005 p. 5321	4 Nov 2005

Reprint 4: The Water Agencies (Charges) By-laws 1987 as at 31 Mar 2006 (includes amendments listed above)

² Now established by the *Port Authorities Act 1999* s. 4.

³ Under the *Marine and Harbours Act 1981* s. 20 a reference in a written law to the former Department of Marine and Harbours is, unless the contrary intention appears, to be read and construed as a reference to the department principally assisting the Minister in the administration of that Act.

⁴ Repealed by the *Gas Corporation (Business Disposal) Act 1999*.

⁵ Repealed by the *Western Australian Land Authority Act 1992*.

⁶ Repealed by the *Public Transport Authority Act 2003*.

⁷ Repealed by the *WADC and WA Exim Corporation Repeal Act 1998*.

⁸ Repealed by the *Meat Industry Legislation (Amendment and Repeal) Act 1993*.

⁹ Under the *Public Transport Authority Act 2003* s. 85 a reference in a written law to the former Western Australian Government Railways Commission is, unless in the context it would be inappropriate to do so, to be construed as a reference to the Public Transport Authority.

¹⁰ Formerly referred to the *Western Australian Greyhound Racing Authority Act 1981* the short title of which was changed to the *Western Australian Greyhound Racing Association Act 1981* by the *Racing and Gambling Legislation Amendment and Repeal Act 2003* s. 197. The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).

¹¹ Now known as the *Water Agencies (Charges) By-laws 1987*; citation changed (see note under bl. 1).

¹² The *Water Authority (Charges) Amendment By-laws (No. 3) 1989* bl. 3 is an application provision that is of no further effect.

- ¹³ The *Water Authority (Charges) Amendment By-laws 1990* bl. 3 is an application provision that is of no further effect.
- ¹⁴ The *Water Authority (Charges) Amendment By-laws 1991* bl. 3 and 7 are application provisions that are of no further effect.
- ¹⁵ The *Water Authority (Charges) Amendment By-laws 1992* bl. 4 is an application provision that is of no further effect.
- ¹⁶ The *Water Authority (Charges) Amendment By-laws (No. 4) 1992* bl. 4 is an application provision that is of no further effect.
- ¹⁷ The *Water Agencies (Charges) Amendment By-laws (No. 5) 1997* bl. 10 is a savings provision that is of no further effect.
- ¹⁸ The *Water Agencies (Charges) Amendment By-laws (No. 2) 1999* bl. 32(2) is a transitional provision that is of no further effect.
- ¹⁹ The *Water Agencies (Charges) Amendment By-laws (No. 5) 2001* bl. 2 and 6 are transitional and application provisions that are of no further effect.
- ²⁰ The *Water Agencies (Charges) Amendment By-laws 2002* bl. 3 reads as follows:
“

3. Saving

Where a hydrant standpipe in the metropolitan area was issued by the Corporation before the commencement of these by-laws, the charge under Schedule 1 item 31 to the *Water Agencies (Charges) By-laws 1987* in respect of the standpipe is to be assessed as if these by-laws had not come into operation.

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