

Western Australia

Country Towns Sewerage Act 1948

Country Towns Sewerage By-laws 1952

Country Towns Sewerage By-laws 1952

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Western Australia

Country Towns Sewerage Act 1948²

Country Towns Sewerage By-laws 1952

Part 1 — Preliminary

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

1. Citation

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

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

2. Terms used in these by-laws

In these by-laws unless the contrary intention appears —

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

“**building**” means any building used as a work place, residence, place of business, place of amusement, or a place of human habitation, or used for the storage of food intended for human consumption, but does not include outbuildings unless such are used for any of the above purposes or are provided with plumbing fixtures;

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

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

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

“domestic wastewater” means all faecal matter, urine, household slops and household liquid refuse;

“drain” has the same meaning as property sewer;

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

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

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

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

“licensed plumber” means a person who holds a plumbing contractor’s licence under the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;

“plumbing standards” has the meaning given to that term in regulation 3(1) of the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;

- “property”** for the purposes of these by-laws includes either house, building, tenement, land or premises;
- “sanitary plumbing”** means plumbing that is the result of sanitary plumbing work as defined in regulation 3(1) of the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;
- “separate pipe system”** means that type of plumbing installation in which separate pipes are provided for soil and waste discharges and for the ventilation of soil and waste fixtures, and in which all waste pipes are connected to the drain through a disconnector trap;
- “soil pipe”** means any pipe which conveys the discharge from water closets, slop hoppers, urinals, mortuaries, or operating theatres to the drain;
- “the Act”** means the *Country Towns Sewerage Act 1948*, and any amendment thereof;
- “trap”** means any fitting designed to retain a quantity of water for the purpose of preventing the passage of air or gases through such fitting;
- “waste pipe”** means any pipe which conveys the discharge from any fixture, other than water closets, slop hoppers, urinals, mortuaries, or operating theatres, to a disconnector trap in the case of “the separate pipe system” or directly to the drain in the case of the “combined pipe system”;
- “water supply plumbing”** means plumbing that is the result of water supply plumbing work as defined in regulation 3(1) of the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;
- “working day”** means a day of the week other than a Saturday, Sunday, public holiday or public service holiday.

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Part 1 Preliminary

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*[By-law 2 amended in Gazette 28 Jun 1985 p. 2334;
29 Jun 1988 p. 2128; 22 Dec 1989 p. 4624; 3 Jan 1992 p. 32;
29 Dec 1995 p. 6314 and 6315; 4 Feb 1997 p. 708;
25 Aug 1998 p. 4738; 16 Jun 2000 p. 2963; 28 Jun 2004
p. 2381-3.]*

Part 2 — Protection of water, grounds, etc.

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

3. Trespassing prohibited

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

4. Dogs prohibited

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

5. Disposal of refuse etc. only in receptacles

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

6. Posting or distribution of bills etc. prohibited

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

7. Nuisances prohibited

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

8. Protection of works from injury

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

Part 3 — Provisions related to sanitary plumbing and drainage plumbing

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

[8A. Repealed in Gazette 28 Jun 2004 p. 2386.]

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

18. Plumber to provide information if required

- (a) Any licensed plumber who shall refuse either by himself or by those employed by him to give any needful or proper information required by an officer of the Corporation shall be guilty of an offence and liable on conviction to a fine not exceeding \$200.

[(b) and (c) deleted]

[By-law 18 amended by Act No. 113 of 1965 s. 8(1); amended in Gazette 29 Dec 1995 p. 6311 and 6314; 4 Feb 1997 p. 712; 16 Jun 2000 p. 2963; 26 Apr 2005 p. 1395.]

[18A-18I, 19. Repealed in Gazette 28 Jun 2004 p. 2386-7.]

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

21. Damage to pipes shall be reported

Damage caused by licensed plumbers or their employees to water, sewer, gas, or other pipes shall be reported forthwith to the authority concerned, and immediate steps shall be taken to have repairs effected, and the cost of same shall be defrayed by such plumber.

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

21A. Plumber to report certain matters

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

Penalty: \$2 000.

[By-law 21A inserted in Gazette 22 Dec 1989 p. 4626; amended in Gazette 29 Dec 1995 p. 6315; 16 Jun 2000 p. 2964; 28 Jun 2004 p. 2383.]

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

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

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

Part 4 — Sewerage and drainage

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

25. Procedure for connections to sewer

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

26. Proof of connections having been made

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

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

27. Work carried out under system of deferred payment

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

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

28. Maintenance and repairs by Corporation

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

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

29. Notices, plans and fees for connection to sewerage service

[(1a) repealed]

- (1) For the purposes of section 41A of the Act —
 - (a) the notice required by that section to be given before the construction or alteration of a building shall be in the form set out in Schedule 1;
 - (b) the fee for examining the plans required by that section to be submitted is set out in Schedule 2 Division 2, except that no fee is payable if a like fee is payable under section 43A of the *Country Areas Water Supply Act 1947*; and
 - (c) the fee for making a connection (if any) to the sewerage service is set out in Schedule 2 item 1.
- (1b) The owner or occupier of an existing building who proposes to connect the building to the Corporation's sewerage system shall, if sub-by-law (1) does not apply —
 - (a) give notice of that connection in the form of an approved form;
 - (b) furnish with the notice 2 copies of a plan in a form acceptable to the Corporation showing the location of

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

- (c) pay the fee set out in Schedule 2 item 1.

[(2), (3) repealed]

[By-law 29 inserted in Gazette 27 Feb 1981 p. 825; amended in Gazette 28 Jun 1985 p. 2334; 14 Jul 1987 p. 2651; 29 Jun 1988 p. 2128; 22 Dec 1989 p. 4626; 29 Dec 1995 p. 6315; 29 Jun 1999 p. 2779; 29 Jun 2001 p. 3233-4; 1 Jul 2002 p. 3142; 28 Jun 2004 p. 2383-4.]

29A. Diagrams of drainage plumbing

- (1) A licensed plumber must, within 5 working days of completing major plumbing work that is the installation or alteration of drainage plumbing, give to the Corporation a diagram or diagrams of the completed work in the form required by the Corporation.
Penalty: \$1 000.
- (2) A licensed plumber must, within 5 working days of the end of a month in which the licensed plumber has completed minor plumbing work that is the alteration of drainage plumbing, give to the Corporation a diagram or diagrams of the completed work in the form required by the Corporation.
Penalty: \$500.
- (3) If the Corporation provides plan sheets for the preparation of diagrams under sub-by-law (1) or (2), the appropriate fee set out in Schedule 2 Division 5 is payable in respect of the provision of those sheets.
- (4) In this by-law —
“**drainage plumbing**” has the meaning given to that term in section 3(1) of the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;

“major plumbing work” has the meaning given to that term in section 3(1) of the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*;

“minor plumbing work” has the meaning given to that term in section 3(1) of the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000*.

[By-law 29A inserted in Gazette 28 Jun 2004 p. 2384-5; amended in Gazette 29 Jun 2007 p. 3238.]

30. Plan to remain property of owner

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

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

31. Prescribed proximity to sewer

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

- (a) 1 m around the perimeter of a chamber giving access to a sewer; and
- (b) 15 m above the surface of a chamber giving access to a sewer.

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

32. Work incidental to sewerage installations

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

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33. Use of drains

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

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

34. Infectious disease

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

35. Prohibited discharges

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

- (a) Any animal matter, other than as mentioned in by-law 33, fleshing, wool, hair, dead animal, grease, dust, ashes, rubbish, garbage, offal, vegetable and fruit or their parings, rags, oil, fat, mud, sand, gravel or like substance, or any other substance, which is, in the opinion of the Corporation, liable to be injurious to any part of the sewerage system or to officers or agents of the Corporation engaged in the operation or maintenance of the same.
- (b) Any petrol or other inflammable or explosive substance, whether solid, liquid, or gaseous.

- (c) Any rain, roof, ground, domestic swimming pool, surface, river or floodwaters, except by special permission in writing from the Corporation.
- (d) The contents of any nightsoil cart, cesspool or privy unless special permission in writing from the Corporation is obtained.
- (e) Any industrial waste or any substance which has an acid reaction to litmus paper.
- (f) Any industrial waste which is above the temperature of 100 degrees Fahrenheit, or such lower temperature as may be prescribed by the Corporation, having regard to the special circumstances of any particular case.
- (g) Any liquid which contains such percentage of common salt, or of any other mineral, salt, acid, or gas, as is, in the opinion of the Corporation, injurious to, or liable to form compounds injurious to, any part of the sewerage system or to officers or agents of the Corporation engaged in the operation or maintenance of the same.

*[By-law 35 amended in Gazette 29 Jun 1988 p. 2130;
29 Dec 1995 p. 6311 and 6314; 28 Jun 2004 p. 2385.]*

36. Industrial waste

- (1)(a) No industrial waste shall be discharged into a sewer unless —
 - (i) a written permit has been granted by the Corporation;
and
 - (ii) an agreement has been executed by the applicant for the permit containing a covenant to agree with the conditions of the permit.
- (b) Where a permit has not been granted under sub-by-law (1) to the occupier of a property from which industrial waste is discharged directly or indirectly into any sewer of the Corporation, the Corporation may by its officers, servants, agents, or workmen enter upon the property and every part thereof and carry out such works as may be necessary in order to prevent the

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discharge of such industrial waste into its sewer. Any expense incurred by the Corporation in carrying out such works shall be payable by the occupier and may be recovered in addition to any penalty for which he may be liable.

- (2) An application for permission to discharge industrial wastes from a property into a sewer shall —
- (a) be made in writing;
 - (b) set out —
 - (i) the processes of manufacture from which industrial waste is to be discharged into the Corporation's sewer;
 - (ii) the nature of the industrial waste from every such process;
 - (iii) the estimated maximum rate of discharge of industrial waste from every such process;
 - (iv) the hours of the day during which discharge of industrial waste from every such process will normally take place; and
 - (v) estimated maximum daily discharge of such industrial waste into the Corporation's sewer;
- and
- (c) be accompanied by detailed plans of the apparatus to be used for the treatment of the industrial waste and by such other information regarding the nature, quantity, rates, and times of discharge as may be required by the Corporation.
- (3) It is a condition of a permit granted under sub-by-law (1) —
- (a) That if at any time in the opinion of the Corporation —
 - (i) the quantity, quality, or rate of the discharge of the industrial waste is not in compliance with the terms, provisions, or conditions of the permit;

- (ii) the occupier is not fully and faithfully performing and observing the terms, provisions, and conditions of the permit and of these by-laws;
 - (iii) the treatment apparatus is not in efficient working order; or
 - (iv) any other breach of the permit has been made,
- the Corporation may serve a notice upon the occupier of the property —
- (v) specifying the matter or matters in respect of which a breach has taken place, or as to which the occupier is in default, or concerning which there is any complaint by the Corporation;
 - (vi) requiring the occupier to rectify the breach to the satisfaction of the Corporation, within a period stated in the notice from the date of service of the notice, and in a manner specified in the notice; and
 - (vii) stating that if the requirements of the notice have not been complied with on the expiration of the period specified in the notice, the permit is automatically terminated and without further or other notice from the Corporation is deemed to be at an end except as to the covenants on the part of the occupier to be performed, and as to the power of entry of the Corporation's officers, and the occupier shall not be entitled to any compensation whatever in connection therewith.
- (b) The Corporation shall be the sole judge as to the quality, quantity, and rate of discharge of such industrial waste and as to whether such quality, quantity, or rate complies with the conditions of the said permit and of the by-laws, and its decision in regard thereto shall be final and conclusive.
 - (c) The maximum daily quantity of wastes, including, where there is a common discharge, both industrial waste and ordinary domestic wastewater which may

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pass from any property into a sewer of the Corporation, the maximum rate of discharge of such wastes, the size and capacity of the drain for conveying such wastes from the property to such sewer, and the hours during which such flow shall be permitted shall be determined by the Corporation.

- (d) Before discharge into any sewer of the Corporation, all such industrial waste shall be passed through such apparatus or machinery, and shall be subjected to such treatment as the Corporation may determine, and all such apparatus or machinery shall be approved in type and general arrangement by the Corporation, but the occupier shall determine the size, capacity, and details of the apparatus or machinery necessary to provide treatment in compliance with the requirements of the said permit and of this by-law.
- (e) The occupier shall notify the Corporation, in writing, of his desire to make any change in any process of trade or manufacture which may in any way affect —
 - (i) the nature of the industrial waste from any process of trade or manufacture; or
 - (ii) the quality, quantity, or rate of discharge of such industrial waste from any such process of trade or manufacture; or
 - (iii) the hours of the day and the days of the week during which industrial waste is to be discharged from any such process,and no alteration or addition to the apparatus or machinery or to the method of treatment shall be made without the approval, in writing, of the Corporation.
- (f) In all cases of change of the occupancy of any property from which is discharged industrial waste which the Corporation has agreed to admit into its sewer, the occupier shall prior to such change give not less than 30 days' notice thereof, in writing to the Corporation,

and in default of such notice he shall remain liable for all charges and all other moneys payable to the Corporation under the said permit or terms of this by-law, which may after the change of occupancy be incurred in connection with the discharge of such trade waste.

- (g) The said permit shall not be assigned or transferred except by permission, in writing, from the Corporation.
- (h) Any person who, before obtaining a permit from the Corporation, has entered into the occupation of any property from which has been discharged industrial waste which the Corporation has permitted a previous occupier to admit into a sewer, is not permitted to discharge industrial waste into a sewer unless —
 - (i) the Corporation has first permitted the assignment or transfer of the permit under which industrial waste was admitted into a sewer; or
 - (ii) the Corporation has granted a fresh permit to the incoming occupier to admit into a sewer industrial waste from that property.
- (ha) A person referred to in paragraph (h) who discharges directly or indirectly industrial waste into a sewer before obtaining the permission of the Corporation or obtaining a fresh permit shall, in addition to any penalties prescribed in these by-laws, be liable for all amounts in respect of the discharge of industrial waste owing at the time that person entered into occupation of the property, as well as such amounts as would have been payable in respect of any discharge of industrial waste after that time if that person had obtained a permit to discharge industrial waste.
- (hb) Neither the payment of an amount referred to in paragraph (ha) nor the acceptance of that amount by the Corporation shall in any way constitute permission to admit industrial waste into a sewer.

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- (i) Any authorised officer, servant, agent, or workman of the Corporation shall be at liberty at any time and from time to time to enter upon the property and every part thereof for any of the following purposes —
 - (i) ascertaining whether the quality, quantity, or rate of discharge of industrial waste complies with the conditions of the permit and of the by-laws;
 - (ii) affixing an identification tag to any treatment apparatus referred to in paragraph (j) or otherwise marking such apparatus for the purposes of identification;
 - (iii) removing an identification tag or mark referred to in subparagraph (ii);
 - (iv) taking samples of industrial waste for analysis and otherwise;
 - (v) inspecting the treatment apparatus;
 - (vi) making any measurement or assessment of the volume of the industrial waste admitted into the Corporation's sewer;
 - (vii) any other purpose set out in this by-law.
- (ia) The occupier of the property shall —
 - (i) ensure, as far as practicable, that any identification tag or mark that the Corporation uses to identify the treatment apparatus under paragraph (i)(ii) is not removed or defaced or otherwise damaged; and
 - (ii) as soon as practicable after the occupier becomes aware that any such tag or mark is removed or defaced or otherwise damaged, notify the Corporation of the removal or damage.
- (j) All apparatus for the treatment of industrial waste in accordance with this by-law shall be cleansed and maintained by the occupier at his own expense and at such intervals as may be considered necessary by the

Corporation to ensure the efficient operation of such apparatus.

- (ja) The occupier shall, after any cleansing or maintenance of a treatment apparatus required under paragraph (j) that is done on or after 1 July 2007 —
 - (i) notify the Corporation in writing of the cleansing or maintenance within 7 days after the day on which it is done; and
 - (ii) include in the notification the identification information on or in the tag or mark that the Corporation uses to identify the apparatus under paragraph (i)(ii).
- (k) Notwithstanding the permission or approval of the Corporation, the occupier of any property shall be solely liable for and in respect of —
 - (i) any accident or damage, loss or injury directly or indirectly arising out of or resulting from the discharge of industrial waste from the said property into any sewer of the Corporation, and the occupier shall agree to hold harmless and keep indemnified the Corporation against all claims and demands for such damage, loss, or injury of any description made or suffered by the workmen of the Corporation or any person or persons whomsoever; and
 - (ii) all damage or injury occasioned or done to any sewer of the Corporation or any property belonging to the Corporation or any person whomsoever by reason of such discharge failing to comply with the terms, conditions, and provisions of the said permit or of the by-laws, and the Corporation shall be at liberty at the expense in all things of the occupier to repair, remedy, and make good all such damage or injury as aforesaid, and the Corporation shall

certify the cost and expense thereof, and such certificate shall be final and conclusive as to such amount which shall be paid forthwith to the Corporation.

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

[(m) deleted]

- (n) For the purpose of calculating the amount payable, pursuant to the preceding subparagraph, the volume of industrial waste admitted into any sewer of the Corporation shall be determined by any of the following methods as directed from time to time by the Corporation:
- (i) Measurement by an approved meter of the volume of industrial waste discharged.
 - (ii) Measurement by an approved meter of the volume of industrial waste and ordinary domestic wastewater discharged, and deducting an allowance for ordinary domestic wastewater as hereinafter provided.
 - (iii) Measurement or assessment of the total volume of water supplied to the property and multiplying such volume by a factor determined by an officer of the Corporation by measuring or assessing the water supplied to the property over such a period, being not less than 2 weeks, as may be directed by the Corporation, and
 - (a) measuring or assessing the industrial waste discharged to the sewer over the same period, and dividing the volume of

industrial waste so determined by the volume of water supplied; or

- (b) measuring or assessing the volume of industrial waste and domestic wastewater discharged during the same period, and deducting an allowance for ordinary domestic wastewater as hereinafter provided, and dividing the volume of industrial waste so determined by the volume of water supplied.
- (iv) Measurement or assessment of the portion of the water supplied to the property and not discharged to the sewer, and deducting this amount together with any allowance for ordinary domestic wastewater as hereinafter provided, from the total amount of water supplied to the property.
- (v) From information supplied by, the occupier, in accordance with subparagraph (2):
Provided that for the purpose of any calculation or determination to be made under this subparagraph, the volume of water supplied to any property shall include water supplied from the Corporation's mains and water from any other source.

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

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then determined is at least 10% less than the Corporation's determination.

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

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

- (p) All meters or devices installed by or for the occupier for the purposes of paragraph (o) shall at all times be readily accessible to the officers of the Corporation, and shall be maintained in correct adjustment and working condition by it. The occupier shall on demand, make available to the Corporation all charts and records of discharge as may be required, and shall preserve for this purpose such charts and records for a period of 18 months.
- (q) If in the opinion of the Corporation any approved meter or other approved measuring device installed in any property shall at any time be found to be out of repair or in an inefficient state or condition or to have registered incorrectly or to have ceased to register, then the

Corporation may adjust the charge in respect of the period from the last preceding reading as follows —

- (a) if a reading was recorded for the corresponding period of the previous year, the charge may be calculated upon the basis of the daily discharge equal to the average daily discharge during such corresponding period of the previous year; or
- (b) if no reading was recorded for the corresponding period of the previous year, the charge may be calculated upon the basis of the daily discharge equal to the average daily discharge during the period covered by the first reading after the meter or measuring device as aforesaid has been put into good repair and in an efficient state and condition, or another meter or other measuring device has been fixed in its place; or
- (c) the Corporation may carry out such measurements as are considered necessary to determine the relationship, which the quantity registered by the meter or other measuring device bears to the correct quantity:

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

- (r) The Corporation may at any time give 12 months' notice of the termination of the said permit, and immediately upon the expiration of such period of 12 months the said permit shall, save, and except for the covenants on the part of the occupier to be performed and as to the power of entry by the Corporation's officers as hereinafter set forth, be at an end.

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- (s) Upon termination and ending of the said permit whether by notice given, pursuant to the provisions of this subparagraph or otherwise, the occupier shall at its own expense in all things and to the satisfaction of the Corporation disconnect the pipe or pipes used to discharge industrial waste into the sewer of the Corporation, and put an end to the further entry or discharge of the said industrial waste into the said sewer and in default of the occupier so doing within a period of 7 days from the date of termination of the said permit or such further period as the Corporation may allow, the Corporation by its officers, servants, agents, or workmen may enter upon the said property, and at the cost and expense in all things of the occupier disconnect such pipe or pipes and put an end to the further entry of industrial waste to such sewer, and the amount of such cost and expense shall be certified by the Corporation, and its certificate shall be final and conclusive as to the amount thereof, and such amount shall be paid forthwith by the occupier.
- (t) A written permit to discharge industrial waste granted by the Corporation shall remain in operation until —
 - (i) the permit is terminated under this sub-bylaw;
 - (ii) the permit is surrendered by the holder of the permit; or
 - (iii) there is a change of occupancy of the property from which it is permitted to discharge that industrial waste, unless the Corporation permits the assignment or transfer of the permit.
- (4) The Corporation may at any time, by notice in writing given to the occupier of a property from which industrial waste is permitted to be discharged —
 - (a) vary or remove any condition of the permit imposed by the Corporation; or

- (b) impose a new condition on the permit.

*[By-law 36 amended in Gazette 29 Jun 1988 p. 2129-30;
28 Jun 1991 p. 3283; 29 Dec 1995 p. 6311-12, 6314 and 6315;
28 Jun 2004 p. 2385; 5 Apr 2007 p. 1531-3.]*

37. Prohibited discharge of industrial waste — offence

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

commits an offence.

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

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

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

bl. 37A

37A. Agreement to allow discharge of trade waste

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

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

38. Steam exhaust

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

39. Sub-soil water

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

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

[40. Repealed in Gazette 28 Jun 2004 p. 2386-7.]

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

[42-45. Repealed in Gazette 28 Jun 2004 p. 2386.]

46. Defective works

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

*[By-law 46 amended in Gazette 29 Dec 1995 p. 6312;
20 Apr 1999 p. 1642; 28 Jun 2004 p. 2385.]*

[47. Repealed in Gazette 22 Dec 1989 p. 4626.]

48. Maintenance by occupier

Every silt trap, grease trap, oil trap or neutraliser, and such other appliance as the Corporation may direct, shall be maintained by the owner or occupier at his own expense and shall be cleaned at such intervals as may be necessary to ensure that such trap or appliance operates in an efficient and hygienic manner and does not cause a nuisance.

*[By-law 48 amended in Gazette 29 Dec 1995 p. 6314;
20 Apr 1999 p. 1642; 28 Jun 2004 p. 2386.]*

49. Authorisation of materials, fittings and fixtures

- (1) A material, fitting or fixture, other than a fixture of a kind described in Schedule 3 Division 1, shall not be connected to the works of the Corporation unless —
 - (a) it is a product that —
 - (i) is manufactured or supplied under a StandardsMark licence or a Water-Mark licence granted by Standards Australia as a water or sanitary plumbing product intended for use in plumbing installations; and

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- (ii) bears, or the packaging of which, bears the StandardsMark or Water-Mark, as appropriate, of Standards Australia and the product or its packaging complies with such other marking requirements as are set out in the “Manual of Authorization Procedures for Plumbing and Drainage Products, SAA MP52 — 1988”, published by that Association ³;
- or
- (b) it is the same as a material, fitting or fixture that is currently authorised for such connection by the Coordinator ⁴ under sub-by-law (5) and complies with any conditions as to marking imposed under that sub-by-law.
- (2) Notwithstanding compliance with sub-by-law (1)(a), a material, fitting or fixture of a kind described in Schedule 3 Division 2 shall not be connected to the works of the Corporation.
- (3) Every application for authorisation of a material, fitting or fixture for connection to the works of the Corporation shall be made in writing in a form acceptable to the Coordinator ⁴ and shall be accompanied by —
 - (a) 2 copies of drawings in a form acceptable to the Coordinator ⁴; and
 - (b) unless exempted by the Coordinator ⁴, a sample of the material, fitting or fixture.
- (4) The Coordinator ⁴ may, by notice in writing, require the applicant to provide details of test results and such other information as may be needed for the purpose of determining a particular application.
- (5) The Coordinator ⁴ may, by notice in writing, give or refuse to give authorisation to any material, fitting or fixture for connection to the works of the Corporation or may give such authorisation subject to such conditions as the Coordinator ⁴ thinks fit.

- (6) The Coordinator⁴ may, by notice in writing, vary, add to or remove conditions imposed under sub-by-law (5).

[(7) repealed]

- (8) The applicant shall pay the reasonable costs of travel and accommodation incurred by the Coordinator⁴ in carrying out a test, inspection or evaluation.

[By-law 49 inserted in Gazette 22 Dec 1989 p. 4632-3; amended in Gazette 29 Dec 1995 p. 6312, 6315 and 6316; 29 Jun 2001 p. 3234; 26 Apr 2005 p. 1395; 29 Jun 2007 p. 3238.]

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

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

57. Separate or combined drains

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

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

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

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

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

70. Connections for polluted areas

The Corporation may by notice in writing require any owner or occupier of any land to which section 35 of the Act applies to

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connect with the sewer of the Corporation in accordance with these by-laws any stables, cowsheds, dairies, market-places, abattoirs, areas for washing vehicles, or other polluted areas upon such land.

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

71. Conditions governing connection

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

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

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

88. Provision of grease, petrol and oil traps

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

- (a) every fixture or area from which petrol, benzine, or other inflammable or explosive substance, or grease, oil or greasy or oily matter, is likely to be discharged or conveyed into waste, combined waste, or soil pipes or into drains;

- (b) every sink in all food-packing houses, butchers' shops, lard rendering establishments, hotels, restaurants, boarding houses, and such other places as the Corporation may direct; and
- (c) such other fixtures, areas, or apparatus as the Corporation may direct.

*[By-law 88 amended in Gazette 29 Dec 1995 p. 6314;
20 Apr 1999 p. 1642.]*

[89-94. Repealed in Gazette 28 Jun 2004 p. 2386-7.]

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

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

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

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

[176. Repealed in Gazette 28 Jun 2004 p. 2386-7.]

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

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

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

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

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

Part 5 — Certain fees

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

224. Fees for statements etc.

The fee prescribed —

- (a) for furnishing a copy of any portion of the records kept under section 69A of the *Water Agencies (Powers) Act 1984*, is as set out in Schedule 2 Division 4;
- (b) for providing answers to orders and requisitions in relation to land, is as set out in Schedule 2 Division 4,

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

[By-law 224 inserted in Gazette 14 Jul 1987 p. 2651; amended in Gazette 29 Jun 1988 p. 2130; 29 Dec 1995 p. 6313; 29 Jun 2001 p. 3234.]

225. Fees for records, plans and diagrams

The fees set out in Schedule 2 Division 3 are prescribed for the purposes specified in that Part.

[By-law 225 inserted in Gazette 14 Jul 1987 p. 2651; amended in Gazette 29 Jun 1988 p. 2131; 29 Jun 2001 p. 3234.]

225A. Amounts rounded

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

[By-law 225A inserted in Gazette 26 Jun 1992 p. 2836.]

Part 6 — General

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

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

Division (2) — Offences and penalties

229. **Gratuities prohibited**

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

[By-law 229 amended in Gazette 29 Dec 1995 p. 6314-15.]

230. **Junction or interference with pipes, sewers, or fittings**

No person shall make any connection or interfere with any pipe, sewer, or fitting of the Corporation or with any sewer, or drain communicating therewith, at any other place than shall be approved of by the Corporation, and the main shall only be tapped by the Corporation upon receipt of the appropriate minimum fee prescribed in Schedule 2 Division 6.

*[By-law 230 amended in Gazette 1 Jul 1993 p. 3241;
29 Dec 1995 p. 6313 and 6314-15; 29 Jun 2001 p. 3234;
29 Jun 2007 p. 3238.]*

231. **Obstruction of pipes, sewers, drains, or fittings**

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

Country Towns Sewerage By-laws 1952

Part 6 General

Division (2) Offences and penalties

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

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

- (2) The Corporation may cause any material or thing placed or kept over any pipe, sewer, drain or fitting contrary to sub-by-law (1) to be removed or otherwise dealt with as it thinks fit.

[(3) repealed]

- (4) This by-law applies irrespective of whether the material or thing concerned was placed over a pipe, sewer, drain, or fitting before or after this by-law came into force.

[By-law 231 amended by Act No. 113 of 1965 s. 8(1); amended in Gazette 14 Jul 1987 p. 2652; 29 Dec 1995 p. 6315; 26 Apr 2005 p. 1395.]

232. Penalties

- (1) Any person committing a breach of any of the provisions of these by-laws, to which no specific penalty is attached, shall be liable on summary conviction to a penalty not exceeding \$200.
- (2) In the case of a continuing breach the offender shall be liable in addition to the fine and payment of expenses to a daily penalty not exceeding \$50 for each day the breach continues after notice thereof has been given by or on behalf of the Corporation to the offender.
- (3) In addition to any penalty provided by these by-laws, any expense, loss or damage incurred by the Corporation or the Commission in consequence of the breach of any by-law shall

be payable by the person committing the breach and may be recovered as a debt due in a court of competent jurisdiction.

[By-law 232 amended by Act No. 113 of 1965 s. 8(1); amended in Gazette 29 Dec 1995 p. 6314-15; 26 Apr 2005 p. 1395.]

Division (3) — Miscellaneous

[233. Repealed in Gazette 14 Jul 1987 p. 2658.]

234. Authority to enter premises

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

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

235. Standard drawings for fixtures and fittings

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

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

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

Schedule 1 — Form of notification of building construction or alteration

[bl. 29]

WATER CORPORATION

Notice of Construction or Alteration of Building

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

[Schedule 1, formerly Schedule B, inserted in Gazette 14 Jul 1987 p. 2652; amended in Gazette 29 Dec 1995 p. 6314; 29 Jun 2001 p. 3235.]

Schedule 2 — Fees

[Heading inserted in Gazette 27 Jun 2008 p. 3079.]

Division 1 — Plumbing fees

[bl. 29(1)(c) and (1b)(c)]

[Heading inserted in Gazette 27 Jun 2008 p. 3079.]

| | | | |
|----|---|-------|--|
| | | \$ | |
| 1. | Fee in respect of a proposal to connect plumbing to the sewer | 17.20 | |

[Division 1 inserted in Gazette 27 Jun 2008 p. 3079.]

Division 2 — Fees under section 41A

[bl. 29(1)(b)]

[Heading inserted in Gazette 27 Jun 2008 p. 3079.]

| | | | |
|----|--|--------|-----------------------------|
| | | \$ | |
| 2. | In respect of land on which it is proposed to — | | |
| | (a) construct a new residential building or alter an existing residential building | 106.00 | <i>per residential unit</i> |
| | (b) construct an outbuilding to a residential building (including a pool, garage or pergola) | 31.00 | <i>per residential unit</i> |
| | (c) construct or alter a building other than a residential building — an amount based on the cost of the construction or alteration as assessed by the Corporation, of — | | |
| | up to \$22 500 | 25.00 | |
| | over \$22 500 but not over \$200 000 | 85.00 | |
| | over \$200 000 but not over \$500 000 | 330.00 | |
| | over \$500 000 but not over \$1 000 000 | 550.00 | |

Country Towns Sewerage By-laws 1952

Schedule 2 Fees

Division 3 Fees for copies of records, plans and diagrams

| | |
|--|--|
| over \$1 000 000 but not over \$10 000 000 | 0.90 <i>per \$1 000 or part of \$1 000 of construction cost</i> |
| over \$10 000 000 | 9 000 + 0.25 <i>per \$1 000 or part of \$1 000 of construction cost above \$10 000 000</i> |

[Division 2 inserted in Gazette 27 Jun 2008 p. 3079-80.]

Division 3 — Fees for copies of records, plans and diagrams

[bl. 225]

[Heading inserted in Gazette 27 Jun 2008 p. 3080.]

| | |
|--|-------|
| | \$ |
| 3. Supply of copy of, or extract from, records or plans (other than those stored in digital format) under section 102(3) of the <i>Water Agencies (Powers) Act 1984</i> (provided on A4 paper) | 13.20 |
| 4. Property sewer diagram (per A4 copy) | 13.20 |

[Division 3 inserted in Gazette 27 Jun 2008 p. 3080.]

Division 4 — Statements and information

[bl. 224]

[Heading inserted in Gazette 27 Jun 2008 p. 3080.]

| | |
|---|-------|
| | \$ |
| 5. Electronic lodgment of a combined request for a copy of any portion of the records kept under section 69A of the <i>Water Agencies (Powers) Act 1984</i> and answers to orders and requisitions in relation to land | 36.40 |

- | | | |
|----|--|-------|
| 6. | Lodgment other than under item 7 of a combined request for a copy of any portion of the records kept under section 69A of the <i>Water Agencies (Powers) Act 1984</i> and answers to orders and requisitions in relation to land | 62.55 |
| 7. | Provision of information other than under items 7 or 8 that involves research or investigation of 15 minutes or more — per hour or part of an hour | 69.00 |
- [Division 4 inserted in Gazette 27 Jun 2008 p. 3080.]*

Division 5 — Fees for the provision of plan sheets for preparation of diagrams of property sewer installations

[bl. 29A(3)]

[Heading inserted in Gazette 27 Jun 2008 p. 3080.]

- | | | |
|-----|--------------------------------------|------|
| | | \$ |
| 8. | A4 size (per pad of 25 sheets) | 4.95 |
| 9. | A3 size (per pad of 25 sheets) | 8.80 |
| 10. | A1 size (per sheet) | 1.65 |

[Division 5 inserted in Gazette 27 Jun 2008 p. 3080.]

Division 6 — Minimum fees for installation of sewer junction

[bl. 230]

[Heading inserted in Gazette 27 Jun 2008 p. 3081.]

- | | | |
|-----|-----------------------------|--------|
| | | \$ |
| 11. | 100 mm sewer junction | 360.00 |
| 12. | 150 mm sewer junction | 445.00 |

[Division 6 inserted in Gazette 27 Jun 2008 p. 3081.]

Schedule 3 — Materials, fittings and fixtures

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

Division 1 — Fixtures

| | |
|--------|---------------------|
| Baths | Laundry troughs |
| Basins | Shower recess bases |
| Sinks | |

Division 2 — Prohibited materials, fittings and fixtures

Food waste disposal units

Rubber or plastic olives in metallic water service fittings

Non-demand operated urinal flushing devices

*[Schedule 3, formerly Schedule D, inserted in Gazette 22 Dec 1989
p. 4633; amended in Gazette 29 Jun 2001 p. 3237-8.]*



Notes

¹ This is a compilation of the *Country Towns Sewerage By-laws 1952* and includes the amendments made by the other written laws referred to in the following table⁵. The table also contains information about any reprint.

Compilation table

| Citation | Gazettal | Commencement |
|---|---------------------------|---|
| <i>Country Towns Sewerage Act By-laws</i> ⁶ | 22 Feb 1952 p. 478-510 | 22 Feb 1952 |
| Untitled by-laws | 29 Aug 1952 p. 2021-2 | 29 Aug 1952 |
| Untitled by-laws | 19 Dec 1952 p. 2953 | 19 Dec 1952 |
| Untitled by-laws | 28 May 1957 p. 1560 | 28 May 1957 |
| Untitled by-laws | 30 Jun 1960 p. 1953-4 | 30 Jun 1960 |
| Untitled by-laws | 15 Oct 1964 p. 3540 | 15 Oct 1964 |
| Untitled by-laws | 8 Feb 1965 p. 466 | 8 Feb 1965 |
| <i>Decimal Currency Act 1965</i> assented to | 21 Dec 1965 | Act other than s. 4-9: 21 Dec 1965 (see s. 2(1)); s. 4-9: 14 Feb 1966 (see s. 2(2)) |
| Untitled by-laws | 17 Mar 1966 p. 732 | 17 Mar 1966 |
| Untitled by-laws | 17 Aug 1966 p. 2219 | 17 Aug 1966 |
| Untitled by-laws | 8 Nov 1967 p. 3061 | 8 Nov 1967 |
| Reprint of the <i>Country Towns Sewerage Act By-laws</i> authorised 1 Apr 1968 (see <i>Gazette</i> 9 Apr 1968 p. 931-78) (includes amendments listed above except those in <i>Gazette</i> 8 Nov 1967) | | |
| Untitled by-laws | 24 Jul 1968 p. 2111 | 24 Jul 1968 |
| Untitled by-laws | 26 Sep 1968 p. 2858 | 26 Sep 1968 |
| Untitled by-laws | 9 Mar 1970 p. 756 | 9 Mar 1970 |

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| Citation | Gazettal | Commencement |
|---|--|------------------------|
| Untitled by-laws | 21 Jul 1978 p. 2653-4 | 21 Jul 1978 |
| Untitled by-laws | 17 Nov 1978 p. 4310 | 17 Nov 1978 |
| Untitled by-laws | 27 Jun 1980 p. 1964-5 | 27 Jun 1980 |
| <i>Country Towns Sewerage Act Amendment By-laws 1981</i> | 27 Feb 1981 p. 825 | 27 Feb 1981 |
| <i>Country Towns Sewerage Act Amendment By-laws (No. 2) 1981</i> | 26 Jun 1981 p. 2321 | 26 Jun 1981 |
| <i>Country Towns Sewerage Act Amendment By-laws 1982</i> | 25 Jun 1982 p. 2129-30 | 25 Jun 1982 |
| <i>Country Towns Sewerage Amendment By-laws 1983</i> | 24 Jun 1983 p. 2002 | 24 Jun 1983 |
| <i>Country Towns Sewerage Amendment By-laws 1984</i> | 29 Jun 1984 p. 1790 | 29 Jun 1984 |
| <i>Country Towns Sewerage Amendment By-laws 1985</i> | 28 Jun 1985 p. 2334-5 | 1 Jul 1985 (see bl. 3) |
| <i>Country Towns Sewerage Amendment By-laws 1986</i> ⁷ | 27 Jun 1986 p. 2135 (erratum 4 Jul 1986 p. 2302) | 27 Jun 1986 |
| <i>Country Towns Sewerage Amendment By-laws (No. 2) 1986</i> | 21 Nov 1986 p. 4275 | 21 Nov 1986 |
| <i>Water Authority Amendment By-laws 1987 bl. 3 and Pt. III</i> | 14 Jul 1987 p. 2649-58 | 14 Jul 1987 |
| <i>Country Towns Sewerage Amendment By-laws 1988</i> ⁸ | 29 Jun 1988 p. 2128-32 | 1 Jul 1988 (see bl. 3) |
| <i>Country Towns Sewerage Amendment By-laws (No. 2) 1988</i> | 14 Oct 1988 p. 4173 | 14 Oct 1988 |
| <i>Water Authority Amendment By-laws 1989 Pt. 3</i> | 29 Jun 1989 p. 1883-91 | 1 Jul 1989 (see bl. 3) |
| <i>Country Towns Sewerage Amendment By-laws 1989</i> | 22 Dec 1989 p. 4623 | 1 Jan 1990 (see bl. 3) |

| Citation | Gazettal | Commencement |
|--|---|--|
| <i>Country Towns Sewerage Amendment By-laws (No. 2) 1989</i> ⁹ | 22 Dec 1989 p. 4623-7 (erratum 23 Feb 1990 p. 1260) | 1 Feb 1990 (see bl. 2 and <i>Gazette</i> 5 Jan 1990 p. 38) |
| <i>Country Towns Sewerage Amendment By-laws (No. 3) 1989</i> | 22 Dec 1989 p. 4632-3 | 1 Feb 1990 (see bl. 2 and <i>Gazette</i> 5 Jan 1990 p. 38) |
| <i>Water Authority Amendment By-laws 1990 Pt. 3</i> | 29 Jun 1990 p. 3240-8 | 1 Jul 1990 (see bl. 3) |
| <i>Country Towns Sewerage Amendment By-laws 1990</i> | 21 Sep 1990 p. 4953-4 | 21 Sep 1990 |
| <i>Water Authority Amendment By-laws 1991 Pt. 3</i> | 28 Jun 1991 p. 3281-9 | 1 Jul 1991 (see bl. 3) |
| <i>Country Towns Sewerage Amendment By-laws 1991</i> | 3 Jan 1992 p. 31-2 | 3 Jan 1992 |
| <i>Water Authority Amendment By-laws 1992 Pt. 3</i> | 26 Jun 1992 p. 2832-44 | 1 Jul 1992 (see bl. 3) |
| <i>Water Authority Amendment By-laws (No. 2) 1992 Pt. 3</i> | 31 Dec 1992 p. 6414-17 | 1 Jan 1993 (see bl. 2) |
| <i>Water Authority Amendment By-laws 1993 Pt. 3</i> ¹⁰ | 1 Jul 1993 p. 3238-50 | 1 Jul 1993 |
| <i>Water Authority Amendment By-laws 1994 Pt. 3</i> ¹⁰ | 29 Jun 1994 p. 3159-70 | 1 Jul 1994 (see bl. 2) |
| <i>Water Authority Amendment By-laws 1995 Pt. 3</i> ¹⁰ | 30 Jun 1995 p. 2767-76 | 1 Jul 1995 (see bl. 2) |
| <i>Water Agencies (Amendment and Repeal) By-laws 1995 Pt. 4</i> | 29 Dec 1995 p. 6305-32 | 1 Jan 1996 (see bl. 2 and <i>Gazette</i> 29 Dec 1995 p. 6291) |
| Reprint of the Country Towns Sewerage By-laws 1952 as at 17 Sep 1996 (includes amendments listed above) | | |
| <i>Country Towns Sewerage Amendment By-laws 1996</i> | 4 Feb 1997 p. 707-12 | 4 Feb 1997 |
| <i>Water Agencies Amendment By-laws 1997 Pt. 3</i> ¹⁰ | 27 Jun 1997 p. 3204-20 | 1 Jul 1997 (see bl. 2) |
| <i>Country Towns Sewerage Amendment By-laws 1997</i> | 18 Jul 1997 p. 3801-4 | 18 Jul 1997 |
| <i>Water Agencies Amendment By-laws 1998 Pt. 3</i> ¹⁰ | 26 Jun 1998 p. 3417-21 | 1 Jul 1998 (see bl. 2) |
| <i>Country Towns Sewerage Amendment By-laws 1998</i> | 25 Aug 1998 p. 4737-9 | 25 Aug 1998 |

Country Towns Sewerage By-laws 1952

| Citation | Gazettal | Commencement |
|--|----------------------------|--|
| <i>Country Towns Sewerage Amendment By-laws 1999</i> | 20 Apr 1999 p. 1641-2 | 20 Apr 1999 |
| <i>Water Agencies Amendment By-laws 1999 Pt. 4</i> ¹⁰ | 29 Jun 1999 p. 2775-87 | 1 Jul 1999 (see bl. 2) |
| <i>Country Towns Sewerage Amendment By-laws 2000</i> | 16 Jun 2000 p. 2962-4 | 19 Jun 2000 (see bl. 2 and <i>Gazette</i> 16 Jun 2000 p. 2939) |
| <i>Water Agencies Amendment By-laws 2000 Pt. 4</i> ¹⁰ | 29 Jun 2000 p. 3365-79 | 1 Jul 2000 (see bl. 2) |
| <i>Country Towns Sewerage Amendment By-laws (No. 2) 2000</i> | 14 Nov 2000 p. 6254-5 | 14 Nov 2000 |
| Reprint of the Country Towns Sewerage By-laws 1952 as at 2 Jan 2001 (includes amendments listed above) | | |
| <i>Water Agencies Amendment By-laws 2001 Pt. 4</i> ¹¹ | 29 Jun 2001 p. 3230-42 | 1 Jul 2001 (see bl. 2) |
| <i>Water Agencies Amendment By-laws 2002 Pt. 3</i> | 1 Jul 2002 p. 3137-53 | 1 Jul 2002 |
| <i>Water Agencies Amendment By-laws 2003 Pt. 4</i> ¹² | 27 Jun 2003 p. 2422-32 | 1 Jul 2003 (see bl. 2) |
| <i>Country Towns Sewerage Amendment By-laws 2004</i> | 28 Jun 2004 p. 2381-7 | 1 Jul 2004 (see bl. 2 and <i>Gazette</i> 28 Jun 2004 p. 2399) |
| <i>Water Agencies Amendment By-laws 2004 Pt. 3</i> ¹³ | 29 Jun 2004 p. 2497-503 | 1 Jul 2004 (see bl. 2) |
| <i>Country Towns Sewerage Amendment By-Laws 2005</i> | 26 Apr 2005 p. 1394-5 | 26 Apr 2005 |
| Reprint 4: The Country Towns Sewerage By-laws 1952 as at 29 Apr 2005 (includes amendments listed above) | | |
| <i>Water Agencies Amendment By-laws 2005 Pt. 4</i> | 1 Jul 2005 p. 3009-17 | 1 Jul 2005 (see bl. 2) |
| <i>Water Agencies Amendment By-laws 2006 Pt. 4</i> ¹⁴ | 30 Jun 2006 p. 2399-412 | 1 Jul 2006 (see bl. 2) |
| <i>Country Towns Sewerage Amendment By-laws (No. 2) 2007</i> ¹⁵ | 5 Apr 2007 p. 1531-3 | 5 Apr 2007 |
| <i>Water Agencies Amendment By-laws 2007 Pt. 4</i> ¹⁶ | 29 Jun 2007 p. 3233-44 | 1 Jul 2007 (see bl. 2(b)) |
| Reprint 5: The Country Towns Sewerage By-laws 1952 as at 22 Feb 2008 (includes amendments listed above) | | |
| <i>Water Agencies Amendment By-laws 2008 Pt. 4</i> ¹⁷ | 27 Jun 2008 p. 3076-84 | 1 Jul 2008 (see bl. 2(b)) |

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- ² These by-laws have effect for the purposes of the *Country Towns Sewerage Act 1948* but the formal power to make them is now given by the *Water Agencies (Powers) Act 1984* s. 34. See also the *Country Towns Sewerage Act 1948* s. 102.
- ³ Refers to the Standards Association of Australia, which has changed its corporate status and its name. It is now Standards Australia International Limited (ACN 087 326 690). It also trades as Standards Australia.
- ⁴ Under the *Economic Regulation Authority Act 2003* Sch. 3 cl.12, a reference to the Coordinator of Water Services in an enactment may, where the context so requires, be read as if it had been amended to be a reference to the Economic Regulation Authority.
- ⁵ The headings before bl. 1-8, 10, 12, 16, 17, 18, 21-36, 38-40, 57, 70, 71 and 229-235 were deleted by the *Country Towns Sewerage Amendment By-laws 1999* see *Gazette* 20 April 1999 p. 1641-2.
- The headings before bl. 9, 11, 13, 14, 15, 19, 20 and 49 were deleted by the *Water Agencies Amendment By-laws 1999* see *Gazette* 29 June 1999 p. 2778-82.
- ⁶ Now known as the *Country Towns Sewerage By-laws 1952*; citation inserted (see note under bl. 1).
- ⁷ By-law 6 of these by-laws is a savings provision that is of no further effect.
- ⁸ By-law 2 of these by-laws is an application provision that is of no further effect.
- ⁹ By-law 12 of these by-laws is a savings and transitional provision that is of no further effect.
- ¹⁰ By-law 3 of these by-laws is an application provision that is of no further effect.
- ¹¹ The *Water Agencies Amendment By-laws 2001* bl. 3 reads as follows:
“
3. Application
Nothing in these by-laws affects the application after 1 July 2001 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.
”
- ¹² The *Water Agencies Amendment By-laws 2003* bl. 3 reads as follows:
“
3. Application
Nothing in these by-laws affects the application after 1 July 2003 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.
”

¹³ The *Water Agencies Amendment By-laws 2004* bl. 3 reads as follows:

“

3. Application

Nothing in these by-laws affects the application after 1 July 2004 of a by-law in force before that day in so far as that by-law relates to a fee or charge for a period commencing before that day or to a fee or charge for any matter or thing done before that day.

”

¹⁴ The *Water Agencies Amendment By-laws 2006* bl. 3 reads as follows:

“

3. Application

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

”

¹⁵ The *Country Towns Sewerage Amendment By-laws (No. 2) 2007* bl. 4 reads as follows:

“

4. Transitional provision

By-law 36 of the *Country Towns Sewerage By-laws 1952*, as amended by these by-laws, applies, after the commencement of these by-laws, in relation to a permit to discharge industrial waste, whether the permit is granted before, on or after that commencement.

”

¹⁶ The *Water Agencies Amendment By-laws 2007* bl. 3 reads as follows:

“

3. Application

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

”

¹⁷ The *Water Agencies Amendment By-laws 2008* bl. 3 reads as follows:

“

3. Application

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

”

Defined Terms

Defined Terms

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

| Defined Term | Provision(s) |
|-----------------------------|---------------------|
| bore | 2 |
| building | 2 |
| combined pipe system | 2 |
| combined waste pipe | 2 |
| diameter | 2 |
| disconnecter trap | 2 |
| domestic wastewater | 2 |
| drain | 2 |
| drainage plumbing | 29A(4) |
| emergency work | 2 |
| industrial waste | 2 |
| inspector | 2 |
| licensed plumber | 2 |
| major plumbing work | 29A(4) |
| minor plumbing work | 29A(4) |
| plumbing standards | 2 |
| property | 2 |
| sanitary plumbing | 2 |
| separate pipe system | 2 |
| size | 2 |
| soil pipe | 2 |
| the Act | 2 |
| trap | 2 |
| waste pipe | 2 |
| water supply plumbing | 2 |
| working day | 2 |

Country Towns Sewerage By-laws 1952

Defined Terms

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