

(Reprint No. 5)

South Australia

WATERWORKS REGULATIONS 1996

*These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at **12 October 2000**.*

REGULATIONS UNDER THE WATERWORKS ACT 1932

WATERWORKS REGULATIONS 1996

being

No. 188 of 1996: *Gaz.* 22 August 1996, p. 702¹

as varied by

No. 59 of 1997: *Gaz.* 13 May 1997, p. 1822²

No. 171 of 1997: *Gaz.* 26 June 1997, p. 3259³

No. 147 of 1998: *Gaz.* 25 June 1998, p. 2726⁴

No. 131 of 1999: *Gaz.* 30 June 1999, p. 3344⁵

No. 157 of 2000: *Gaz.* 29 June 2000, p. 3524⁶

No. 242 of 2000: *Gaz.* 12 October 2000, p. 2485⁷

¹ Came into operation 1 September 1996: reg. 2.

² Came into operation 1 July 1997: reg. 2.

³ Came into operation 2 July 1997: reg. 2.

⁴ Came into operation 1 July 1998: reg. 2.

⁵ Came into operation 1 July 1999: reg. 2.

⁶ Came into operation 1 July 2000: reg. 2.

⁷ **Came into operation 12 October 2000: reg. 2.**

NOTE:

- Asterisks indicate repeal or deletion of text.
- Entries appearing in bold type indicate the amendments incorporated since the last reprint.
- For the legislative history of the regulations see Appendix.

Waterworks Regulations 1996

3

SUMMARY OF PROVISIONS

PART 1 PRELIMINARY

1. Citation
2. Commencement
3. Revocation
4. Interpretation

PART 2 DESIGN, MATERIAL AND WORK STANDARDS

DIVISION 1—DESIGN STANDARDS

5. Pipes must not lie across allotment boundaries
6. Allotments, etc., created by division to be connected to the waterworks
7. Size of connections
8. Use of manifold for strata schemes
9. Underground meter box
10. Prohibition of certain connections
11. Installation of water heaters

DIVISION 2—MATERIAL STANDARDS

12. Restrictions on the use of pipes, fittings, etc.

DIVISION 3—WORK STANDARDS

13. Work to be carried out in a competent manner
14. Water heaters
15. Inspection of work
16. Defective work

DIVISION 4—DIRECTIONS

17. Directions

PART 3 METERS

18. Access to meters
19. Reading of meters
20. Testing of meters
21. Damage to meters

PART 4 CHARGES

DIVISION 1—CAPITAL CONTRIBUTION

22. Land in urban area
23. Division of land in an urban area
24. Land in non-urban area
25. Charge for extension of main pipe in other cases
26. Division of land in non-urban area

DIVISION 2—OTHER CHARGES

27. Information as to rates and charges already paid
28. Certificate as to encumbrance
29. Other charges
30. Release from or deferral of charge

PART 5
DEFINITION OF COMMERCIAL PURPOSE

31. Exclusion of purposes from definition of "commercial purpose"

PART 7
MISCELLANEOUS

33. Portable hydrants
34. Taking water by means of a portable hydrant
35. Fee for hire of portable hydrant
36. Corporation may estimate quantity of water taken
37. Trees, etc., on public streets or roads
38. Killing of trees and shrubs
39. Damage caused by trees or shrubs
40. Supply of water by consumer
41. Using water from fire services, etc.
42. Exemption
43. Interference with property of the Corporation
44. Offences
45. Form of applications and notices

SCHEDULE 1
City of Adelaide

APPENDIX
LEGISLATIVE HISTORY

Waterworks Regulations 1996

PART 1 PRELIMINARY

Citation

1. These regulations may be cited as the *Waterworks Regulations 1996*.

Commencement

2. These regulations will come into operation on 1 September 1996.

Revocation

3. The *Waterworks Regulations 1974* and the *Waterworks (Definition of Commercial Purpose) Regulations 1995* are revoked.

Interpretation

4. In these regulations, unless the contrary intention appears—

"**the Act**" means the *Waterworks Act 1932*;

"**allotment**" has the same meaning as in Part 19AB of the *Real Property Act 1886* but also includes common property and community and development lots within the meaning of the *Community Titles Act 1996* and common property and units within the meaning of the *Strata Titles Act 1988*;

"**business day**" means every day except Saturday, Sunday or a public holiday;

"**capital contribution**" means the amount for the time being payable under Part 4 Division 1;

"**connection**" in relation to an allotment means—

- (a) the pipes and fittings (excluding a meter) connecting (or installed for the purpose of connecting) the allotment to a main pipe across part of a street, road or other land;
- (b) where the main pipe is situated in the allotment—the fitting (but not a meter) connecting (or installed for the purpose of connecting) the allotment to the main pipe;

"**council**" means a municipal or district council;

"**Directions**" means the directions published by the Corporation under regulation 17 that are for the time being in force;

"**fire service**" means a hydrant connected to the waterworks and designed to supply water for fighting fires;

"**inner Adelaide area**" means the area delineated in schedule 1;

"**licensed plumbing contractor**" means a person who is the holder of a plumbing contractors licence granted under the *Plumbers, Gas Fitters and Electricians Act 1995*;

"**meter**" means a meter connected (or that is designed for connection) to the waterworks to measure the quantity of water supplied from the waterworks;

"owner" of land means—

- (a) where the land is unalienated Crown land—the Crown;
- (b) where the land has been alienated from the Crown by grant in fee simple—the holder of an estate in fee simple in the land;
- (c) where the land is held of the Crown by lease or licence—the lessee or licensee;
- (d) where the land is held of the Crown under an agreement to purchase—the person who is entitled to the benefit of the agreement;

"non-urban area" means an area that is not an urban area;

"registered plumbing worker" means a person authorised by registration under Part 3 of the *Plumbers, Gasfitters and Electricians Act 1995* to carry out water plumbing work;

"the revoked regulations" means the *Waterworks Regulations 1974* revoked by these regulations;

"standard capital contribution"—see regulation 29;

"the undertaking" means the undertaking defined in the *Sewerage Act 1929*;

"urban area" means an area designated as an urban area in the Urban Service Areas Handbook;

"the Urban Service Areas Handbook" means the handbook of that name maintained by the Corporation;

"water heater" means an appliance (not being pressure equipment as defined by clause 2 of schedule 2 of the *Occupational Health, Safety and Welfare Act 1986*) the principal function of which is to heat water for supply to parts of a building by means of pipes.

Waterworks Regulations 1996

**PART 2
DESIGN, MATERIAL AND WORK STANDARDS****DIVISION 1—DESIGN STANDARDS****Pipes must not lie across allotment boundaries**

5. (1) Subject to this regulation, a pipe connected to the waterworks must not lie across the boundary between adjoining allotments and accordingly—

(a) a person must not—

- (i) lay a pipe that is, or is to be, connected to the waterworks across the boundary of adjoining allotments; or
- (ii) connect a pipe that has been laid across the boundary of adjoining allotments to the waterworks;

(b) if, on the division of land, the boundary of adjoining allotments intersects the line on which a pipe connected to the waterworks has been laid, the owner or occupier of each allotment may be directed by the Corporation under this regulation to disconnect the pipe from the waterworks.

(2) Subregulation (1) does not apply in relation to allotments in the same site under the *Strata Titles Act 1988* or in the same community parcel under the *Community Titles Act 1996*.

(3) It is a defence to prosecution for an offence against subregulation (1)(a) to prove that the laying or connecting of the pipe was done with the written approval of the Corporation.

(4) Where a pipe connected to the waterworks lies across the boundary between adjoining allotments (except allotments in the same site under the *Strata Titles Act 1988* or in the same community parcel under the *Community Titles Act 1996*), the Corporation may give written notice to the owner or occupier of each of the allotments directing him or her to disconnect the pipe from the waterworks in the manner and at the point and within the time stated in the notice.

(5) A person to whom a notice is given under subregulation (4), or a person acting on his or her behalf, is entitled to carry out such work as is reasonably necessary in order to comply with the notice and for that purpose may enter either or both of the allotments or any adjoining land.

(6) A person who fails to comply with a notice is guilty of an offence.

(7) If the persons to whom notice has been given fail to comply with it, the Corporation or a person authorised by the Corporation may enter either allotment or any adjoining land and carry out the necessary work and those persons are jointly and severally liable to the Corporation for its costs in carrying out that work.

(8) The owners of the allotments are jointly and severally liable to—

(a) the Corporation for its costs in carrying out work under subregulation (7); and

(b) an occupier of either allotment for—

- (i) the occupier's costs in carrying out work required by a notice given to the occupier under subregulation (4); and

- (ii) for any amount that the occupier is liable to pay to the Corporation under subregulation (7).

Allotments, etc., created by division to be connected to the waterworks

6. (1) Where adjacent land is divided under Part 19AB of the *Real Property Act 1886* or by a plan of community division (not being a strata plan) under the *Community Titles Act 1996* a connection must be installed in relation to each allotment or community lot created by the division unless the Corporation decides that a connection is not required.

(2) Where a standard capital contribution is not payable in relation to an allotment referred to in subregulation (1), the owner and occupier of the allotment are liable to pay to the Corporation a charge calculated by subtracting the charge for installation of a meter under regulation 29 from the connection charge under that regulation.

Size of connections

7. (1) Connections of land to the waterworks must be by pipes having a nominal diameter of 20 millimetres or less unless otherwise authorised by the Corporation.

(2) The Corporation may require a person who has applied for authorisation under subregulation (1) to provide it with a plan of the layout of the pipes, fitting, appliances and apparatus to be connected to the waterworks.

Use of manifold for strata schemes

8. Connection of units or strata lots in a strata scheme under the *Strata Titles Act 1988* or the *Community Titles Act 1996* must not be by means of a manifold unless authorised by the Corporation.

Underground meter box

9. A meter must not be housed underground in a box without the approval of the Corporation.

Prohibition of certain connections

10. (1) A person must not without the written approval of the Corporation, connect the waterworks either directly or indirectly to—

- (a) a pump; or
- (b) any pipe, fitting, appliance, apparatus, machine or other thing if there is a risk that any solid, liquid or gaseous material will be introduced into water in the waterworks.

(2) A person must not connect the waterworks either directly or indirectly to—

- (a) any other water supply or water supply system; or
- (b) the undertaking or any other sewerage or drainage system,

except in accordance with the directions or with the approval of the Corporation.

(3) A person must not lay or install a pipe, fitting, appliance or apparatus that is connected, or is to be connected, to the waterworks—

- (a) within a pipe or any other part of the undertaking or within any other sewerage or drainage system; or

Waterworks Regulations 1996

- (b) within a pipe connected to the undertaking or to any other sewerage or drainage system; or
- (c) in proximity to any material that would, if it entered the water in the waterworks, be likely to affect the health of persons using the water.

(4) A person must not lay or install a pipe, fitting or equipment that is connected, or is to be connected to the undertaking—

- (a) within a pipe or any other part of the waterworks; or
- (b) within a pipe connected to the waterworks.

Installation of water heaters

11. (1) A person must not install, replace, repair or maintain a water heater or connect it to the waterworks unless he or she has given the Corporation at least seven days notice in writing of the proposed installation, replacement, repair, maintenance or connection.

(2) The notice must include the following information:

- (a) the name and address of the licensed plumbing contractor or plumbing worker who will install, replace, repair, maintain or connect the water heater; and
- (b) the name of the owner of the allotment and the address of the allotment on which the water heater is installed or is to be installed; and
- (c) the type and brand of the heater; and
- (d) the day on which the work may be inspected by the Corporation; and
- (e) all other information that is required by the form of notice approved by the Corporation for the purposes of this regulation.

(3) A person must not install, replace, repair, maintain or connect a water heater to the waterworks if the Corporation has requested further information in relation to the proposed work and the person has failed to comply with the request.

(4) A person need not comply with the requirement for seven days notice in subregulation (1) in an emergency but in that event the person must give the Corporation notice in accordance with this regulation as soon as practicable.

DIVISION 2—MATERIAL STANDARDS**Restrictions on the use of pipes, fittings, etc.**

12. (1) A person must not use a pipe, fitting, appliance or apparatus for connection to the waterworks unless—

- (a) —
- (i) Standards Australia or a person acting on its behalf has authorised the marking of the pipe, fitting, appliance or apparatus with a StandardsMark, a WaterMark or a TypeTest Mark and the Corporation has authorised the use of pipes, fittings, appliances or apparatus of that type in this State; or

- (ii) the Corporation has determined that the pipe, fitting, appliance or apparatus is suitable for connection to the waterworks; and

- (b) the pipe, fitting, appliance or apparatus is free from defects.

(2) An authorisation given or determination made by the Minister under regulation 25.1(a) of the revoked regulations being an authorisation or determination that was in force immediately before the commencement of these regulations will be taken to be an authorisation given or determination made by the Corporation under subregulation (1).

(3) Subregulation (1) does not apply in relation to a pipe, fitting, appliance or apparatus of a type excluded from the operation of this regulation by the Corporation.

(4) An authorisation given or determination made by the Corporation under subregulation (1) will be subject to such conditions as the Corporation thinks fit.

(5) The Corporation may vary or revoke—

- (a) an authorisation given or determination made under subregulation (1); or

- (b) a condition attached to such an authorisation or determination,

at any time.

(6) A person applying for a determination by the Corporation under subregulation (1) must pay to the Corporation such charges as the Corporation thinks are reasonable for its consideration (including examination and testing) and determination of the application.

(7) Where the Corporation has made a determination under subregulation (1) the Corporation may, in order to ensure that the original standard is maintained, arrange for the periodical inspection of—

- (a) the premises at which pipes, fittings, appliances or apparatus to which the determination relates are manufactured and the processes used in manufacture;

- (b) the premises at which pipes, fittings, appliances or apparatus to which the determination relates are stored and the pipes, fittings, appliances and apparatus stored on those premises,

and the occupier of the premises must pay the Corporation's reasonable costs of inspection.

(8) A person must not mark a pipe, fitting, appliance or apparatus with a mark that suggests that the pipe, fitting, appliance or apparatus is the subject of a determination by the Corporation under subregulation (1) unless it is the subject of such a determination.

DIVISION 3—WORK STANDARDS

Work to be carried out in a competent manner

13. All work comprising, or relating to, the installation, replacement, repair, maintenance or cleaning of pipes, fittings, appliances or apparatus connected to the waterworks must be performed in a competent manner in accordance with the Act, these regulations and the Directions.

Water heaters

14. (1) A person must not install, replace, repair or maintain a water heater that is, or is to be, connected to the waterworks or connect the heater to the waterworks unless—

- (a) he or she is a licensed plumbing contractor or a registered plumbing worker; or
- (b) the land on which the heater is, or is to be, installed is outside a drainage area constituted under the *Sewerage Act 1929* and the work is carried out before 1 July 1997.

(2) The work must be carried out in a competent manner in accordance with the Directions and, to the extent that the applicable specifications and codes of practice for the time being published by the Standards Association of Australia are not in conflict with the Directions, in accordance with those specifications and codes of practice.

(3) In an emergency the Corporation or a person authorised by the Corporation may turn off the supply of water and the supply of gas or electricity to a water heater without the consent of the owner or occupier of the land on which the water heater is situated.

(4) The Corporation or other person incurs no civil liability as a result of acting under subregulation (3).

Inspection of work

15. (1) The Corporation or a person authorised by the Corporation is entitled, but is not obliged, to inspect work comprising, or relating to, the installation, replacement, repair, maintenance or cleaning of pipes, fittings or appliances or apparatus connected to the waterworks.

(2) A person must not cover work of a kind referred to in subregulation (1) or do anything else that will prevent or hinder the inspection of the work unless—

- (a) the Corporation has informed him or her that the Corporation does not wish to inspect the work or work of that kind; or
- (b) the person has agreed with the Corporation on the time for a person authorised by the Corporation to inspect the work and the same time on the next business day has passed.

(3) A licensed plumbing contractor or registered plumbing worker who has carried out work of a kind referred to in subregulation (1) must, within seven days after completing the work, provide the Corporation, and the owner or occupier of the land on which the work was carried out, with a certificate signed by the licensed plumbing contractor or registered plumbing worker certifying that the work has been carried out in accordance with the Act, these regulations and the Directions.

(4) Subregulations (2) and (3) do not apply in relation to pipes, or fittings, appliances or apparatus connected to pipes, that are 25 millimetres or less in diameter and are not connected, or intended to be connected, to a supply of hot water.

Defective work

16. (1) If within 12 months after work is completed the Corporation—

- (a) finds that a pipe, fitting, appliance or apparatus has been installed or connected to the waterworks in contravention of the Act, these regulations or the Directions; or
- (b) finds that a pipe or fitting connected to the waterworks is defective; or

(c) forms the opinion that the work has not been performed to an acceptable standard, the person who performed the work must remedy the defect at his or her expense.

(2) If a person fails to remedy the defect as required by subregulation (1), the owner of the land on which the work was done must cause the defect to be remedied by a licensed plumbing contractor or a registered plumbing worker and may recover the cost from the person who originally performed the work as a debt.

DIVISION 4—DIRECTIONS

Directions

17. (1) In order to ensure the safe and proper operation of the waterworks and the pipes, fittings, appliances and apparatus connected to it, the Corporation may publish written directions—

- (a) specifying the nature and quality of the materials from which pipes, fittings, appliances and apparatus connected to the waterworks must be constructed; and
- (b) specifying the design and size of pipes, fittings, appliances and apparatus that may be connected to the waterworks; and
- (c) specifying the number of pipes, fittings, appliances and apparatus that may be connected to the waterworks; and
- (d) specifying the position of pipes, fittings, appliances and apparatus connected to the waterworks; and
- (e) specifying the procedures to be adopted when installing, replacing, repairing, maintaining, cleaning or connecting pipes, fittings, appliances or apparatus.

(2) The Corporation may vary or revoke a direction.

(3) The Directions published by the Minister under regulation 33 of the revoked regulations that were in force immediately before the commencement of these regulations will be taken to have been published by the Corporation as Directions under this regulation.

(4) A person who installs, replaces, repairs, maintains or cleans pipes, fittings, appliances or apparatus for connection, or that are connected, to the waterworks or who connects pipes, fittings, appliances or apparatus to the waterworks must comply with the specifications, standards and procedures specified in the Directions.

Waterworks Regulations 1996

**PART 3
METERS****Access to meters**

18. (1) The owner or occupier of land on which a meter or an associated fitting is situated must ensure that access to the meter or fitting for the purposes of reading, replacement, repair or maintenance is not obstructed.

(2) If a person fails to comply with subregulation (1), the Corporation may serve written notice on the person requiring him or her to take such action as is specified in the notice to provide access to the meter or fitting.

(3) If a person on whom notice has been served fails to comply with the notice within one month, the Corporation or a person authorised by the Corporation may enter the land and take such action (including altering the position of the meter or fitting) as the Corporation thinks fit to provide access to the meter or fitting.

(4) The Corporation's costs in taking action under subregulation (3) may be recovered from the person on whom the notice was served as a debt.

Reading of meters

19. (1) A person authorised by the Corporation is entitled to enter land at any reasonable time to inspect and read a meter situated on the land or to replace, repair or maintain a meter situated on the land.

(2) If the Corporation is unable for any reason to gain access to a meter or to read a meter it may estimate the quantity of water supplied through the meter and that quantity will be taken for the purpose of the rate or any other amount payable for the supply of the water to be the quantity of water supplied.

Testing of meters

20. (1) A consumer who is dissatisfied with the measurement by a meter of the quantity of water supplied during a particular period may request the Corporation to test the meter.

(2) A request under subregulation (1) must—

(a) be made in writing; and

(b) be lodged with the Corporation—

(i) in the case of a consumer who is advised of water use by notice known as a "Notice of Water Use"—within 14 days of the date of the meter reading specified in the notice;

(ii) in the case of a consumer who is advised of water use by notice known as a "Rate Notice"—before the date specified in the notice on which water rates become due and payable.

(3) Where a consumer has made a request in accordance with subregulation (2) and has paid the fee prescribed for testing the meter, the Corporation must test the meter.

(4) Where, on the testing of a meter, the meter shows a measurement greater than 5 per cent above the quantity that has passed through the meter during the test—

(a) the fee paid by the consumer (if any) for testing the meter must be refunded by the Corporation; and

- (b) the Corporation must allow the consumer a proportionate rebate in respect of the consumption year in which the test was conducted; and
- (c) the Corporation must replace the meter at its expense.

(5) Where, on testing a meter, the Corporation forms the view that the meter has not accurately measured, is not accurately measuring or will not in the future accurately measure (see section 42 of the Act) the quantity of water supplied through the meter, the Corporation must repair or replace the meter at its expense.

Damage to meters

21. The occupier of land on which a meter or associated fitting is situated must inform the Corporation of damage to the meter or associated fitting as soon as practicable after the damage occurs.

Waterworks Regulations 1996**PART 4
CHARGES****DIVISION 1—CAPITAL CONTRIBUTION****Land in urban area**

22. (1) An amount is payable to the Corporation in relation to each allotment in an urban area that comprises adjacent land in relation to a main pipe laid after the commencement of this regulation as follows:

- (a) in the case of an allotment that is not used solely or predominantly for residential purposes and has an area of 1 200 square metres or more—an amount calculated in accordance with the following formula:

$$A = SC \times \sqrt{\frac{AA}{1200}}$$

where—

- A is the amount payable
 SC is the standard capital contribution
 AA is the area of the allotment expressed in square metres;

- (b) in every other case—the standard capital contribution.

(2) Subregulation (1) does not apply in relation to allotments created by the division of land in relation to a main pipe laid within the boundaries of that land to service those allotments.

(3) The amount referred to in subregulation (1) is payable on the date for payment specified in a notice given by the Corporation to the owner or occupier of the land.

- (4) A notice may not be given under subregulation (3) until—

- (a) the land has been connected to the main pipe; or
 (b) a notice has been published in the *Gazette* under section 90(1) of the Act in relation to the main pipe.

Division of land in an urban area

23. (1) Where land in an urban area that is adjacent land in relation to a main pipe is divided so as to create additional allotments, an amount is payable to the Corporation in respect of each of those additional allotments as follows:

- (a) in the case of an allotment that will not be used solely or predominantly for residential purposes and will have an area of 1 200 square metres or more—an amount calculated in accordance with the following formula:

$$A = SC \times \sqrt{\frac{AA}{1200}}$$

where—

- A is the amount payable
 SC is the standard capital contribution
 AA is the area of the allotment expressed in square metres;

(b) in every other case—the standard capital contribution.

(2) The allotments to be regarded as additional allotments for the purpose of subregulation (1) will be determined as follows:

- (a) for the purposes of the determination "original allotments" will be the allotment or allotments comprising the land before the division being land that comprised adjacent land in relation to the main pipe and "new allotments" will be confined to those allotments created by the division that comprise adjacent land in relation to the main pipe;
- (b) only new allotments will be regarded as additional allotments and, of those, a number equivalent to the number of original allotments will be rejected in accordance with subparagraphs (c) or (d);
- (c) where all of the new allotments are not of the same size—
 - (i) a larger allotment must be rejected before a smaller allotment;
 - (ii) if a group of those allotments are of the same size—an allotment in the group to be used solely or predominantly for residential purposes (a "residential allotment") must be rejected before a non-residential allotment in the group;
- (d) where all of the new allotments are of the same size—a residential allotment must be rejected before a non-residential allotment.

(3) For the purposes of subregulation (2)(a) where the land comprised in a strata plan under the *Strata Titles Act 1988* is to be divided under Part 19AB of the *Real Property Act 1886*, that land will be regarded as the original allotment and the allotments comprised of the strata units and the common property will be disregarded.

Land in non-urban area

24. (1) The following amounts are payable to the Corporation for the extension of a main pipe to an allotment in a non-urban area and for the connection of the pipe to the allotment:

- (a) capital contribution—estimated cost quoted by the Corporation; and
- (b) for installation of a water meter—see regulation 29.

(2) Subregulation (1) does not impose any obligation on the Corporation to extend a main pipe.

(3) The following amounts are payable to the Corporation for the connection of an allotment in a non-urban area to an adjacent main pipe laid after 1 July 1987:

- (a) standard capital contribution; and
- (b) fee for installation of a meter—see regulation 29.

Charge for extension of main pipe in other cases

25. Where a person applies for the extension of a main pipe in circumstances for which no fee or charge is provided under another provision of this Part, the Corporation may extend the main pipe and charge the applicant an amount that does not exceed the estimated cost quoted by the Corporation.

Waterworks Regulations 1996

Division of land in non-urban area

26. (1) Where land that comprises one or more allotments in a non-urban area and that constitutes adjacent land in relation to a main pipe is divided so as to create additional allotments, the standard capital contribution is payable to the Corporation in respect of each of a number of allotments determined by subtracting the number of allotments comprising the land before the division from the number of allotments created by the division that constitute adjacent land in relation to that main pipe.

(2) For the purposes of subregulation (1) where the land comprised in a strata plan under the *Strata Titles Act 1988* is to be divided under Part 19AB of the *Real Property Act 1886*, that land will be regarded as one allotment and the allotments comprised of the strata units and the common property will be disregarded.

DIVISION 2—OTHER CHARGES**Information as to rates and charges already paid**

27. (1) The Corporation must, on application by a person who has paid rates or charges under the Act or these regulations or the revoked regulations, provide the person with a statement of the rates or charges paid.

(2) The Corporation must on application by a consumer provide the consumer with a statement of the quantity of water supplied to the consumer in a consumption year.

(3) The Corporation may, on application by any other person, provide that person with information of the kind referred to in subregulation (1) or (2).

(4) A charge is not payable to the Corporation for an application under subregulation (1) or (2) if the statement relates only—

- (a) to rates or charges that became due and were paid in the financial year in which the application is made or in the preceding financial year; or
- (b) to water consumed in a consumption year in which the application is made or in the preceding consumption year.

(5) The charge prescribed by regulation 29 is payable for all other statements under subregulation (1) and must be paid when the application is made.

(6) Where a person applies to the Corporation under the *Sewerage Regulations 1996* and under these regulations at the same time and in relation to the same land for—

- (a) a certificate of rates or charges unpaid; or
- (b) a statement of rates or charges already paid; or
- (c) a statement as to encumbrances,

the prescribed charge for the certificates or statements is payable under these regulations or the *Sewerage Regulations 1996* but not under both regulations.

Certificate as to encumbrance

28. The Corporation must, on application by an interested person and payment of the charge prescribed by regulation 29, provide the person with a statement as to the existence or non-existence of—

- (a) encumbrances in relation to the land to which the application relates that are prescribed encumbrances for the purposes of the *Land and Business (Sale and Conveyancing) Act 1994* and the regulations under that Act and that are in favour of the Corporation; and
- (b) back flow prevention devices installed on the land to which the application relates.

Other charges

29. (1) Subject to any other provisions of these regulations the following charges are payable to the Corporation:

Standard capital contribution \$2 100

Connection charge (this charge includes the charge for installation of a meter):

Nominal diameter	\$
20 mm	984
25 mm	1 208
32 mm	1 509
40 mm	1 677
50 mm	2 292
greater than 50 mm	estimated cost quoted by Corporation

Installation of meter

Nominal diameter of connection	\$
15 mm	252
20 mm	252
25 mm	290
32 mm	417
40 mm	422
50 mm	646

Relocation of new 20 mm service by 4 metres or less and installation of meter

Relocation distance	\$
0.5 metre or less	345
more than 0.5 metre but not more than 1 metre	418
more than 1 metre but not more than 2 metres	491
more than 2 metres but not more than 3 metres	564
more than 3 metres but not more than 4 metres	636

Relocation of new 25 mm service by 4 metres or less and installation of meter

Relocation distance	\$
0.5 metre or less	384
more than 0.5 metre but not more than 1 metre	457
more than 1 metre but not more than 2 metres	529
more than 2 metres but not more than 3 metres	603
more than 3 metres but not more than 4 metres	675

Connection charge to individual units in existing strata scheme:

Nominal diameter = 20 mm	\$
connection to 1 unit	984
connection to each additional unit	871

Installation of manifold with a meter for each unit in a strata scheme (this charge includes the charge for installation of a meter):

Nominal meter diameter on the manifold = 20 mm	\$
1-3 meters	252 each
4-7 meters	226 each
8-13 meters	198 each
14 or more meters	176 each

Connection of fire service communication pipe in the inner Adelaide Area

Nominal diameter	\$
100 mm	6 477
150 mm	10 796
greater than 150 mm	estimated cost quoted by Corporation

Connection of fire service communication pipe outside the inner Adelaide Area

Nominal diameter	\$
100 mm	5 019
150 mm	6 731
greater than 150 mm	estimated cost quoted by Corporation

Installation of additional isolating valve for fire service:

Nominal diameter	\$
100 mm	1 773
150 mm	2 365
200 mm	2 920
greater than 200 mm	estimated cost quoted by Corporation

Repair or replace meter

Nominal diameter of connection	\$
15 mm and 20 mm	198
25 mm	242
32 mm and 40 mm	405
50 mm	646
greater than 50 mm	Corporation's costs of repair or replacement

Repair or replace meter dial box or meter dial

Nominal diameter of connection	\$
50 mm or less	90.50
greater than 50 mm	Corporation's costs of repair or replacement

Repair or replace fittings other than meters

Nominal diameter of connection	\$
15 mm and 20 mm	133
25 mm	133
32 mm and 40 mm	214
50 mm	242
greater than 50 mm	Corporation's costs of repair or replacement

Disconnection of a fire service from land \$1 377

Disconnection of any other service from main pipe \$285

**Provision of permanent overhead standpipe and meter
(including connection to main pipe) estimated cost quoted
by Corporation**

**Relocation of existing 20 mm and 25 mm water
services by 4 metres or less**

Relocation distance	\$
0.5 metre or less	187
more than 0.5 metre but not more than 1 metre	259
more than 1 metre but not more than 2 metres	333
more than 2 metres but not more than 3 metres	406
more than 3 metres but not more than 4 metres	478

**Rotation of 20 mm and 25 mm water meters
up to 180 degrees \$102**

**Charge for raising or lowering pipe connecting
land to main pipe**

Nominal diameter of connection	\$
15 mm and 20 mm	277
over 20 mm but not exceeding 50 mm	470
greater than 50 mm	estimated cost quoted by Corporation

**Charge for shortening length of pipe connecting
land to main pipe**

Nominal diameter of connection	
50 mm or less	\$470
greater than 50 mm	estimated cost quoted by Corporation

**Charge to extend length of pipe connecting land
to main pipe estimated cost quoted
by Corporation**

**Charge to restore water supply following
restriction of supply at meter \$38.60**

**Charge to restore water supply following
restriction of supply at main pipe estimated cost quoted
by Corporation**

**Charge to restore water supply—where communication
pipe in ground and can be used \$277**

Waterworks Regulations 1996**Charge to provide and install underground
box to cover meter****Nominal diameter**

50 mm or less	\$222
greater than 50 mm	estimated cost quoted by Corporation

Charge to test meter at request of consumer \$88.00

Charge to read meter at request of consumer \$15.40

Charge to provide certificate of rates or charges**unpaid for the purposes of settlement of land**

transactions \$7.00

**Charge for statement of existence or non-existence
of encumbrances in favour of the Corporation or back
flow prevention devices**

..... \$5.50

Charge for hire of portable hydrant—for each period

of 3 months or part of such a period \$44.20

Charge for additional administrative cost in relation

to breach of terms and conditions of hire of hydrant \$100.00

Charge for additional administrative cost in**relation to a dishonoured cheque used to pay a**

charge or other amount under these regulations \$10.00

Charge for additional administrative cost in**relation to a charge or other amount due under****these regulations but not paid by the date for**

payment in the notice served on the person liable \$5.00

Charge for visit in relation to the non-payment**of a charge or other amount to the land in relation**

to which the charge or amount is payable \$20.00.

(2) A connection charge is not payable in addition to the amount payable under regulation 22, 23, 24, or 26.

(3) Where the same charge is imposed by this regulation and regulation 36 of the *Sewerage Regulations 1996* in respect of the same matter, only one of those charges is payable.

Release from or deferral of charge

30. The Corporation or the Minister may, on such conditions as the Corporation or the Minister thinks fit, release a person from, or defer, the obligation to pay part or all of an amount due under these regulations.

PART 5
DEFINITION OF COMMERCIAL PURPOSE

Exclusion of purposes from definition of "commercial purpose"

31. The following purposes in relation to the use of land are excluded from the definition of "commercial purpose" in section 65A of the Act:

- (a) hospital;
- (b) health centre;
- (c) sanatorium or convalescent home or rest home;
- (d) quarantine station;
- (e) research or development;
- (f) hotel, motel or boarding house or hostel;
- (g) caravan parks and camping grounds.

* * * * *

Waterworks Regulations 1996

**PART 7
MISCELLANEOUS****Portable hydrants**

33. (1) A person must not use a portable hydrant to take water from the waterworks unless the hydrant was supplied to that person by the Corporation or the Minister and the person is authorised by the Corporation to use the hydrant to take water from the waterworks.

(2) If a person is using a portable hydrant or other fitting to take water from the waterworks without lawful authority or contrary to the terms and conditions on which the Corporation supplied the hydrant, a person authorised by the Corporation may seize the hydrant or other fitting on behalf of the Corporation.

(3) The Corporation may seize and confiscate a hydrant or other fitting seized under subregulation (2) and may retain it for its own use or sell it and retain the proceeds of the sale.

Taking water by means of a portable hydrant

34. (1) The Corporation may authorise a person to take water from the waterworks by means of a portable hydrant supplied by the Corporation.

(2) The taking of water pursuant to an authorisation under subregulation (2) is subject to—

- (a) payment at the agreed rate for the water taken and the charge prescribed by regulation 29 for the hire of the hydrant; and
- (b) such terms and conditions relating to the taking of the water or the use of the hydrant as are determined by the Corporation.

(3) Where a person contravenes, or fails to comply with, a term or condition referred to in subregulation (2)—

- (a) the person is guilty of an offence; and
- (b) the Corporation may seize the hydrant.

(4) A person must not use a portable hydrant supplied by the Corporation in a manner that is likely to damage the hydrant.

Fee for hire of portable hydrant

35. A charge prescribed by regulation 29 is payable to the Corporation for the hire of a portable hydrant for each three months or part of three months comprising the period commencing when the hydrant was issued to the person and ending when he or she returns the hydrant to the Corporation.

Corporation may estimate quantity of water taken

36. Where a person has used a portable hydrant or other fitting to take water from the waterworks without the authority of the Corporation or has failed to return a hydrant issued by the Corporation when required by the Corporation, the quantity of water taken by that person will, for the purposes of regulation 34(2)(a), be taken to be the quantity estimated by the Corporation.

Trees, etc., on public streets or roads

37. (1) Trees and shrubs must not be planted in a public street or road closer than one metre to any part of the waterworks without the written approval of the Corporation.

(2) If a council plants a tree or shrub on land that is situated in a water district and that is owned by the council or is under its care, control or management, the council must, within one year after planting the tree or shrub, inform the Corporation in writing of the botanical name and location of the tree or shrub.

Killing of trees and shrubs

38. (1) If—

- (a) a tree or shrub has been planted in contravention of regulation 37; or
- (b) the Corporation is of the opinion that a tree or shrub is causing, or is likely to cause, damage to any part of the waterworks or a reduction in the efficiency with which the waterworks operates,

the Corporation may, by written notice served on the council or other person who owns or has the care, control or management, of the land on which the tree or shrub is situated, direct that the tree or shrub be killed.

(2) If a person on whom a notice has been served fails to comply with the notice, the Corporation may enter the land and kill the tree or shrub.

(3) The Corporation may recover its costs in killing the tree or shrub as a debt from the person on whom the notice was served.

(4) A person is not entitled to compensation for the killing of a tree or shrub under this regulation.

Damage caused by trees or shrubs

39. The Corporation's costs of repairing damage to the waterworks caused by a tree or shrub may be recovered as a debt by the Corporation from the owner for the time being of the land on which the tree or shrub is, or was, situated.

Supply of water by consumer

40. (1) Subject to subregulation (2), a consumer must not supply water supplied to him or her by the Corporation to another person without the Corporation's written authorisation.

(2) The owner or occupier of a wharf may supply water supplied to him or her by the Corporation to ships or other vessels using the wharf on such conditions as are determined by the Corporation.

Using water from fire services, etc.

41. A person must not use water from a fire service or from any other service provided for the purpose of fighting fires for any purpose except fighting fires unless he or she does so with the approval of the Corporation.

Exemption

42. (1) The Minister may by notice published in the *Gazette* exempt a person from any provision of these regulations or the Directions.

(2) An exemption may be made subject to such limitations and conditions as the Minister thinks fit and sets out in the notice.

Interference with property of the Corporation

43. A person must not interfere with any property of the Corporation used in, or in connection with, the administration of the Act without the authority of the Corporation.

Waterworks Regulations 1996

Offences

44. A person who contravenes, or fails to comply with, a provision of these regulations is guilty of an offence whether or not the provision states explicitly that the person is guilty of an offence.

Maximum penalty: \$2 000.

Form of applications and notices

45. Applications to the Corporation under the Act or these regulations and notices relating to plumbing work required to be given under these regulations must be in writing in a form approved by the Corporation.

SCHEDULE 1
PLAN 1

City of Adelaide

Waterworks Regulations 1996

SCHEDULE 1

PLAN 2

City of Adelaide

* * * * *

APPENDIX

LEGISLATIVE HISTORY

(entries in bold type indicate amendments incorporated since the last reprint)

Regulation 4:	definition of "the Mount Lofty Ranges Watershed" revoked by 171, 1997, reg. 3(a)
Regulation 29:	definition of "watercourse" revoked by 171, 1997, reg. 3(b)
Regulation 29(1):	varied by 59, 1997, reg. 3; substituted by 147, 1998, reg. 3 substituted by 131, 1999, reg. 3; 157, 2000, reg. 3; varied by 242, 2000, reg. 3
	Part 6 comprising reg. 32 and heading revoked by 171, 1997, reg. 4
Schedule 2:	revoked by 171, 1997, reg. 5