



VICTORIA GOVERNMENT GAZETTE.

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[1962

LEARMONTH WATERWORKS TRUST.

BY-LAW NO. 2.

THE Learmonth Waterworks Trust, in pursuance and exercise of the powers and authorities conferred by the Water Acts, doth hereby make the By-law following for its Waterworks District:—

PART I.—INTERPRETATION.

Definitions.

1. In this By-law unless inconsistent with the context or subject-matter—

"The Act" means the Water Acts.

"Fittings" includes all appliances and things whatsoever, other than pipes, used in connexion with the conveying supplying storing or regulation of the flow of water in or derived from a main pipe.

"Main Pipe" means any pipe belonging to or under the control of the Trust and used for the conveying or supplying of water.

"Person" includes a Corporation or Company.

"Private Service" means and includes all pipes and fittings used in connexion with the supply of water from a main pipe to a tenement and/or in connexion with the use or consumption of such water in or on such tenement.

"Proper Officer" means any employee of the Trust authorized to execute any function on behalf of the Trust.

"Service Pipe" means any pipe (not being a main pipe) used for the conveying or supplying of water derived from a main pipe.

"Trust" means the Learmonth Waterworks Trust.

"Works" means works of or in connexion with the laying constructing altering repairing disconnecting removing repairing renewing or maintaining of a private service or any part thereof.

All words used in this By-law which are also used in the Act shall have the meanings assigned to them by the Act.

PART II.—LICENSING OF PLUMBERS.

Unlicensed Persons not to Interfere with Private Services.

2. Before any person shall affix any service pipe to any main pipe of the Trust or alter repair or in any manner interfere with any pipe of the Trust or any service pipe tap or meter or other fitting connected with the main pipes of the Trust, he shall obtain from the Trust a licence in that behalf to execute such works, and no unlicensed person shall affix alter repair or in any manner interfere with any such main pipe service pipe tap meter or other fitting as aforesaid.

No. 5.—10884/61.

Period of Licences; Cancellation of Licences; Fees Payable.

3. Each licence shall be for the period ending 31st December next ensuing after the issue thereof, but may be renewed by the Trust at its discretion from time to time in each case to the following 31st December. The Trust shall have power at any time to suspend or cancel a licence in the event of the holder thereof performing his work in an unsatisfactory manner or committing any breach of the Act or of this By-law, and in such matters the Trust shall be sole judge. For each original licence the licensee shall pay to the Trust a fee of One pound (£1), and for each renewal, Five shillings.

Proof of Fitness to be Given.

4. Before any licence shall be granted by the Trust, the person applying for such licence shall satisfy the Trust by any tests required by the Trust or by virtue of his registration by the Plumbers and Gasfitters Board of Victoria and that he is a competent plumber and that he is thoroughly conversant with the provisions of the By-laws of the Trust relating to water supply and with the Act so far as it applies to town supplies. The Trust may, if it so sees fit, refuse to grant such licence.

PART III.—CONSTRUCTION AND ARRANGEMENT OF WORKS.

Notice of Works to be Given.

5. No person shall execute any works (except such works as are authorized by sections 208 and 211 of the Water Act 1958)—

(a) without having given to the Trust not less than two days prior to the commencement of the execution of such works—

(i) notice in writing of his intention so to do specifying the tenement in or in respect of which it is proposed to execute such works and the time or times (being between the hours of 8 a.m. and 5 p.m. on any week day except a public holiday or a Saturday) during which it is proposed to execute such works.

(ii) a complete specification in writing of the works proposed to be done setting out the mode form strength material construction dimensions and arrangement of all pipes fittings and structures intended to be used in the execution of such works.

(iii) in the case of every private service containing any service pipe of diameter larger than 2 inches a properly prepared plan drawn to a scale specified thereon of the premises in or in respect of which it is proposed to execute the said works showing thereon

all buildings erections and structures on the said premises and the proposed arrangement of all pipes and other works which it is proposed to lay or construct therein or thereon.

Every notice specification and plan shall be signed by the licensed plumber actually engaged to carry out the works referred to in the notice, or by a licensed plumber employing another licensed plumber to carry out the work under his supervision.

- (b) contrary to or not in conformity with this By-law or such notice specification and plan mentioned in sub-paragraphs (i), (ii) and (iii) of paragraph (a) of this clause.

Plumbers to Report.

6. Each licensed plumber shall report to the Proper Officer of the Trust the completion of any new work extensions or repairs in connexion with any service within twenty-four hours of effecting same.

Carrying Out of Plumbing Work.

7. Every licensed plumber shall in carrying out any work of water supply—

- (a) Execute the work in accordance with the provisions of the Act and of the By-laws of the Trust and any special directions or orders given or issued thereunder by the Trust or by the Proper Officer of the Trust; and
- (b) execute the work in a thorough and expeditious manner to the satisfaction of an inspecting officer of the Trust; and
- (c) use materials of the description quality kind and standard prescribed by this By-law; and
- (d) employ only competent operatives and assistants; and

- (e) obtain permission, where necessary, for the execution of the work on, over or through any private property, or any street road park reserve or other public place or property; and
- (f) pay all fees payable to the council of a municipality or other authority for the opening of any public road or street or otherwise in connexion with the works; and
- (g) restore upon completion of the work any part of any public road or street to the satisfaction of the municipal council or other authority having control thereof; and
- (h) except where authorized in writing by the owner or his agent to omit restoration, restore any other property interfered with by the work to the satisfaction of the Proper Officer of the Trust; and
- (i) take all proper and necessary precautions so that no accident, damage or unnecessary inconvenience may be directly or indirectly occasioned by the execution of the work; and
- (j) exercise at all times immediate supervision over the work.

Size of Service Pipe.

8. (a) No service pipe (other than those installed for fire service purposes and sealed in accordance with the provisions of clause 34 of this By-law) which supplies water otherwise than by measure to any tenement shall have a bore exceeding $\frac{3}{4}$ inch.

(b) No person shall connect or affix to the Trust's mains any service pipe (other than those installed for fire service purposes and sealed in accordance with the provisions of clause 34 of this By-law) which has a diameter exceeding the appropriate diameter listed in the schedule hereunder written corresponding either to the Net Annual Valuation of the property to be served, or to the anticipated annual consumption of water at the said property as demonstrated to the satisfaction of the Property Officer of the Trust and certified to under his hand, whichever is the larger—

Net Annual Valuation of Property.	Annual Consumption of Water.	Maximum Diameter of Service Pipe Allowed (in Inches).
Not over £150	Not over 200,000 gallons	$\frac{1}{2}$
Over £150 but not over £300	Over 200,000 gallons, but not over 500,000 gallons	1
Over £300 but not over £500	Over 500,000 gallons, but not over 800,000 gallons	$1\frac{1}{4}$
Over £500 but not over £1,000	Over 800,000 gallons, but not over 1,500,000 gallons	$1\frac{1}{2}$
Over £1,000 but not over £2,000	Over 1,500,000 gallons, but not over 3,000,000 gallons	2

Depth of Service Pipes.

9. No person shall lay construct repair or alter any private service unless every service pipe forming part thereof for such portion of its length as lies in or on private property is securely clipped to a structure or is laid and constructed in such manner that the same is at all points at a depth of not less than 12 inches below the surface of the ground. Every such service pipe for such portion of its length as lies in or on any road street lane or right-of-way or where it may be exposed to vehicular traffic shall be laid and constructed in such manner that the same is at all points at a depth of not less than 18 inches below the surface of the ground or at such greater depth as the Council of the municipality having control of the said road street lane or right-of-way may require.

Access to Service Pipes.

10. No person shall—

- (a) lay construct or alter any private service or any part thereof,
- (b) erect or construct any building erection or structure—

in such place position or manner that any part of such private service is not easily accessible for the purpose of inspection repair and renewal unless such part is comprised of copper piping and copper fittings.

Arrangement of Stop-tap, &c.

11. Every meter, stop-tap and stop-tap ferrule shall be opposite the tenement supplied and in one line at right angles to the main pipe to which such stop-tap ferrule is fixed, unless such an arrangement is impracticable in which case such services shall be provided with two high-pressure screw-down stop-taps, one of which shall be fixed opposite the stop-tap ferrule on the main pipe and the other in accordance with the provisions of clause 18 of this By-law.

Cross Connexions.

12. No person shall permit or suffer any fluid solid or gas, which in the opinion of the Proper Officer of the Trust is capable of polluting water supplied by the Trust, to have means of access to any pipe in communication directly or indirectly with any main pipe of the Trust.

Where any service pipe is connected to any cistern tank or receptacle used for the storage of water or fluid, there shall be an effective air gap at the outlet of such service pipe and the said outlet shall be not less than one-half inch above the highest possible water level in the said cistern tank or receptacle.

Connexions to Steam Boilers.

13. Water supply connexions to steam boilers shall be made as follows:—

- (a) By direct connexion from a service pipe, in which case a screw-down high-pressure stop-tap with its spindle vertically upwards shall be fixed on the piping supplying water to a boiler; a vertically acting reflux valve shall be fixed between the stop-tap and the boiler and a half-inch testing ferrule or bib-tap shall be fixed between the reflux valve and the stop-tap; or
- (b) By direct connexion from a service pipe together with an injected supply from a storage tank or condensate sump, in which case, in addition to the provisions of paragraph (a) hereof, the injected water to a boiler shall be taken through a separate opening in the wall of the boiler. In no circumstances shall a connexion be permitted between any service pipe and the piping from a storage tank or condensate sump.

Water connexions may be made through the tops or sides of steam boilers.

PART IV.—MATERIALS.

Specifications for Piping and Materials.

14. No person shall use any pipe or fittings in or in connexion with a private service unless the same shall comply in all respects with the following specifications:—

- (a) The whole of the pipes and fittings shall be of the best quality galvanized wrought-iron, copper, brass, cast-iron, welded mild steel or asbestos cement, or other material approved in writing by the Trust, shall be sound and free from all defects and shall comply with the relevant specifications of the Standards Association of Australia where such specifications have been issued.
- (b) All pipes and pieces shall be true in sectional form, straight longitudinally, clear in bore and (in case of wrought-iron piping) properly galvanized throughout and shall be of equal strength and thickness throughout the entire body of the same.
- (c) Only pipes and fittings which have been tested in accordance with the requirements of the specifications of the Standards Association of Australia will be permitted to be used for services whether inside or outside the tenement.
- (d) All ends of galvanized wrought-iron and brass pipes bends and fittings shall be properly and truly threaded and capable of being screwed into thimbles, tees or fittings.
- (e) All stop-taps and bib-taps shall be screw-down high-pressure taps made of hard brass or gun-metal.

PART V.—CONNEXIONS TO MAINS.

One Service Pipe to Each Tenement.

15. No person shall affix or connect or cause or permit to be affixed or connected to any main pipe more than one service pipe or private service for the supply of water for domestic purposes to any one tenement.

Connexion to Main Pipe.

16. No person shall affix or connect any service pipe to any main pipe save by means of a stop-tap ferrule to which a right-angle bend of copper alloy is properly and securely attached.

Size of Tappings Permitted.

17. (a) The maximum diameters of tappings that will be permitted for main pipes of the respective diameters set out hereunder, and for cases where the tapping is made with or without a tapping saddle, are as follows:—

MAXIMUM DIAMETER OF TAPPING IN INCHES.

Diameter of Main Pipe in Inches.	Without Tapping Saddle (Cast-iron Main Pipes Only.)	With Tapping Saddle.
3	$\frac{1}{2}$	$1\frac{1}{2}$
4	$\frac{3}{4}$	$1\frac{1}{2}$
5	1	$1\frac{1}{2}$
6	1	$2\frac{1}{2}$
7	1	$2\frac{1}{2}$
8	$1\frac{1}{2}$	$2\frac{1}{2}$
9	$1\frac{1}{2}$	$2\frac{1}{2}$
Over 9	2	$2\frac{1}{2}$

Tapping Fees.

(b) No person shall affix or connect or cause to be affixed or connected any service pipe to any main pipe without having first paid to the Trust a tapping fee of Seventy shillings (£3 10s.).

Position of Stop-Taps.

18. A high-pressure screw-down stop-tap properly secured shall be fixed on each water service in one of the following positions:—

- (a) between the main pipe and the building line within six feet of the building line, and in this case the stop-tap shall be covered by a box which shall comply with the requirements of the municipality in which the service is laid.
- (b) where a meter is fixed, between the meter and the inlet bend thereto.
- (c) where a meter is not fixed, on the service pipe above the ground in an accessible position not more than six feet inside the building line.

PART VI.—REPAIR.

Repair of Service Pipes.

19. Any person using any private service shall at all times keep same in proper repair.

Trust Can Repair Service Pipe in Certain Circumstances.

20. If any person refuses neglects or delays to have any private service or any part thereof used by him properly repaired after having been required in writing by the Proper Officer of the Trust so to do the Trust by its Proper Officers servants or agents may enter into or upon any premises supplied by such private service or any part thereof and may where necessary repair or renew such private service or any part thereof so as to prevent the waste of water and may charge such person with the cost and expense of such repair or renewal and such cost and expense shall be a debt due by such person to the Trust.

PART VII.—METERS.

Meters Supplied and Maintained.

21. (a) Except as permitted in clause 34 of this By-law no person shall use any private service save for the supply of water solely for domestic purposes exclusive of the watering of any garden unless the whole of the water supplied to such private service passes through a meter.

(b) Such meters will be provided and maintained by the Trust and every person before installing a private service shall ascertain from the Trust the size of meter to be installed and shall make provision in the arrangement and construction of the private service for connexion of such meter in accordance with the following requirements:—

- (i) The meter shall be located within the property and not more than six feet from the building line.
 - (ii) The meter shall be in an easily accessible position protected from accidental damage.
 - (iii) The meter shall be properly and securely affixed to such private service or service pipe by means of connexions or quarter bends of brass, copper or copper alloy.
 - (iv) The meter shall be fixed truly level on a solid foundation of brick stone or concrete the top of which foundation is level with or above the surface of the ground.
 - (v) All washers used for connexion couplings for meters shall be made of leather.
- (c) Pending connexion of the said meter the person authorized to install the service pipe shall connect a distance piece in the service pipe in place of the meter.

Restriction of Access to Meter.

22. No person shall construct place stack or store or permit or suffer to be constructed placed stacked or stored any building erection material or thing over or upon any meter connected or affixed to any private service or shall do or permit or suffer to be done any act matter or thing whereby inspection of such meter shall be prevented obstructed or in any way rendered difficult or interfered with.

Replacement and Testing of Meter.

23. (a) The Trust may at any time replace or remove for testing any meter attached to any private service.

Fees Returned in Certain Circumstances.

(b) Any consumer may at any time request the Trust in writing to test any meter attached to his private service and through which water supplied to him passes and shall at the time of the delivery of such request pay to the Trust the sum of (One pound). The Trust shall thereupon remove and test the meter or cause the same to be tested in such manner as it thinks fit. If such meter is found to be registering correctly the Trust may retain such sum of (One pound) in satisfaction of the fee for testing meter hereinbefore prescribed but if such meter is found to be registering incorrectly such sum of (One pound) shall be returned to such consumer.

Consumer Leaving Tenement to Notify Trust.

24. Every person who shall cease to occupy the premises on which such meter is fixed shall give to the Trust in writing at least six days' notice of his intention to do so.

PART VIII.—MISUSE AND WASTE.

Supply Restricted to One Tenement Only.

25. No person shall use or permit or suffer the use of any private service for the supply of water to more than one tenement.

Cisterns, Tanks and Troughs.

26. No person shall use or permit or suffer the use of any private service or any part thereof for the supply of water to any cistern tank or water trough unless such cistern tank or water trough is watertight and is provided with an equilibrium ball-valve or other mechanism efficiently regulating the flow of water thereinto in such manner that such water shall not overflow such cistern or tank. No person shall affix any overflow pipe to any cistern or tank in such manner or position that is not open to inspection. In this clause water trough means a water trough used for the supply of water to animals.

Water Closets and Urinals.

27. No person shall construct lay or use any service pipe which communicates directly or indirectly with or supplies water to any urinal or water closet or any part thereof save through a cistern or tank.

Baths.

28. No person shall use or permit or suffer the use of any private service for the purpose of supplying water to any bath capable of containing more than 100 gallons of water.

No Overflow Pipe on Baths.

29. No person shall affix an overflow pipe to any bath.

Wasting of Water.

30. No person supplied with water by the Trust shall waste the same or permit or suffer the same to run to waste.

Sale of Water.

31. No person shall take or carry away or permit or suffer any other person to take or carry away any such water from any premises supplied with water by the Trust and no person shall sell any water supplied by the Trust.

Fire Brigades.

32. No person other than a servant or agent of the Council of the Municipality of the Shire of Ballarat or the Learmonth Fire Brigade in the execution of his duty as such servant or agent shall without the written permission of the Trust open close or otherwise interfere with any hydrant attached to any main pipe.

Taps in Parks and Reserves.

33. No person other than a servant or agent of the Municipality Corporation or body, having the care and management of a public park public garden or reserve for public purposes shall without the previous consent of the Trust open close or otherwise interfere with any tap, valve or other like regulator (except a drinking fountain or other tap provided for public use) in on or connected with any service pipe used for the supply of water to such park, garden or reserve.

PART IX.—PRIVATE FIRE SERVICES.*Private Fire Services.*

34. (a) Private fire services comprising pipes and fittings not exceeding six inches in diameter and without meters may be permitted at the expense of the owner of the premises subject to the payment of a fee of (Fifteen) shillings per annum. Every such fire service shall be sealed. Except in case of fire no person shall without the authority of the Trust wilfully break the seal affixed to any private fire service and in the event of any such seal having been broken accidentally or otherwise the occupier of the tenement shall, within twenty-four hours thereafter give notice in writing of the fact at the office of the Trust, and except in the case of a fire he

shall pay a resealing fee of (Fifteen shillings). No water shall be taken from any sealed portion of a private service except for extinction of fire.

(b) Except as expressly provided in sub-clause (a) of this clause all portions of private services installed for fire service purposes shall comply with all provisions of this By-law.

(c) Every private fire service pipe shall be laid and fixed in a conspicuous position and shall be painted with a distinguishing coating of bright red paint which shall be maintained at all times.

(d) Any application for a fire service shall be made by the owner of the premises and in writing to the Trust.

(e) In the event of the owner or occupier committing any offence under the Act or any breach of this By-law or permitting or suffering any such offence or breach to be committed the Trust may by notice in writing to the owner withdraw permission for the private fire service and such service shall thereupon be disconnected.

PART X.—INSPECTIONS.*Inspections.*

35. Any person authorized by the Trust in that behalf either generally or for any class of cases or in any particular case may at all reasonable times—

(a) enter into or upon any premises for the purpose of inspecting and may inspect any private service or any part thereof or any works in course of execution therein or thereon, and/or

(b) enter into or upon any premises for the purpose of superintending the execution of any works in course of execution therein or thereon and may give to the owner or occupier of such premises or any person engaged in executing such works any directions or instructions necessary for the purpose of ensuring that all relevant provisions of this By-law shall be duly complied with and observed during and in connexion with the execution of such works.

(c) For any such purpose as aforesaid any dig or excavate in or upon any such premises.

Hindering of Inspections.

36. No person shall obstruct hinder impede resist oppose or refuse admission to any premises by the Proper Officer or any person duly authorized in that behalf by the Trust, or shall fail or neglect to carry out and observe all lawful directions and instructions given by him.

PART XI.—PENALTIES.*Penalties.*

37. Any person who commits any breach of any of the provisions of this By-law shall be liable to a penalty of not more than Five pounds (£5) and in the case of a continuing offence to a further penalty not exceeding Five pounds (£5) for every day after notice of the offence from the Trust.

Passed this 6th day of November, 1961.

E. EDWARDS, Chairman.

(SEAL) HUGH A. PATTERSON, Commissioner.

F. S. McGRAW, Secretary.

Approved by the Governor in Council,
12th December, 1961.

N. G. WISHART,
Acting Clerk of the Executive Council.