

I certify that this is a copy of the authorised version of this Statutory Rule as at 30 November 2020, and that it incorporates all amendments, if any, made before and in force as at that date and any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 30 November 2020.

Robyn Webb  
Chief Parliamentary Counsel  
Dated 14 December 2020

## TASMANIA

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# **WATER AND SEWERAGE INDUSTRY (GENERAL) REGULATIONS 2019**

## **STATUTORY RULES 2019, No. 36**

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## **WATER AND SEWERAGE INDUSTRY (GENERAL) REGULATIONS 2019**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Water and Sewerage Industry Act 2008*.

Dated 18 June 2019.

C. WARNER  
Governor

By Her Excellency's Command,

GUY BARNETT  
Minister for Primary Industries and Water

### **PART 1 – PRELIMINARY**

#### **1. Short title**

These regulations may be cited as the *Water and Sewerage Industry (General) Regulations 2019*.

#### **2. Commencement**

These regulations take effect on 1 July 2019.

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**3. Interpretation**

(1) In these regulations –

*Act* means the *Water and Sewerage Industry Act 2008*.

(2) In these regulations, a reference to a restriction of the supply of water is a reference to a restriction, by a regulated entity under section 56L of the *Water and Sewerage Industry Act 2008*, of the quantity of water supplied to any person.

## **PART 2 – WATER RESTRICTIONS**

### **4. Duration and form of water restriction**

- (1) A regulated entity may restrict the supply of water by any or all of the following means:
  - (a) by restricting the purposes for which the water may be used;
  - (b) by specifying the purposes for which the water may not be used;
  - (c) by restricting the days or times, or both, when the water may be used;
  - (d) by restricting the quantity of the water that may be used by a person, or at premises, in a specified period;
  - (e) by restricting the means or methods by which the water may be used.
- (2) A regulated entity may apply a restriction of the supply of water to all, or part only, of the area to which the regulated entity ordinarily supplies the water.
- (3) A regulated entity may exempt classes of persons, in whole or in part, from a restriction of the supply of water.

**5. Minister to be notified of proposed water restriction**

- (1) A regulated entity must notify the Minister in writing within 21 days after beginning to restrict the supply of water.

Penalty: Fine not exceeding 50 penalty units.

- (2) A notice to the Minister under subregulation (1) must specify –
- (a) the details of the restriction of the supply of water; and
  - (b) the area to which the restriction of the supply of water is to apply; and
  - (c) the dates between which the restriction of the supply of water is to apply; and
  - (d) the class of persons, if any, exempted from the restriction of the supply of water.

**6. Minister may add to classes of persons exempted from restrictions**

- (1) After being notified under regulation 5 of a restriction of the supply of water by a regulated entity, the Minister may declare, by notice, in addition to those persons already exempted by the regulated entity under regulation 4(3) –
- (a) further classes of persons who are exempted from the restriction of the supply of water; and

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- (b) the extent to which members of those further classes of persons are exempted from the restriction of the supply of water.
- (2) The Minister may only include in a notice under subregulation (1) a class of persons if he or she is satisfied that –
- (a) it is unreasonable or unnecessary; or
- (b) it would cause unreasonable or unnecessary hardship to members of the class –

if the members were not exempted, in the manner specified in the notice, from the restriction of the supply of water specified in the notice.

- (3) A regulated entity is to publish in a newspaper, circulating generally in the area to which a restriction of water supplied by the entity applies, a copy of a declaration of the Minister under subregulation (1) that relates to the restriction.

**7. Form of newspaper notice for purposes of section 56L(2) of Act**

- (1) A notice for the purposes of section 56L(2) of the Act in relation to a restriction of water supplied must contain the necessary details in relation to the restriction.

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- (2) For the purposes of subregulation (1), the necessary details in relation to the restriction of water supplied are –
- (a) a description of the restriction; and
  - (b) the area to which the restriction relates; and
  - (c) the dates between which the restriction is to have effect; and
  - (d) the classes of persons, if any, who are to be exempted in whole or in part from the restriction; and
  - (e) a statement as to how a person may apply, to the regulated entity publishing the notice, to request that a class of persons be exempted in whole or in part from the restriction.

**8. Public notice of water restriction**

- (1) A regulated entity that imposes a restriction of the supply of water must give the necessary notice to the public in relation to the restriction of water supplied.

Penalty: Fine not exceeding 50 penalty units.

- (2) For the purposes of subregulation (1), the necessary notice to the public in relation to a restriction of the supply of water consists of giving notice in accordance with at least 2 of the following paragraphs:

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- (a) publishing on the regulated entity's website a notice containing the necessary details of the restriction referred to in regulation 7, as added to, if at all, by any declaration under regulation 6(1) in relation to the restriction;
- (b) broadcasting, by a radio transmission that transmits to the public in the area to which the restriction relates, the details of the restriction;
- (c) installing signs, on the major roads in the area to which the restriction relates, specifying the dates between which, and the way in which, the restriction is to have effect.

**9. Compliance with water restriction**

A person must not, without reasonable excuse, contravene a necessary detail contained in accordance with regulation 7 in a notice published in accordance with section 56L(2) of the Act, as modified, if at all, by a notice published in a newspaper under regulation 6(3).

Penalty: Fine not exceeding 50 penalty units.

**PART 2A – SERVICE STANDARDS**

**9A. Interpretation of Part 2A**

In this Part –

*average sewage rate* means the average rate, as determined by the relevant entity, of sewage discharge under dry weather flows;

*average water rate* means the average rate, as determined by the relevant entity, of water usage;

*certificate for certifiable work (building)* has the same meaning as in section 56TA of the Act;

*certificate for certifiable work (plumbing)* has the same meaning as in section 56TA of the Act;

*equivalent tenement* means an average single residential house on a standard residential lot;

*final acceptance*, in relation to water and sewerage assets, means the acceptance by a relevant entity, after the end of the defect liability period in relation to the water and sewerage assets, of the water and sewerage assets as being complete and without defects;

*large development* means –

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- (a) a subdivision, or a proposed subdivision, in relation to which works for the purposes of more than 10 lots are to be required; and
- (b) a development, of a building to be used for commercial or industrial purposes, that a relevant entity considers to be a development in relation to which the average water rate, or average sewage rate, is likely to be greater than the average water rate, or average sewage rate, for 10 equivalent tenements;

***relevant entity*** means the person holding a licence, or an interim licence, granted under the Act;

***small development*** means –

- (a) a subdivision, or a proposed subdivision, in relation to which works for the purposes of 10 or fewer lots are to be required; and
- (b) a development, of a building to be used for commercial or industrial purposes, that a relevant entity considers to be a development in relation to which the average water rate, or average sewage rate, is likely to be greater than the average water rate, or

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average sewage rate, for 10 or fewer equivalent tenements;

***water and sewerage assets*** means –

- (a) sewerage infrastructure; and
- (b) water infrastructure.

**9B. Service standards**

- (1) If a relevant entity receives from a person a request to provide to the person information in relation to a small development, or the construction of water and sewerage assets for a small development, the relevant entity is to –
  - (a) if the relevant entity requires further information from the person before the relevant entity provides the information to which the request relates – within 5 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
  - (b) within 10 business days of receiving the request from the person, provide to the person the information to which the request relates.
- (2) If a relevant entity receives from a person a request to provide to the person information in relation to a large development, or the

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construction of water and sewerage assets for a large development, the relevant entity is to –

- (a) if the relevant entity requires further information from the person before the relevant entity provides the information to which the request relates – within 10 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
  - (b) within 20 business days of receiving the request from the person, provide to the person the information to which the request relates.
- (3) If a relevant entity receives a request from a person (including a planning authority) to issue the relevant entity's consent to the sealing or registration of a plan or document that imposes or creates obligations or rights, the relevant entity is to –
- (a) if the relevant entity requires further information from the person before the relevant entity may consent to the sealing or registration of the plan or document – within 5 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and

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- (b) within 10 business days of receiving the request from the person, consent to the sealing or registration of the plan or document or refuse to consent to the sealing or registration of the plan or document.
  
- (4) If a relevant entity receives from a person a request for approval of the engineering design of a small development, or of water and sewerage assets, of a small development, that are to be transferred to the relevant entity, the relevant entity is to –
  - (a) if the relevant entity requires further information from the person before the relevant entity approves, or refuses to approve, the engineering design of the development or assets – within 5 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
  - (b) within 10 business days of receiving the request from the person, approve, or refuse to approve, the engineering design of the development or assets.
  
- (5) If a relevant entity receives from a person a request for approval of the engineering design of a large development, or of water and sewerage assets, for a large development, that are to be transferred to the relevant entity, the relevant entity is to –

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- (a) if the relevant entity requires further information from the person before the relevant entity approves, or refuses to approve, the engineering design of the development or assets – within 10 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
  - (b) within 20 business days of receiving the request from the person, approve, or refuse to approve, the engineering design of the development or assets.
- (6) If a relevant entity receives from a planning authority a request to provide to the planning authority the relevant entity’s opinion in relation to a proposed amendment, under section 56 of the *Land Use Planning and Approvals Act 1993*, of a permit within the meaning of that Act, the relevant entity is to –
  - (a) if the relevant entity requires further information from the planning authority before the relevant entity provides to the planning authority the relevant entity’s opinion in relation to the proposed amendment – within 7 business days of receiving the request from the planning authority, by notice in writing request the planning authority to provide to the relevant entity the information specified in the notice; and

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- (b) within 10 business days of receiving the request from the planning authority, provide, or refuse to provide, to the planning authority the relevant entity's opinion in relation to the proposed amendment.
  
- (7) If a relevant entity receives from a person a request for an amendment of a certificate for certifiable work (plumbing) or of a certificate for certifiable work (building), the relevant entity is to –
  - (a) if the relevant entity requires information from the person before the relevant entity amends the certificate or refuses to amend the certificate – within 5 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
  - (b) within 10 business days of receiving the request from the person, amend the certificate or refuse to amend the certificate.
  
- (8) If a relevant entity receives from a person a request for a permit to construct water and sewerage assets that are to be transferred to the relevant entity, the relevant entity is to –
  - (a) if the relevant entity requires information from the person before the relevant entity determines the request from the person –

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- within 5 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
- (b) within 10 business days of receiving the request from the person, issue, or refuse to issue, the permit to construct.
- (9) If a relevant entity receives from a person a request to inspect, at a site, water and sewerage assets in relation to a development, the relevant entity is to –
- (a) within 7 business days of receiving the request, conduct the inspection at the site; and
- (b) within 5 business days of conducting the inspection, provide to the person a document indicating the decision of the relevant entity, in relation to the assets, as a result of the inspection.
- (10) If a relevant entity receives from a person a request to issue a certificate of practical completion, the relevant entity is to –
- (a) if the relevant entity requires information from the person before the relevant entity determines the request – within 15 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and

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- (b) within 15 business days of receiving the request from the person, issue, or refuse to issue, to the person a certificate of practical completion.
- (11) If a relevant entity receives from a person a request for final acceptance of all water and sewerage assets in relation to a development, all inspections of the assets have been completed and all documents that the person is required to provide to the relevant entity have been provided to the relevant entity, the relevant entity is to –
  - (a) if the relevant entity requires information from the person before the relevant entity determines the request from the person – within 10 business days of receiving the request from the person, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
  - (b) within 10 business days of receiving the request from the person, notify the person of final acceptance of, or of the relevant entity’s refusal to provide final acceptance of, the water and sewerage assets.
- (12) If a relevant entity receives from a person an application under section 56TD(3) of the Act to issue under section 56TD(4) a certificate in respect of certifiable work, the relevant entity is to –

- (a) if the relevant entity requires information from the person before the relevant entity determines the application – within 10 business days of receiving the application, by notice in writing request the person to provide to the relevant entity the information specified in the notice; and
- (b) within 10 business days of receiving the application, issue the certificate or refuse to issue the certificate.

**9C. Request for further information and calculation of periods for compliance with service standards**

- (1) If a relevant entity has requested a person to provide information under a provision of regulation 9B or this subregulation, the relevant entity, if it is not satisfied with the information provided by the person pursuant to the request, is to, within 8 business days after receiving the information, give to the person a notice in writing specifying –
  - (a) that the relevant entity is not satisfied with the information; and
  - (b) that the person is requested to provide to the relevant entity the further information specified in the notice.
- (2) If a relevant entity gives to a person a request under a paragraph of a subregulation in regulation 9B –

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- (a) the period in which the relevant entity may give a request under the paragraph of a subregulation in regulation 9B does not run during the period beginning on the day on which the request is made and ending on whichever is the later of the following days:
  - (i) the day on which the information to which the request relates is provided to the relevant entity;
  - (ii) if a notice under subregulation (1) that relates to the request is given – the day on which further information is provided to the relevant entity in accordance with the notice under subregulation (1); and
- (b) the period in which the relevant entity is to take any other action referred to in another paragraph of the subregulation in regulation 9B does not run during the period beginning on the day on which the request is made under a paragraph of the subregulation and ending on whichever is the later of the following days:
  - (i) the day on which the information, satisfactory to the relevant entity, to which the request relates, is provided to the relevant entity;
  - (ii) if a notice under subregulation (1) that relates to the request is

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given – the day on which further information, that is satisfactory to the relevant entity, is provided to the relevant entity in accordance with the notice under subregulation (1).

**PART 3 – MISCELLANEOUS**

**10. Subdivisions that are not development under *Land Use Planning and Approvals Act 1993***

- (1) For section 56H(1)(b) of the Act, the area of the land is to be not greater than 800 square metres.
- (2) For the purposes of section 56H(1)(c) of the Act, the requirements are that the proposed use of the land is to be –
  - (a) the installation or erection, and the use, of a pump station associated with the distribution or removal of water or sewage; or
  - (b) the laying, removal, repair, maintenance or modification, and the use, of a pipeline and ancillary works associated with the distribution or removal of water or sewage; or
  - (c) the laying, removal, repair, maintenance or modification, and the use, of a drainage channel associated with the distribution or removal of water; or
  - (d) the installation or erection, and the use, of a fluoridation station; or
  - (e) the installation or erection, and the use, of a chlorination station, if the chlorine used or stored is not at any time in a gaseous form; or

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- (f) the installation or erection, and the use, of a Level 1 wastewater treatment plant associated with the treatment of water or sewage; or
- (g) the installation or erection, and the use, of a sludge farm or a sludge storage area associated with the treatment of water or sewage.

(3) In this regulation –

***Level 1 wastewater treatment plant*** means a plant –

- (a) that is used for the purpose of carrying out wastewater treatment which involves the discharge of treated or untreated sewage, septic tank effluent or industrial or commercial wastewater to land or water; and
- (b) with a design capacity to treat an average dry-weather flow of less than 100 kilolitres per day.

**11. Work that is not use or development under *Land Use Planning and Approvals Act 1993***

For section 56I(b) of the Act, the following kind of work, and criteria in relation to that work, are prescribed:

- (a) the removal, repair, maintenance, modification, installation, erection or use

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- of a pump station associated with the distribution or removal of water or sewage;
- (b) the removal, repair, maintenance, modification, installation, erection or use of a fluoridation station associated with the provision of water;
  - (c) the removal, repair, maintenance, modification, installation, erection or use of a chlorination station associated with the provision of water, if the chlorine used or stored is not at any time in a gaseous form;
  - (d) the laying, removal, repair, maintenance, modification or use of any underground pipeline for the removal or distribution of water or sewage;
  - (e) the installation, removal, repair, maintenance, modification, replacement or use of a meter for water infrastructure, whether the meter is above or below ground, if the installation, removal, repair, maintenance, modification, replacement or use is associated with the provision of water by a regulated entity;
  - (f) the clearing or lopping of trees, branches or other vegetation to the extent necessary to protect water infrastructure, sewerage infrastructure or water quality, except if those trees are on –

- (i) the Register of the National Estate kept by the Australian Heritage Commission; or
- (ii) the National Trust Register.

**12. When planning authority not required to notify regulated entity about planning application**

- (1) For section 56O(2)(b) of the Act, an application is exempted from the requirement for notice to be given of it to a regulated entity if the application does not relate to a development that –
  - (a) shows on a plan a structure 2 metres or less from any underground infrastructure of the regulated entity; or
  - (b) involves non-residential, commercial, industrial or other processes that generate trade waste for discharge to a sewer; or
  - (c) involves non-residential, commercial, industrial or other processes and has, or will require, a connection to the reticulated water supply; or
  - (d) is likely to increase the demand for water or sewerage services or will require an increase in the connection size for the property on which the development is to occur; or

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- (e) involves work, in a water supply catchment, that may affect water quantity or quality; or
  - (f) is within an area of land that the regulated entity has declared, by notice to the relevant planning authority, to be a buffer zone; or
  - (g) includes, or will affect, infrastructure that crosses over, or will cross over, any of the entity's water infrastructure or sewerage infrastructure; or
  - (h) consists of or includes a subdivision of land into 2 or more lots, the issue of 2 or more strata titles or a consolidation of 2 or more lots into one lot or 2 or more strata titles into one lot; or
  - (i) involves rezoning or other amendments to a planning scheme under the *Land Use Planning and Approvals Act 1993*; or
  - (j) involves demolition of a structure or works that are connected to a regulated entity's water infrastructure or sewerage infrastructure.
- (2) A regulated entity may, in a notice under subregulation (1)(f), declare an area of land to be a buffer zone if, in the opinion of the entity, the area of land is sufficiently close to the point at which wastewater enters, or is emitted from, a sewage treatment works of the entity that the entity ought to assess the suitability of a proposed use of the land.

**13. Prescribed structures**

- (1) For section 56W(1)(a), (b) and (c) of the Act, all structures that are not minor structures are prescribed structures.
- (2) For the purposes of subregulation (1), a minor structure is one of the following structures:
  - (a) a driveway;
  - (b) a railway crossing;
  - (c) an outbuilding, if –
    - (i) it is the only building of its type on the site; and
    - (ii) the total area of the outbuilding does not exceed 9 square metres; and
    - (iii) no side is longer than 3 metres; and
    - (iv) no part is more than 2.4 metres above the ground;
  - (d) a pergola, garden arch, trellis or frame, if the structure –
    - (i) does not exceed 20 square metres in total area; and
    - (ii) is no more than 3 metres above the floor or ground; and

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- (iii) is not covered or is covered only by open-weave material which allows water through;
- (e) a swimming pool, if –
  - (i) the maximum possible water surface area is not more than 9 square metres; and
  - (ii) the maximum possible water depth is not more than 300 millimetres;
- (f) a non-roofed windmill, a mast, antenna or flagpole, if –
  - (i) it is not attached to a building and is not more than 6 metres high; or
  - (ii) it is a dish antenna with a diameter of not more than 2 metres and the total area of the dish antenna attached to the supporting structure is not more than 4 square metres;
- (g) a fence or wall constructed of masonry or concrete, if it is not higher than 1.2 metres;
- (h) a fence constructed of a material other than masonry or concrete, if it is not higher than 2.1 metres;
- (i) a retaining wall, if –

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- (i) it retains a difference in ground levels of less than one metre; and
  - (ii) it is situated more than 1.5 metres from a boundary or way;
- (j) a water tank, if it has a capacity of less than 45 kilolitres;
- (k) a water tank stand, if it is not higher than 1.2 metres;
- (l) a builder's site shed, if it is to be –
  - (i) used in connection with building work for which a building permit under the *Building Act 2016* is in force; or
  - (ii) stored in a location permitted by the building surveyor;
- (m) an explosives magazine, a tank containing dangerous goods or a gas installation, if the Competent Authority, within the meaning of the *Dangerous Goods (Road and Rail Transport) Act 2010*, controls how the magazine, tank or installation may be used;
- (n) a non-habitable underground structure on a mining lease;
- (o) a temporary structure that is required under the *Building Act 2016* to have a temporary occupancy permit or that is exempted from that requirement.

**14. Prescribed form and fee**

- (1) For section 56ZQ(2) of the Act –
  - (a) the form set out in Part 1 of Schedule 1 is prescribed; and
  - (b) the questions set out in Part 2 of Schedule 1 are prescribed.
- (2) For section 56ZQ(4) of the Act, a fee of 25 fee units is prescribed.

**15. Requirements in relation to trade waste**

- (1) A person must not cause or permit trade waste to be placed in a sewerage system if the waste contains a substance specified in Schedule 2.  
  
Penalty: Fine not exceeding 20 penalty units.
- (2) A person who operates sewerage infrastructure must not accept liquid trade waste for placement in the sewerage infrastructure unless the waste complies with the standards for acceptance of the waste that are specified in Schedule 3.  
  
Penalty: Fine not exceeding 20 penalty units.
- (3) Despite subregulation (2), a person may accept for placement in sewerage infrastructure trade waste that does not comply with the local acceptance criterion specified in item 1 of Schedule 3 if he or she is satisfied that the infrastructure is capable of satisfactorily handling the trade waste even though it does not comply with that criterion.

- (4) A person must not dilute trade waste to achieve compliance with the standards for acceptance of the waste that are specified in Schedule 3.

Penalty: Fine not exceeding 20 penalty units.

## **16. Infringement notice offences and penalties**

- (1) The penalty specified in column 3 of the table in Schedule 4 is the prescribed penalty for an offence, against a provision of the Act or these regulations specified in respect of the offence in column 2 of the table, that is –
- (a) committed by a natural person; and
  - (b) specified in an infringement notice served on the person under section 100 of the Act.
- (2) The penalty specified in column 4 of the table in Schedule 4 is the prescribed penalty for an offence, against a provision of the Act or these regulations specified in respect of the offence in column 2 of the table, that is –
- (a) committed by a body corporate; and
  - (b) specified in an infringement notice served on the body corporate under section 100 of the Act.

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**SCHEDULE 1 – PRESCRIBED FORM OF  
CERTIFICATE AND QUESTIONS**

Regulation 14(1)

**PART 1 – LAND INFORMATION CERTIFICATE**

Regulation 14(1)(a)

Section 56ZQ of the *Water and Sewerage Industry Act 2008*

SPECIFIED LAND (Property Address)

.....

UNIQUE PROPERTY IDENTIFICATION NO(S). (UPI) OR PROPERTY  
IDENTIFICATION NO(S). (PID)

.....

TITLE REFERENCE(S)

.....

NAME OF APPLICANT

.....

APPLICANT'S POSTAL ADDRESS

.....

I certify that the information provided in this certificate in response to the questions in Part 2 on the attached pages is derived from the existing records of the regulated entity as they relate to the specified land as at the date shown below and is true and accurate according to those records.

..... (Regulated entity)

Signed .....

Date .....

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**PART 2 – CERTIFICATE QUESTIONS**

Regulation 14(1)(b)

Column 1	Column 2	Column 3
Number	Question	Answer
	CONNECTION TO WATER INFRASTRUCTURE OF REGULATED ENTITY	
1.	Has the regulated entity a record showing that, on or under the land, there is a water connection in place connected to the regulated entity’s water infrastructure?  If the answer to question 1 is “Yes”, please specify particulars.	Yes*/ No*/ Unknown*
2.	If the answer to question 1 is “Yes”, is the water supply restricted in relation to the land?	Yes*/ No*
3.	If the answer to question 1 is “No” or “Unknown”, is the land within 30 metres from the regulated entity’s water infrastructure from which water would be available?	Yes*/ No*
4.	Has the regulated entity a record showing that there is any water infrastructure under or through the land, whether within formal easements or not, which the regulated entity is responsible for maintaining?	Yes*/ No*

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Column 1	Column 2	Column 3
	If the answer to question 4 is “Yes”, please specify particulars.	
	<b>CONNECTION TO SEWERAGE INFRASTRUCTURE OF REGULATED ENTITY</b>	
5.	Has the regulated entity a record showing that, on or under the land, there is a sewer connection in place connected to the regulated entity’s sewerage infrastructure?  If the answer to question 5 is “Yes”, please specify particulars.	Yes*/ No*/ Unknown*
6.	If the answer to question 5 is “No” or “Unknown”, is the land within 30 metres from the regulated entity’s sewerage infrastructure and capable of being connected to that infrastructure?	Yes*/ No*
7.	Has the regulated entity a record showing that there is any sewerage infrastructure under or through the land, whether within formal easements or not, which the regulated entity is responsible for maintaining?  If the answer to question 7 is “Yes”, please specify particulars.	Yes*/ No*

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Column 1	Column 2	Column 3
	NOTICES AND PERMISSION IN RELATION TO WATER AND SEWERAGE INFRASTRUCTURE	
	NOTICE TO OWNER	
8.	<p>Has the regulated entity a record of having served on the owner of the specified land a notice to repair or carry out maintenance under section 56Y of the <i>Water and Sewerage Industry Act 2008</i> and the notice has not been satisfied or completed?</p> <p>If the answer to question 8 is “Yes”, please specify particulars.</p>	Yes*/ No*
	CONSENT TO BUILD OVER EXISTING WATER OR SEWERAGE INFRASTRUCTURE	
9.	<p>Has the regulated entity a record of consent being given under section 56W of the <i>Water and Sewerage Industry Act 2008</i> to a person in relation to the specified land, or of consent being given to a person before 1 July 2009 to build over existing water infrastructure or sewerage infrastructure on the specified land?</p>	Yes*/ No*

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	If the answer to question 9 is “Yes”, please specify particulars.	

**SCHEDULE 2 – SUBSTANCES NOT TO BE PRESENT  
 IN TRADE WASTE**

Regulation 15(1)

Column 1	Column 2
Number	Substance
1.	Flammable or explosive substances that – <ul style="list-style-type: none"> <li>(a) exceed 10% of the lower explosive limit at 25°C; or</li> <li>(b) could cause an explosion or fire in the sewerage system.</li> </ul>
2.	Radioactive material, other than in accordance with the <i>Radiation Protection Act 2005</i> .
3.	Medical, clinical, veterinary or other pathological wastes that may pose a threat to the health and safety of sewerage system operations or maintenance personnel or the community.
4.	Genetically engineered organisms or mutant bacteria, except as authorised by the relevant regulated entity.
5.	Rainwater, groundwater, uncontaminated yard drainage or other uncontaminated water, except where the sewerage system has been designed for their conveyance and treatment.
6.	The contents of any sewage eductor vehicle, septic tank pump-out, pan closet, storage device or treatment device, except at designated receiving stations operated under the control and supervision of the relevant regulated entity.

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<b>Column 1</b>	<b>Column 2</b>
7.	Any substance that is –  (a) likely to cause serious or material harm to the receiving environment after passing through a treatment plant or outfall; or  (b) harmful, or liable to form compounds that may be harmful, to sewerage system operations or maintenance personnel or the community; or  (c) likely to cause an obstruction or blockage of a sewer or drain or treatment apparatus.

**SCHEDULE 3 – STANDARDS FOR ACCEPTANCE OF  
LIQUID TRADE WASTE**

Regulation 15(2)

The standards set out below are the standards for the acceptance of liquid trade waste for placement in sewerage infrastructure.

**1. Local Acceptance Criteria**

	<b>Parameter</b>	<b>Standard for acceptance</b>
1.	<i>Colour</i>	Not noticeable at 100 dilutions
2.	<i>Biochemical Oxygen Demand (BOD<sub>5</sub>)</i>	600 mg/L
3.	<i>Chemical Oxygen Demand (COD)</i>	1 500 mg/L
4.	<i>Total Organic Carbon (TOC)</i>	1 200 mg/L
5.	<i>Total Dissolved Solids (TDS)</i>	10 000 mg/L
6.	<i>Suspended Solids (SS)</i>	600 mg/L

*Note* These standards may be varied under regulation 15(3).

**2. General Acceptance Criteria**

	<b>Parameter</b>	<b>Standard for acceptance</b>
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	<b>Parameter</b>	<b>Standard for acceptance</b>
1.	<i>Temperature</i>	Less than 38°C
2.	<i>PH</i>	6-10
3.	<i>Gross Solids</i>	Non-faecal gross solids are to have a maximum linear dimension of less than 20 millimetres and a quiescent settling velocity of less than 3 metres per hour
4.	<i>Grease and Oil (Total)</i>	200 mg/L
5.	<i>Beach Grease</i>	100 mg/L
6.	<i>Methylene Blue Active Substances (MBAS)</i>	500 mg/L
7.	<i>Ammonia (plus Ammoniacal ion measured as N)</i>	100 mg/L
8.	<i>Kjeldahl Nitrogen</i>	150 mg/L
9.	<i>Total Phosphorous (as P)</i>	50 mg/L
10.	<i>Sulphate (measured as SO<sub>4</sub>)</i>	1 500 mg/L
11.	<i>Sulphite (measured as SO<sub>2</sub>)</i>	15 mg/L
12.	<i>Chlorine (measured as Cl<sub>2</sub>)</i>	10 mg/L

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	<b>Parameter</b>	<b>Standard for acceptance</b>
13.	<i>Aluminium</i>	100 mg/L
14.	<i>Iron</i>	100 mg/L
15.	<i>Boron (as B)</i>	100 mg/L
16.	<i>Bromine (as Br<sub>2</sub>)</i>	10 mg/L
17.	<i>Fluoride (as F<sup>-</sup>)</i>	30 mg/L
18.	<i>Cyanide-weak Acid Dissociable (as CN<sup>-</sup>)</i>	5 mg/L
19.	<i>Sulphide-Total (as S<sup>2-</sup>)</i>	5 mg/L

**3. Acceptance Criteria for Metals**

	<b>Parameter</b>	<b>Standard for acceptance</b>	
		<b>Concentration (mg/L)</b>	<b>Mass load (g/day)</b>
1.	<i>Arsenic (As)</i>	5	15
2.	<i>Cadmium (Cd)</i>	2	6
3.	<i>Chromium (Cr)</i>	10	30
4.	<i>Cobalt (Co)</i>	10	30
5.	<i>Copper (Cu)</i>	10	30
6.	<i>Lead (Pb)</i>	10	30

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<b>Parameter</b>		<b>Standard for acceptance</b>	
7.	<i>Manganese (Mn)</i>	10	30
8.	<i>Mercury (Hg)</i>	0.05	0.15
9.	<i>Nickel (Ni)</i>	10	30
10.	<i>Selenium (Se)</i>	5	15
11.	<i>Silver (Ag)</i>	5	15
12.	<i>Tin (Sn)</i>	10	30
13.	<i>Zinc (Zn)</i>	10	30

*Note* The concentration or the mass load may be used. However, if the mass load is exceeded, only the concentration method may be used.

**4. Acceptance Criteria for Organic Compounds**

<b>Parameter</b>		<b>Standard for acceptance</b>
1.	<i>Formaldehyde (as HCHO)</i>	50 mg/L
2.	<i>Phenolic Compounds (as Phenols)</i>	100 mg/L
3.	<i>Pentachlorophenol</i>	5 mg/L
4.	<i>Petroleum Hydrocarbons</i>	30 mg/L
5.	<i>Halogenated Aliphatic Compounds</i>	5 mg/L
6.	<i>Halogenated Aromatic Hydrocarbons (HAHs)</i>	

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<b>Parameter</b>	<b>Standard for acceptance</b>
(a) Polychlorinated Biphenyls (PCBs)	0.002 mg/L
(b) Polybrominated Biphenyls (PBBs)	0.002 mg/L
7. <i>Polynuclear Aromatic Hydrocarbons (PAHs)</i>	5 mg/L
8. <i>Pesticides (General), (Including insecticides, herbicides, fungicides)</i>	1 mg/L
9. <i>Organophosphate Pesticides</i>	0.1 mg/L
10. <i>Organochlorine Pesticides</i>	
(a) Aldrin	0.001 mg/L
(b) Chlordane	0.006 mg/L
(c) DDT	0.003 mg/L
(d) Dieldrin	0.001 mg/L
(e) Heptachlor	0.003 mg/L
(f) Lindane	0.100 mg/L

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**SCHEDULE 4 – INFRINGEMENT OFFENCES AND  
PENALTIES**

Regulation 16

Offences and Penalties			
Column 1	Column 2	Column 3	Column 4
	Section or regulation	Penalty units for individual	Penalty units for body corporate
1.	Section 17(2)	2	10
2.	Section 42(3)	2	10
3.	Section 54(1)	2	10
4.	Section 54(4)	2	10
5.	Section 56V(3)	1	5
6.	Section 56W(1)	2	10
7.	Section 56W(4)	2	10
8.	Section 56Z(2), but only for a contravention of section 56Z(1) in relation to paragraph (c) of that subsection	5	25
9.	Section 56ZD	2	10
10.	Section 56ZF(1)	2	10
11.	Section 56ZF(2)	2	10

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Column 1	Column 2	Column 3	Column 4
12.	Section 56ZG	2	10
13.	Section 56ZH(2)	2	10
14.	Section 56ZH(3)	2	10
15.	Section 56ZI	10	50
16.	Section 56ZJ(1)	10	50
17.	Section 58(1)	10	50
18.	Section 58(2)	2	10
19.	Section 59(1)	1	5
20.	Section 59(2)	1	5
21.	Section 59(3)	1	5
22.	Section 61(2)	1	5
23.	Section 62(3)	1	5
24.	Section 62(4)	1	5
25.	Section 65(11)	1	5
26.	Section 75(3)	2	10
27.	Section 75(5)	1	5
28.	Regulation 5(1)	1	5
29.	Regulation 8(1)	1	5
30.	Regulation 9	1	5

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
31.	Regulation 15(1)	1	5
32.	Regulation 15(2)	1	5
33.	Regulation 15(4)	1	5

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Notified in the *Gazette* on 26 June 2019.

These regulations are administered in the Department of Primary Industries, Parks, Water and Environment.

### NOTES

The foregoing text of the *Water and Sewerage Industry (General) Regulations 2019* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 30 November 2020 are not specifically referred to in the following table of amendments.

Citation	Serial Number	Date of commencement
<sup>1</sup> <i>Water and Sewerage Industry (General) Regulations 2019</i>	S.R. 2019, No. 36	1.7.2019
<i>Water and Sewerage Industry (General) Amendment Regulations 2020</i>	S.R. 2020, No. 79	30.11.2020

<sup>1</sup>Expires 26 June 2029 - Subordinate Legislation Act 1992

### TABLE OF AMENDMENTS

Provision affected	How affected
Regulation 9A	Inserted by S.R. 2020, No. 79
Regulation 9B	Inserted by S.R. 2020, No. 79
Regulation 9C	Inserted by S.R. 2020, No. 79