

Water (Part 8--General) Regulation 1995

As at 20 December 2002

1 Name of Regulation

This Regulation may be cited as the *Water (Part 8--General) Regulation 1995* .

2 Commencement

This Regulation commences on 22 September 1995.

3 Definitions

(1) In this Regulation:

the Act means the *Water Act 1912* .

(2) In this Regulation, a reference to a form is a reference to a Form set out in Schedule 1.

4 Controlled works

For the purposes of paragraph (a) (ii) of the definition of **controlled work** in section 165 (1) of the Act, the following are prescribed works:

Railways (together with associated bridges and railway works) that are vested in Rail Access Corporation.

Roads (together with associated bridges and roadworks) that are vested in a council or in the Roads and Traffic Authority.

5 Applications for approval to construct works

(1) For the purposes of section 167 (1) (a) of the Act, the prescribed form of application is Form 1.

(2) For the purposes of section 167 (1) (b) (i) of the Act, the prescribed fee to accompany an application is \$182.

(3) For the purposes of section 167 (1) (b) (ii) of the Act, the prescribed particulars to accompany an application are:

(a) such specifications of the dimensions and design of the work (which may be specified by means of plans), and

(b) such specifications of the construction materials for the work, and

(c) such topographical details of the location of the work (which may be specified by means of a contour map),

as the Ministerial Corporation determines in respect of the work, having regard to its location, nature and purpose.

6 Publication of notice of applications

For the purposes of section 169 (c) of the Act, the prescribed particulars to be included in a notice are:

(a) the location of the work, and

(b) the nature and purpose of the work.

7 Applications for renewal of approvals

(1) For the purposes of section 176 (1) (a) of the Act, the prescribed form of application is Form 2.

(2) For the purposes of section 176 (1) (b) of the Act, the prescribed fee to accompany an application is \$182.

8 Form of approvals

(1) For the purposes of section 175 (d) of the Act, the prescribed form of an approval is Form 3.

(2) For the purposes of section 176 (9) (d) of the Act, the prescribed form of a renewed approval is Form 4.

9 Refund of application fees

The Ministerial Corporation may refund the whole or part of an application fee if the application is withdrawn before determination or if the Corporation considers that a refund is appropriate.

Schedule 1 Forms

Form 1

(Clause 5 (1))

WATER ACT 1912

(Section 167 (1) (a)) APPLICATION FOR APPROVAL OF CONTROLLED WORK

Name(s) of applicant(s):

Surname Given name

Surname Given name

Address for service of notices

Location of work

River/Lake/Flood Plain

Description of nature and purpose of work

I/we declare:

(a) that the whole of the work is situated/proposed to be constructed on the abovementioned land; and

(b) that I am/we are the occupier(s) of the whole of that land.

I/we enclose:

(a) a plan of the abovementioned land indicating the boundaries of the land and the site of the work; and

(b) the prescribed fee of \$

Name(s) of applicant(s)

Date

Form 2

(Clause 7 (1))

WATER ACT 1912

(Section 176 (1) (a)) APPLICATION FOR RENEWAL OF APPROVAL OF CONTROLLED WORK

APPROVAL NUMBER: FOR RENEWAL FROM: TO: FEE PAYABLE:

Name(s) of applicant(s):

Surname Given name
Surname Given name
Address for service of notices

Location of work

River/Lake/Flood Plain

Description of nature and purpose of work

I/we declare:

- (a) that the whole of the work is situated on the abovementioned land; and
- (b) that I am/we are the occupier(s) of the whole of that land; and
- (c) that the work has not been enlarged, extended or modified since the approval for the work was last granted/renewed.

I/we enclose the prescribed fee of \$

ure(s) of applicant(s))

Date

Form 3

(Clause 8 (1))

WATER ACT 1912

(Section 175 (d)) APPROVAL OF CONTROLLED WORK

VAL NUMBER: EFFECTIVE FROM: EFFECTIVE TO: FEE PAID:

Location of work River/Lake/Flood Plain Description of work

This approval is subject to the following conditions:

Signed:

Form 4

(Clause 8 (2))

WATER ACT 1912

(Section 176 (9) (d)) RENEWAL OF APPROVAL OF CONTROLLED WORK

VAL NUMBER: EFFECTIVE FROM: EFFECTIVE TO: FEE PAID:

Location of work River/Lake/Flood Plain Description of work

This approval is subject to the following conditions:

Signed:

Historical notes

Table of amending instruments *Water (Part 8--General) Regulation 1995* published in Gazette No 116 of 22.9.1995, p 6840 and amended by Act No 56, 1996.

Table of amendments

Act No 56, Sch 2.