

River Clyde Irrigation District By-laws 2005

The Rivers and Water Supply Commission, with the approval of the Minister and the consent of the Governor, makes the following by-laws under the Irrigation Clauses Act 1973.

PART 1 - Preliminary

1. Short title

These by-laws may be cited as the River Clyde Irrigation District By-laws 2005.

2. Commencement

These by-laws take effect on the day on which their making is notified in the *Gazette*.

3. Interpretation

In these by-laws –

Irrigation District means the River Clyde Irrigation District appointed, named and defined under section 309 of the Water Management Act 1999 and notified in the *Gazette* on 19 December 2001.

PART 2 - Supply of Water

4. Supply of water for irrigation

(1) The undertakers are to supply water for irrigation to the owner or occupier of land in the Irrigation District under the system of –

- (a) irrigation rights during each irrigation season; and
- (b) general availability outside an irrigation season.

(2) A person supplied with water under subclause (1) is to take the water at a time, in a quantity and at a rate determined by the undertakers.

5. Notice of irrigation season

(1) The undertakers, by notice published in a newspaper circulating in the Irrigation District, are to specify –

- (a) the commencement date of an irrigation season; and
- (b) the closing date of an irrigation season.

(2) The notice is to be published not later than 7 days before the commencement date specified in the notice.

6. Reading of meter

The undertakers are to cause a meter to be read –

- (a) as soon as practicable –
- (i) before the commencement date of an irrigation season; and
- (ii) after the closing date of an irrigation season; and
- (b) at any other time the undertakers consider appropriate.

7. Accounts

The undertakers may issue an account to a person supplied with water under clause 4(1) for the payment of rates and charges on that water at any interval the undertakers determine.

8. Rates and charges

- (1) A person supplied with water under clause 4(1) is to pay rates and charges on that water –
 - (a) on the day specified in the account; or
 - (b) on demand, if no date is specified in the account.
- (2) Rates and charges are to be paid to the undertakers at a place for payment specified in the account.

PART 3 - Miscellaneous

9. Requests for testing meter

- (1) A person supplied with water under clause 4(1) may request the undertakers to arrange for a meter to be tested.
- (2) The undertakers may –
 - (a) agree to the request for the meter to be tested; or
 - (b) refuse that request.

10. Testing of meters

- (1) A meter is to be tested by –
 - (a) if the person who requested the test consents, a person employed by the undertakers for that purpose; or
 - (b) a suitably qualified person not employed by the undertakers.
- (2) A copy of the results of a test is to be forwarded to the person who requested the test.

11. Accuracy of meters

- (1) If the results of a test of a meter indicate a margin of error not exceeding 5% –
 - (a) the person who requested the test is to pay the costs incurred in testing the meter; and

(b) the account of the person is not to be adjusted.

(2) If the results of a test of a meter indicate a margin of error exceeding 5% –

(a) the person who requested the test is not required to pay the costs incurred in testing the meter; and

(b) the account of the person is to be adjusted proportionately to the ratio of the margin of error.

12. Construction of works

(1) A person is to submit to the undertakers, for approval, details of any proposed construction work connected with the taking of water under the system of irrigation rights.

(2) The undertakers may –

(a) grant the approval; or

(b) refuse to grant the approval.

(3) The undertakers may determine that water is not to be supplied to a person who commenced construction work connected with the taking of water under the system of irrigation rights if approval is not granted under subclause (2).

13. Register of land

(1) The undertakers are to establish a register of all land in the Irrigation District.

(2) The register is to include the following:

(a) a description of the land;

(b) the name and address of the owner or occupier of the land;

(c) the total area of the land in hectares;

(d) the area of land, in hectares, that is fit for irrigation;

(e) the annual irrigation right in megalitres.

(3) The undertakers may alter the register –

(a) if there is a change in ownership or occupancy of land; or

(b) if land that was previously fit for irrigation has become unfit for irrigation; or

(c) if land that was previously unfit for irrigation has become fit for irrigation; or

(d) to correct an error or omission.

These by-laws were made by the undertakers, the Rivers and Water Supply Commission, at a meeting held on 7 September 2005.

The common seal of the Rivers and Water Supply Commission was affixed on 22 September 2005, in the presence of –

G. S. ASHTON-JONES

Chairperson

H. J. CHONG

Director

These by-laws were consented to by me in Executive Council on 3 October 2005.

W. J. E. COX

Governor

Displayed and numbered in accordance with the [Rules Publication Act 1953](#).

Notified in the *Gazette* on 12 October 2005.

These by-laws are administered by the Rivers and Water Supply Commission.

Table Of Amendments

Citation	Serial Number	Date of commencement
River Clyde Irrigation District By-laws 2005	S.R. 2005, No. 111	12.10.2005