

**Water (Lake Eildon Recreational Area)
(Houseboats) Regulations 2003
S.R. No. 48/2003**

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STATUTORY RULES 2003

S.R. No. 48/2003

Water Act 1989

**Water (Lake Eildon Recreational Area)
(Houseboats) Regulations 2003**

The Governor in Council makes the following Regulations:

Dated: 27 May 2003

Responsible Minister:

JOHN THWAITES
Minister for Water

BRIAN TUKE
Acting Clerk of the Executive Council

1. *Objective*

The objective of these Regulations is to provide for the control and management of houseboat operation in the Lake Eildon Recreational Area.

2. *Authorising provisions*

These Regulations are made under sections 107 and 324 of the **Water Act 1989**.

3. *Commencement*

These Regulations come into operation on 2 June 2003.

4. *Definitions*

In these Regulations—

"deck" means any horizontal platform covering the whole or part of the pontoons or hull of a houseboat;

"double deck houseboat" means a houseboat having two separate levels, including at least 1 level of enclosed or semi-enclosed sleeping accommodation;

"Lake" means the waters of Lake Eildon;

"length" means the distance between the most extreme fore and aft points of a houseboat, excluding all motors and structural appendages (such as bumper bars, duckboards, handrails and ski platforms) measured in a direct line which bisects the houseboat medially;

"mooring" means a berth in a marina or other anchorage to which a houseboat can be attached;

"owner" of a houseboat means any person registered as owner of the houseboat under the **Marine Act 1988**;

"recreational area" means the area of land and water that was declared by Order of the Governor in Council¹ to be the Lake Eildon Recreational Area;

"restricted term licence" means a licence granted for 14 days under regulation 7;

"single deck houseboat" means a houseboat containing one level of enclosed or semi-enclosed sleeping accommodation;

"trailable houseboat" means a houseboat capable of being towed to and from the Lake without the need for a VicRoads permit;

"Water Authority" means the Goulburn-Murray Rural Water Authority;

"width" means the distance between the most extreme points of the starboard and port sides of a houseboat excluding all structural appendages (such as bumper bars, eaves, walkways, handrails and ski platforms) measured in a direct line perpendicular to the line measuring the length of the boat.

5. *Licence requirements*

A person must not leave or operate any houseboat within the recreational area unless it is licensed under regulation 6 or 7.

Penalty: 20 penalty units.

6. *Annual licence*

- (1) An application for an annual licence must be made by the owner of a houseboat in the form of Schedule 1.
- (2) The Water Authority must not issue a licence unless—
 - (a) an application has been received; and
 - (b) the houseboat is less than 13.7 metres in length and does not exceed two-fifths of its length in width; and
 - (c) plans and specifications in relation to the sewerage and water supply installations of the houseboat have been submitted to and approved in writing by the Water Authority; and
 - (d) there is installed on the houseboat—
 - (i) a toilet and sewerage installation complying with the specifications prescribed in Schedule 2; or

- (ii) if the design of the houseboat precludes the installation referred to in sub-paragraph (i), a portable toilet which is approved by the Water Authority; and
 - (e) an inspection of the houseboat has been carried out by an authorised person or any officer or employee of the Water Authority and the houseboat is in accordance with the plans and specifications approved by the Water Authority under paragraph (c); and
 - (f) except in the case of a Type 1 houseboat referred to in Schedule 3, the owner has obtained a permanent mooring for the houseboat in an established marina area approved by the Water Authority; and
 - (g) the appropriate fees specified in Parts 1 and 2 of Schedule 3 have been paid; and
 - (h) a compliance certificate has been issued by a licensed plumber for all plumbing work in accordance with Part 12A of the **Building Act 1993**.
- (3) The Water Authority may refuse to grant any application for a licence.
 - (4) A licence expires on 30 June next following the date of issue.
 - (5) If a licence for a Type 2, 3a, 3b, 4a, 4b or 5 houseboat referred to in Schedule 3 is issued after 31 July in a year, the amount of the fee payable for the licence must be reduced by one-twelfth for each completed month which has passed in that year.
 - (6) Sub-regulation (5) does not apply to a licence that was issued in a previous year and is renewed.
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(7) On the issue of a licence in respect of a houseboat the Water Authority must forward to the owner an adhesive transfer indicating that a licence for the current year has been issued.

(8) The owner of a houseboat must within 30 days after receipt of the adhesive transfer affix it to a forward window or window screen of the houseboat.

Penalty: 10 penalty units.

(9) The owner of a houseboat must keep the adhesive transfer affixed to the window or window screen of the houseboat during the currency of the licence.

Penalty: 10 penalty units.

7. *Restricted term licence*

(1) An application for a restricted term licence must be made by the owner of a houseboat in the form of Schedule 4.

(2) The Water Authority must not grant an application for a restricted term licence unless—

(a) an application has been received; and

(b) the houseboat is less than 9.1 metres in length; and

(c) there is installed on the houseboat—

(i) a toilet and sewerage installation complying with the specifications prescribed in Schedule 2; or

(ii) if the design of the houseboat precludes the installation referred to in subparagraph (i), a portable toilet which is approved by the Water Authority; and

(d) the appropriate fee specified in Part 1 of Schedule 3 has been paid.

- (3) The Water Authority may refuse to grant an application for a restricted term licence.
- (4) On granting an application for a restricted term licence, the Water Authority must issue a restricted term licence to the houseboat owner.
- (5) The owner of the houseboat must ensure that a copy of the licence is kept on the houseboat.

Penalty: 10 penalty units.

8. *Depositing of foreign matter in sewerage installation*

A person must not deposit or discharge into any sewerage installation on a houseboat within the recreational area any substance other than faecal matter or biodegradable deodorant.

Penalty: 20 penalty units.

9. *Structural alteration to a houseboat*

- (1) The owner of a houseboat that is within the recreational area must not carry out or cause to be carried out any structural alterations that alter the length of the houseboat or change the levels of accommodation of the houseboat that would result in an increased fee being payable under Schedule 3, unless plans and specifications relating to the changes to the levels of accommodation or the length of the houseboat have been submitted to and approved by the Water Authority.

Penalty: 20 penalty units.

- (2) The owner of a houseboat that is within the recreational area must not carry out any alterations to the sewerage installation on the houseboat that results in the installation failing to comply with the specifications set out in Schedule 2.

Penalty: 20 penalty units.

10. *Change of address*

The owner of a houseboat licensed under these Regulations must advise the Water Authority in writing within 30 days after a change of his or her address.

Penalty: 10 penalty units.

11. *Transfer of ownership of a houseboat*

The Water Authority may transfer a licence in respect of a houseboat to a new owner on receipt of an application in the form of Schedule 5 on payment of the transfer fee specified in Schedule 3.

12. *Transitional provisions*

- (1) Despite the revocation of the Water (Lake Eildon Recreational Area) (Houseboats) Regulations 1991², a licence that was in force immediately before that revocation is to be treated as if it were a licence issued under these Regulations.
- (2) Despite regulation 6(2)(b), if a licence referred to in sub-regulation (1) was issued for a houseboat that exceeds 13.7 metres in length or two fifths of its length in width, a licence for that houseboat may be issued under these Regulations.

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7. Accommodation

Number of permanent berths:

Levels of enclosed accommodation:

Date:

Signature of Applicant:

SCHEDULE 2

Regulations 6(2)(d) and 7(2)(c)

SPECIFICATION FOR SEWERAGE INSTALLATIONS IN HOUSEBOATS

Materials

- 1.1 Materials in contact with sewage must be resistant to—
 - (a) toilet water; and
 - (b) a marine environment; and
 - (c) disinfectants and deodorants; and
 - (d) cleaning agents; and
 - (e) chemical compounds in solid, liquid or gaseous form of a toxic or explosive nature, likely to be generated in the operation of the toilet and sewerage system.
- 1.2 Materials in the toilet and sewerage system must be chemically and galvanically compatible.

Design and Construction

- 2.1 All tanks when filled with water must be capable of withstanding impact (to drop test standard) of 3 kilograms from a height of 0.60 metre on the top surface of the tank while under 0.45 metre head of water when tested at 0° Celsius and 20° Celsius.
- 2.2 The shape of the tank may conform to the hull of the boat but the lower sections must be sloped to be self-cleansing and draining to a sump.
- 2.3 A method must be incorporated to indicate when the holding tank is more than 75 per cent full by volume.

Capacity

3. The toilet and sewerage system consisting of the toilet unit plus the holding tank must have a capacity for storing wastes not less than that set out in the following table:

Up to and including 4 berth accommodation:	60 litres
5 and 6 berth accommodation:	80 litres
Over 6 berth accommodation:	130 litres

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Seal

4. The toilet bowl must have a mechanical or water seal.

Inlet to Tank

5. The toilet bowl must be located as close to the top of the tank as is practicable and the tank must have a minimum 75 millimetre diameter inlet.

Outlet from Tank

- 6.1 The diameter of the outlet pipe from the tank must be not less than 75 millimetres at the tank end. The outlet pipe must be tapered and must lead, by means of a non-corrodible pipe or non-collapsible suction hose of not less than 38 millimetres diameter to a fitting attached to the outside wall at least 300 millimetres above the top of the toilet bowl and accessible from the deck of the houseboat.
- 6.2 If an outlet of the suction pipe type is used, the lower end of the suction pipe must terminate not more than 38 millimetres above the bottom of the sump of the tank.
- 6.3 The wall fitting must consist of a 38 millimetres NATO standard kamlock adaptor compatible with pump-out fittings used on the Water Authority sanitation service stations.
- 6.4 A fitting must be provided as a gas-tight cover over the wall fitting.

Venting

- 7.1 A vent pipe of 38 millimetres diameter non-corrodible material must be fitted to the top of the tank and extended to an accessible and exposed point at atmosphere.
- 7.2 The venting system must be capable of withstanding the vacuum of the pumping system.

Flushing Inlet

8. Provision must be made for flushing the tank with fresh water at times when it is being pumped out.

Inspection

9. Provision must be made for access to the sewage tank to allow inspection of the tank, pipe work and fittings.

Protection

- 10.1 The tank and any parts of the outlet, inlet and vent pipes located below deck level of the boat must be encased in strong material to provide protection against the possibility of the tank and pipes being damaged by obstructions in the water or protruding from the water.
- 10.2 The protection material must be capable of being removed to enable an inspection of the sewerage installation to be made

Installation, Operation and Maintenance

- 11.1 **Gas Emission**—The toilet and sewerage system must be installed to minimise the emission of malodorous gases and prevent the emission of poisonous gases (such as hydrogen sulphide) within the boat.
- 11.2 **Piping and Hoses**—The interior of the piping or hoses between the toilet and the holding tank and between the holding tank and the pump out fittings must be as smooth as is practicable to permit the free flow of sewage and must have an internal diameter of not less than 38 millimetres. The hose and piping must be as short and direct as practicable.

Tests

- 12.1 **Pressure Test**—The tank and the connecting piping or tubing, including all fittings, must be pressure tested with water. The pressure must represent a column of water 1.5 times the distance from the top of the tank to the top of the venting pipe. The minimum height must be 2 metres of water column. The toilet and sewerage system must hold the water pressure for a period of 30 minutes without any leakage.
- 12.2 **Suction Test**—The tank and the connecting piping or tubing, including all fittings must withstand the following pump-out test.
- 12.3 The tank must be emptied with a 170 litres per minute positive displacement pump that remains operating 30 seconds after emptying the tank.

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Operating Instructions and Safety Precautions

- 13.1 A placard giving operating instructions, safety precautions and warnings pertinent to the toilet and sewerage system must be permanently attached in each toilet compartment.
- 13.2 The lettering on the placard must not be less than 3 millimetres high. The placard must be legible and capable of withstanding the combined effects of normal wear and tear and the environmental conditions on the boat.

Identification

- 14. The toilet and sewerage system must be legibly marked with the following information on a plate attached to the system, or in lettering on the system—
 - the name of manufacturer;
 - the name and model number of the system;
 - the month and year of completion;
 - the volume of the holding tank.
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SCHEDULE 3

Regulations 6(2)(g), 7(2)(d), 11

SCALE OF FEES FOR HOUSEBOAT LICENCES

PART 1

Type of Houseboat

Annual Licence Fees

1.	Trailable houseboat not exceeding 9.1 metres in length with one level of enclosed accommodation:	\$250.00
2.	Houseboat not exceeding 9.1 metres in length with one level of enclosed accommodation:	\$545.00
3a.	Houseboat exceeding 9.1 metres in length but not exceeding 12.2 metres in length with one level of enclosed accommodation:	\$814.00
3b.	Houseboat not exceeding 9.1 metres in length with two or more separate levels of enclosed accommodation:	\$814.00
4a.	Houseboat exceeding 12.2 metres in length with one level of enclosed accommodation:	\$1080.00
4b.	Houseboat exceeding 9.1 metres in length but not exceeding 12.2 metres in length with two or more separate levels of enclosed accommodation:	\$1080.00
5.	Houseboat exceeding 12.2 metres in length with two or more separate levels of enclosed accommodation:	\$1360.00

Restricted Term Licence Fees

For a 14 day consecutive period:	\$70.00
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PART 2

Application, Inspection and Transfer Fees in Respect of Houseboats

1.	Application and examination of plans:	\$175.00
2.	Inspection fee for both single and double deck houseboats at Eildon:	\$191.00

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| 3. | Inspection fee for both single and double deck houseboats at other locations: | \$331.00 |
| 4. | Fee for transfer of houseboat licence: | \$55.00. |
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SCHEDULE 5

Regulation 11

GOULBURN-MURRAY RURAL WATER AUTHORITY

APPLICATION FOR TRANSFER OF HOUSEBOAT LICENCE

Description of Houseboat

Registration No.:

CB Licence No.:

Mooring location:

Boat Name:

Name of Licensee

Surname:

Given Names:

Postal Address:

Postcode:

Telephone No.:

Name of Transferee

Surname:

Given Names:

Postal Address:

Postcode:

Telephone No.:

E-mail Address:

Please tick this box if the houseboat is to be modified or altered

Date: Signature of licensee (seller):

Date: Signature of transferee (buyer):

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Endnotes

ENDNOTES

¹ Reg. 4, def. of "recreational area": Order in Council dated 27 July 1966 and published in the Government Gazette on 2 August 1966, as amended by Order in Council dated 15 December 1970 and published in the Government Gazette on 16 December 1970 and as amended by Order in Council dated 18 February 1975 and published in the Government Gazette on 26 February 1975.

² Reg. 12(1): S.R. No. 211/1991. Reprint No. 1 as at 9 March 2000. Extended in operation to 14 October 2002 by S.R. No. 96/2001.