

SOLOMON ISLANDS WATER AUTHORITY ACT 1992
(No 16 of 1992)



THE SOLOMON ISLANDS WATER AUTHORITY (CATCHMENT AREAS)
REGULATIONS 1995

ARRANGEMENT OF REGULATIONS

Regulation:

PART I
PRELIMINARY

1. Citation.
2. Definitions.

PART II
REGULATION OF CATCHMENT AREAS GENERALLY

3. Application.
4. Boundaries.
5. Gates not to be opened.
6. Certain conduct prohibited.
7. Control of pollution and disease in catchment areas.
8. Pesticides and pest control in catchment areas.
9. Stock control in catchment areas.
10. Animal husbandry.
11. Slaughtering.
12. Alteration of building in catchment area.
13. Camping, picnicking and boating.
14. Fishing.
15. Shooting.
16. Fires.
17. Information requested by authorised person.
18. Investigation of suspected contraventions.
19. Fees and charges.
20. Notice by government bodies.

PART III

ADDITIONAL REGULATION OF CONDUCT IN SCHEDULE 1 AREA

21. Application.
22. Abstraction of water.
23. Application for permit.
24. Issue of permit.
25. Market gardens.
26. Petroleum products.
27. Mining.
28. Savings.

SCHEDULE I.

SOLOMON ISLANDS WATER AUTHORITY ACT 1992
(No. 16 of 1992)

THE SOLOMON ISLANDS WATER AUTHORITY (CATCHMENT AREAS)
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IN exercise of the powers conferred by section 57 of the Solomon Islands Water Authority Act, 1992, the Minister hereby makes the following Regulations -

PART I
PRELIMINARY

Citation. 1. These Regulations may be cited as the Solomon Islands Water Authority (Catchment Areas) Regulations 1995.

Defini- 2. (1) In these Regulations unless the context tions. otherwise requires -

"authorised person" means an employee or other person acting on behalf of the Authority;

"controlled catchment area" means a catchment area, or part thereof, that is the property of the Authority or is under its full control or management;

"pollutant" means any substance or thing which could directly or indirectly alter the environment -

(a) to its detriment or degradation; or

(b) to the detriment of any beneficial use;

"plant" includes a tree or shrub;

"vehicle" includes;

(a) any apparatus drawn or propelled wholly or partly by an animal, volatile spirit, steam, gas, oil, electricity or wind and which is wholly or partly used for the conveyance of persons or things;

(b) any trailer or caravan, whether or not it is in the course of being towed;

(c) any motor vehicle, carriage or motor cycle; and

(d) any cycle,

"wastes" include matter, whether liquid, solid or gaseous and whether useful or useless, which is discharged to the environment.

PART II

REGULATION OF CATCHMENT AREAS GENERALLY

Applica-
tion.

3. Except to the extent that its operation is limited to a controlled catchment area, this Part applies to all catchment areas or parts thereof (including the areas identified in Schedule 1).

Bounda-
ries.

4. (1) The Authority may erect notices in a catchment area to indicate the boundaries thereof.

(2) A person shall not remove, move, damage, deface, obscure, cover up or interfere with any such notice.

Gates not to be opened.

5. Except with the approval of the Authority a person shall not open any gate, or remove any barrier to entrance, into any land in a controlled catchment area.

Certain conduct prohibited.

6. (1) A person shall not, in a controlled catchment area -

- (a) destroy, capture, injure or annoy any animal; or
- (b) interfere with any animal or interfere with the habitat of any animal; or
- (c) bury a dead body (human or animal) or part thereof;
- (d) damage a plant, or any part of a plant, growing therein; or
- (e) remove from the area a plant, or any part of a plant,

Notwithstanding the provisions of this Regulation, the Authority may do anything or take any action which it considers necessary for the proper administration of the catchment area.

Control of pollution and

7. (1) A person shall not bring into or leave in a catchment area any pollutant or wastes.

disease in
catchment
areas.

(2) The owner or occupier of land in a catchment area must not erect, install or operate any sewage collection, treatment or disposal system on the land unless -

(a) the system complies with any standards for such systems approved by the Authority and notified to the person; and

(b) the system is erected, installed or operated in compliance with any conditions imposed by the Authority in respect of the system or of such systems in general.

(3) A person shall comply with any direction given by the Authority or an authorised person for -

(a) the disposal of any pollutant or wastes in a catchment area, or of any other substance that is in a catchment area and that the Authority considers may detrimentally affect any water in the area; or

(b) the removal of any such pollutant, wastes or other substance from a catchment area.

(4) A person (including a body corporate) who becomes aware that any person, animal or property in a catchment area is carrying, infected with or affected by any waterborne infectious disease must notify the Authority of that fact within 24 hours after first becoming so aware.

Pesticides
and pest

8. A person shall not -

control in
catchment
areas.

- (a) bring into, or use or keep any pesticide or toxic material;
- (b) take steps to control or eradicate by the use of pesticides or toxic materials any feral animal, animal pest or noxious weed in,

a catchment area, if to do so would pollute or contaminate, or cause a reasonable risk of polluting or contaminating, the water supply in the catchment area.

S t o c k
control in
catchment
areas.

9. (1) The owner or person in charge of any stock shall ensure that the stock does not enter any land (other than privately owned land) in a catchment area.

(2) Where any stock enters any such land an authorised person may -

- (a) drive away, or remove the stock, from such land;
- (b) impound, sell, destroy or otherwise dispose of the stock.

(3) Any costs incurred as a result of any action taken under sub-regulation (2) may be recovered from the owner or person in charge of this stock as a debt due to the Authority.

A n i m a l
husbandry.

10. (1) A person shall not erect, maintain or use any cow yard, pigsty, poultry house, animal feed lot, stockyard or stable in each case within 100

metres (or such greater distance as the Authority may determine by notice published in the Gazette) of any stream, reservoir or water course in a catchment area.

(2) A person shall not maintain, use or erect any structures in a catchment area for any intensive animal feed lot, intensive pigsty, intensive poultry operation, trout farm or other concentrated agricultural activity identified by the Authority as a hazard to water to be supplied by the Authority.

Slaughter-
ing.

11. (1) A person shall not slaughter an animal in any manner or under any circumstances or conditions so as to pollute or to cause a reasonable risk of polluting the water supply in a catchment area.

(2) A person who slaughters an animal in a catchment area shall immediately -

(a) collect and deposit all blood, offal and refuse products in a receptacle made of metal or some other non-absorbent material; and

(b) remove all such blood, offal and refuse products from the catchment area and dispose of them in such a lawful way as avoids pollution of the water supply in any catchment area.

(3) A person who slaughters an animal in a catchment area shall, as soon as practicable after doing so, thoroughly wash and clean the premises where the slaughter took place.

Alteration
of
building
in catch-
ment area.

12. (1) The Authority may serve on both the owner and the occupier of land within a catchment area a notice to the effect that, not earlier than 1 month after service of the notice, structural alterations specified in the notice are to be made to a building or other work on the land, subject to any approval required under any Act.

(2) Prior to serving a notice under sub-regulation (1), the Authority must be satisfied that the alterations specified in the notice are necessary to prevent or minimise pollution of water to be supplied by the Authority.

(3) The notice shall state the reasons for the proposed alterations -

(a) that the proposed alterations, subject to any approval required under any Act -

(i) shall be made by the Authority; or

(ii) may, by agreement with the Authority and at an agreed cost to be met by the Authority be made by the owner of the building ; and

(b) that the Authority agrees to pay to the person served with the notice reasonable compensation for any damage suffered by such person and caused by the making of any alterations referred to in the notice; and

(c) that, not later than 1 month after service of the notice, the person served may make

written representations to the Authority in relation to the proposed alterations.

(4) After serving a notice under sub-regulation (1), and after considering any representations duly made in relation to the proposed alterations, the Authority may;

(a) carry out, or agree with the owner for the carrying out of, the alterations specified in the notice or any of them; or

(b) revoke the notice by a further notice served on the owner and the occupier of the land concerned.

(5) Action taken by the Authority under sub-regulation (4) (b) does not preclude the Authority from serving a further notice under sub-regulation (1) in relation to the same building or other work.

Camping,
picnicking
and boat-
ing.

13. (1) In this regulation, "camp" means reside temporarily, whether or not in a tent, caravan, cabin or other structure.

(2) The Authority may reserve any portion of land (other than privately owned land) in a catchment area for camping, picnicking, swimming or boating by means of signs displayed on or adjacent to the portion.

(3) The Authority may impose conditions, not inconsistent with the Act or this Regulation, subject to which a person may use a reserved portion of land for camping, picnicking, swimming or boating.

(4) A person must not camp, picnic, swim or boat on or in water in a portion of land in a catchment area unless -

(a) the portion is reserved for that purpose by signs displayed pursuant to sub-regulation (2); and

(b) the person complies with any conditions imposed pursuant to sub-regulation (3); and

(c) the person pays the charges (if any) payable in respect of the person's camping, picnicking, swimming or boating on the portion.

Fishing.

14. A person shall not, in a controlled catchment area -

(a) take or attempt to take fish from any stream, reservoir or water course; or

(b) have in his possession without lawful excuse, any fishing gear.

Shooting.

15. A person shall not carry or have in his possession in a controlled catchment area any firearm or prohibited weapon.

Fires.

16. (1) A person shall not -

(a) light any fire on land in a controlled

catchment area unless in a fire place approved by the Authority; or

- (b) do anything on land in a controlled catchment area that may cause a fire (to be elsewhere) than in a fire place approved by the Authority.

(2) This regulation does not apply in respect of privately owned land in a catchment area.

Information requested by authorised person.

17. A person shall not give to an authorised person any false or misleading information, knowing it to be false or misleading in response to a request for information by the authorised person in the exercise of his duties in relation to a catchment area.

Investigation of suspected contraventions.

18. (1) An authorised person who has reason to believe that a person has in his or her possession or control, in contravention or because of a contravention or intended contravention of these Regulations, any matter or thing, may request that person to -

- (a) surrender the matter or thing into the officer's possession and control; or
- (b) make any vehicle or receptacle available for inspection by the authorised person for the purpose of investigating the suspected contravention or intended contravention.

(2) Where a person fails to comply with such request the authorised person may direct the person

to leave the catchment area immediately.

(3) A person to whom an authorised person gives such a direction shall comply with such direction.

Fees and charges.

19. (1) The Authority may from time to time determine fees or charges payable in respect of the entry by persons or vehicles into catchment area or any part thereof.

(2) A person who is liable to pay fees or charges so determined, may be denied entry unless they are paid on request by an authorised person.

Notice by government bodies.

20. (1) For the purposes of section 18 (2) of the Act, notice given to the Authority shall be in writing and shall be served on the Authority.

(2) Such notice shall contain a full description of the proposed activity and a statement of the objectives of the proposed activity.

PART III

ADDITIONAL REGULATION OF CONDUCT IN SCHEDULE 1 AREA

Applica-
tion.

21. (1) This Part shall apply in relation to any catchment area identified in Schedule 1.

(2) For the purposes of this Part, each area so identified is referred to as a Schedule 1 area.

(3) Subject to these Regulations, this part shall apply to Schedule I areas or part thereof.

Abstrac- 22. A person shall not, directly or indirectly,
tion of abstract water from a subterranean source in a
water. Schedule 1 area unless, authorised by a permit
issued under this Part.

Applica- 23. A person desiring to abstract water from a
tion for Schedule I area, shall apply to the Authority for a
permit. permit.

Issue of 24. (1) The Authority may issue to a person a
permit. permit under this Part subject to such conditions as
the Authority thinks fit and specified in the
permit.

(2) Without limiting the generality of sub-
regulation (1), a permit may contain conditions
relating to one or more of the following -

(a) the payments to be made to the Authority
by the holder of the permit for the
benefit of the permit;

(b) environmental controls to be followed by
the holder of a permit; and

(c) the power of the Authority to vary a
permit.

(3) A permit, unless sooner cancelled or

suspended, remains in force for such period (if any) as is specified in the permit.

(4) The Authority may by notice, cancel or suspend a permit if the Authority is satisfied that the holder has breached any condition of the permit or that the holder is no longer a fit and proper person to hold such a permit.

(5) A person aggrieved by a decision of the Authority, may appeal to the Minister for a review of the decision.

Market gardens. 25. A person shall not establish a market garden in a Schedule 1 area without prior approval from the Authority.

Petroleum products. 26. A person shall not store or dispose of petroleum products in a Schedule 1 area, if to do so would pollute or contaminate, or cause a reasonable risk of polluting or contaminating the water supply in a catchment area.

Mining. 27. A person shall not remove soil or sand from any Schedule 1 area so as to pollute or contaminate or cause a reasonable risk of polluting or contaminating the water supply within a Schedule 1 area.

Savings. 28. Anything done for the purposes of the provisions of the Water Supply Act is to be taken to have been done for the purposes of the corresponding provision of these Regulations.

SCHEDULE 1

(reg. 21)

List of Groundwater Catchments

MATANIKO
KOMBITO
PANATINA
DODO CREEK

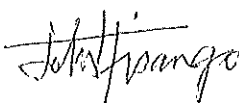
List of Spring Source Catchments

WHITE RIVER
ROVE
KOMBITO

List of Open Reservoir Catchments

*Additional catchments to be included as provinces are assimilated and/or new sources commissioned.

Dated at Honiara this 1st day of May 1995.



JOHN FISANGO

Minister of Transport, Works and Utilities