
WATER

WA301*

Water Agencies (Powers) Act 1984

**Water Agencies (Water Restrictions)
By-laws 1998**

Made by the Minister under section 34(1) of the Act.

1. Citation

These by-laws may be cited as the *Water Agencies (Water Restrictions) By-laws 1998*.

2. Use of water restricted

- (1) A person must not, without the written approval of the Corporation, use water supplied by the Corporation in contravention of the stage of restrictions applicable under this by-law.
Penalty: \$200.
- (2) Subject to sub-by-law (3), the stage of restrictions designated stage 1 applies throughout the State.
- (3) The Corporation may, by notice published in the *Gazette*, specify that another stage of restrictions applies to an area of the State specified in the notice.
- (4) A notice under sub-by-law (3) must specify the day from which the stage of restrictions applies to the area, being a day not less than 48 hours after the publication of the notice in the *Gazette*.
- (5) A person does not commit an offence under sub-by-law (1) if —
 - (a) the person uses water to water a market garden or plant nursery to the minimum extent necessary to ensure the viable operation of the market garden or plant nursery; and
 - (b) the market garden or plant nursery is not supplied with water other than by the Corporation.
- (6) In this by-law —
“**stage of restrictions**” means a stage of restrictions set out in Schedule 1.

Schedule 1 — Restrictions on the use of water

[bl. 2]

1. Interpretation

In this Schedule —

“**specified**” means specified in a notice under by-law 2(3).

2. Stage 1

A person must not water a lawn or garden except by —

- (a) reticulation during the period between 6.00 p.m. and 9.00 a.m.;
- (b) a hand held hose with one outlet; or
- (c) a hand held watering can.

3. Stage 2

- (1) A person must not water a lawn or garden except by —
 - (a) reticulation during the period between 6.00 p.m. and 9.00 a.m. commencing —
 - (i) on any even numbered day of the month if the relevant property has an even street number or, where there is no street number, an even lot number; or

- (ii) on any odd numbered day of the month if the relevant property has an odd street number or, where there is no street number, an odd lot number;
 - (b) a hand held hose with one outlet; or
 - (c) a hand held watering can.
- (2) A person must not spray a building, path, paved area or road except to the minimum extent necessary for —
- (a) fire fighting;
 - (b) the cleaning of the building, path, paved area or road so as to avoid a threat to public health; or
 - (c) the construction or repair of the building, path, paved area or road.
- (3) A person must not fill a swimming pool except to the minimum extent necessary to maintain the proper functioning of the pool by replacing water lost through evaporation or ordinary use.

4. Stage 3

- (1) A person must not water a lawn or garden except by —
- (a) reticulation during the period between 6.00 p.m. and 9.00 a.m. commencing —
 - (i) on any Saturday, Monday or Thursday if the relevant property has an even street number or, where there is no street number, an even lot number; or
 - (ii) on any Sunday, Tuesday or Friday if the relevant property has an odd street number or, where there is no street number, an odd lot number;
 - (b) a hand held hose with one outlet; or
 - (c) a hand held watering can.
- (2) A person must not spray a building, path, paved area or road except to the minimum extent necessary for —
- (a) fire fighting;
 - (b) the cleaning of the building, path, paved area or road so as to avoid a threat to public health; or
 - (c) the construction or repair of the building, path, paved area or road.
- (3) A person must not fill a swimming pool except to the minimum extent necessary to maintain the proper functioning of the pool by replacing water lost through evaporation or ordinary use.

5. Stage 4

- (1) A person must not water a lawn or garden except by —
- (a) reticulation during the period between 6.00 p.m. and 9.00 a.m. on one or both of 2 days of the week specified in relation to the relevant property;
 - (b) a hand held hose with one outlet; or
 - (c) a hand held watering can.

- (2) A person must not spray a building, path, paved area or road except to the minimum extent necessary for —
 - (a) fire fighting;
 - (b) the cleaning of the building, path, paved area or road so as to avoid a threat to public health; or
 - (c) the construction or repair of the building, path, paved area or road.
- (3) A person must not fill a swimming pool except to the minimum extent necessary to maintain the proper functioning of the pool by replacing water lost through evaporation or ordinary use.

6. Stage 5

- (1) A person must not water a lawn or garden except by —
 - (a) reticulation during the period between 6.00 p.m. and 9.00 a.m. on one day of the week specified in relation to the relevant property;
 - (b) a hand held hose with one outlet; or
 - (c) a hand held watering can.
- (2) A person must not spray a building, path, paved area or road except to the minimum extent necessary for —
 - (a) fire fighting;
 - (b) the cleaning of the building, path, paved area or road so as to avoid a threat to public health; or
 - (c) the construction or repair of the building, path, paved area or road.
- (3) A person must not fill a swimming pool except to the minimum extent necessary to maintain the proper functioning of the pool by replacing water lost through evaporation or ordinary use.

7. Stage 6

- (1) A person must not water a lawn or garden except by —
 - (a) a hand held hose with one outlet; or
 - (b) a hand held watering can.
- (2) A person must not spray a building, path, paved area or road except to the minimum extent necessary for —
 - (a) fire fighting;
 - (b) the cleaning of the building, path, paved area or road so as to avoid a threat to public health; or
 - (c) the construction or repair of the building, path, paved area or road.
- (3) A person must not fill a swimming pool except to the minimum extent necessary to maintain the proper functioning of the pool by replacing water lost through evaporation or ordinary use.

8. Stage 7

- (1) A person must not water a lawn or garden except by a hand held watering can.

- (2) A person must not spray a building, path, paved area or road except to the minimum extent necessary for —
- (a) fire fighting;
 - (b) the cleaning of the building, path, paved area or road so as to avoid a threat to public health; or
 - (c) the construction or repair of the building, path, paved area or road.
- (3) A person must not fill a swimming pool.

KIM HAMES, Minister for Water Resources.
