

WATER AGENCIES (POWERS) ACT 1984
**WATER AGENCIES (AMENDMENT AND REPEAL)
 REGULATIONS 1995**

Made by the Lieutenant-Governor and the deputy of the Governor in Executive Council.

PART 1 — PRELIMINARY

Citation

1. These regulations may be cited as the *Water Agencies (Amendment and Repeal) Regulations 1995*.

Commencement

2. These regulations come into operation on the day on which Part 2 of the *Water Agencies Restructure (Transitional and Consequential Provisions) Act 1995* comes into operation, that is, on the day fixed by proclamation made under section 2 (2) of that Act.

**PART 2 — COUNTRY AREAS WATER SUPPLY (CLEARING LICENCE)
 REGULATIONS 1981 AMENDED**

Principal regulations

3. In this Part the *Country Areas Water Supply (Clearing Licence) Regulations 1981** are referred to as the principal regulations.

[* *Published in Gazette of 12 November 1976 at pp. 4296-9.
 For amendments to 21 December 1995 see 1994 Index to
 Legislation of Western Australia, Table 4, p. 48.*]

Regulation 12 amended

4. Regulation 12 of the principal regulations is amended by deleting "Authority" and substituting the following —

" Commission ".

Regulation 13 amended

5. Regulation 13 of the principal regulations is amended —

(a) by deleting "Lands Department" and substituting the following —

" Department of Land Administration "; and

(b) by inserting after "Wellington Dam Catchment Area" the following —

" and the Harris River Catchment Area ".

Schedule amended

6. The Schedule to the principal regulations is amended —

(a) in Form 5 by deleting "WATER AUTHORITY" and substituting the following —

" WATER AND RIVERS COMMISSION ";

- (b) in Form 6 by deleting "WATER AUTHORITY" and substituting the following —
 " WATER AND RIVERS COMMISSION "; and
- (c) in Form 7 by deleting "WATER AUTHORITY" and substituting the following —
 " WATER AND RIVERS COMMISSION ".

**PART 3 — LAND DRAINAGE (RATING GRADES)
 REGULATIONS 1986 AMENDED**

Schedule amended

7. The Schedule to the *Land Drainage (Rating Grades) Regulations 1986** is amended —

- (a) in clause 2 (a) (ii) of the item headed "*Rural land—direct grade*" by deleting "Authority" and substituting the following —
 " Corporation ";
- (b) in clause 1 of the item headed "*Urban land—general grades*" by deleting "the Schedule" and substituting the following —
 " this Schedule "; and
- (c) in clause 1 of the item headed "*Urban land—retirement village unit grade*" by deleting "this grade" and substituting the following —
 " This grade ".

[* *Published in Gazette of 20 June 1986 at pp. 2063-4.*
For amendments to 21 December 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 305.]

PART 4 — LAND DRAINAGE REGULATIONS 1978 AMENDED

Principal regulations

8. In this Part the *Land Drainage Regulations 1978** are referred to as the principal regulations.

[* *Published in Gazette of 17 November 1978 at pp. 4309-10.*
For amendments to 21 December 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 156.]

Regulation 8 amended

9. Regulation 8 (2) of the principal regulations is amended by deleting "Authority" and substituting the following —

" Corporation ".

Regulation 9 amended

10. Regulation 9 of the principal regulations is amended by deleting "Authority" and substituting the following —

" Corporation ".

Regulation 10 amended

11. Regulation 10 of the principal regulations is amended —

- (a) in subregulation (3) (a) by deleting “board” and substituting the following —
 “ Corporation ”; and
- (b) in subregulation (4) (c) by deleting “Authority” and substituting the following —
 “ Corporation ”.

Regulation 12 amended

12. Regulation 12 of the principal regulations is amended by deleting “board” and substituting the following —

“ Corporation ”.

Schedule 1 amended

13. Schedule 1 to the principal regulations is amended —

- (a) by deleting the heading “WATER AUTHORITY of Western Australia” and substituting the following —

“ **WATER CORPORATION** ”;

- (b) by deleting the following symbol —

“



”; and

- (c) by deleting “WATER AUTHORITY” at the foot of the Schedule and substituting the following —

“ **WATER CORPORATION** ”.

PART 5 — RIGHTS IN WATER AND IRRIGATION (CONSTRUCTION AND ALTERATION OF WELLS) REGULATIONS 1963 AMENDED

Principal regulations

14. In this Part the *Rights in Water and Irrigation (Construction and Alteration of Wells) Regulations 1963** are referred to as the principal regulations.

[* *Published in Gazette of 15 May 1963 at pp. 1297-305. For amendments to 21 December 1995 see 1994 Index to Legislation of Western Australia, Table 4, pp. 308-9.*]

Regulation 5 amended

15. Regulation 5 (1) (a) of the principal regulations is amended by deleting “a Lands and Surveys Department plan” and substituting the following —

“

a Department of Land Administration plan or other plan approved by the Commission

”.

Regulation 12B amended

16. Regulation 12B of the principal regulations is amended by deleting “officers of the Authority” and substituting the following —

“ Commission ”.

Regulation 12C amended

17. Regulation 12C of the principal regulations is amended by deleting “Authority” and substituting the following —

“ Commission or a person authorized by the Commission ”.

Regulation 12D amended

18. Regulation 12D of the principal regulations is amended —

(a) in subregulation (1) by deleting “Authority or an officer of the Authority” and substituting the following —

“ Commission ”; and

(b) in subregulation (2) by deleting “Authority or an officer of the Authority” and substituting the following —

“ Commission ”.

Regulation 14 amended

19. Regulation 14 of the principal regulations is amended by deleting “Director, Geological Survey of Western Australia, Mines Department, Perth” and substituting the following —

“ Commission ”.

Schedule 1 amended

20. Schedule 1 to the principal regulations is amended —

(a) in Form 1 by deleting “To the Water Authority of Western Australia, 629 Newcastle St., Leederville, 6007.”;

(b) in Form 2 by deleting “To the Water Authority of Western Australia, 629 Newcastle St., Leederville, 6007.”;

(c) in Form 3 by deleting “Water Authority Act 1984” and substituting the following —

“ *Water Agencies (Powers) Act 1984* ”;

(d) in Form 4 by deleting “Water Authority of Western Australia, 629 Newcastle St., Leederville, 6007” and substituting the following —

“ Water and Rivers Commission ”;

(e) in Form 5 by deleting “Water Authority of Western Australia, 629 Newcastle St., Leederville, 6007” and substituting the following —

“ Water and Rivers Commission ”; and

(f) in Form 6 by deleting “Water Authority of Western Australia, 629 Newcastle St., Leederville, 6007” and substituting the following —

“ Water and Rivers Commission ”.

Various references to “Authority” changed to “Commission”

21. The principal regulations are amended by deleting “Authority” where it occurs in the provisions referred to in the table to this regulation and substituting the following —

“ Commission ”.

Table

4	12 (1)	12D (3)
4A	12A (1)	12E (1)
7	12A (2)	12F
8 (1)	12B (1)	
9	12B (2)	
10	12D (2) (a)	
11 (1)	12D (2) (b)	

PART 6 — RIGHTS IN WATER AND IRRIGATION ACT, REGULATIONS 1941 AMENDED

Principal regulations

22. In this Part the *Rights in Water and Irrigation Act, Regulations 1941** are referred to as the principal regulations.

[* *Published in Gazette of 5 December 1941 at pp. 1754-61. For amendments to 21 December 1995 see 1994 Index to Legislation of Western Australia, Table 4, pp. 309-10, and Gazette of 30 June 1995 p. 2779.*]

Regulation 1 amended

23. Regulation 1 of the principal regulations is amended by deleting “Rights in Water and Irrigation Act, Regulations 1941” and substituting the following —

“ *Rights in Water and Irrigation Regulations 1941* ”.

Regulation 2 amended

24. Regulation 2 of the principal regulations is amended —

- (a) in subregulation (1) by deleting the definition of “proclamation”; and
- (b) in subregulation (2) by deleting “Water Authority Act 1984” and substituting the following —

“ *Water Agencies (Powers) Act 1984* ”.

Regulation 13 amended

25. Regulation 13 (1) of the principal regulations is amended —

- (a) in paragraph (d) by deleting “for daily consumption”; and
- (b) by inserting after paragraph (d) the following —

“ (c) the purposes for which the water is to be utilized; and

”.

Various references to “Authority” changed to “Commission”

26. The principal regulations are amended by deleting “Authority” where it occurs in the provisions referred to in the table to this regulation and substituting the following —

“ Commission ”.

Table

6	15 (1)	23 (1)
14 (1)	18	

Appendix 1 amended

27. (1) Appendix 1 to the principal regulations is amended in the heading to Form 1 by deleting "Water Authority Act 1984" and substituting the following —

" *Water Agencies (Powers) Act 1984* ".

(2) Appendix 1 to the principal regulations is amended in Form 1 by deleting "Water Authority" and substituting the following —

" Water and Rivers Commission ".

(3) Appendix 1 to the principal regulations is amended in Form 1 in the item beginning "The approximate date" by deleting "The quantity of water required daily".

(4) Appendix 1 to the principal regulations is amended in Form 1 by inserting after the item beginning "The approximate date" the following items —

"

The quantity of water required.
The purposes for which the water is to be utilized.

".

(5) Appendix 1 to the principal regulations is amended in the heading to Form 2 by deleting "Water Authority Act 1984" and substituting the following —

" *Water Agencies (Powers) Act 1984* ".

(6) Appendix 1 to the principal regulations is amended in the heading to Form 3 by deleting "Water Authority Act 1984" and substituting the following —

" *Water Agencies (Powers) Act 1984* ".

**PART 7 — WATER AUTHORITY (ENTRY WARRANT)
REGULATIONS 1985 AMENDED**

Principal regulations

28. In this Part the *Water Authority (Entry Warrant) Regulations 1985** are referred to as the principal regulations.

[* *Published in Gazette of 15 November 1985 at p. 4328.
For amendments to 21 December 1995 see 1994 Index to
Legislation of Western Australia, Table 4, p. 319.*]

Regulation 1 amended

29. Regulation 1 of the principal regulations is amended by deleting "Water Authority (Entry Warrant) Regulations 1985" and substituting the following —

" *Water Agencies (Entry Warrant) Regulations 1985* ".

Schedule amended

- 30.** The Schedule to the principal regulations is amended in Form 1 by —
- (a) deleting “Water Authority Act 1984” in both places where it occurs and substituting the following —
 “ *Water Agencies (Powers) Act 1984* ”; and
 - (b) deleting “Water Authority of Western Australia” in both places where it occurs and substituting the following —
 “ *Water Corporation/Water and Rivers Commission ”.

**PART 8 — WATER AUTHORITY (INFRINGEMENTS)
REGULATIONS 1994 AMENDED**

Principal regulations

31. In this Part the *Water Authority (Infringements) Regulations 1994** are referred to as the principal regulations.

[* *Published in Gazette of 28 October 1994 at pp. 5556-57.
For amendments to 21 December 1995 see 1994 Index to
Legislation of Western Australia, Table 4, p. 319.*]

Regulation 1 amended

32. Regulation 1 of the principal regulations is amended by deleting “*Authority*” and substituting the following —

“ *Agencies* ”.

Regulation 5 amended

33. Regulation 5 of the principal regulations is amended by deleting “*Authority*” and substituting the following —

“ Corporation ”.

Schedule amended

34. The Schedule to the principal regulations is amended —

- (a) in Form 1 —
 - (i) by deleting “WATER AUTHORITY OF WESTERN AUSTRALIA” wherever it occurs and substituting the following —
 “ WATER CORPORATION ”;
 - (ii) by deleting “*Water Authority Act 1984*” and substituting the following —
 “ *Water Agencies (Powers) Act 1984* ”;
 - (iii) by deleting “Joondalup” and substituting the following —
 “ Balcatta ”; and
 - (iv) by deleting “Water Authority of Western Australia” and substituting the following —
 “ Water Corporation ”;

- (b) in Form 2 —
- (i) by deleting “WATER AUTHORITY OF WESTERN AUSTRALIA” and substituting the following —
 “ WATER CORPORATION ”; and
- (ii) by deleting “*Water Authority Act 1984*” and substituting the following —
 “ *Water Agencies (Powers) Act 1984* ”;
- and
- (c) in Form 3 —
- (i) by deleting “WATER AUTHORITY OF WESTERN AUSTRALIA” and substituting the following —
 “ WATER CORPORATION ”;
- (ii) by deleting “*Water Authority Act 1984*” in both places where it occurs and substituting the following —
 “ *Water Agencies (Powers) Act 1984* ”; and
- (iii) by deleting “Water Authority of Western Australia” and substituting the following —
 “ Water Corporation ”.

**PART 9 — WATER (DIXVALE AREA AND YANMAH AREA)
 LICENSING REGULATIONS 1974 AMENDED**

Regulation 5 amended

35. Regulation 5 of the *Water (Dixvale Area and Yanmah Area) Licensing Regulations 1974** is amended by deleting “Authority” and substituting the following —

“ Commission ”.

[* *Published in Gazette of 22 February 1974 at p. 571.
 For amendments to 21 December 1995 see 1994 Index to
 Legislation of Western Australia, Table 4, p. 310.*]

**PART 10 — WATER AUTHORITY (ELECTION)
 REGULATIONS 1985 REPEALED**

Repeal

36. The *Water Authority (Election) Regulations 1985* are repealed.

By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.