



Western Australia

Water Agencies (Powers) Act 1984

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

As at 02 Apr 2004

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2 April 2004

Western Australia

Water Agencies (Water Restrictions) By-laws 1998

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Water Agencies (Powers) Act 1984

Water Agencies (Water Restrictions) By-laws 1998

1. Citation

These by-laws may be cited as the *Water Agencies (Water Restrictions) By-laws 1998*¹.

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: \$500.
- (2) Subject to sub-bylaw (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-bylaw (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*.

bl. 2

- (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.

[By-law 2 amended in Gazette 29 Oct 1999 p. 5402.]

Schedule 1 — Restrictions on watering lawns and gardens

[bl. 2]

1. Interpretation

In this Schedule —

“**evening period**” means the period after 6.00 p.m.;

“**morning period**” means the period before 9.00 a.m.;

“**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 either, but not both, the morning period or the evening period on a particular day;
- (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 either, but not both, the morning period or the evening period —
 - (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

Schedule 1 Restrictions on watering lawns and gardens

(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 either, but not both, the morning period or the evening period —

(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 either, but not both, the morning period or the evening period 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 either, but not both, the morning period or the evening period 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

Schedule 1 Restrictions on watering lawns and gardens

- (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.

[Schedule 1 inserted in Gazette 5 Sep 2001 p. 4965-8.]

Notes

- ¹ This reprint is a compilation as at 2 April 2004 of the *Water Agencies (Water Restrictions) By-laws 1998* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Water Agencies (Water Restrictions) By-laws 1998</i>	29 Sep 1998 p. 5401-5	29 Sep 1998
<i>Water Agencies (Water Restrictions) Amendment By-laws 1999</i>	29 Oct 1999 p. 5402	29 Oct 1999
<i>Water Agencies (Water Restrictions) Amendment By-laws 2001</i>	5 Sep 2001 p. 4965-8	5 Sep 2001
Reprint 1: The <i>Water Agencies (Water Restrictions) By-laws 1998</i> as at 2 Apr 2004 (includes amendments listed above)		
