Western Australia

Water Agencies (Water Restrictions) By-laws 1998

Compare between:

[02 Apr 2004, 01-a0-03] and [29 Sep 2007, 01-b0-07]

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  |

Western Australia

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*.

 (5) A person does not commit an offence under sub‑bylaw (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

 (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

 (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** |
| --- | --- | --- |
| *Water Agencies (Water Restrictions) By‑laws 1998* | 29 Sep 1998 p. 5401‑5 | 29 Sep 1998 |
| *Water Agencies (Water Restrictions) Amendment By‑laws 1999* | 29 Oct 1999 p. 5402 | 29 Oct 1999 |
| *Water Agencies (Water Restrictions) Amendment By‑laws 2001* | 5 Sep 2001 p. 4965‑8 | 5 Sep 2001 |
| **Reprint 1: The *Water Agencies (Water Restrictions) By‑laws 1998* as at 2 Apr 2004** (includes amendments listed above) |
| **These regulations were repealed by the *Water Agencies (Water Restrictions) By laws 2007* bl. 21 as at 29 Sep 2007 (see bl. 2 and *Gazette* 28 Sep 2007 p. 4881)** |