



Western Australia

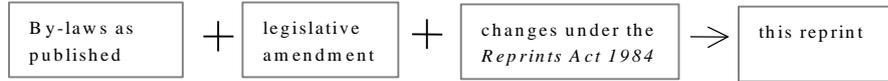
Water Agencies (Powers) Act 1984

Water Agencies (Water Restrictions) By-laws 1998

Reprint 1: The by-laws as at 2 April 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original by-laws and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the by-laws being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a by-law that was inserted, or has been amended, since the by-laws being reprinted were made, editorial notes at the foot of the by-law give some history of how the by-law came to be as it is. If the by-law replaced an earlier by-law, no history of the earlier by-law is given (the full history of the by-laws is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the by-laws have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the by-laws were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the by-laws are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 2 April 2004

Western Australia

Water Agencies (Water Restrictions) By-laws 1998

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Western Australia

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Reprints Act 1984 as
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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-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.

bl. 2

- (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

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
 - (b) a hand held watering can.

Schedule 1 Restrictions on watering lawns and gardens

- (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)		
