

South East Water Corporation
Water Restriction By-law 001/2012

**Issued by the Minister for Water, as Minister
administering the *Water Act 1989***

CONTENTS

PREAMBLE	1
1. AUTHORISING PROVISIONS	3
2. PURPOSES	3
3. DEFINITIONS AND INTERPRETATION	3
3.1 Definitions.....	3
3.2 Interpretation	3
4. STAGES OF RESTRICTIONS	4
4.1 Stages of Restrictions.....	4
4.2 Imposing stages of Restrictions	4
4.3 Application of Restrictions.....	4
4.4 Declining to impose a stage of Restrictions.....	4
5. GENERAL EXEMPTIONS	5
5.1 Health and safety exclusion	5
5.2 General exemptions.....	5
6. PARTICULAR EXEMPTIONS	6
6.1 Guidelines regarding particular exemptions.....	6
6.2 Applications for particular exemptions.....	6
6.3 Approval of particular exemptions	7
6.4 Particular exemptions for Public Garden Areas.....	7
6.5 Particular exemptions for certain playing surfaces	8
6.6 Particular exemptions for Warm Season Grasses.....	8
7. WATER USE PLANS	9
7.1 Guidelines regarding Water Use Plans	9
7.2 Applications for Water Use Plans	9
7.3 Approval of Water Use Plans	9
7.4 Failure to comply with a Water Use Plan.....	10

8. LIFTING A STAGE OF RESTRICTIONS	10
8.1 Lifting a stage	10
8.2 Declining to lift a stage of Restrictions	11
9. EMERGENCY MEASURES.....	11
10. OFFENCES AND PENALTIES	11
10.1 Contravention of the By-law is an offence	11
10.2 Penalties.....	11
10.3 Infringement notices.....	12
10.4 Penalties.....	12
11. ISSUING PENALTY INFRINGEMENT NOTICES.....	12
12. REPEAL	13
13. AUTHORISATION BY South East Water.....	13
SCHEDULE 1	14
SCHEDULE OF WATER RESTRICTIONS	14
PART A – DEFINITIONS	14
PART B – SCHEDULE OF RESTRICTIONS.....	21
PART C – INDEX	28

WATER RESTRICTION BY-LAW

PREAMBLE

The community understands there may be a need to change Water-use behaviours in times of drought or other Water shortage. This Water Restriction By-law sets out four stages of restrictions and prohibitions on the use of Water that can be mandated by South East Water when it is considered necessary to conserve Water.

The restrictions in this By-law apply to Water that is supplied by the main Water supply works of South East Water, regardless of how that Water is delivered. The restrictions also apply to any Water that is a mix of this "mains" Water and other water, for example, if a tank of rain water is topped up with mains Water, the restrictions apply to the use of all of the mixed Water in the tank. The restrictions do not apply in relation to recycled or reclaimed water, greywater or stormwater whether or not that water is supplied by the works of South East Water.

Water is an essential resource for maintaining life. The restrictions in this By-law therefore do not restrict the use of Water for indoor purposes such as drinking, washing, cleaning or sanitation. Also, despite any restrictions in this By-law, Water can be used at any time:

- for human health requirements;
- for Watering of stock and animals;
- for fire fighting;
- for the safety, but not the cleaning, of vehicles and equipment; and
- for cleaning required as a result of an accident, fire, health hazard, safety hazard or other emergency (in accordance with the permitted methods).

Where a restriction relates to a specific use of Water, that restriction applies regardless of whether the use is indoors or outdoors. For example, indoor pools and fountains and undercover nurseries are covered by the same restrictions as equivalent outdoor facilities. However, Water cannot be used outdoors for any purpose except in accordance with the restrictions in this By-law or with the written permission of South East Water. This means that unless the restrictions in this By-law specify rules about the way in which Water can be used outdoors for a particular purpose, then Water cannot be used for that purpose.

Wherever possible, the restrictions in this By-law are designed to be simple, easy to understand and straightforward to follow. For example, outdoor Watering is restricted to "Alternate Days", which means odd numbered properties can be Watered on odd numbered dates and even numbered (or no numbered) properties can be Watered on even numbered dates. Everyone gets to Water on the 31st of any month and the 29th of February.

The restrictions in this By-law are also designed to build upon the common sense rules set out in the Permanent Water Saving Plan of South East Water, which encourage the efficient use of Water on an ongoing basis. For example, wherever restrictions in this By-law allow for Water to be used from a hand-held hose for any purpose, that hose must be leak-free and used with a trigger nozzle, consistent with the Permanent Water Saving Rules.

Contravention of this By-law is an offence under the *Water Act 1989*, and so penalties may apply.

Exemptions from the restrictions in this By-law may be granted in certain circumstances. This By-law sets out the principles that South East Water will take into account when considering applications for exemptions from particular restrictions.

This By-law also provides for Water to be used in accordance with a Water Use Plan approved by South East Water, despite the restrictions under the prevailing stage of restrictions. Water Use Plans will only be approved where the use of a Plan is expressly permitted for the particular use of Water under the relevant stage of restrictions, or where it is required as part of an application for an exemption.

South East Water makes the following By-law:

1. AUTHORISING PROVISIONS

This By-law is made under sections 160, 171(1)(a), (ba), (bb), (bc), (e) and (j) and 287ZC of the Act.

2. PURPOSES

The purposes of this By-law are to:

- (a) promote the efficient use and conservation of Water; and
- (b) set out four stages of Restrictions on the use of Water; and
- (c) specify things which must not be done while each stage of Restriction persists; and
- (d) specify principles for considering applications for exemptions from particular Restrictions; and
- (e) prescribe offences and penalties for the contravention of this By-law, including for which an infringement notice may be served; and
- (f) prescribe classes of persons for the purpose of issuing infringement notices.

3. DEFINITIONS AND INTERPRETATION

3.1 Definitions

The definitions set out in Part A of Schedule 1, apply in this By-law, unless the contrary intention appears.

3.2 Interpretation

- (a) A reference to:
 - (i) legislation (including subordinate legislation) is to that legislation as amended, re-enacted or replaced, and includes any subordinate legislation issued under it;
 - (ii) a document or agreement, or provision of a document or agreement, is to that document, agreement or provision as amended, supplemented, replaced or novated;
 - (iii) a party to any document or agreement includes a permitted substitute or permitted assign of that party;
 - (iv) a person includes any type of entity or body of persons, whether or not it is incorporated or has a separate legal identity and any executor, administrator or successor in law of the person; and
 - (v) anything (including a right, obligation or concept) includes each part of it.
- (b) A singular word includes the plural and vice versa.
- (c) If a word is defined, another part of speech has a corresponding meaning.

-
- (d) If an example is given of anything (including a right, obligation or concept) such as by saying it includes something else, the example does not limit the scope of that thing.
 - (e) An interpretation that would promote the efficient use of Water must be preferred to an interpretation that would not promote such use.

4. STAGES OF RESTRICTIONS

4.1 Stages of Restrictions

South East Water may impose:

- Stage 1 Restrictions (Alert); or
- Stage 2 Restrictions (Save); or
- Stage 3 Restrictions (Just Enough); or
- Stage 4 Restrictions (Critical),

as the case requires, in any District, by publishing a notice to that effect in a newspaper circulating generally in the relevant District and on the website of South East Water.

4.2 Imposing stages of Restrictions

South East Water may impose a stage of Restrictions in a District:

- (a) in accordance with the process specified in its Drought Response Plan; or
- (b) if it reasonably concludes that:
 - (i) because of the failure or limitation of a major pipeline, pumping station, treatment plant or other key Water supply work, South East Water will temporarily be unable to meet the demands of its customers; or
 - (ii) because of a major Water quality issue arising from the failure of a key Water supply work referred to in sub-paragraph (i), or from a bushfire or other emergency, South East Water will temporarily be unable to meet the demands of its customers; or
 - (iii) the prevailing stage of Restrictions has failed to provide the reductions in demand required by South East Water for that stage, in accordance with its Drought Response Plan.

4.3 Application of Restrictions

When a stage of Restrictions is imposed in a District under sub-clause 4.2, the relevant Restrictions on Water use designated for that stage in Schedule 1 apply in that District.

4.4 Declining to impose a stage of Restrictions

Without limiting sub-clause 4.2, South East Water may decline to impose a stage of Restrictions in a District if it reasonably concludes that the circumstances indicating the need for that stage are likely to be so temporary that the public inconvenience caused by imposing that stage of Restrictions would outweigh the Water conservation benefits to be gained from imposing that stage.

5. **GENERAL EXEMPTIONS**

5.1 **Health and safety exclusion**

Despite any provision of this By-law, including the Restrictions set out in Schedule 1, Water can be used at any time for:

- (a) human health requirements;
- (b) Stock and Animal Health Requirements;
- (c) fire fighting; and
- (d) the safety, but not the cleaning, of vehicles or equipment.

5.2 **General exemptions**

- (a) South East Water may, in relation to a specified District or Districts:
 - (i) prepare, adopt and publish; and
 - (ii) amend or revoke at any time,general exemptions which specify generally applicable exemptions (from a particular use or for particular users of Water) from any Restrictions in Schedule 1.
- (b) In deciding whether or not to grant a general exemption under this sub-clause, South East Water will have regard to:
 - (i) the security of available Water supplies in the District; and
 - (ii) recent climate patterns and prevailing Seasonal forecasts; and
 - (iii) any anticipated change in demand attributable to the prevailing stage of Restrictions; and
 - (iv) any other relevant matter which South East Water thinks fit to have regard to.
- (c) Without limiting paragraph 5.2(a), the general exemptions may set out:
 - (i) permissible uses of Water which are exempted from a Restriction set out in Schedule 1, without an application being made under clause 6; and
 - (ii) the conditions upon which any such exemption is granted.
- (d) Exemptions adopted under paragraph (a) must be published on South East Water's website and notice of any adoption, amendment or revocation of exemptions must be published in a newspaper circulating generally in the relevant District and on the website of South East Water.
- (e) An exemption, or an amendment to an exemption under this clause will apply from the date on which a notice of the exemption is published in a newspaper circulating generally in the relevant District and will cease to apply in accordance with the terms of the

exemption or when notice of the revocation is published in a newspaper circulating generally in the relevant District.

- (f) South East Water may prepare and publish general exemptions in co-operation with other Water Corporations.

6. PARTICULAR EXEMPTIONS

6.1 Guidelines regarding particular exemptions

- (a) South East Water may:
 - (i) prepare, adopt and publish; and
 - (ii) amend or revoke at any time,guidelines about applying for exemptions under this clause.
- (b) Guidelines adopted under paragraph (a) must be published on South East Water's website and notice of any adoption, amendment or revocation of guidelines must be published in a newspaper circulating generally in each District and on the website of South East Water.

6.2 Applications for particular exemptions

- (a) A person may apply to South East Water for an exemption from a stage of Restrictions which has been, or which may in future be, imposed under clause 4.
- (b) An application for exemption must be in a form approved by South East Water.
- (c) South East Water:
 - (i) must consider an application for exemption within a reasonable period; and
 - (ii) must have regard to any adopted guidelines referred to in sub-clause 6.1; and
 - (iii) subject to this clause:
 - (A) may grant the application in full or in part and subject to such conditions as South East Water considers appropriate; or
 - (B) may refuse the application.
- (d) South East Water may revoke any exemption at any time, by giving written notice to the applicant.
- (e) An exemption ends at any time specified in the exemption, or when:
 - (i) the stage of Restrictions to which the exemption relates is lifted; or
 - (ii) a more severe stage of Restrictions is imposed.

6.3 Approval of particular exemptions

Subject to this clause, South East Water must not grant an application for exemption in relation to a particular stage of Restrictions, unless South East Water is reasonably satisfied that the proposed exemption:

- (a) is necessary to avoid an inequitable and disproportionately adverse impact upon the livelihood of the applicant which would be caused by the level of Restrictions; **OR**
- (b) would result in less Water being used by the applicant than the lesser amount of the Water that the applicant would otherwise:
 - (i) have been allowed by South East Water to use; or
 - (ii) based on prior consumption, is likely to have used for the same purpose under that stage of Restrictions; **OR**
- (c) is necessary because of the special needs of the applicant; **OR**
- (d) would avoid or minimise appreciable physical damage to a building or other structure owned or occupied by the applicant during that stage of Restrictions; **OR**
- (e) is necessary to avoid any adverse effect on public health or safety;

AND

- (f) would not, in combination with the use of Water in accordance with other exemptions granted or reasonably anticipated by South East Water to be granted for similar uses of Water, have a significant impact on the total daily demand for Water by South East Water's customers or the security of available Water supplies in the District where the use will occur;

AND

- (g) would, in the opinion of South East Water, be generally supported by other South East Water customers who are affected by that stage of Restrictions.

6.4 Particular exemptions for Public Garden Areas

Despite sub-clause 6.3, South East Water may grant an application for exemption to Water a Public Garden Area during a period of stage 4 Restrictions if:

- (a) the application is accompanied by an Approved Water Use Plan for the Public Garden Area; and
- (b) South East Water is reasonably satisfied that, if the garden is Watered in accordance with the Water Use Plan, the exemption would not, in combination with the use of Water in accordance with other exemptions granted, or reasonably anticipated by South East Water to be granted, under this clause, have a significant impact on the total daily demand for Water by South East Water's customers or the security of available Water supplies in the District where the use will occur.

6.5 Particular exemptions for certain playing surfaces

- (a) Despite sub-clause 6.3, South East Water may grant an application for exemption to Water any Playing Surface during a period of any stage of Restriction if:
- (i) the application is accompanied by an Approved Water Use Plan; and
 - (ii) the application relates to a Playing Surface which is to be used for an inter-State, national or international professional sporting competition, or in support of such a competition; and
 - (iii) the exemption is granted for a finite period, which includes the dates during which the competition is to be held, determined after consulting the applicant; and
 - (iv) South East Water is reasonably satisfied that, if the Playing Surface is Watered in accordance with the Water Use Plan during the relevant stage of Restrictions, the exemption would not, in combination with the use of Water in accordance with other exemptions granted, or reasonably anticipated by South East Water to be granted, under this clause, have a significant impact on the total daily demand for Water by South East Water's customers or the security of available Water supplies in the District where the use will occur.
- (b) Despite sub-clause 6.3 and paragraph 6.5(a), South East Water may grant an application for exemption to Water a Particular Playing Surface during a period of stage 4 Restrictions if:
- (i) the application is accompanied by an Approved Water Use Plan for the Particular Playing Surface that has been prepared for the purpose of stage 4 Restrictions; and
 - (ii) South East Water is reasonably satisfied that, if the Playing Surface is Watered in accordance with the Water Use Plan during the relevant stage of Restrictions, the exemption would not, in combination with the use of Water in accordance with other exemptions granted, or reasonably anticipated by South East Water to be granted, under this clause, have a significant impact on the total daily demand for Water by South East Water's customers or the security of available Water supplies in the District where the use will occur.

6.6 Particular exemptions for Warm Season Grasses

Despite paragraph 6.2(c) and sub-clause 6.3:

- (a) if a person makes an application to South East Water for an exemption to establish a Warm Season Grass area at a specified property during a period of stage 1 or 2 Restrictions; and
- (b) an exemption under this sub-clause for the property to which the application relates has not been made in the past 12 months,

the person will, unless and until notified otherwise, be deemed to have been granted the exemption from the date the application is posted or sent by electronic mail to the correct address of South East Water, subject to the following conditions:

-
- (c) the exemption allows Watering solely for the establishment of Warm Season Grass; and
 - (d) the exemption expires 28 days after the exemption is deemed to have been granted.

7. WATER USE PLANS

7.1 Guidelines regarding Water Use Plans

- (a) South East Water may:
 - (i) prepare, adopt and publish; and
 - (ii) amend or revoke at any time,guidelines about approval of Water Use Plans under this clause.
- (b) Guidelines adopted under paragraph (a) must be published on South East Water's website and notice of any adoption, amendment or revocation of guidelines must be published in a newspaper circulating generally in each District and on the website of South East Water.

7.2 Applications for Water Use Plans

- (a) A person may make an application under this clause where:
 - (i) a Restriction on the use of Water contained in Schedule 1 permits Water use in accordance with an Approved Water Use Plan; or
 - (ii) where an application for an exemption under clause 6 must be accompanied by an Approved Water Use Plan.
- (b) An application for approval of a Water Use Plan must be in a form approved by South East Water.
- (c) South East Water:
 - (i) must consider an application for approval of a Water Use Plan within a reasonable period;
 - (ii) must have regard to any adopted guidelines referred to in sub-clause 7.1; and
 - (iii) subject to this clause:
 - (A) may grant the application for approval, subject to such conditions as South East Water considers appropriate; or
 - (B) refuse the application for approval.

7.3 Approval of Water Use Plans

South East Water must not approve a Water Use Plan unless:

-
- (a) the Water Use Plan sets out:
 - (i) the person(s) and property (where applicable) to which the Water Use Plan applies;
 - (ii) the use(s) to which the Water Use Plan applies;
 - (iii) the stage(s) of Restrictions during which the Water Use Plan applies; and
 - (iv) when the Water Use Plan expires or ceases to apply; and
 - (b) in the case of an application under clause 7.2(a)(i), South East Water is reasonably satisfied that the use of Water in accordance with the Water Use Plan:
 - (i) would result in Water savings commensurable to the Water savings that would result from Water use in accordance with the Restrictions (other than a Water Use Plan) for that use of Water under the prevailing stage of Restrictions; **OR**
 - (ii) would not, in combination with the use of Water in accordance with Water Use Plans approved or reasonably anticipated by South East Water to be approved for similar uses of Water, have a significant impact on the total daily demand for Water by South East Water's customers or the security of available Water supplies in the District where the use will occur; **OR**
 - (iii) would, in the opinion of South East Water, be generally supported by other South East Water customers who are affected by the relevant stage of Restriction; **OR**
 - (iv) would, in the opinion of South East Water, be considered to demonstrate a best practice or highly efficient use of Water for that purpose; **OR**
 - (v) would provide a broader public benefit.

7.4 **Failure to comply with a Water Use Plan**

For the avoidance of doubt, if an Approved Water Use Plan is in place in relation to a use of Water, but the use of Water is not carried out in accordance with the Approved Water Use Plan that use of Water is subject to the Restrictions for that use contained in Schedule 1.

8. **LIFTING A STAGE OF RESTRICTIONS**

8.1 **Lifting a stage**

Subject to sub-clause 8.2, South East Water may:

- (a) lift a prevailing stage of Restrictions and substitute a lesser stage of Restrictions; or
- (b) lift a prevailing stage of Restrictions

whenever South East Water reasonably concludes, in accordance with the considerations specified in its Drought Response Plan, that the relevant circumstances which led South East Water to impose the prevailing stage of Restrictions in a District no longer exist, or are about to change, by publishing a notice to that effect in a newspaper circulating generally in the relevant District and on the website of South East Water.

8.2 Declining to lift a stage of Restrictions

Despite sub-clause 8.1, South East Water may decline to lift a prevailing stage of Restrictions if it reasonably concludes that either:

- (a) continuing that stage of Restrictions is necessary or desirable to increase or conserve available Water supplies; or
- (b) the change in circumstances which would otherwise justify South East Water in lifting the stage of Restrictions is likely to be so temporary that the public inconvenience caused by lifting and subsequently re-imposing a stage of Restrictions would outweigh the benefits to South East Water's customers of temporarily lifting the prevailing stage of Restrictions.

9. EMERGENCY MEASURES

If it is considered by South East Water that stage 4 Restrictions are insufficient to reduce consumption to a level adequate to meet future demands at that level of Restrictions, South East Water may declare emergency measures to further restrict Water consumption in the specified area.

10. OFFENCES AND PENALTIES

10.1 Contravention of the By-law is an offence

A person who receives a supply of Water from South East Water must not contravene any Restriction or prohibition on the use of that Water imposed by or under this By-law.

10.2 Penalties

The penalty for any offence referred to in sub-clause 10.1 during a stage of Restrictions set out in a column of the Table is:

- (a) for a first offence, the relevant number of penalty units or the period of imprisonment set out in that column for a first offence;
- (b) for a subsequent offence, the relevant number of penalty units or the period of imprisonment set out in that column for a subsequent offence; and
- (c) for a continuing offence, an additional penalty of 5 penalty units for each day on which the offence continues (up to a maximum of 20 additional penalty units):
 - (i) after service of a notice of contravention on the person, under section 151 of the Act; or
 - (ii) if no notice of contravention is served, after conviction of the person for the offence.

	Stage 1	Stage 2	Stage 3	Stage 4
First offence	15	20	30	40 or 3 months' imprisonment

Subsequent offence	30	40	60 or 3 months' imprisonment	80 or 6 months' imprisonment
---------------------------	----	----	------------------------------	------------------------------

10.3 Infringement notices

An infringement notice may be served on any person who receives a supply of Water from South East Water and contravenes any Restriction or prohibition on the use of that Water imposed by or under this By-law (other than an offence against an emergency measure imposed under sub-clause 9).

10.4 Penalties

The infringement penalty for any offence referred to in sub-clause 10.3 during a stage of Restriction set out in Column 1 of the Table is the relevant penalty set out in Column 2 in respect of that Stage of Restrictions.

COLUMN 1	COLUMN 2
STAGE OF RESTRICTION	PENALTY UNITS
1	2
2	3
3	4
4	5

Notes:

- 1 *In this By-law "penalty unit" has the same meaning as in section 110 of the Sentencing Act 1991. The value of a penalty increases each year under the Monetary Units Act 2004. The current value of each penalty for contravening a Restriction or prohibition is set out on South East Water's website www.southeastwater.com.au.*
- 2 *The Act also makes it an offence to waste, misuse or excessively consume Water and imposes **substantial penalties** which include one or more of fines, imprisonment and daily penalties.*
- 3 *South East Water has further power to reduce, restrict or discontinue the supply of Water to a person who contravenes the Act, regulations or a By-law in relation to misuse or taking of Water. South East Water can also disconnect the supply of Water to a property in relation to which a notice of contravention has been issued and not complied with.*

11. ISSUING PENALTY INFRINGEMENT NOTICES

An authorised water officer appointed under section 291A of the Act by South East Water may serve an infringement notice on another person in respect of an offence against sub-clause 10.3 if the authorised water officer reasonably believes that the person has committed the offence.

12. **REPEAL**

No By-law is repealed.

13. **AUTHORISATION BY South East Water**

This By-law is made by South East Water on 25 June 2012.

The Official Seal of
South East Water Corporation
was hereto affixed
in the presence of:



A handwritten signature in black ink, appearing to be "David Urquhart", written over a horizontal line.

Signature of director

The handwritten name "David Urquhart" in black ink, written below a horizontal line.

Name of director

A handwritten signature in black ink, appearing to be "Christopher Metcalfe", written over a horizontal line.

Signature of director/secretary

The handwritten name "Christopher Metcalfe" in black ink, written below a horizontal line.

Name of director/secretary

SCHEDULE 1

SCHEDULE OF WATER RESTRICTIONS

PART A – DEFINITIONS

"**Act**" means the *Water Act 1989*.

"**alternate day**" means:

- (a) in the case of a property with an odd street number, each odd-numbered day of any month;
- (b) in the case of a property:
 - (i) with an even street number; or
 - (ii) without a street number,each even-numbered day of any month; and
- (c) in the case of any property, the 31st day of any month or the 29th day of February.

"**animal husbandry**" includes keeping, raising or breeding any animals or birds either:

- (a) for commercial purposes; or
- (b) on such a scale, or in such a manner, as could reasonably be considered to be comparable to a commercial undertaking.

"**approved Water Use Plan**" means a Water Use Plan approved by South East Water

"**automatic water top up device**" means any automatic top up device with appropriate backflow protection that maintains a water level at the minimum level required for the safe and efficient operation of, and to maintain the integrity of, the equipment which the device is servicing.

"**building façade or window**" means any external surface of, or attached to, a building, including any roof, wall, window or blind of that building.

"**commercial car wash**" means any commercial facility for washing vehicles.

"**commercial market garden**" means an area (indoors or outdoors) used wholly or primarily to propagate, cultivate or harvest fruit, vegetables, vines or other edible plants for sale (retail or wholesale) or distribution for profit.

"**commercial or Council plant nursery**" means an area (indoors or outdoors) used wholly or primarily to propagate, cultivate or harvest plants (including seed stock, turf and flowers):

- (a) for sale (retail or wholesale) or distribution for profit; or
- (b) for any Council use.

"**construction or renovation**" means construction or renovation works on any building or structure including:

-
- (a) erecting, altering (including painting or other protection works), repairing, demolishing or removing any building or structure;
 - (b) civil engineering;
 - (c) any preparatory works for the purposes of construction or renovation; and
 - (d) any directly associated on-site or off-site activity.

"Council" means a council under the *Local Government Act 1989*.

"dam or tank" does not include any pond or lake.

"district" means one of the following water supply districts serviced by South East Water or part of any such district as specified by South East Water: The water supply district of South East Water Corporation. _

"dripper watering system" means:

- (a) a watering system (automatic or manual) which drips water on the root zone of plants, by drippers at a fixed rate of flow, not exceeding 9 litres per hour for every linear metre of the watering system; or
- (b) a "non-dripper" watering system (automatic or manual) which to the satisfaction of South East Water is of equal efficiency to or greater efficiency than a dripper water system described in paragraph (a).

"drought response plan" means a plan developed by South East Water, for the purpose of responding to drought or other water shortage, as required under its Statement of Obligations issued under section 4I of the *Water Industry Act 1994*.

"edible plants" includes plants that can eaten, imbibed or used to flavour food or drinks.

"existing " means in existence at the time when the prevailing stage of restriction was declared.

"fill" means adding water to the current volume, if the relevant receptacle is less than 75% full.

"fountain or water feature" means any (indoor or outdoor) ornamental fountain or water feature of any capacity that projects, circulates or moves water, or otherwise causes water to flow, for an aesthetic or decorative purpose.

"garden area" means any land upon which vegetation of any kind, including trees, other than lawn, grows or is cultivated, for other than commercial purposes. (*See "Lawn area"*).

"general playing surface" means any playing surface that is not a particular playing surface.

"general or particular playing surface" means a general playing surface or a particular playing surface.

"greywater" means waste water from bath tubs, showers, laundry troughs and clothes washing machines, but excludes water from kitchens, dishwashing machines and toilets.

"hand-held hose" means a leak free hose that is held by hand, when it is used, which:

-
- (a) in the case of commercial and construction activities, has an internal diameter of no more than 50mm; or
 - (b) in the case of any other activities, has an internal diameter of no more than 25mm,

and which is fitted and used with a trigger nozzle.

"hard surface" includes any courtyard, decking, footpath, driveway or other external area, with a concrete, asphalt, brick, tile, bitumen, timber or similar impervious surface.

"high pressure water cleaning device" means a machine which has a pump to increase the pressure of water delivered from a trigger nozzle, at a rate of no greater than 9 litres per minute, forming part of the device, but does not include a hand-held hose.

"hose-connected water toy" means any toy that is operated by running water, supplied through a hose.

"lawn area" means any land, grassed or sown with grass seed but excludes any playing surface. See *"garden area"*.

"mobile spa" means any spa that is capable of being moved for use in different locations.

"mobile water tanker permit" means a valid permit issued by South East Water for the filling or topping up of a water tanker with Water from hydrants and fireplugs in accordance with the conditions of the permit.

"motor vehicle dealer, repairer or detailer" means a commercial operator that either sells, trades or repairs motor vehicles and/or is required to clean motor vehicles as part of its operation but excludes a commercial car wash.

"new" means not existing (as defined).

"other use" means any use or purpose for which water may be used outside a building, which is not a use or purpose expressly referred to in this document.

"particular playing surface" means:

- (a) a turf wicket for competition cricket;
- (b) a turf practice wicket for cricket but only if an alternative practice wicket that does not require watering (such as a synthetic wicket) is not available;
- (c) a lawn or other type of running track (whether for use by humans or animals);
- (d) a lawn, en tout cas, or other type of tennis court other than a concrete, bitumen or asphalt tennis court;
- (e) a baseball or softball diamond, including the infield and any en tout cas running area;
- (f) a hockey or lacrosse pitch;
- (g) a green for lawn bowls or croquet or similar sport; or
- (h) the penalty areas of a soccer pitch; or

-
- (i) a golfing tee or green (but not fairways or approaches),

at a sporting or recreational facility that is:

- (i) for public, commercial or general community use; or
 - (ii) associated with a university, school or other educational institution, and
- (j) a soft-fall area at a child-care facility or public playground,

but does not include any part of a sporting or recreational facility associated with a private club or similar private organisation.

"permanent water saving rule" means a restriction or prohibition on the use of Water contained in South East Water's Permanent Water Saving Plan (available at www.southeastwater.com.au) or from South East Water.

"playing surface" means any outdoor area used or capable of being used for any organised sport or recreation.

"pond or lake" includes any collection of water (indoors or outdoors) for ornamental or urban drainage retention purposes, but does not include a fountain or water feature or a tank that is used to house fish or other aquatic life.

"public authority" means any body:

- a) constituted by or under an Act; or
- b) exercising powers under an Act,

for a public purpose and includes a Council.

"public garden area" means any:

- (a) garden area at any park, reserve or other outdoor area, used or available for public recreation or amenity;
- (b) garden area at any cemetery, crematorium, central road area or roundabout under the management or control of a public authority; or
- (c) trees located in a nature strip,

but does not include any:

- (d) residential or commercial garden area; or
- (e) playing surface; or
- (f) nature strip.

"public lawn area" means any lawn area:

- (a) at any park, reserve or other outdoor area, used or available for public recreation or amenity; or

-
- (b) at any cemetery, crematorium, central road area or roundabout under the management or control of a public authority,

but does not include:

- (c) any residential or commercial lawn area;
- (d) any playing surface; or
- (e) any nature strip.

"public garden or lawn area" means any public garden area or any public lawn area.

"public pool or spa" means a swimming pool or spa (indoors or outdoors):

- (a) for public use, which is operated by, or on behalf of, a public authority;
- (b) for limited public use, which is operated by, or on behalf of, a school or educational facility; or
- (c) for limited public use for the purposes of physical rehabilitation, which may be operated by, or on behalf of, a public authority or a private enterprise.

"reclaimed water" means water supplied by South East Water that is neither potable water nor recycled water, but is recovered from sources such as stormwater.

"recycled water" means treated sewage or trade waste, supplied by South East Water.

"residential or commercial garden area" means any garden area associated with any residential, commercial or industrial premises and includes any garden area associated with any:

- (a) dwelling;
- (b) commercial or industrial building;
- (c) hospital or nursing home;
- (d) sporting club;
- (e) religious facility; or
- (f) day-care centre, kindergarten, school, university or other educational facility or research institute,

and also includes any garden area on an adjacent nature strip in a road adjoining the premises, but does not include:

- (g) any commercial market garden; or
- (h) any commercial or Council plant nursery.

"residential or commercial garden or lawn area" means any residential or commercial garden area or any residential or commercial lawn area.

"residential or commercial lawn area" means any lawn area associated with any residential, commercial or industrial premises and includes any lawn area associated with any:

- (a) dwelling;
- (b) commercial or industrial building;
- (c) hospital or nursing home;
- (d) sporting club;
- (e) religious facility; or
- (f) day-care centre, kindergarten, school, university or other educational facility or research institute,

and also includes any lawn area on an adjacent nature strip in a road adjoining the premises, but does not include any lawn area associated with:

- (g) any commercial market garden; or
- (h) any commercial or Council plant nursery.

"residential or commercial pool or spa" means a swimming pool or spa (indoors or outdoors), operated for private use or commercial purposes, or in conjunction with any commercial premises (including any hotel), other than a public pool or spa.

"restriction" includes prohibition.

"season" means summer, autumn, winter or spring.

"South East Water" means South East Water Corporation ABN 89 066 902 547.

"stock and animal health requirements" means the provision of a reasonable quantity of water for drinking by, or cleaning of, domestic or commercial stock or animals, to maintain their health and wellbeing.

"stormwater" means water sourced from the stormwater drainage network of South East Water or any other water corporation or a Council.

"top up" means adding any water to the current volume, if the relevant receptacle is at least 75% full.

"trigger nozzle" means a nozzle controlled by:

- (a) a trigger which must be depressed continuously, or locked in the "on" position, by hand for water to flow; or
- (b) a discreet switch which can be turned on and off by hand, with a single movement.

"vehicle" includes a car, van, truck, boat, tram or train, aircraft and any other vehicle whatsoever, however it is propelled or moved.

"vehicle for mass transportation" means a bus, tram, train, aircraft, ferry or other vehicle however it is propelled or moved, that transports people en masse, but does not include:

-
- (a) taxis (whether cars or vans);
 - (b) cars;
 - (c) buses or vans used for private purposes.

"warm season grass" means Buffalo, Couch or Kikuyu grass varieties that are appropriate for use in a lawn area.

"water" means:

- (a) water supplied by the works of South East Water or any other water corporation (including reticulated systems, stand pipes, hydrants, fireplugs and aqueducts) whether or not that water is delivered directly to the location of its use via those works or is delivered by alternative means including a water tanker; and
- (b) a mix of:
 - (i) the water described in paragraph (a); and
 - (ii) any other water, including the water described in paragraphs (c)-(f),

but does not include:

- (c) recycled or reclaimed water;
- (d) greywater;
- (e) stormwater; or
- (f) rainwater collected by an occupier of land in a rainwater tank from the roof of a building on that land, provided that rainwater within in the tank is not supplemented in anyway by water (defined in paragraphs (a) and (b) above).

"water corporation" means a water corporation as defined in the Act.

"water use plan" means a document, in writing or by plans, prepared to the satisfaction of South East Water which governs the use of water for specified purposes, and for the specified stage of restrictions.

"watering system" means a watering system that is:

- (a) an automatic watering system that is set to turn on and off automatically, at pre-determined times, without human intervention and, in the case of use for a public lawn or garden or playing surface, is also fitted with a rain or soil moisture sensor;
- (b) an automatic watering system, operated manually, rather than automatically; or
- (c) a manual watering system.

"water tanker" means any vehicle, including a trailer, configured to transport a volume of water at least one cubic metre or greater.

PART B – SCHEDULE OF RESTRICTIONS

	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
1. Watering Gardens, Lawns and Playing Surfaces	(a) A: <ul style="list-style-type: none"> Residential or Commercial Garden or Lawn Area; or Public Garden or Lawn Area; or General or Particular Playing Surface, cannot be Watered except as required and then only : <ul style="list-style-type: none"> with a Hand-Held Hose, bucket or Watering can at any time; or by means of a Watering System but only on Alternate Days between the hours of 6am and 10am and 6pm and 10pm. 	(a) A: <ul style="list-style-type: none"> Residential or Commercial Lawn Area; or Public Lawn Area; or General Playing Surface, cannot be Watered at any time. 	(a) A: <ul style="list-style-type: none"> Residential or Commercial Lawn Area; or Public Lawn Area; or General Playing Surface, cannot be Watered at any time. 	(a) A: <ul style="list-style-type: none"> Residential or Commercial Garden or Lawn Area; or Public Garden or Lawn Area; or General or Particular Playing Surface, cannot be Watered at any time.
	(b) <i>Not used.</i>	(b) A: <ul style="list-style-type: none"> Residential or Commercial Garden Area; or Public Garden Area; or a Particular Playing Surface, cannot be Watered except as required and then only: <ul style="list-style-type: none"> with a Hand-Held Hose, bucket or Watering can any time; or using a Watering System but only on Alternate Days between the hours of 6am and 8am and 6pm and 8pm. 	(b) A: <ul style="list-style-type: none"> Residential or Commercial Garden Area; or Public Garden Area; or Particular Playing Surface, cannot be Watered except as required and then only on Alternate Days between the hours of 6am and 8am: <ul style="list-style-type: none"> with a Hand-Held Hose, bucket or Watering can; or using a Dripper Watering System. 	
	(c) Notwithstanding paragraph (a): <ul style="list-style-type: none"> a Public Garden or Lawn Area; or a General or Particular Playing Surface, can be Watered as required but only in accordance with an Approved Water Use Plan. 	(c) Notwithstanding paragraphs (a) and (b): <ul style="list-style-type: none"> a Public Garden or Lawn Area; or a General or Particular Playing Surface, can be Watered as required but only in accordance with an Approved Water Use Plan. 	(c) Notwithstanding paragraphs (a) and (b): <ul style="list-style-type: none"> a Public Garden or Lawn Area; or a General or Particular Playing Surface, can be Watered as required but only in accordance with an Approved Water Use Plan. 	
2. Using Water for Aesthetic Purposes	(a) Water cannot be used to Fill or Top Up a Fountain or Water Feature unless the Fountain or Water Feature recirculates the Water and then only by means of: <ul style="list-style-type: none"> a Hand-Held Hose, bucket or Watering can; or an Automatic Water Top Up Device. 	(a) Water cannot be used to Fill or Top Up a Fountain or Water Feature at any time.	(a) Water cannot be used to Fill or Top Up a Fountain or Water Feature at any time.	(a) Water cannot be used to Fill or Top Up a Fountain or Water Feature at any time.

	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	(b) Water cannot be used to Fill or Top Up a New or Existing Pond or Lake with a capacity of 2,000 litres or less except by means of a Hand-Held Hose, Watering can or bucket.	(b) Water cannot be used to Fill or Top Up a New Pond or Lake, regardless of capacity, at any time.	(b) Water cannot be used to Fill or Top Up a New Pond or Lake, regardless of capacity, at any time.	(b) Water cannot be used to Fill or Top Up a New Pond or Lake, regardless of capacity, at any time.
	(c) Water cannot be used to Fill or Top Up a New or Existing Pond or Lake with a capacity of greater than 2,000 litres except in accordance with an Approved Water Use Plan.	(c) Water cannot be used to Fill or Top Up an Existing Pond or Lake, regardless of capacity, unless the relevant Pond or Lake sustains aquatic fauna or bird life, and then only in accordance with an Approved Water Use Plan.	(c) Water cannot be used to Fill or Top Up an Existing Pond or Lake, regardless of capacity, unless the relevant Pond or Lake sustains aquatic fauna or bird life, and then only in accordance with an Approved Water Use Plan.	(c) Water cannot be used to Fill or Top Up an Existing Pond or Lake, regardless of capacity, unless the relevant Pond or Lake sustains aquatic fauna or bird life, and then only in accordance with an Approved Water Use Plan.
3. Using Water in Swimming Pools and Toys	(a) Water cannot be used to Fill a New or Existing: <ul style="list-style-type: none"> Residential or Commercial Pool or Spa; or Public Pool or Spa, with a capacity of 2,000 litres or less , except by means of: <ul style="list-style-type: none"> a Hand-Held Hose, bucket or Watering can; or an Automatic Water Top Up Device. 	(a) Water cannot be used to Fill a New or Existing: <ul style="list-style-type: none"> Residential or Commercial Pool or Spa; or Public Pool or Spa, with a capacity of 2,000 litres or less , except by means of: <ul style="list-style-type: none"> a Hand-Held Hose, bucket or Watering can; or an Automatic Water Top Up Device. 	(a) Water cannot be used to Fill a New or Existing Residential or Commercial Pool or Spa of any capacity.	(a) Water cannot be used to Fill a New or Existing Residential or Commercial Pool or Spa of any capacity.
	(b) Water cannot be used to Fill a New or Existing: <ul style="list-style-type: none"> Residential or Commercial Pool or Spa; or Public Pool or Spa, with a capacity of greater than 2,000 litres , except in accordance with an Approved Water Use Plan.	(b) Water cannot be used to Fill a New or Existing: <ul style="list-style-type: none"> Residential or Commercial Pool or Spa; or Public Pool or Spa, with a capacity of greater than 2,000 litres , except in accordance with an Approved Water Use Plan.	(b) Water cannot be used to Fill a New or Existing Public Pool or Spa, of any capacity, except in accordance with an Approved Water Use Plan.	(b) Water cannot be used to Fill or Top Up a New or Existing Public Pool or Spa, of any capacity, except in accordance with an Approved Water Use Plan.
	(c) Water cannot be used to Top Up a New or Existing: <ul style="list-style-type: none"> Residential or Commercial Pool or Spa; or Public Pool or Spa, of any capacity, except by means of: <ul style="list-style-type: none"> a Hand-Held Hose, bucket or Watering can; or an Automatic Water Top Up Device. 	(c) Water cannot be used to Top Up a New or Existing: <ul style="list-style-type: none"> Residential or Commercial Pool or Spa; or Public Pool or Spa, of any capacity, except: <ul style="list-style-type: none"> between the hours of 6am and 8am and 6pm and 8pm on Alternate Days by means of a Hand-Held Hose, bucket or Watering can; or by use of an Automatic Water Top Up Device at any time; or in accordance with an Approved Water Use Plan. 	(c) Water cannot be used to Top Up : <ul style="list-style-type: none"> an Existing Residential or Commercial Pool or Spa; or a New or Existing Public Pool or Spa, of any capacity, except: <ul style="list-style-type: none"> between the hours of 6am and 8am on Alternate Days by means of a Hand-Held Hose, bucket or Watering can; or by use of an Automatic Water Top Up Device at any time; or in accordance with an Approved Water Use Plan. 	(c) Water cannot be used to Top Up an Existing Residential or Commercial Pool or Spa of any capacity, except by means of a bucket or Watering can.

	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	(d) Water cannot be used to Fill or Top Up a Mobile Spa except in accordance with an Approved Water Use Plan that is obtained by the owner of the Mobile Spa.	(d) Water cannot be used to Fill or Top Up a Mobile Spa except in accordance with an Approved Water Use Plan that is obtained by the owner of the Mobile Spa.	(d) Water cannot be used to Fill or Top Up a Mobile Spa at any time.	(d) Water cannot be used to Fill or Top Up a Mobile Spa at any time.
	(e) Water cannot be used in or for the use of a Hose-Connected Water Toy at any time.	(e) Water cannot be used in or for the use of a Hose-Connected Water Toy at any time.	(e) Water cannot be used in or for the use of a Hose-Connected Water Toy at any time.	(e) Water cannot be used in or for the use of a Hose-Connected Water Toy at any time.
4. Storing or Transporting Water	<p>(a) Water cannot be used to Fill or Top Up a Dam or Tank except:</p> <ul style="list-style-type: none"> • where the Water in the Dam or Tank is to be used : <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 1 Restrictions; or • in accordance with an Approved Water Use Plan. 	<p>(a) Water cannot be used to Fill or Top Up a Dam or Tank except:</p> <ul style="list-style-type: none"> • where the Water in the Dam or Tank is to be used: <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 2 Restrictions; or • in accordance with an Approved Water Use Plan. 	<p>(a) Water cannot be used to Fill or Top Up a Dam or Tank except:</p> <ul style="list-style-type: none"> • where the Water in the Dam or Tank is to be used: <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 3 Restrictions; or • in accordance with an Approved Water Use Plan. 	<p>(a) Water cannot be used to Fill or Top Up a Dam or Tank except:</p> <ul style="list-style-type: none"> • where the Water in the Dam or Tank is to be used: <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 4 Restrictions; or • in accordance with an Approved Water Use Plan.
	<p>(b) Water cannot be used to Fill or Top Up a Water Tanker unless:</p> <ul style="list-style-type: none"> • South East Water has granted a mobile Water Tanker Permit to the operator of that tanker; and • the tanker is supplying the Water to be used : <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 1 Restrictions. 	<p>(b) Water cannot be used to Fill or Top Up a Water Tanker unless:</p> <ul style="list-style-type: none"> • South East Water has granted a mobile Water Tanker Permit to the operator of that tanker; and • the tanker is supplying the Water to be used : <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 2 Restrictions. 	<p>(b) Water cannot be used to Fill or Top Up a Water Tanker unless:</p> <ul style="list-style-type: none"> • South East Water has granted a mobile Water Tanker Permit to the operator of that tanker; and • the tanker is supplying the Water to be used : <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 3 Restrictions. 	<p>(b) Water cannot be used to Fill or Top Up a Water Tanker unless:</p> <ul style="list-style-type: none"> • South East Water has granted a mobile Water Tanker Permit to the operator of that tanker; and • the tanker is supplying the Water to be used : <ul style="list-style-type: none"> - for fire fighting, stock Watering or other public health purposes but then only to the extent which it is reasonably necessary for those purposes; or - for domestic purposes inside a dwelling; or - for any Other Use of Water permitted by means of a Hand-Held Hose under stage 4 Restrictions.

	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
5. Cleaning Vehicles with Water	<p>(a) Water cannot be used to clean a Vehicle, except:</p> <ul style="list-style-type: none"> in the case of a Vehicle being cleaned at the premises of or by a Motor Vehicle Dealer, Repairer or Detailer, only in accordance with paragraph (c); or in any other case by means of: <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; or if such a device is not available, a Hand-Held Hose, bucket or Watering can; or at a Commercial Car Wash in accordance with paragraph (d); or in the case of a Vehicle for Mass Transportation, in accordance with an Approved Water Use Plan. 	<p>(a) Water cannot be used to clean a Vehicle except:</p> <ul style="list-style-type: none"> in the case of a Vehicle being cleaned at the premises of or by a Motor Vehicle Dealer, Repairer or Detailer, only in accordance with paragraph (c); or in any other case by means of: <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; or if such a device is not available, a Hand-Held Hose, bucket or Watering can; or at a Commercial Car Wash in accordance with paragraph (d); or in the case of a Vehicle for Mass Transportation, in accordance with an Approved Water Use Plan. 	<p>(a) Water cannot be used to clean a Vehicle except:</p> <ul style="list-style-type: none"> in the case of a Vehicle being cleaned at the premises of or by a Motor Vehicle Dealer, Repairer or Detailer, only in accordance with paragraph (c); or in any other case by means of a bucket or Watering can and even then only to the extent it is necessary for: <ul style="list-style-type: none"> health and safety reasons; or cleaning Vehicle windows, mirrors, lights and registration plates; or spot-removing corrosive substances, or at a Commercial Car Wash in accordance with paragraph (d); or in the case of a Vehicle that is used for mass transportation, in accordance with an Approved Water Use Plan. 	<p>(a) Water cannot be used to clean a Vehicle except:</p> <ul style="list-style-type: none"> by means of a bucket or Watering can and even then only to the extent it is necessary for: <ul style="list-style-type: none"> health and safety reasons; or cleaning Vehicle windows, mirrors, lights and registration plates; or spot-removing corrosive substances; or at a Commercial Car Wash in accordance with paragraph (d); or in the case of a Vehicle for Mass Transportation, in accordance with an Approved Water Use Plan.
	<p>(b) Notwithstanding paragraph (a), Water can be used to clean inside a food transport Vehicle if it is necessary, either to avoid contamination of the Vehicle's contents or to ensure public health or safety, but only by means of a:</p> <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; or a Hand-Held Hose, bucket or Watering can. 	<p>(b) Notwithstanding paragraph (a), Water can be used to clean inside a food transport Vehicle if it is necessary, either to avoid contamination of the Vehicle's contents or to ensure public health or safety, but only by means of a:</p> <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; or a Hand-Held Hose, bucket or Watering can. 	<p>(b) Notwithstanding paragraph (a), Water can be used to clean inside a food transport Vehicle if it is necessary, either to avoid contamination of the Vehicle's contents or to ensure public health or safety, but only by means of a:</p> <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; or a Hand-Held Hose, bucket or Watering can. 	<p>(b) Notwithstanding paragraph (a), Water can be used to clean inside a food transport Vehicle if it is necessary, either to avoid contamination of the Vehicle's contents, or to ensure public health or safety, but only by means of a:</p> <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; or a Hand-Held Hose, bucket or Watering can.
	<p>(c) Water cannot be used at the premises of or by a Motor Vehicle Dealer, Repairer or Detailer to clean a Vehicle except:</p> <ul style="list-style-type: none"> by means of: <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; a Commercial Car Wash in accordance with paragraph (d); or a bucket or Watering can; or in accordance with an Approved Water Use Plan. 	<p>(c) Water cannot be used at the premises of or by a Motor Vehicle Dealer, Repairer or Detailer to clean a Vehicle except:</p> <ul style="list-style-type: none"> by means of: <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; a Commercial Car Wash in accordance with paragraph (d); or a bucket or Watering can; or in accordance with an Approved Water Use Plan. 	<p>(c) Water cannot be used at the premises of or by a Motor Vehicle Dealer, Repairer or Detailer to clean a Vehicle except:</p> <ul style="list-style-type: none"> by means of: <ul style="list-style-type: none"> a High Pressure Water Cleaning Device; a Commercial Car Wash in accordance with paragraph (d); or a bucket or Watering can; or in accordance with an Approved Water Use Plan. 	<p>(c) <i>Not used.</i></p>

	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	<p>(d) Water cannot be used to wash Vehicles at a Commercial Car Wash unless:</p> <ul style="list-style-type: none"> • for those car washes built prior to 1 July 2012, no more than 100 litres of Water is used for each Vehicle washed; and • for those car washes built on or after 1 July 2012, no more than 70 litres of Water is used for each Vehicle washed; or • the use is in accordance with an Approved Water Use Plan. 	<p>(d) Water cannot be used to wash Vehicles at a Commercial Car Wash unless:</p> <ul style="list-style-type: none"> • for those car washes built prior to 1 July 2012, no more than 100 litres of Water is used for each Vehicle washed; and • for those car washes built on or after 1 July 2012, no more than 70 litres of Water is used for each Vehicle washed; or • the use is in accordance with an Approved Water Use Plan. 	<p>(d) Water cannot be used to wash Vehicles at a Commercial Car Wash unless:</p> <ul style="list-style-type: none"> • the car wash uses no more than 70 litres of Water, for each Vehicle washed; or • the use is in accordance with an Approved Water Use Plan. 	<p>(d) Water cannot be used to wash Vehicles at a Commercial Car Wash except by means of a bucket or Watering can and even then only to the extent it is necessary for:</p> <ul style="list-style-type: none"> - health and safety reasons; or - cleaning Vehicle windows, mirrors, lights and registration plates; or - spot-removing corrosive substances
	<p>(e) Water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless:</p> <ul style="list-style-type: none"> • a suitable receptacle Filled by a Hand-Held Hose is used; or • a flushing device, connected to a hose is used, and the tap is turned off immediately after flushing is complete. 	<p>(e) Water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless:</p> <ul style="list-style-type: none"> • a suitable receptacle Filled by a Hand-Held Hose is used; or • a flushing device, connected to a hose is used, and the tap is turned off immediately after flushing is complete. 	<p>(e) Water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless:</p> <ul style="list-style-type: none"> • a suitable receptacle Filled by a Hand-Held Hose is used; or • a flushing device, connected to a hose is used, and the tap is turned off immediately after flushing is complete. 	<p>(e) Water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless:</p> <ul style="list-style-type: none"> • a suitable receptacle Filled by a Hand-Held Hose is used; or • a flushing device, connected to a hose is used, and the tap is turned off immediately after flushing is complete.
6. Using Water for Other Cleaning or Maintenance Purposes	<p>(a) Water cannot be used on Hard Surfaces or Building Facades (including Windows), except:</p> <ul style="list-style-type: none"> • in the course of Construction or Renovation but only as permitted under paragraph (c); or • for cleaning required as a result of an accident, fire, health hazard, safety hazard or other emergency and then only by means of: <ul style="list-style-type: none"> - a High Pressure Water Cleaning Device; or - if such a device is not available, a Hand-Held Hose, bucket or Watering can, or • in the case of Building Facades (including Windows), for any other type of cleaning (not referred to above) and then only by means of a bucket or Watering can. 	<p>(a) Water cannot be used on Hard Surfaces or Building Facades (including Windows), except:</p> <ul style="list-style-type: none"> • in the course of Construction or Renovation but only as permitted under paragraph (c); or • for cleaning required as a result of an accident, fire, health hazard, safety hazard or other emergency and then only by means of: <ul style="list-style-type: none"> - a High Pressure Water Cleaning Device; or - if such a device is not available, a Hand-Held Hose, bucket or Watering can, or • In the case of Building Facades (including Windows), for any other type of cleaning and then only by means of a bucket or Watering can. 	<p>(a) Water cannot be used on Hard Surfaces or Building Facades (including Windows), except:</p> <ul style="list-style-type: none"> • in the course of Construction or Renovation but only as permitted under paragraph (c); or • for cleaning required as a result of an accident, fire, health hazard, safety hazard or other emergency and then only by means of: <ul style="list-style-type: none"> - a High Pressure Water Cleaning Device; or - if such a device is not available, a Hand-Held Hose, bucket or Watering can. 	<p>(a) Water cannot be used on Hard Surfaces or Building Facades (including Windows), except:</p> <ul style="list-style-type: none"> • in the course of Construction or Renovation but only as permitted under paragraph (c); or • for cleaning required as a result of an accident, fire, health hazard, safety hazard or other emergency and then only by means of: <ul style="list-style-type: none"> - a High Pressure Water Cleaning Device; - if such a device is not available, a Hand-Held Hose, bucket or Watering can.

	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	<p>(b) Water cannot be used to suppress dust unless the dust is causing or is likely to cause a health or environmental hazard, and then only:</p> <ul style="list-style-type: none"> • by means of a Hand-Held Hose, bucket or Watering can; or • with Water from a Water Tanker Filled or Topped Up in accordance with Restriction 4(b); or • in accordance with an Approved Water Use Plan. 	<p>(b) Water cannot be used to suppress dust unless the dust is causing or is likely to cause a health or environmental hazard, and then only:</p> <ul style="list-style-type: none"> • by means of a Hand-Held Hose, bucket or Watering can; or • with Water from a Water Tanker Filled or Topped Up in accordance with Restriction 4(b); or • in accordance with an Approved Water Use Plan. 	<p>(b) Water cannot be used to suppress dust unless the dust is causing or is likely to cause a health or environmental hazard, and then only:</p> <ul style="list-style-type: none"> • by means of a Hand-Held Hose, bucket or Watering can; or • with Water from a Water Tanker Filled or Topped Up in accordance with Restriction 4(b); or • in accordance with an Approved Water Use Plan. 	<p>(b) Water cannot be used to suppress dust unless:</p> <ul style="list-style-type: none"> • there is no suitable alternative source of water available for use; and • the dust is causing or is likely to cause a health or environmental hazard, and then only: • by means of a Hand-Held Hose, bucket or Watering can; or • with Water from a Water Tanker Filled or Topped Up in accordance with Restriction 4(b); or • in accordance with an Approved Water Use Plan.
	<p>(c) Water cannot be used in the course of Construction or Renovation except:</p> <ul style="list-style-type: none"> • by means of a high pressure cleaning device, Hand-Held Hose, bucket or Watering can; or • for the suppression of dust in accordance with paragraph (b); or • for Construction equipment which requires a Water supply for its safe and efficient operation; or • if required in the normal course of initial testing or flushing of: pipes; or other works. 	<p>(c) Water cannot be used in the course of Construction or Renovation except:</p> <ul style="list-style-type: none"> • by means of a high pressure cleaning device, Hand-Held Hose, bucket or Watering can; or • for the suppression of dust in accordance with paragraph (b); or • for Construction equipment which requires a Water supply for its safe and efficient operation; or • if required in the normal course of initial testing or flushing of: pipes; or other works. 	<p>(c) Water cannot be used in the course of Construction or Renovation except:</p> <ul style="list-style-type: none"> • by means of a high pressure cleaning device, Hand-Held Hose, bucket or Watering can; or • for the suppression of dust in accordance with paragraph (b); or • for Construction equipment which requires a Water supply for its safe and efficient operation; or • if required in the normal course of initial testing or flushing of: pipes; or other works. 	<p>(c) Water cannot be used, in the course of Construction or Renovation except:</p> <ul style="list-style-type: none"> • by means of a high pressure cleaning device, Hand-Held Hose, bucket or Watering can; or • for the suppression of dust in accordance with paragraph (b); or • for Construction equipment which requires a Water supply for its safe and efficient operation; or • if required in the normal course of initial testing or flushing of: pipes; or other works.
7. Using Water for Commercial Production of Plants and/or Animals:	<p>(a) Water cannot be used at:</p> <ul style="list-style-type: none"> • a Commercial or Council Plant Nursery; or • a Commercial Market Garden, except as required and then only by means of: • a Hand-Held Hose, bucket or Watering can at any time; or • a Watering System at any time. 	<p>(a) Water cannot be used at:</p> <ul style="list-style-type: none"> • a Commercial or Council Plant Nursery; or • a Commercial Market Garden, except as required and then only by means of: • a Hand-Held Hose, bucket or Watering can at any time; or • a Watering System at any time. 	<p>(a) Water cannot be used at a Commercial or Council Plant Nursery, except as required and then only:</p> <ul style="list-style-type: none"> • by means of a Hand-Held Hose, bucket or Watering can at any time; or • in accordance with an Approved Water Use Plan. 	<p>(a) Water cannot be used at a Commercial or Council Plant Nursery, except as required and then only:</p> <ul style="list-style-type: none"> • by means of a Hand-Held Hose, bucket or Watering can at any time; or • in accordance with an Approved Water Use Plan.
	<p>(b) <i>Not used.</i></p>	<p>(b) <i>Not used.</i></p>	<p>(b) Water cannot be used at a Commercial Market Garden except as required and then only in accordance with an Approved Water Use Plan.</p>	<p>(b) Water cannot be used at a Commercial Market Garden except as required and then only in accordance with an Approved Water Use Plan</p>

	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	<p>(c) Water cannot be used for Animal Husbandry except for:</p> <ul style="list-style-type: none"> • drinking by animals or birds; or • cleaning animals or birds; or • cleaning pens, yards and cages, and then only if cleaning is done by means of a Hand-Held Hose or bucket. 	<p>(c) Water cannot be used for Animal Husbandry except for:</p> <ul style="list-style-type: none"> • drinking by animals or birds; or • cleaning animals or birds; or • cleaning pens, yards and cages, and then only if cleaning is done by means of a Hand-Held Hose or bucket. 	<p>(c) Water cannot be used for Animal Husbandry except for:</p> <ul style="list-style-type: none"> • drinking by animals or birds; or • cleaning animals or birds; or • cleaning pens, yards and cages, and then only if cleaning is done by means of a Hand-Held Hose or bucket. 	<p>(c) Water cannot be used for Animal Husbandry except for:</p> <ul style="list-style-type: none"> • drinking by animals or birds; or • cleaning animals or birds; or • cleaning pens, yards and cages, and then only if cleaning is done by means of a Hand-Held Hose or bucket.
	<p>(d) Water cannot be used for cooling a shed on a commercial poultry farm except by means of:</p> <ul style="list-style-type: none"> • sprinklers used only for cooling and then only between the hours of 6am and 9pm when the inside temperature of the shed is 30°C or higher; and • fogging systems and cooling pads, which may be used at any time. 	<p>(d) Water cannot be used for cooling a shed on a commercial poultry farm except by means of:</p> <ul style="list-style-type: none"> • sprinklers used only for cooling and then only between the hours of 6am and 9pm when the inside temperature of the shed is 30°C or higher; and • fogging systems and cooling pads, which may be used at any time. 	<p>(d) Water cannot be used for cooling a shed on a commercial poultry farm except by means of:</p> <ul style="list-style-type: none"> • sprinklers used only for cooling and then only between the hours of 6am and 9pm when the inside temperature of the shed is 30°C or higher ; and • fogging systems and cooling pads, which may be used at any time. 	<p>(d) Water cannot be used for cooling a shed on a commercial poultry farm except by means of:</p> <ul style="list-style-type: none"> • sprinklers used only for cooling and then only between the hours of 6am and 9pm when the inside temperature of the shed is 30°C or higher; and • fogging systems and cooling pads, which may be used at any time.
8. Other Uses	Water must not be used for any Other Use without the prior written permission of South East Water.	Water must not be used for any Other Use without the prior written permission of South East Water.	Water must not be used for any Other Use without the prior written permission of South East Water.	Water must not be used for any Other Use without the prior written permission of South East Water.

PART C – INDEX

Term	Item	Item number
Aircraft	<i>Cleaning Vehicles with Water</i>	5
Animal	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Animal Husbandry	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Bird	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Boat	<i>Cleaning Vehicles with Water</i>	5
Boat motor	<i>Cleaning Vehicles with Water</i>	5
Building	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Building Facade	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Car dealer	<i>Cleaning Vehicles with Water</i>	5
Car wash	<i>Cleaning Vehicles with Water</i>	5
Commercial Car Wash	<i>Cleaning Vehicles with Water</i>	5
Commercial Garden	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Commercial Lawn	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Commercial Market Garden	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Commercial Plant Nursery	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Commercial Pool or Spa	<i>Using Water in Swimming Pools and Toys</i>	3
Commercial poultry farm	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Construction	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Courtyard	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Dam	<i>Storing or Transporting Water</i>	4
Dust	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Driveway	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6

Emergency	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Farm	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Food transport Vehicle	<i>Cleaning Vehicles with Water</i>	5
Fountain	<i>Using Water for Aesthetic Purposes</i>	2
Garden	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Grass	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Hard Surface	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Hazard	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Lake	<i>Using Water for Aesthetic Purposes</i>	2
Lawn	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Market garden	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Mobile Spa	<i>Using Water in Swimming Pools and Toys</i>	3
Motor Vehicle	<i>Cleaning Vehicles with Water</i>	5
Motor Vehicle Dealer	<i>Cleaning Vehicles with Water</i>	
Municipal pool	<i>Using Water in Swimming Pools and Toys</i>	3
Nursery	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
	<i>Using Water for Commercial Production of Plants and / or Animals</i>	7
Ornamental pool	<i>Using Water for Aesthetic Purposes</i>	2
Oval	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Park	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
	<i>Using Water for Aesthetic Purposes</i>	2
Paving	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Playing surface	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Pond	<i>Using Water for Aesthetic Purposes</i>	2

Pool	<i>Using Water for Aesthetic Purposes</i>	2
	<i>Using Water in Swimming Pools and Toys</i>	3
	<i>Storing or Transporting Water</i>	4
Poultry farm	<i>Using Water for Commercial Production of Plants and/ or Animals</i>	7
Public Garden	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Public lawn	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Residential Garden	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Residential lawn	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Roof	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
School	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
	<i>Using Water in Swimming Pools and Toys</i>	3
Spa	<i>Using Water in Swimming Pools and Toys</i>	3
Sportsground	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
Sporting club	<i>Watering Gardens, Lawns and Playing Surfaces</i>	1
	<i>Using Water in Swimming Pools and Toys</i>	3
Swimming pool	<i>Using Water in Swimming Pools and Toys</i>	3
	<i>Storing or Transporting Water</i>	4
Tank	<i>Storing or Transporting Water</i>	
Tanker	<i>Storing or Transporting Water</i>	4
	<i>Cleaning Vehicles With Water</i>	5
Toy	<i>Using Water in Swimming Pools and Toys</i>	3
Vehicle	<i>Cleaning Vehicles with Water</i>	5
Wading pool	<i>Using Water in Swimming Pools and Spas</i>	3
Wall	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6
Water feature	<i>Using Water for Aesthetic Purposes</i>	2
Water Toy	<i>Using Water in Swimming Pools and Toys</i>	3
Window	<i>Using Water for Other Cleaning or Maintenance Purposes</i>	6