

# Everybody lives at 3a

The Drought Response Plans of the three metropolitan retail water businesses, City West Water, South East Water and Yarra Valley Water, have recently been varied to include Stage 3a as one of the four stages of restrictions under the Plans. The restrictions and prohibitions on the use of water which have been in place since 1 April 2007 are unchanged from 6 July 2008 as a result of the matters notified below.

## PUBLIC NOTICE – WATER INDUSTRY ACT 1994

Pursuant to Section 78G of the Water Industry Act 1994, each of City West Water, South East Water and Yarra Valley Water give notice that, in their respective water supply service areas:

- (a) from 11.59pm on **5 July 2008**, Stage 4 water restrictions as set out in their respective Drought Response Plans dated 27 June 2006 (and subject to the suspensions notified under sub-clause 7.1 of the Drought Response Plan) are removed; and
- (b) from 12.00 am on **6 July 2008**, Stage 3 (known as Stage 3a) water restrictions as set out in their respective Drought Response Plans approved by the Minister for Water on 30 June 2008 are imposed.

Details of the relevant restrictions on water use under Stage 3 (known as Stage 3a) are set out below:

### 1. Residential or Commercial Gardens and Lawns

- (1) A garden area must not be watered except by means of:
  - (a) a manual dripper watering system which operates only as required within the hours of 6.00am and 8.00am on:
    - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
    - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number; or
  - (b) an automatic dripper watering system which operates only as required within the hours of midnight and 2.00am, on;
    - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
    - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number.
- (1A) Notwithstanding the foregoing, in the case of residential properties where at least one occupant is aged 70 or older, the permitted watering hours for a manual dripper watering system are either:
  - (i) within the hours of 6.00am and 8.00am; or
  - (ii) within the hours of 8.00am and 10.00am.The permitted watering days are unchanged.
- (2) A lawn area must not be watered at any time.
- (3) A garden area must not be watered except by means of a hand-held hose fitted with a trigger nozzle, or watering can or bucket filled either by a hand-held hose fitted with a trigger nozzle or directly from a tap (collectively, "hand watering"), and then only as required within the hours of 6.00am and 8.00am on:
  - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
  - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number.
- (3A) Notwithstanding the foregoing, in the case of residential properties where at least one occupant is aged 70 or older, the permitted watering hours for hand watering are either:
  - (i) within the hours of 6.00am and 8.00am; or
  - (ii) within the hours of 8.00am and 10.00am.The permitted watering days are unchanged.

### 2. Public Gardens and Lawns

- (1) A garden area must not be watered except by means of:
  - (a) a manual dripper watering system which operates only as required within the hours of 6.00am and 10.00am, and 8.00 pm and midnight, on:
    - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
    - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number; or
  - (b) an automatic dripper watering system which operates only as required within the hours of midnight and 8.00am on:
    - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
    - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number.
- (2) A lawn area must not be watered at any time.
- (3) A garden area must not be watered except by means of hand-held hose fitted with a trigger nozzle, or watering can or bucket filled either by a hand-held hose fitted with a trigger nozzle, or directly from a tap and only as required within the hours of 6.00am and 10.00am on:
  - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
  - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number.
- (4) Despite items (1)-(3) either or both of a garden area and a lawn area may be watered in accordance with a Water Conservation Plan prepared by the operator and approved by the relevant water business for the purpose of Stage 3 (known as Stage 3a) restrictions.

### 3. Sportsgrounds

- (1) An exempt playing surface must not be watered except by:
  - (a) a manual dripper watering system which operates only as required within the hours of 6.00am and 10.00am and 8.00 pm and midnight on:
    - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
    - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number; or
  - (b) an automatic dripper watering system which operates only as required within the hours of midnight and 8.00am on:
    - (i) either or both of Sunday and Wednesday for a property with an odd street number; or
    - (ii) either or both of Saturday and Tuesday for a property with an even street number or a property without a street number.
- (2) Any other playing surface must not be watered at any time.
- (3) An exempt playing surface must not be watered except by a hand-held hose fitted with a trigger nozzle, or a watering can or bucket filled either by a hand-held hose fitted with a trigger nozzle or directly from a tap and then only as required within the hours of 6.00am and 10.00am on:
  - (i) either or both of Sunday and Wednesday, for a property with an odd street number; or
  - (ii) either or both of Saturday and Tuesday, for a property with an even street number or a property without a street number.
- (4) Despite items (1)-(3), a sportsground may be watered in accordance with a Water Conservation Plan, prepared by the operator and approved by the relevant water business, for the purpose of Stage 3 (known as Stage 3a) restrictions.

### 4. Pond or Lake

- (1) A new pond or lake must not be filled.
- (2) An existing pond or lake must not be filled or topped up unless the relevant pond or lake sustains aquatic fauna or bird life, and then only to the extent and in the manner specified in the written permission of the relevant water business

### 5. Fountain or Water Feature

- (1) A fountain or water feature must not be operated unless it recirculates any water used.
- (2) A fountain or water feature must not be filled or topped up.

### 6. Residential or Commercial Pool or Spa

- (1) A new pool or spa with a capacity of less than 500 litres must not be filled.
- (2) A new residential or commercial pool or spa with a capacity of between 500 and 2,000 litres must not be filled.
- (3) A new residential or commercial pool or spa with a capacity of more than 2,000 litres must not be filled.
- (4) An existing residential or commercial pool or spa with a capacity less than 2,000 litres may be filled by means of a watering can or bucket, filled directly from a tap (and not by means of a hose).
- (5) An existing residential or commercial pool or spa with a capacity of 2,000 litres or more must not be filled except in accordance with a Water Conservation Plan, prepared by the owner or occupier and approved by the relevant water business.
- (6) An existing residential or commercial pool or spa must not be topped up except by means of a watering can or bucket, filled directly from a tap (and not by means of a hose).

### 7. Municipal Pool or Spa

- (1) A new municipal pool or spa must not be filled for the first time except in accordance with a Water Conservation Plan, prepared by the operator and approved by the relevant water business.

- (2) An existing municipal pool or spa must not be topped up except to the extent and in the manner approved by the relevant water business in writing.

### 8. Mobile Spa

- (1) A mobile spa with a capacity of between 500 and 2,000 litres must not be filled.
- (2) A mobile spa with a capacity of 2,000 litres or more must not be filled.

### 9. Water Toy

A water toy must not be used at any time.

### 10. Dam or Tank

A dam or tank must not be filled or topped up, except:

- (i) with the written permission of the relevant water business; or
- (ii) in the case of a dam or tank providing water for fire fighting, public health or stock, only to the extent which, in the opinion of the relevant water business is reasonably necessary to provide for those purposes.

### 11. Water Tanker

A water tanker must not be filled or topped up, unless:

- (a) the relevant water business has granted a mobile water tanker permit to the operator of the tanker; and
- (b) the tanker is supplying water to be used inside a dwelling, or for fire fighting, stock watering, construction, or dust suppression and other public health purposes.

### 12. Commercial Market Garden or Commercial or Council Plant Nursery

Water must not be used for watering any garden, plant stock, seeds or produce, except:

- (a) if the written permission of the relevant water business is obtained, by:
  - (i) an automatic or manual watering system used only as required for up to three hours per day; and
  - (ii) in accordance with, and while displaying any signs required by, that written permission; or
- (b) by a hand-held hose fitted with a trigger nozzle, or a watering can or bucket filled either by a hand-held hose fitted with a trigger nozzle, or directly from a tap, at any time.

### 13. Vehicles

Water must not be used to clean a vehicle except by means of:

- (a) a commercial car wash referred to in item 14 ; or
- (b) a bucket filled directly from a tap (and not by means of a hose):
  - (i) to clean vehicle windows, mirrors and lights; and
  - (ii) for spot-removing corrosive substances.

### 14. Commercial Car Wash

(1) A commercial car wash must not operate:

- (a) unless it will not use more than 70 litres of water for every vehicle washed; and
- (b) except in accordance with a Water Conservation Plan, prepared by the proprietor and approved by the relevant water business.

### 15. Motor Vehicle Dealer

Water must not be used to clean vehicles in a motor vehicle dealership except by means of:

- (a) a commercial car wash referred to in item 14 ; or
- (b) a bucket filled directly from a tap (and not by means of a hose):
  - (i) to clean vehicle windows, mirrors and lights; and
  - (ii) for spot-removing corrosive substances.

### 16. Food Transport Vehicle

Water must not be used to clean inside a food transport vehicle except by means of:

- (a) a high pressure water cleaning device; or
- (b) a hand-held hose fitted with a trigger nozzle, and only if such cleaning is necessary, either to avoid contamination of the vehicle's contents, or to ensure public safety.

### 17. Boat Motors

Water must not be used to flush the inboard or outboard motor of a boat unless:

- (a) a suitable receptacle filled by a hand-held hose is used; or
- (b) a flushing device, connected to a hose is used, and the tap is turned off immediately after flushing is complete.

### 18. Hard Surface

Water must not be used to clean hard surfaces unless cleaning is required as a result of:

- (a) an accident, fire, health hazard, safety hazard or other emergency and a hand-held hose fitted with a trigger nozzle is used; or
- (b) construction or renovation work to the surface and a high pressure water cleaning device is used.

### 19. Building Facade

Water must not be used to clean a building facade unless cleaning is required as a result of:

- (a) an accident, fire, health hazard, safety hazard or other emergency, and either:
  - (i) a bucket, filled either by a hand-held hose fitted with a trigger nozzle, or directly from a tap, is used; or
  - (ii) a hand-held hose fitted with a trigger nozzle is used; or
- (b) construction or renovation work and a bucket or watering can filled directly from a tap (and not by means of a hose) is used.

### 20. Dust Suppression

Water must not be used to suppress dust, other than in the course of construction referred to in item 21, unless dust is causing a health or environmental hazard; and then only by means of:

- (a) a water tanker permitted in accordance with item 11; or
- (b) a hand-held hose, fitted with a trigger nozzle, or by a watering can, filled either by a hand-held hose fitted with a trigger nozzle, or directly from a tap.

### 21. Construction

Water must not be used in construction, except:

- (a) by means of a hand-held hose fitted with a trigger nozzle, or by a bucket or other container, filled either by a hand-held hose fitted with a trigger nozzle, or directly from a tap; or
- (b) by construction equipment which requires a water supply for its safe and efficient operation; or
- (c) for water used in the normal course of initial testing or flushing of pipes or other works.

### 22. Animal Husbandry

Water must not be used for animal husbandry except for:

- (a) drinking by animals or birds; or
- (b) cleaning animals or birds or
- (c) cleaning pens, yards and cages, and then only if cleaning is done by means of a hand-held hose fitted with a trigger nozzle.

### 23. Commercial Poultry Farm

Water must not be used for cooling a shed on a commercial poultry farm except by means of:

- (a) sprinklers used only for cooling and then only when the inside temperature of the shed reaches 30 degrees Celsius and between the hours of 6am and 9pm; and
- (b) fogging systems and cooling pads, which may be used at any time.

### 24. Other Purpose

Water must not be used for any other purpose without the prior written permission of the relevant water business.

### DEFINITIONS

**Animal husbandry**, as used in item 22, 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 the relevant water business considers to be comparable to a commercial undertaking.

**Automatic watering system** means a watering system capable of being set to turn on and off automatically, at pre-determined times, without human intervention.

**Building façade** as used in item 19, 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 or commercial or Council plant nursery**, as used in item 12, means land used wholly or primarily to grow vegetation or produce, either:

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

**Construction**, as used in item 21, includes erecting, altering, demolishing or removing any building, structure or civil engineering or other work, and any associated on-site or off-site activity.

**Dam or tank**, as used in item 10, does not include any pond or lake, referred to in item 4.

**Dripper watering system** means either an automatic watering system or a manual watering system, as the case requires, which drips water on, or near to, 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.

**Exempt playing surface**, as used in item 3, includes:

- (a) a turf wicket or practice wicket for cricket; or
- (b) a lawn or other type of running track; and
- (c) a lawn, *en tous cas*, or other type of tennis court other than a concrete, bitumen or asphalt tennis court ; and
- (d) a hockey pitch, bowling or croquet green; and
- (e) a golfing tee or green (but not approaches), at a sporting facility:
  - (i) for public, commercial or general community use; or
  - (ii) associated with a university, school or other educational institution, and
- (f) further includes a soft-fall area at a child-care facility, but does not include any part of a sporting facility associated with a private club or similar community organisation.

**Existing** means existing at the time when the prevailing stage of restriction was declared.

**Fill**, in relation to items 4, 5, 6, 7, 8, 10 and 11, means adding any water to the existing volume, if the relevant receptacle is less than 75% full.

**Fountain or water feature**, as used in item 5, includes any indoor or outdoor ornamental fountain or water feature and, except in relation to Stage 4 restrictions, with a volume:

- (a) of up to 500 litres, that projects water for more than 20 centimetres above the outlet of that water; or
- (b) of more than 500 litres.

**Garden** means any land upon which vegetation of any kind, other than lawn, grows or is cultivated, for other than commercial purposes.

**Hand-held hose** means a 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 50 mm; or
- (b) in the case of any other activities, has an internal diameter of no more than 25mm.

**Hard surface**, as used in item 18, includes any courtyard, decking, footpath, driveway or other 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, forming part of the device.

**Lawn** means any area, grassed or sown with grass seed. See "Garden".

**Mobile Spa** includes any spa that is capable of being moved for use in different locations.

**Manual watering system** means:

- (a) a watering system which is not an automatic watering system; or
- (b) an automatic watering system, operated manually, rather than automatically.

**Municipal pool or spa**, as used in item 7, means a swimming pool or spa, of 500 litres or more, for public use, which is operated by, or on behalf of, a public authority.

**Other purpose**, as used in item 24, means any purpose for which water may be used outside a building, which is not a purpose otherwise referred to in this Schedule.

**Pond or lake**, as used in item 4, includes any collection of water for ornamental or urban drainage retention purposes, but does not include a fountain or water feature referred to in item 5.

**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 under the *Local Government Act 1989*.

**Public garden or lawn**, as used in item 2, includes:

- (a) any garden, lawn, plantation, park, reserve or other area, used for public recreation or amenity; and
- (b) 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 gardens or lawn, referred to in item 1; or
- (d) any sportsground referred to in item 3; or
- (e) any nature strip.

**Residential or commercial garden or lawn**, as used in item 1, includes any garden or lawn associated with any residential, commercial or industrial premises and, for example, any:

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

and also includes any adjacent nature strip in an adjoining road.

**Residential or Commercial Pool or Spa**, as used in item 6, means a swimming pool or spa, operated for private use or commercial purposes, or in conjunction with any commercial premises (including any hotel), other than a municipal pool or spa referred to in item 7.

**Sportsground**, as used in item 3, means any land used or capable of being used, for any organised sport or recreation.

**Top up**, in relation to items 4, 5, 6, 7, 10 and 11, means adding any water to the existing 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 boat, aircraft and any other vehicle whatsoever, however it is propelled or moved.

**Water** means water supplied by works of the relevant water business, but does not include recycled or reclaimed water.

**Water toy**, as used in item 9, means any toy that is operated by running water, supplied through a hose.

Copies of the three water business' Drought Response Plans together with further information on water restrictions can be found on their websites. Alternatively, if you wish to obtain a copy of the Drought Response Plans, you may contact the businesses by telephone, mail, or by visiting their offices.

**City West Water**  
Website: [www.citywestwater.com.au](http://www.citywestwater.com.au)  
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**Yarra Valley Water**  
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