East Gippsland Water

East Gippsland Water

Water Restriction By-law 001/22

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 **3**

4.1 Stages of Restrictions 3

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 **4**

5.1 Health and Safety Exclusion 4

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 6

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 9

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 10

7.4 Failure to Comply with a Water Use Plan 11

8. LIFTING A STAGE OF RESTRICTION 11

8.1 Lifting a stage of restrictions 11

8.2 Declining to lift a stage of restrictions 11

9. EMERGENCY MEASURES 12

10. OFFENCES AND PENALTIES 12

10.1 Contravention of the By-law is an offence 12

10.2 Penalties 12

10.3 Infringement notices 13

10.4 Penalties 13

11. REPEAL 13

12. AUTHORISATION BY EAST GIPPSLAND WATER 14

SCHEDULE 1 15

SCHEDULE OF WATER RESTRICTIONS 15

PART A – DEFINITIONS 15

PART B – SCHEDULE OF RESTRICTIONS 24

PART C – INDEX 32

MODEL WATER RESTRICTION BY-LAW

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 *East Gippsland 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 East Gippsland 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 East Gippsland 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 East Gippsland 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 East Gippsland 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 East Gippsland 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 East Gippsland 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.

East Gippsland Water makes the following By-law:

1. AUTHORISING PROVISIONS

This By-law is made under sections 160, 171(1)(a), (ba), (bb), (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 supplied drinking water; and

(b) set out four stages of restrictions on the use of supplied drinking 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

In this By-law:

(a) A reference to a person means an individual, a body or an association (incorporated or unincorporated) or a partnership.

(b) An interpretation that would promote the efficient use of supplied water must be preferred to an interpretation that would not promote that use.

4. STAGES OF RESTRICTIONS

4.1 Stages of Restrictions

(a) East Gippsland Water may impose any of the following stages of restrictions, as the case requires, in any district:

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

(b) The stage of restrictions must be imposed, by publishing a notice to that effect in a newspaper circulating generally in the relevant district and on the website of East Gippsland Water.

4.2 **Imposing stages of restrictions**

East Gippsland Water may impose a stage of restriction 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 of East Gippsland Water *or any other water corporation*, East Gippsland 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, East Gippsland Water will temporarily be unable to meet the demands of its customers; or

(iii) the prevailing stage of restriction has failed to provide the reductions in demand required by East Gippsland Water for that stage, in accordance with its drought response plan.

4.3 **Application of restrictions**

When a stage of restriction 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, East Gippsland Water may decline to impose a stage of restriction 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 restriction 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, supplied drinking water can be used at any time for:

(a) human health requirements; and

(b) stock and animal health requirements; and

(c) fire fighting; and

(d) the safety, but not the cleaning, of vehicles or equipment.

5.2 **General Exemptions**

(a) East Gippsland Water may, in relation to a specified district or districts prepare, adopt and publish general exemptions which exempt particular uses or particular users from any restrictions in Schedule 1.

(b) East Gippsland Water may amend or revoke at any time any general exemption adopted under paragraph (a).

(c) In deciding whether or not to grant a general exemption under this sub-clause, East Gippsland Water must have regard to:

(i) the security of available drinking 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 restriction; and

(iv) any other relevant matter that East Gippsland Water thinks fit to have regard to.

(d) Without limiting paragraph 5.2(a), the general exemptions may set out:

(i) permissible uses of supplied drinking water that are exempted from a restriction set out in Schedule 1, without an application being made under clause 6; and

(ii) the conditions on which an exemption is granted.

(e) Exemptions adopted under paragraph 5.2(a) must be published on East Gippsland Water's website.

(f) Notice of any adoption, amendment or revocation of an exemption must be published in a newspaper circulating generally in the relevant district and on the website of East Gippsland Water.

(g) An exemption, or an amendment to an exemption under this sub-clause:

(i) will apply from the date on which a notice of the exemption is published in a newspaper circulating generally in the relevant district; and

(ii) 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.

(iii) East Gippsland Water may prepare and publish general exemptions in co-operation with other water corporations.

6. PARTICULAR EXEMPTIONS

6.1 Guidelines regarding Particular Exemptions

(a) East Gippsland Water may prepare, adopt and publish guidelines about applying for exemptions under this clause.

(b) East Gippsland Water may amend or revoke at any time guidelines adopted under paragraph (a).

(c) Guidelines adopted under paragraph 6.1(a) must be published on East Gippsland Water 's website.

(d) Notice of the adoption, amendment or revocation of guidelines must be published in a newspaper circulating generally in each district and on the website of East Gippsland Water.

6.2 Applications for Particular Exemptions

(a) A person may apply to East Gippsland Water for an exemption from a stage of restriction 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 East Gippsland Water.

(c) East Gippsland 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 East Gippsland Water considers appropriate; or

(B) may refuse the application.

(d) East Gippsland 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 restriction to which the exemption relates is lifted; or

(ii) a more severe stage of restriction is imposed.

6.3 Approval of Particular Exemptions

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

(a) the proposed exemption:

(i) is necessary to avoid an inequitable and disproportionately adverse impact upon the livelihood of the applicant which would be caused by the level of restriction; or

(ii) would result in less supplied drinking water being used by the applicant than the lesser amount of supplied drinking water that the applicant would otherwise have been allowed by East Gippsland Water to use; or

(iii) based on prior consumption, is likely to have used for the same purpose under that stage of restriction; or

(iv) is necessary because of the special needs of the applicant; or

(v) would avoid or minimise appreciable physical damage to a building or other structure owned or occupied by the applicant during that stage of restriction; or

(vi) is necessary to avoid any adverse effect on public health or safety; and

(b) the proposed exemption would not, in combination with the use of supplied drinking water in accordance with other exemptions granted or reasonably anticipated by East Gippsland Water to be granted for similar uses of supplied drinking water, have a significant impact on:

(i) the total daily demand for supplied drinking water by East Gippsland Water 's customers; or

(ii) the security of available drinking water supplies in the district where the use will occur; and

(c) the proposed exemption would, in the opinion of East Gippsland Water , be generally supported by other East Gippsland Water customers who are affected by that stage of restriction.

6.4 **Particular Exemptions for Public Garden Areas**

Despite sub-clause 6.3, East Gippsland Water may grant an application for exemption to use supplied drinking water 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) East Gippsland 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 supplied drinking water in accordance with other exemptions granted, or reasonably anticipated by East Gippsland Water to be granted, under this clause, have a significant impact on:

(i) the total daily demand for supplied drinking water by East Gippsland Water's customers; or

(ii) the security of available drinking water supplies in the district where the use will occur.

6.5 **Particular Exemptions for certain Playing Surfaces**

(a) Despite sub-clause 6.3, East Gippsland Water may grant an application for exemption to use supplied drinking water 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 that 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) East Gippsland Water is reasonably satisfied that, if the playing surface is watered with supplied drinking water in accordance with the Water Use Plan during the relevant stage of restrictions, the exemption would not, in combination with the use of supplied drinking water in accordance with other exemptions granted, or reasonably anticipated by East Gippsland Water to be granted, under this clause, have a significant impact on:

(A) the total daily demand for supplied drinking water by East Gippsland Water's customers; or

(B) the security of available drinking water supplies in the district where the use will occur.

(b) Despite sub-clause 6.3 and paragraph 6.5(a), East Gippsland Water may grant an application for exemption to use supplied drinking water 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) East Gippsland Water is reasonably satisfied that, if the playing surface is watered with supplied drinking water in accordance with the Water Use Plan during the relevant stage of restrictions, the exemption would not, in combination with the use of supplied drinking water in accordance with other exemptions granted, or reasonably anticipated by East Gippsland Water to be granted, under this clause, have a significant impact on:

(A) the total daily demand for supplied drinking water by East Gippsland Water's customers; or

(B) the security of available drinking water supplies in the district where the use will occur.

6.6 **Particular Exemptions for Warm Season Grasses**

(a) This sub-clause applies if:

(i) a person applies to East Gippsland 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

(ii) an exemption under this sub-clause for the property to which the application relates has not been granted in the past 12 months.

(b) Despite paragraph 6.2(c) and sub-clause 6.3 the person, unless and until notified otherwise, is taken to have been granted the exemption from the date the application is posted or sent by electronic mail to the correct address of East Gippsland Water, subject to the following conditions:

(i) the exemption allows the use of supplied drinking water for watering solely for the establishment of warm season grass; and

(ii) the exemption expires 28 days after the exemption is taken to have been granted.

7. WATER USE PLANS

7.1 Guidelines Regarding Water Use Plans

(a) East Gippsland Water may prepare, adopt and publish guidelines about approval of Water Use Plans under this clause.

(b) East Gippsland Water may amend or revoke at any time guidelines adopted under paragraph (a).

(c) Guidelines adopted under paragraph (a) must be published on East Gippsland Water 's website.

(d) Notice of the adoption, amendment or revocation of guidelines must be published in a newspaper circulating generally in each district and on the website of East Gippsland Water.

7.2 Applications for Water Use Plans

(a) A person may make an application under this clause if:

(i) a restriction on the use of drinking supplied water contained in Schedule 1 permits the use of drinking supplied water in accordance with an approved Water Use Plan; or

(ii) 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 East Gippsland Water.

(c) East Gippsland 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 any conditions East Gippsland Water considers appropriate; or

(B) refuse the application for approval.

7.3 **Approval of Water Use Plans**

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

(a) the Water Use Plan sets out:

(i) the person and property (where applicable) to which the Water Use Plan applies;

(ii) the use to which the Water Use Plan applies;

(iii) the stage 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), East Gippsland Water is reasonably satisfied that the use of supplied drinking water in accordance with the Water Use Plan:

(i) would result in supplied drinking water savings commensurable to the supplied drinking water savings that would result from the use of supplied drinking water in accordance with the restrictions (other than a Water Use Plan) applying to that use of supplied drinking water under the prevailing stage of restrictions; or

(ii) would not, in combination with the use of supplied drinking water in accordance with Water Use Plans approved or reasonably anticipated by East Gippsland Water to be approved for similar uses of supplied drinking water, have a significant impact on:

(A) the total daily demand for supplied drinking water by East Gippsland Water's customers; or

(B) the security of available drinking water supplies in the district where the use will occur; or

(iii) would, in the opinion of East Gippsland Water, be generally supported by other East Gippsland Water customers who are affected by the relevant stage of restriction; or

(iv) would, in the opinion of East Gippsland Water, be considered to demonstrate a best practice or highly efficient use of supplied drinking 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 supplied drinking water, but the use of supplied drinking water is not carried out in accordance with the approved Water Use Plan that use of supplied drinking water is subject to the restrictions for that use contained in Schedule 1.

8. LIFTING A STAGE OF RESTRICTION

8.1 **Lifting a stage of restrictions**

(a) Subject to sub-clause 8.2, East Gippsland Water may in accordance with paragraphs 8.1(b) and 8.1(c):

(i) lift a prevailing stage of restriction and substitute a lesser stage of restriction; or

(ii) lift a prevailing stage of restriction.

(b) East Gippsland Water may make a decision under paragraph 8.1(a) whenever East Gippsland Water reasonably concludes, in accordance with the considerations specified in its drought response plan, that the relevant circumstances which led East Gippsland Water to impose the prevailing stage of restriction in a district:

(i) no longer exist; or

(ii) are about to change.

(c) The decision takes effect when East Gippsland Water publishes a notice of the decision:

(i) in a newspaper circulating generally in the relevant district; and

(ii) on the website of East Gippsland Water.

8.2 **Declining to lift a stage of restrictions**

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

(a) continuing that stage of restriction is necessary or desirable to increase or conserve available drinking water supplies; or

(b) the change in circumstances which would otherwise justify East Gippsland Water in lifting the stage of restriction is likely to be so temporary that the public inconvenience caused by lifting and subsequently re-imposing a stage of restriction would outweigh the benefits to East Gippsland Water's customers of temporarily lifting the prevailing stage of restriction.

9. EMERGENCY MEASURES

If it is considered by East Gippsland Water that stage 4 restrictions are insufficient to reduce consumption to a level adequate to meet future demands at that level of restriction, East Gippsland 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 drinking water from East Gippsland Water must not contravene any restriction or prohibition on the use of that water imposed by or under this By-law. The contravention is an offence.

10.2 Penalties

The penalty for any offence referred to in sub-clause 10.1 during a stage of restriction 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.

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 drinking water from East Gippsland Water and contravenes any restriction or prohibition on the use of that water imposed by or under this By-law (other than an offence for contravening an emergency measure imposed under sub-clause 9.1).

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 restriction.

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 East Gippsland Water's website* www.egwater.vic.gov.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 *East Gippsland 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. East Gippsland 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. **REPEAL**

East Gippsland Water By-Law No. 001/12 is repealed.

12. **AUTHORISATION BY EAST GIPPSLAND WATER**

This By-law is made by East Gippsland Water on 16 August 2022.

The Common Seal of
East Gippsland Water
Was hereto affixed
in the presence of:

Therese Tierney _____ Chairperson

Angela Nutson _____ Director

S. M _____ Managing Director

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; and

(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.

"**alternative source of water**" means a source of water other than supplied drinking water, including:

(a) recycled water; and

(b) reclaimed water; and

(c) greywater; and

(d) rainwater other than rainwater from a rainwater tank in which rainwater is mixed with supplied drinking water.

"**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 East Gippsland 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; and

(b) civil engineering; and

(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* 2020.

"**dam or tank**" does not include a pond or lake.

"**district**" means one of the following districts serviced by *East Gippsland Water* or part of any of those districts as specified by *East Gippsland Water*:

"**drinking water**" has the same meaning as in the *Safe Drinking Water Act 2003*;

"**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 East Gippsland 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 East Gippsland Water, for the purpose of responding to drought or other water shortage, as required under its Statement of Obligation issued under section 4I of the *Water Industry Act 1994*.

"**East Gippsland Water**" means East Gippsland Region Water Corporation.

"**edible plants**" includes plants that can be 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 on 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 (except from a clothes washing machine), dishwashing machines and toilets.

"**hand-held hose**" means a leak-free hose that:

(a) is held by hand, when it is used; and

(b) is fitted and used with a trigger nozzle; and

(c) that has an internal diameter of:

(i) no more than 50mm, in the case of commercial and construction activities; or

(ii) no more than 25mm, in the case of any other activities.

"**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 East Gippsland Water for the filling or topping up of a water tanker with supplied drinking water from hydrants and fireplugs in accordance with the conditions of the permit.

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

"**new**" means not existing.

"**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) any of the following at a sporting or recreational facility:

(i) a turf wicket for competition cricket;

(ii) 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;

(iii) a lawn or other type of running track (whether for use by humans or animals);

(iv) a lawn, en tous cas, or other type of tennis court other than a concrete, bitumen or asphalt tennis court;

(v) a baseball or softball diamond, including the infield and any en tout cas running area;

(vi) a hockey or lacrosse pitch;

(vii) a green for lawn bowls or croquet or similar sport;

(viii) the penalty areas of a soccer pitch;

(ix) a golfing tee or green (but not fairways or approaches); or

(b) a soft-fall area at a child-care facility or public playground.

"**permanent water saving rule**" means a restriction or prohibition on the use of supplied drinking water contained in East Gippsland Water's Permanent Water Saving Plan www.egwater.vic.gov.au or from East Gippsland 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 garden area**" means any:

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

(b) garden area at any cemetery, crematorium, central road area or roundabout under the management or control of a public statutory body; 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 (other than the trees located in the 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 statutory body,

but does not include:

(c) any residential or commercial lawn area; or

(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 statutory body; or

(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 is operated by, or on behalf of, a public statutory body or a private enterprise.

"**rainwater**" means water collected directly from roof run-off.

"**rainwater tank**" means a tank or a number of connecting tanks designed to collect rainwater from roof catchments.

"**reclaimed water**" means water that is not drinking water or recycled water, but is recovered from sources such as stormwater.

"recycled water" means water derived from sewage or trade waste that has been treated for the purpose of re-use.

"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; or

(b) commercial or industrial building; or

(c) hospital or nursing home; or

(d) sporting club; or

(e) religious facility; or

(f) day-care centre, kindergarten, school, university or other educational facility or research institute; or

(g) any garden area on an adjacent nature strip in a road adjoining a premises referred to in paragraphs (a) to (f),

but does not include:

(h) any commercial market garden; or

(i) 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; or

(b) commercial or industrial building; or

(c) hospital or nursing home; or

(d) sporting club; or

(e) religious facility; or

(f) day-care centre, kindergarten, school, university or other educational facility or research institute,

(g) lawn area on an adjacent nature strip in a road adjoining a premises referred to in paragraphs (a) to (f),

does not include any lawn area associated with:

(h) any commercial market garden; or

(i) 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.

"**sporting or recreational facility**" means a sporting or recreational facility that is:

(a) for public, commercial or general community use; or

(b) associated with a university, school or other educational institution,

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

"**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 East Gippsland Water or any other water corporation or a Council.

"**suitable alternative source of water**" means an alternative source of water:

(a) that is suitable for the purpose for which it is to be used; and

(b) complies with the following requirements or guidelines for the use of that source of water:

(i) issued by the East Gippsland Water; or

(ii) applying under any other Act or law.

"**supplied drinking water**" means:

(a) drinking water supplied by the works of East Gippsland 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; or

(b) a mix of rainwater collected by an occupier of land in a rainwater tank on that land and drinking water described in paragraph (a) that is added to the tank.

but does not include:

(c) recycled or reclaimed water; or

(d) greywater; or

(e) stormwater; or

(f) rainwater collected by an occupier of land in a rainwater tank on that land that is not mixed with drinking water described in paragraph (a).

"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, 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) a taxi (whether a car or van); or

(b) a car; or

(c) a bus or van used for private purposes.

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

"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 East Gippsland Water which governs the use of supplied drinking 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; or

(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

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
1. **Watering Gardens, Lawns and Playing Surfaces with Supplied drinking water**	(a) A: • residential or commercial garden or lawn area; or • public garden or lawn area; or • general or particular playing surface, cannot be watered with supplied drinking water except as required and then only: • 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: • residential or commercial lawn area; or • public lawn area; or • general playing surface, cannot be watered with supplied drinking water at any time.	(a) A: • residential or commercial lawn area; or • public lawn area; or • general playing surface, cannot be watered with supplied drinking water at any time.	(a) A: • residential or commercial garden or lawn area; or • public garden or lawn area; or • general or particular playing surface, cannot be watered with supplied drinking water at any time.
	(b) *Not used.*	(b) A: • residential or commercial garden area; or • public garden area; or • a particular playing surface, cannot be watered with supplied drinking water except as required and then only: • 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: • residential or commercial garden area; or • public garden area; or • particular playing surface, cannot be watered with supplied drinking water except as required and then only on alternate days between the hours of 6am and 8am: • with a hand-held hose, bucket or watering can; or • using a dripper watering system.	(b) *Not used.*
	(c) Despite paragraph (a): • a public garden or lawn area; or • a general or particular playing surface, can be watered with supplied drinking water as required but only in accordance with an approved Water Use Plan.	(c) Despite paragraphs (a) and (b): • a public garden or lawn area; or • a general or particular playing surface, can be watered with supplied drinking water as required but only in accordance with an approved Water Use Plan.	(c) Despite paragraphs (a) and (b): • a public garden or lawn area; or • a general or particular playing surface, can be watered with supplied drinking water as required but only in accordance with an approved Water Use Plan.	(c) *Not used.*
2. **Using Supplied drinking water for Aesthetic Purposes**	(a) Supplied drinking 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:	(a) Supplied drinking water cannot be used to fill or top up a fountain or water feature at any time.	(a) Supplied drinking water cannot be used to fill or top up a fountain or water feature at any time.	(a) Supplied drinking water cannot be used to fill or top up a fountain or water feature at any time.

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	• a hand-held hose, bucket or watering can; or • an Automatic Water Top Up Device.			
	(b) Supplied drinking 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) Supplied drinking water cannot be used to fill or top up a new pond or lake, regardless of capacity, at any time.	(b) Supplied drinking water cannot be used to fill or top up a new pond or lake, regardless of capacity, at any time.	(b) Supplied drinking water cannot be used to fill or top up a new pond or lake, regardless of capacity, at any time.
	(c) Supplied drinking 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) Supplied drinking 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 accordance with an approved Water Use Plan.	(c) Supplied drinking 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) Supplied drinking 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 Supplied drinking water in Swimming Pools and Toys**	(a) Supplied drinking water cannot be used to fill a new or existing: • residential or commercial pool or spa; or • public pool or spa, with a capacity of 2,000 litres or less, except by means of: • a hand-held hose, bucket or watering can; or • an Automatic Water Top Up Device.	(a) Supplied drinking water cannot be used to fill a new or existing: • residential or commercial pool or spa; or • public pool or spa, with a capacity of 2,000 litres or less, except by means of: • a hand-held hose, bucket or watering can; or • an Automatic Water Top Up Device.	(a) Supplied drinking water cannot be used to fill a new or existing residential or commercial pool or spa of any capacity.	(a) Supplied drinking water cannot be used to fill a new or existing residential or commercial pool or spa of any capacity.
	(b) Supplied drinking water cannot be used to fill a new or existing: • 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) Supplied drinking water cannot be used to fill a new or existing: • 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) Supplied drinking 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) Supplied drinking 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) Supplied drinking water cannot be used to top up a new or existing: • residential or commercial pool or spa; or • public pool or spa, of any capacity, except by means of: • a hand-held hose, bucket or watering can; or • an Automatic Water Top Up Device.	(c) Supplied drinking water cannot be used to top up a new or existing: • residential or commercial pool or spa; or • public pool or spa, of any capacity, except: • between the hours of 6am and 8am **and** 6pm and 8pm on alternate days by means	(c) Supplied drinking water cannot be used to top up: • an existing residential or commercial pool or spa; or • a new or existing public pool or spa, of any capacity, except:	(c) Supplied drinking 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; or • In accordance with an approved Water Use Plan.

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
		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.	• 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.	
	(d) Supplied drinking 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) Supplied drinking 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) Supplied drinking water cannot be used to fill or top up a mobile spa at any time.	(d) Supplied drinking water cannot be used to fill or top up a mobile spa at any time.
	(e) Supplied drinking water cannot be used in or for the use of a hose-connected water toy at any time.	(e) Supplied drinking water cannot be used in or for the use of a hose-connected water toy at any time.	(e) Supplied drinking water cannot be used in or for the use of a hose-connected water toy at any time.	(e) Supplied drinking water cannot be used in or for the use of a hose-connected water toy at any time.
4. Storing or Transporting Supplied drinking water	(a) Supplied drinking water cannot be used to fill or top up a dam or tank except: • where the water in the dam or tank is to be used : - 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 supplied drinking water permitted by means of a hand-held hose under stage 1 restrictions; or • in accordance with an approved Water Use Plan.	(a) Supplied drinking water cannot be used to fill or top up a dam or tank except: • where the water in the dam or tank is to be used: - 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 supplied drinking water permitted by means of a hand-held hose under stage 2 restrictions; or • in accordance with an approved Water Use Plan.	(a) Supplied drinking water cannot be used to fill or top up a dam or tank except: • where the water in the dam or tank is to be used: - 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 supplied drinking water permitted by means of a hand-held hose under stage 3 restrictions; or • in accordance with an approved Water Use Plan.	(a) Supplied drinking water cannot be used to fill or top up a dam or tank except: • where the Water in the dam or tank is to be used: - 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 supplied drinking water permitted by means of a hand-held hose under stage 4 restrictions; or • in accordance with an approved Water Use Plan.
	(b) Supplied drinking water cannot be used to fill or top up a water tanker unless: • East Gippsland Water has granted a mobile water tanker permit to the operator of that tanker; and • the tanker is supplying the water to be used:	(b) Supplied drinking water cannot be used to fill or top up a water tanker unless: • East Gippsland Water has granted a mobile water tanker permit to the operator of that tanker; and • the tanker is supplying the water to be used:	(b) Supplied drinking water cannot be used to fill or top up a water tanker unless: • East Gippsland Water has granted a mobile water tanker permit to the operator of that tanker; and • the tanker is supplying the Water to be used:	(b) Supplied drinking water cannot be used to fill or top up a water tanker unless: • East Gippsland Water has granted a mobile water tanker permit to the operator of that tanker; and • the tanker is supplying the Water to be used:

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	- 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 supplied drinking water permitted by means of a hand-held hose under stage 1 restrictions.	- 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 supplied drinking water permitted by means of a hand-held hose under stage 2 restrictions.	- 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 supplied drinking water permitted by means of a hand-held hose under stage 3 restrictions.	- 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 supplied drinking water permitted by means of a hand-held hose under stage 4 restrictions.
5. **Cleaning Vehicles with Supplied drinking water**	(a) Supplied drinking water cannot be used to clean a vehicle, except: • 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 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.	(a) Supplied drinking water cannot be used to clean a vehicle except: • 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 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.	(a) Supplied drinking water cannot be used to clean a vehicle except: • 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: - 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.	(a) Supplied drinking water cannot be used to clean a vehicle except: • by means of a bucket or watering can and even then only to the extent it is necessary for: - 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.
	(b) Despite paragraph (a), Supplied drinking 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 high-pressure water cleaning device; or • a hand-held hose, bucket or watering can.	(b) Despite paragraph (a), Supplied drinking 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 high-pressure water cleaning device; or • a hand-held hose, bucket or watering can.	(b) Despite paragraph (a), Supplied drinking 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 high-pressure water cleaning device; or • a hand-held hose, bucket or watering can.	(b) Despite paragraph (a), Supplied drinking 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 high-pressure water cleaning device; or • a hand-held hose, bucket or watering can.

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	(c) Supplied drinking water cannot be used at the premises of or by a motor vehicle dealer, repairer or detailer to clean a vehicle except: • by means of: - 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.	(c) Supplied drinking water cannot be used at the premises of or by a motor vehicle dealer, repairer or detailer to clean a vehicle except: • by means of: - 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.	(c) Supplied drinking water cannot be used at the premises of or by a motor vehicle dealer, repairer or detailer to clean a vehicle except: • by means of: - 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.	(c) *Not used.*
	(d) Supplied drinking water cannot be used to wash vehicles at a commercial car wash unless: • 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.	(d) Supplied drinking water cannot be used to wash vehicles at a commercial car wash unless: • 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.	(d) Supplied drinking water cannot be used to wash vehicles at a commercial car wash unless: • 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.	(d) Supplied drinking 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: - health and safety reasons; or - cleaning vehicle windows, mirrors, lights and registration plates; or - spot-removing corrosive substances
	(e) Supplied drinking water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless: • 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.	(e) Supplied drinking water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless: • 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.	(e) Supplied drinking water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless: • 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.	(e) Supplied drinking water cannot be used to flush the inboard or outboard motor of a boat or other vessel unless: • 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 Supplied drinking water for Other Cleaning or Maintenance Purposes**	(a) Supplied drinking water cannot be used on hard surfaces or building facades (including windows), except: • 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	(a) Supplied drinking water cannot be used on hard surfaces or building facades (including windows), except: • 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	(a) Supplied drinking water cannot be used on hard surfaces or building facades (including windows), except: • 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	(a) Supplied drinking water cannot be used on hard surfaces or building facades (including windows), except: • 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

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	hazard or other emergency and then only by means of: - 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.	hazard or other emergency and then only by means of: - 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.	hazard or other emergency and then only by means of: - a high pressure water cleaning device; or - if such a device is not available, a hand-held hose, bucket or watering can.	hazard or other emergency and then only by means of: - a high pressure water cleaning device; or - if such a device is not available, a hand-held hose, bucket or watering can.
	(b) Supplied drinking water cannot be used to suppress dust unless: • there is no suitable alternative source of water that it is reasonably practicable to 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 supplied drinking water r from a water tanker filled or topped up in accordance with restriction 4(b); or • in accordance with an approved Water Use Plan.	(b) Supplied drinking water cannot be used to suppress dust unless: • there is no suitable alternative source of water that it is reasonably practicable to 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 supplied drinking water from a water tanker filled or topped up in accordance with restriction 4(b); or • in accordance with an approved Water Use Plan.	(b) Supplied drinking water cannot be used to suppress dust unless: • there is no suitable alternative source of water that it is reasonably practicable to 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 supplied drinking water from a water tanker filled or topped up in accordance with restriction 4(b); or • in accordance with an approved Water Use Plan.	(b) Supplied drinking water cannot be used to suppress dust unless: • there is no suitable alternative source of water that it is reasonably practicable to 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 supplied drinking water from a water tanker filled or topped up in accordance with restriction 4(b); or • in accordance with an approved Water Use Plan.
	(c) Supplied drinking water cannot be used in the course of construction or renovation except: • 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	(c) Supplied drinking water cannot be used in the course of construction or renovation except: • 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	(c) Supplied drinking water cannot be used in the course of construction or renovation except: • 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	(c) Supplied drinking water cannot be used, in the course of construction or renovation except: • 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

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
	• if required in the normal course of initial testing or flushing of pipes; or other works.	• if required in the normal course of initial testing or flushing of pipes; or other works.	• if required in the normal course of initial testing or flushing of pipes; or other works.	• if required in the normal course of initial testing or flushing of pipes; or other works.
7. **Using Supplied drinking water for Commercial Production of Plants and/or Animals:**	(a) Supplied drinking water cannot be used at: • 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.	(a) Supplied drinking water cannot be used at: • 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.	(a) Supplied drinking water cannot be used at a commercial or Council plant nursery, except as required and then only: • by means of a hand-held hose, bucket or watering can at any time; or • in accordance with an approved Water Use Plan.	(a) Supplied drinking water cannot be used at a commercial or Council plant nursery, except as required and then only: • by means of a hand-held hose, bucket or watering can at any time; or • in accordance with an approved Water Use Plan.
	(b) *Not used.*	(b) *Not used.*	(b) Supplied drinking water cannot be used at a commercial market garden except as required and then only in accordance with an approved Water Use Plan.	(b) Supplied drinking water cannot be used at a commercial market garden except as required and then only in accordance with an approved Water Use Plan
	(c) Supplied drinking water cannot be used for animal husbandry except for: • 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.	(c) Supplied drinking water cannot be used for animal husbandry except for: • 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.	(c) Supplied drinking water cannot be used for animal husbandry except for: • 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.	(c) Supplied drinking water cannot be used for animal husbandry except for: • 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.
	(d) Supplied drinking water cannot be used for cooling a shed on a commercial poultry farm except by means of: • 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.	(d) Supplied drinking water cannot be used for cooling a shed on a commercial poultry farm except by means of: • 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.	(d) Supplied drinking water cannot be used for cooling a shed on a commercial poultry farm except by means of: • 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.	(d) Supplied drinking water cannot be used for cooling a shed on a commercial poultry farm except by means of: • 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.

Category of water use	Stage 1 (Alert)	Stage 2 (Save)	Stage 3 (Just Enough)	Stage 4 (Critical)
8. Other Uses	Supplied drinking water must not be used for any Other Use without the prior written permission of East Gippsland Water.	Supplied drinking water must not be used for any Other Use without the prior written permission of East Gippsland Water.	Supplied drinking water must not be used for any Other Use without the prior written permission of East Gippsland Water.	Supplied drinking water must not be used for any Other Use without the prior written permission of East Gippsland Water.

PART C – INDEX

Term	*Item*	Item number
Aircraft	*Cleaning Vehicles with Water*	5
Animal	*Using Water for Commercial Production of Plants and / or Animals*	7
Animal husbandry	*Using Water for Commercial Production of Plants and / or Animals*	7
Bird	*Using Water for Commercial Production of Plants and / or Animals*	7
Boat	*Cleaning Vehicles with Water*	5
Boat motor	*Cleaning Vehicles with Water*	5
Building	*Using Water for Other Cleaning or Maintenance Purposes*	6
Building facade	*Using Water for Other Cleaning or Maintenance Purposes*	6
Car dealer	*Cleaning Vehicles with Water*	5
Car wash	*Cleaning Vehicles with Water*	5
Commercial car wash	*Cleaning Vehicles with Water*	5
Commercial garden	*Watering Gardens, Lawns and Playing Surfaces*	1
Commercial lawn	*Watering Gardens, Lawns and Playing Surfaces*	1
Commercial market garden	*Using Water for Commercial Production of Plants and / or Animals*	7
Commercial plant nursery	*Using Water for Commercial Production of Plants and / or Animals*	7
Commercial pool or spa	*Using Water in Swimming Pools and Toys*	3
Commercial poultry farm	*Using Water for Commercial Production of Plants and / or Animals*	7
Construction	*Using Water for Other Cleaning or Maintenance Purposes*	6
Courtyard	*Using Water for Other Cleaning or Maintenance Purposes*	6
Dam	*Storing or Transporting Water*	4
Dust	*Using Water for Other Cleaning or Maintenance Purposes*	6

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

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