

HUNTER WATER ACT 1991 (NSW)

HUNTER WATER REGULATION 2015 (NSW)

Order for Level 2 Water Restrictions

Having regard to the effects of drought, and it being in the public interest for the purpose of maintaining water supply, I issue the following ORDER in accordance with Clause 33 of the Hunter Water Regulation 2015 (NSW) of the following water restrictions, known as Level 2 Water Restrictions.

This Order is to take effect at 12.01am on Monday 20 January 2020 and revokes the Order of Level 1 Water Restrictions dated 19 August 2019.

The water restrictions listed below remain in force until further notice; apply in the whole of the Area of Operations of Hunter Water Corporation; and apply to all users of drinking water supplied by Hunter Water Corporation or sourced from a water main owned by Hunter Water Corporation and supplied by a person licenced under the *Water Industry Competition Act 2006 (NSW)*.

A. Restrictions:

Subject to the Automatic and Approvable Exemptions below at sections C and D, the following uses of drinking water are not permitted at any time:

1. watering of playing fields, lawns, gardens or other vegetation using sprinklers, irrigation systems or hoses;
2. the hosing of hard surfaces;
3. filling or topping-up of water features, fountains, ponds or lakes of any size including those located within any building or structure for aesthetic or ornamental purposes;
4. filling or topping-up any dam or tank not required or primarily used for internal domestic consumption by means of a direct connection to the domestic plumbing;
5. hose-connected water toys, including temporary water play attractions (such as inflatable water slides or similar structures). A hose-connected sprinkler of any type cannot be used at any time as a part of a water play area;
6. cleaning of hard surfaces, including buildings, vehicles or vessels of any type;
7. filling of a pool or spa with a capacity of more than 3,000 litres without a permit issued by Hunter Water Corporation and in accordance with any conditions attached to that permit;
or
8. showers of greater than four (4) minutes in length.

B. Regulation:

1. All non-residential customers who are supplied with 10 million litres or more of drinking water per year by Hunter Water Corporation ('large' and 'major' customers) are required to implement a Water Efficiency Management Plan (WEMP).
2. All non-residential customers who are supplied with less than 10 million litres drinking water per year by Hunter Water Corporation are required to develop a WEMP.
3. Subject to the Automatic and Approvable Exemptions below at sections C and D, the following uses of drinking water supplied by Hunter Water Corporation within its Area of Operations are regulated as follows. You must not allow:

- a. the unattended running of hoses or taps; or
- b. water to be lost or misused as a result of a defect in your water system (as defined in the Hunter Water Corporation Customer Contract) in circumstances where the owner or occupier (as applicable) is aware of the defect and no rectification work has been arranged.

C. Automatic Exemptions:

1. The use of bore water or water from a recycled water system.
2. The use of rainwater provided that any storage tank or dam is not topped up from, or switched to, Hunter Water Corporation's drinking water supply.
3. Additionally, the following uses of drinking water are automatically excluded from these Level 2 water restrictions, provided that the use is readily identifiable to an Authorised Person:
 - a. watering of lawns and gardens on Assigned Watering Days before 10am or after 4pm using a hose with a trigger nozzle, bucket or watering can, provided that watering is no longer than a total of 15 minutes in length per day;
 - b. for dust suppression but only where there is no alternative water source reasonably available in the situation. Where a dust incident involves hazardous dust (eg asbestos), use of water must comply with the applicable incident response guidelines for the specific hazardous substance involved;
 - c. spot cleaning with a hose of paths, driveways, concrete and other hard surfaces when cleaning with water is necessary for reasons of a safety, health, or emergency incident. For any use of water under this category of exclusion the hose used must be fitted with a trigger nozzle unless it is used to supply high pressure water cleaning equipment;
 - d. washing of buildings, vehicles or vessels of any type using a bucket and sponge (or similar arrangement);
 - e. flushing inboard or outboard boat engines by means of a hose fitted with an appropriate flushing device;
 - f. cleaning bilges or essential safety components on boat trailers, including wheels and brakes using a hose fitted with a trigger nozzle or high-pressure water cleaning equipment;
 - g. rinsing vessels immediately after being used in salt water, to a maximum of 10 minutes per vessel using a hand-held hose with trigger nozzle or pressure cleaning equipment;
 - h. filling fixed water tanks in vessels using a hand-held hose. Unattended filling of water tanks is not permitted;
 - i. topping up water in pools to replace water lost through normal use conditions including evaporation using a bucket or hand-held hose with trigger nozzle;
 - j. filling or topping-up any dam or tank required or primarily used for internal domestic consumption by means of a direct connection to the domestic plumbing;
 - k. for public health, fire testing, firefighting and related purposes, and other essential activities approved in writing by Hunter Water Corporation;
 - l. showers of greater than four (4) minutes in length where required for diagnosed health or disability reasons.

D. Approvable Exemptions:

You must apply for a permit from Hunter Water Corporation to be able to use drinking water for the following uses and in accordance with any conditions attached to that permit:

1. watering of newly laid turf;
2. filling a new or renovated pool greater than 3,000 litres capacity;
3. watering playing fields, lawns, gardens or other vegetation using an irrigation system (including drip and smart irrigation systems);
4. for cooling people at water parks and water play areas that are accessible for public use;
5. business operations where a WEMP has been approved by Hunter Water Corporation and implemented;
6. any other use in accordance with the conditions of a Level 2 Water Restrictions exemption permit granted by Hunter Water Corporation

E. Definitions:

Area of Operations has the same meaning as in the *Hunter Water Act 1991* (NSW).

Assigned Watering Days means:

- for properties with an even numbered address (ending in 0, 2, 4, 6 or 8) the owner or occupier will be allowed to irrigate for the purpose of section C.3a of this notice on even numbered dates within the month.
- for properties with an odd numbered address (ending in 1, 3, 5, 7 or 9) the owner or occupier will be allowed to irrigate for the purpose of section C.3a of this notice on odd numbered dates within the month.
- if a property has a mixture of odd and even numbered addresses or an undetermined address, the property will be deemed to be an odd numbered property.

Authorised Person has the same meaning as in *Hunter Water Act 1991* (NSW). For the purposes of this Order only, the reference to 'the land to which the power extends' in Section 21(4)(e) of the *Hunter Water Act 1991* (NSW) means all land within Hunter Water Corporation's Area of Operations.

Hunter Water Corporation may determine definitions of other words used in this Order (such as equipment referred to) and make those definitions available publicly via the Hunter Water website.

If you do not have an Automatic or Approvable Exemption, you must comply with the Level 2 Water Restrictions. The penalty notice prescribed for non-compliance with these Level 2 Water Restrictions is \$220 for an individual and \$550 for a corporation.

Dated 12 January 2020

**The Hon MELINDA JANE PAVEY MP
Minister for Water, Property and Housing**