

Australian Capital Territory

Utilities (Water Restrictions Scheme) Approval 2005 (No 1)

Disallowable instrument DI2005-239

made under the

Utilities Act 2000, s234 (Regulation Making Power); Utilities (Water Restrictions) Regulation 2002, s 5 (Approved water restriction scheme)

1. Revocation

I revoke the following instrument:

- Utilities (Water Restriction Scheme) Approval 2004 (No 1), DI2004-191

2. Approval of scheme

I approve the attached water restriction scheme developed by ACTEW Corporation.

Jon Stanhope MLA
Chief Minister
18 October 2005

SCHEME OF RESTRICTIONS ON THE USE OF WATER FROM ACTEW CORPORATION WATER SUPPLY SYSTEM

When it considers that it is necessary or desirable to do so in order to ensure that, on a medium to longer-term sustainable basis, it is able to meet its obligation under section 84 of the *Utilities Act 2000* to supply potable water in accordance with its standard customer contract, ACTEW Corporation Limited must:

- after consultation with the Minister and the environment protection authority; and
- by reference to the desirability of reducing water usage on an ongoing basis, the capacity or quality of stored water available to it and/or the level of reduction in current and future water consumption which it considers necessary, declare, under Regulation 8 of the *Utilities (Water Restrictions) Regulations 2002*, that water restrictions under a Stage specified in the table below are in force.

In deciding which Stage of restrictions should be in force, ACTEW may have regard to:

- the desirability of reducing water usage on an ongoing basis;
- currently available weather forecasts and other meteorological advice;
- daily consumption levels in the immediately preceding period;
- the desirability of avoiding excessive reliance on only one of the ACT's two water catchments;
- daily consumption levels in corresponding periods in previous years
- the possibility that, if restrictions do not sufficiently reduce current water consumption, water available for later supply may be of a quality that may cause damage to property; and
- any other relevant consideration.

At any time, the ACT Government retains a discretion to declare a State of Emergency under the Emergency Management Act under which supply and/or use of water may be restricted to Emergency Use Only.

Notes:

1. This scheme applies to water drawn from ACTEW Corporation's potable water supply system only.
2. "Potable water" means water within the health and aesthetic values set out in the Australian Drinking Water Guidelines issued from time to time by the National Health and Medical Research Council and the Agriculture and Resource Management Council of Australia and New Zealand.
3. Stage 1 - Conservation Measures may be introduced at any time.
4. Indicative storage levels at which each other Stage of restrictions may be introduced are: 45% for Stage 2; 40% for Stage 3; 35% for Stage 4 and 30% for Stage 5. However, other considerations such as water quality or likely rates of future catchment inflow or infrastructure/equipment problems may warrant the introduction of a particular Stage of restrictions notwithstanding that actual storage levels are above these indicative levels.
5. The "odds and evens" system means that, if your street number ends in an odd number (i.e. 1, 3, 5, 7 or 9), you can only water on days when the date also ends in an odd number. Similarly, if your street number ends in an even number (i.e. 0, 2, 4, 6 or 8) then you can only water on days when the date also ends in an even number – except for 31st day of any month (bonus day).
6. "Private" includes residential, business and Government and non-Government institutions.
7. "Public" includes government and private places operated for public use.
8. ACTEW may, whether on application or of its own initiative, grant exemptions or partial exemptions to a specified class of customers, or to all customers, and such exemptions may be expressed to operate for the whole period during which a Stage is in force or only for a specified period. In particular, ACTEW may grant exemptions under this Note where it considers it desirable to do so to facilitate transition from one Stage of restrictions to another Stage of restrictions. Where exemptions are granted under this Note, ACTEW shall publish notice of that grant in a daily newspaper circulating in the ACT or otherwise directly notify members of a class of affected customers.

9. Where customers can demonstrate serious detriment from application of restrictions, application can be made for an exemption or partial exemption. Applications for exemption, or for renewal of an existing exemption upon transition from one Stage of restrictions to another Stage of restrictions, must be made in writing and addressed to “Restriction Exemptions”, ACTEW Corporation Limited, GPO Box 366, Canberra, ACT 2601, provided that ACTEW Corporation may agree to accept particular classes of applications by telephone (for example, where an existing exemption was granted due to medical reasons). Exemptions or partial exemptions will only be granted in writing. Applications should include a statement of the reasons why an exemption or partial exemption is sought and set out, in particular, what serious detriment is claimed will be incurred if the application is not granted. Without limiting the grounds on which ACTEW might grant an exemption or partial exemption, applications may be granted where there is a compelling health or public hygiene reason or where compliance with restrictions would be likely to cause disproportionate or unintended financial damage to the applicant.
10. Summer means the months of December, January and February; Winter is the months of June, July and August; Spring/Autumn is the months of September, October, November, March, April and May.

RESTRICTION STAGES ON USE OF WATER					
	Stage 1 - Conservation Measures	Stage 2	Stage 3	Stage 4	Stage 5
Target Average Daily Consumption (Megalitres per day)	<u>Summer</u> : 246 <u>Spring/Autumn</u> : 169 <u>Winter</u> : 124	<u>Summer</u> : 230 <u>Spring/Autumn</u> : 157 <u>Winter</u> : 111	<u>Summer</u> : 167 <u>Spring/Autumn</u> : 127 <u>Winter</u> : 101	<u>Summer</u> : 104 <u>Spring/Autumn</u> : 99 <u>Winter</u> : 85	<u>Summer</u> : 88 <u>Spring/Autumn</u> : 88 <u>Winter</u> : 78
Target Annual Reduction	8% (normal consumption)	25%	40%	55%	60%
1. Private Gardens and Lawns; Commercial Nurseries, Market Gardens and Turf-Growers	<u>Private Gardens and Lawns</u> Sprinkler and other irrigation systems from 6pm to 9am on any day. Trigger hoses held by hand and buckets anytime. <u>Commercial Nurseries, Market Gardens and Turf-Growers</u> No restriction.	<u>Summer, Spring/Autumn and Winter</u> : Sprinkler systems from 7am to 10am and 7pm to 10pm on alternate days as per the “odds and evens” system. Hand held hoses and buckets anytime.	No sprinklers. <u>Summer, Spring/Autumn and Winter</u> : Hand held hoses and buckets from 7am to 10am and 7pm to 10pm on alternate days as per the “odds and evens” system.	No sprinklers. Watering of lawns not permitted. <u>Summer, Spring/Autumn and Winter</u> : Hand held hoses and buckets from 7am to 10am and 7pm to 10pm on alternate days as per the “odds and evens” system.	No external watering, (recycled water permitted).
2. Private Ponds and Garden Fountains	No restriction.	Fountains to be switched off. Small ornamental ponds may be topped up by hand held hose or bucket.	Fountains to be switched off. Ponds that support fish or birds may be topped up by bucket directly filled from a tap but not a hose.	Fountains to be switched off. Ponds that support fish or birds may be topped up by bucket directly filled from a tap but not a hose.	Fountains to be switched off. Ponds that support fish or birds may be topped up by bucket directly filled from a tap but not a hose.
3. Lawns and plants at Parks, Sports amenities, Golf Courses & Public Gardens	Sprinkler and other irrigation systems from 6pm to 9am on any day. Trigger hoses held by hand and buckets anytime.	The target of a 25% reduction in water use should be met. Hand held hoses can be used at any time.	The target of a 40% reduction in water use should be met. Hand held hoses can be used at any time.	The target of a 55% reduction in water use should be met. Hand held hoses can be used at any time.	No watering without prior written exemption.

RESTRICTION STAGES ON USE OF WATER					
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4. Paved Areas, including Street-cleaning	A bucket and mop or high-pressure low volume cleaner can be used to wash paved areas at any time. Otherwise, water must not be used to clean paved area unless cleaning required as a result of accident, fire, health hazard or other emergency.	Water must not be used to clean paved area unless cleaning required as a result of accident, fire, health hazard or other emergency.	Water must not be used to clean paved area unless cleaning required as a result of accident, fire, health hazard or other emergency.	Water must not be used to clean paved area unless cleaning required as a result of accident, fire, health hazard or other emergency.	Water must not be used to clean paved area unless cleaning required as a result of accident, fire, health hazard or other emergency.
5. Public Swimming Pools	No restriction.	Existing pool must not be either emptied or refilled without written exemption but may be topped up. Any pool not previously filled must not be filled without written exemption.	Existing pool must not be either emptied or refilled without written exemption but may be topped up. Any pool not previously filled must not be filled without written exemption.	Pools may not be filled or topped up without written exemption.	Pools may not be filled or topped up without written exemption.
6. Private Swimming Pools and External Spas	No restriction.	Existing pool must not be either emptied or refilled without written exemption. Pools may be topped up with a hand held hose. Any pool not previously filled must not be filled without written exemption.	Pools may not be filled without written exemption. Pools may not be topped up without a written exemption unless: <ul style="list-style-type: none"> (a) the pool is covered when not in use; and (b) topping up is undertaken with a hand held hose only between 7 am to 10 am or 7 pm to 10 pm on alternate days as per the "odds and evens" system. 	Pools may not be filled or topped up without written exemption.	Pools may not be filled or topped up without written exemption.
7. Public Ponds & Fountains	No restriction.	A fountain that does not recycle water must not be operated or topped up. Ponds and fountains previously used that do recycle water may be operated but not topped up.	A fountain that does not recycle water must not be operated or topped up. Ponds and fountains previously used that do recycle water may be operated but not topped up.	A fountain that does not recycle water must not be operated or topped up. Ponds and fountains previously used that do recycle water may be operated but not topped up.	A fountain that does not recycle water must not be operated or topped up. Ponds and fountains previously used that do recycle water may be operated but not topped up.

RESTRICTION STAGES ON USE OF WATER					
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8. Water storage tanks, dams, lakes and large ornamental ponds.	No restriction.	Must not be filled or topped up other than by recycled or non-potable water.	Must not be filled or topped up other than by recycled or non-potable water.	Must not be filled or topped up other than by recycled or non-potable water.	Must not be filled or topped up other than by recycled or non-potable water.
9. Motor Vehicle Washing	If not washed at a commercial car wash, vehicles should be washed on a lawn or other porous surface wherever possible and then only by using: (i) a bucket or watering can filled directly from either a tap or a trigger hose; (ii) a high-pressure low volume cleaner; or (iii) a trigger hose held by hand. Boat motors may be flushed or rinsed after use. No restrictions on commercial car wash operations.	By hand: (i) by washing using a bucket or watering can filled directly from either a tap or a trigger hose and then (ii) rinsing using a trigger hose or a bucket or watering can filled directly from either a tap or a trigger hose. No restrictions on commercial car wash operations.	Only: (a) by hand, not more than once a week and then only: (i) by washing using a bucket or watering can filled directly from either a tap or a trigger hose and then (ii) rinsing using a trigger hose or a bucket or watering can filled directly from either a tap or a trigger hose ; or (b) at a commercial car wash that recycles water and holds an exemption allowing use of potable water.	No washing except at a commercial car wash that recycles water and holds an exemption allowing use of potable water.	No car washing.
10. Window and Building Washing	<u>Window washing</u> No restriction. <u>Buildings</u> A bucket and mop or high-pressure low volume cleaner can be used at any time. Otherwise, water must not be used unless cleaning required as a result of accident, fire, health hazard or other emergency. <u>Building Gutters</u> May be cleaned at any time.	No washing except by bucket directly filled from a tap unless cleaning is required as a result of accident, fire, health hazard or other emergency.	No washing except by bucket directly filled from a tap unless cleaning is required as a result of accident, fire, health hazard or other emergency.	No washing unless cleaning is required as a result of accident, fire, health hazard or other emergency.	No washing unless cleaning is required as a result of accident, fire, health hazard or other emergency.

RESTRICTION STAGES ON USE OF WATER					
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11. Commercial Construction and Related Activities	Water can only be used for dust or other pollutant suppression by means of a trigger hose held by hand or a vehicle fitted with sprinklers. Unless impractical water may only otherwise be used by means of a trigger hose. Wherever possible non-potable water should be used.	Unless impractical water must not be used unless by means of a trigger hose. Wherever possible non-potable water should be used.	Unless otherwise exempted in writing water must not be used unless by means of a trigger hose. Wherever possible non-potable water should be used.	Unless otherwise exempted in writing water must not be used unless by means of a trigger hose. Wherever possible non-potable water should be used.	Unless otherwise exempted in writing water must not be used unless by means of a trigger hose. Wherever possible non-potable water should be used.