

Water Restriction Policy

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1. PURPOSE

To provide a framework and for the declaration and management of water restrictions in the Mareeba Shire Council jurisdiction.

2. SCOPE

This policy applies to all users of potable water within the Mareeba Shire Council jurisdiction.

3. POLICY STATEMENT

Council as water service provider holds the authority to restrict water supply where it is considered necessary.

Restriction types

Council may impose the following types of restrictions:¹

1. The volume of water supplied to a customer or type of customer; or
2. The hours when water may be used on premises for stated purposes; or
3. The way water may be used on premises.

Restrictions will be determined and declared to align with the restriction level tables appearing in the Appendix to this policy.

Specified circumstances giving rise to restrictions

Council may impose restrictions only if:²

1. there is an urgent need for the water restriction; or
2. the available water supply has fallen to a level at which unrestricted use of water is not in the public interest; or
3. Council has a reasonable and comprehensive strategy for demand management for water and the restriction is essential to ensure the aims of the strategy are met; or

¹ See *Water Supply (Safety and Reliability) Act 2008* (Qld) s 41(1).

² *Ibid* s 41(2).

4. the relevant State Minister has published a notice under specific legislation requiring Council to impose the water restriction;³ or
5. Council is directed, under a water supply emergency declaration, a water supply emergency regulation or an approved water supply emergency response to impose a restriction;⁴ or
6. Council is directed by the State regulator to impose the restriction;⁵ or
7. Council has an outdoor water use conservation plan and the restriction is a measure to be implemented under the plan.

4. APPROVAL TO IMPOSE RESTRICTIONS

Decisions on the imposition of water restrictions will be initiated via recommendation by Council's Director Infrastructure Services to Council's Chief Executive Officer. Any urgent action taken by the Chief Executive Officer to implement a water restriction must be accompanied by a report to Council.

5. NOTIFICATION OF WATER RESTRICTIONS

Where circumstances necessitate that water restrictions are imposed within the jurisdiction, the following will apply:

1. Having regard to the circumstances under which the restriction is imposed, Council will give notice to anyone affected via notice posted in the local printed media.⁶
2. Having regard to the requirements under the legislation and without limiting point 1 above, in emergency circumstances, the notice will be given in the way the Chief Executive Officer considers appropriate.⁷

In ordinary circumstances, water restrictions will take effect on the day after the notice is given. Where the restriction results from an urgent need or an emergency declaration, the restriction will take effect immediately when the restriction is imposed.⁸

6. EXEMPTIONS

Upon written application by water users, Council may approve conditional exemptions to water restrictions⁹ based upon the following grounds:

1. for reasons of public health and safety;
2. to allow the undertaking of essential works;
3. for minor or infrequent uses of water outside the restrictions (e.g., sporting or community events);

³ See *Water Supply (Safety and Reliability) Act 2008* (Qld) s 41(2)(d). See also *Water Act 2000* (Qld) ss 25B, 25F.

⁴ See *Water Supply (Safety and Reliability) Act 2008* (Qld) s 41(2)(e). See also *Water Act 2000* (Qld) ss 25B, 25E, 25H.

⁵ See *Water Supply (Safety and Reliability) Act 2008* (Qld) s 42(2).

⁶ *Ibid* s 43(1).

⁷ *Ibid* s 43(2)-(3).

⁸ *Ibid* s 43(4).

⁹ *Ibid* s 41(5).

7. NON-COMPLIANCE WITH WATER RESTRICTIONS

Failure to comply with water restrictions is an offence and Council may impose penalties as deemed necessary to ensure the effectiveness of the water restriction.¹⁰

8. DEFINITIONS

Potable water – means drinkable water—water suitable for human consumption.

Water service provider – means Mareeba Shire Council¹¹

9. RELATED DOCUMENTS AND REFERENCES

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Water Act 2000 (Qld)

Water Supply (Safety and Reliability) Act 2008 (Qld)

10. REVIEW

It is the responsibility of the Director Infrastructure Services to monitor the adequacy of this policy and recommended appropriate changes. This policy will be formally reviewed annually or as otherwise determined by Council.

¹⁰ Ibid ss 41(6), 43(5), 169. See also *State Penalties Enforcement Regulation 2014* (Qld) sch 1.

¹¹ See *Water Supply (Safety and Reliability) Act 2008* (Qld) sch 3. Applied in the context of this policy to mean Mareeba Shire Council.

APPENDIX - WATER RESTRICTION LEVELS



Water Restrictions - Level 1

PURPOSE	LEVEL 1
Private gardens -watering	No manual or automated sprinklers, micro spray or drip watering systems to be used between the hours of 8am and 6pm. Hand held hoses, fitted with a trigger nozzle; watering cans or buckets can be used at any time.
Public parks / gardens / road reserves - watering Other than Parks and Gardens of significance or Heritage Gardens as determined by Council	No manual or automated watering systems to be used between the hours of 8am and 6pm. Hand held hoses, fitted with a trigger nozzle; watering cans or buckets can be used at any time.
Private gardens and public gardens - filling or topping up of ponds	Existing ponds can only be topped up to their normal level and only by means of hand held hoses, fitted with a trigger nozzle or by means of watering cans or buckets filled directly from taps.
Fountains	Fountains may operate normally.
Paved areas - cleaning	Hosing of paved areas is prohibited unless cleaning is required as a result of an accident, fire, health hazard or other emergency. The use of a bucket filled directly from a tap is permitted at any time.
Private swimming pools or spas - filling or topping up	Filling new pools - no restrictions. Existing pools and spas may be topped up as per garden watering times.
Farm dams and tanks - topping up	Farm dams must not be topped up except - <ul style="list-style-type: none"> • Dams or tanks providing water for firefighting, public health or stock watering purposes but only to the extent necessary to reasonably provide for those purposes; or • In the case of other dams or tanks, with the written permission of the Authority. Tanks - no restrictions
Sports grounds - watering	No manual or automated sprinklers, micro spray or drip watering systems to be used between the hours of 8am and 6pm. Hand held hoses, watering cans or buckets can be used at any time. Active playing surfaces may be watered prior to events to maintain the ability to be used for the intended purpose.
Commercial market garden or plant nursery - watering of plants	No restrictions.
Window cleaning	Windows can be cleaned at any time using - <ul style="list-style-type: none"> • High pressure, low volume cleaners; • Trigger hoses; • Buckets or watering cans.

Water Restrictions - Level 1

PURPOSE	LEVEL 1
Mobile water tankers - filling	Mobile water tankers - no restrictions.
Motor vehicle dealers' vehicles - cleaning	Water must not be used to clean vehicles except by means of - <ul style="list-style-type: none"> a) Commercial car washing facilities that recycle water; b) Watering cans or buckets filled directly from taps; or c) Trigger hoses.
Food transport vehicles - cleaning	Water must not be used to clean vehicles except by means of - <ul style="list-style-type: none"> a) Automatic washing systems which recycle water; or b) Trigger hoses; c) Commercial car wash facilities using trigger hoses; or d) Watering cans or buckets filled directly from taps; e) High pressure, low volume cleaner.
Other vehicles (cars, trucks, boats, jet skis) - cleaning	Water must not be used to clean vehicles except by means of - <ul style="list-style-type: none"> a) Automatic washing systems which recycle water; or b) Commercial car wash facilities using trigger hoses; or c) Watering cans or buckets filled directly from taps; or d) Trigger hoses e) Boat motors may be flushed and rinsed after use.
Construction industry - use of water in	Unless otherwise exempted by the Authority in writing, hoses must not be used except trigger hoses.
Any purpose not included in any other items of this column other than for use inside domestic premises and for domestic and farm animals	Water must not be used without the written permission of the Authority.
New lawns - residential	New lawns can be watered on the day of installation for a period of two hours at any time with sprinkler with timer shut off on any day between the hours of 6pm and 8am. Hand held hoses fitted with a trigger nozzle can be used at any time.

Failure to comply with Water Restrictions may incur penalties as described in s 43 (5) of the Water Supply (Safety and Reliability) Act 2008.

Water Restrictions - Level 2

PURPOSE	LEVEL 2
Private gardens -watering	<p>No manual or automated sprinklers, micro spray or drip watering systems to be used on Mondays.</p> <p>Odd numbered houses - sprinklers allowed on Tuesdays, Thursdays and Saturdays, between the hours of 6am and 8am and 6pm and 8pm only.</p> <p>Even numbered houses - sprinklers allowed Wednesdays, Fridays and Saturdays, between the hours of 6am and 8am and 6pm and 8pm only.</p> <p>Hand held hoses, fitted with a trigger nozzle; watering cans or buckets can be used at any time.</p>
Public parks / gardens / road reserves - watering Other than Parks and Gardens of significance or Heritage Gardens as determined by Council	<p>No manual or automated watering systems to be used on Mondays.</p> <p>Sprinklers allowed on Tuesdays, Thursdays and Saturdays, between the hours of 10pm and 5am only.</p> <p>Hand held hoses, fitted with a trigger nozzle; watering cans or buckets can be used at any time.</p>
Private gardens and public gardens - filling or topping up of ponds	Existing ponds can only be topped up to their normal level and only by means of hand held hoses, fitted with a trigger nozzle or by means of watering cans or buckets filled directly from taps.
Fountains	<p>Fountains must not operate unless they recycle water.</p> <p>Water lost from fountains must not be replaced except by means of hand held hoses or by means of watering can or buckets filled directly from taps.</p>
Paved areas - cleaning	<p>Hosing of paved areas is prohibited unless cleaning is required as a result of an accident, fire, health hazard or other emergency.</p> <p>The use of a bucket filled directly from a tap is permitted at any time.</p>
Private swimming pools or spas - filling or topping up	<p>Filling new pools - no restrictions.</p> <p>Existing pools and spas may be topped up as per garden watering times.</p>
Farm dams and tanks - topping up	<p>Farm dams and tanks must not be topped up except -</p> <ul style="list-style-type: none"> • Dams or tanks providing water for firefighting, public health or stock watering purposes but only to the extent necessary to reasonably provide for those purposes; or • In the case of other dams or tanks, with the written permission of the Authority.
Sports grounds - watering	<p>Sprinklers, micro spray or drip systems, can be used between 6am and 8am and 6pm and 8pm.</p> <p>Hand held hoses, watering cans or buckets can be used at any time.</p> <p>Active playing surfaces may be watered prior to events to maintain the ability to be used for the intended purpose.</p>
Commercial market garden or plant nursery - watering of plants	No restrictions.

Water Restrictions - Level 2

PURPOSE	LEVEL 2
Window cleaning	Windows can be cleaned at any time using - <ul style="list-style-type: none"> • High pressure, low volume cleaners; • Trigger hoses; • Buckets or watering cans.
Mobile water tankers - filling	Mobile water tankers must not be filled except - <ul style="list-style-type: none"> • Between the hours of 8am and 8pm with the written permission of the Authority; or • Tankers supplying water for use inside domestic premises, or for firefighting or stock watering purposes.
Motor vehicle dealers' vehicles - cleaning	Water must not be used to clean vehicles except by means of - <ol style="list-style-type: none"> a) Commercial car washing facilities that recycle water; b) Watering cans or buckets filled directly from taps; or c) Trigger hoses, which can be used only to rinse vehicles after washing.
Food transport vehicles - cleaning	Water must not be used to clean vehicles except by means of - <ol style="list-style-type: none"> a) Automatic washing systems which recycle water; or b) Trigger hoses; c) Commercial car wash facilities using trigger hoses; or d) Watering cans or buckets filled directly from taps; e) High pressure, low volume cleaner.
Other vehicles (cars, trucks, boats, jet skis) - cleaning	Water must not be used to clean vehicles except by means of - <ol style="list-style-type: none"> a) Automatic washing systems which recycle water; or b) Commercial car wash facilities using trigger hoses; or c) Watering cans or buckets filled directly from taps; or d) Trigger hoses, which can be used only to rinse vehicles after washing; e) Boat motors may be flushed and rinsed after use.
Construction industry - use of water in	Unless otherwise exempted by the Authority in writing, hoses must not be used except trigger hoses.
Any purpose not included in any other items of this column other than for use inside domestic premises and for domestic and farm animals	Water must not be used without the written permission of the Authority.
New lawns - residential	New lawns can be watered on the day of installation for a period of one hour at any time with sprinkler with timer shut off. On any day between the hours of 6am and 8am and 6pm and 8pm for a period of 14 days after the installation date (receipt of installation required), by sprinkler with timer shut off.
	After 14 days from the day of establishment all level 2 water restrictions apply including watering times - <ul style="list-style-type: none"> • Odd numbered properties between 6am and 8am and 6pm and 8pm, Tuesdays, Thursdays and Saturdays; • Even numbered properties between 6am and 8am and 6pm and 8pm, Wednesdays, Fridays and Sundays. Hand held hoses fitted with a trigger nozzle can be used at any time.

Failure to comply with Water Restrictions may incur penalties as described in s 43 (5) of the Water Supply (Safety and Reliability) Act 2008.

Water Restrictions - Level 3

PURPOSE	LEVEL 3
Private gardens -watering	Watering by manual or automated sprinklers, micro spray or drip watering systems and hand held hoses are prohibited on Mondays. Odd numbered houses - sprinklers allowed on Tuesdays and Saturdays, between the hours of 6am and 7am and 6pm and 7pm only. Even numbered houses - sprinklers allowed Wednesdays and Saturdays, between the hours of 6am and 7am and 6pm and 7pm only. Hand held hoses, fitted with a trigger nozzle can be used on any day except Mondays. Watering cans or buckets can be used at any time.
Public parks / gardens / road reserves - watering Other than Parks and Gardens of significance or Heritage Gardens as determined by Council	Watering by attended hand held hoses, fitted with a trigger nozzle to only be used between 6am and 7am and 6pm and 7pm only.
Private gardens and public gardens - filling or topping up of ponds	Newly constructed ponds must not be filled for the first time without the written permission of the Authority. Existing ponds can only be topped up to their normal level and only by means of hand held hoses, fitted with a trigger nozzle or by means of watering cans or buckets filled directly from taps.
Fountains	Fountains must not operate unless they recycle water. Water lost from fountains must not be replaced.
Paved areas - cleaning	Hosing of paved areas is prohibited unless cleaning is required as a result of an accident, fire, health hazard or other emergency. The use of a bucket filled directly from a tap is permitted at any time.
Private swimming pools or spas - filling or topping up	Filling new pools - no restrictions. Existing pools and spas may be topped up as per garden watering times.
Farm dams and tanks - topping up	Farm dams and tanks must not be topped up except - <ul style="list-style-type: none"> • Dams or tanks providing water for firefighting, public health or stock watering purposes but only to the extent necessary to reasonably provide for those purposes; or • In the case of other dams or tanks, with the written permission of the Authority.
Sports grounds - watering	Non active playing surfaces must not be waters without the written permission of the Authority. Active playing surfaces can only watered using - <ul style="list-style-type: none"> • Sprinklers, micro spray or drip systems between the hours of 6am and 8am and 6pm and 8pm; or • With hand held hoses immediately before or at the time of use; or • With watering cans or buckets filled directly from taps.

Water Restrictions - Level 3

PURPOSE	LEVEL 3
Commercial market garden or plant nursery - watering of plants	No restrictions.
Window cleaning	Water must not be used to clean windows except by means of a bucket or watering can filled directly from a tap.
Mobile water tankers - filling	Mobile water tankers must not be filled except - <ul style="list-style-type: none"> • Between the hours of 8am and 8pm with the written permission of the Authority; or • Tankers supplying water for use inside domestic premises, or for firefighting or stock watering purposes.
Motor vehicle dealers' vehicles - cleaning	Water must not be used to clean vehicles except by means of - <ol style="list-style-type: none"> a) Commercial car washing facilities that recycle water; b) Watering cans or buckets filled directly from taps; or c) Trigger hoses, which can be used only to rinse vehicles after washing.
Food transport vehicles - cleaning	Water must not be used to clean vehicles except by means of - <ol style="list-style-type: none"> a) Automatic washing systems which recycle water; or b) Trigger hoses; c) Watering cans or buckets filled directly from taps; d) High pressure, low volume cleaner.
Other vehicles (cars, trucks, boats, jet skis) - cleaning	Water must not be used to clean vehicles except by means of - <ol style="list-style-type: none"> a) Automatic washing systems which recycle water; or b) Commercial car wash facilities using trigger hoses; or c) Watering cans or buckets filled directly from taps; or d) Boat motors may be flushed and rinsed after use for a maximum of 5 minutes.
Construction industry - use of water in	Unless otherwise exempted by the Authority in writing, hoses must not be used except trigger hoses.
Any purpose not included in any other items of this column other than for use inside domestic premises and for domestic and farm animals	Water must not be used without the written permission of the Authority.
New lawns - residential	<p>New lawns can be watered on the day of installation for a period of one hour at any time with sprinkler with timer shut off.</p> <p>On any day between the hours of 6am and 7am and 6pm and 7pm for a period of 14 days after the installation date (receipt of installation required), by sprinkler with timer shut off.</p> <p>After 14 days from the day of establishment all level 3 water restrictions apply including watering times -</p> <ul style="list-style-type: none"> • Odd numbered properties between 6am and 7am and 6pm and 7pm, Tuesdays, and Saturdays; • Even numbered properties between 6am and 7am and 6pm and 7pm, Wednesdays and Sundays. <p>Hand held hoses fitted with a trigger nozzle can be used at any time except Mondays. Watering cans or buckets can be used at any time.</p>

Failure to comply with Water Restrictions may incur penalties as described in s 43 (5) of the Water Supply (Safety and Reliability) Act 2008.