

Levels 1 -3 Water Restrictions Request for Exemption (Residential)

This form is for financial year 1 July 2017 to 30 June 2018

Privacy Notice: Mareeba Shire Council is collecting your personal information in accordance with the Local Government Act 2009 in order to process your application. The information will be only accessed by authorised Council employees. Your information will not be given to any other person or agency unless you have given us permission or we are required by law.

Contact Name/s	
Postal Address	
Location of Water Use	
Preferred Contact Phone / Mobile Number (for further clarification if required)	
Email or Fax Details (for forwarding approval)	

REASONS FOR EXEMPTION *(please provide details below)*

<input type="checkbox"/> Watering Lawns and Gardens - change to watering time	
<input type="checkbox"/> Hosing Hard Surfaces	
Date Water Use Planned	
Signature	Date

Office Use Only (Conditions of approval)

Mareeba Shire Council

Water Restrictions Policy 2017/18

POLICY INTENT

To establish a policy and approval process for the imposition of water restrictions by Mareeba Shire Council Water and Waste.

SCOPE

This policy applies to all users including commercial, industrial, residential, Council and Mareeba Shire Council Water and Waste.

PROVISIONS

Chapter 2 Part3 of Division 3 of the Water Supply (Safety and Reliability) Act 2008 (the Act), provides Mareeba Shire Council with the power to restrict water supply due to climatic conditions or for water conservation needs. Under s41 (2) of the Act, Mareeba Shire Council may only impose restrictions in the following circumstances:

1. There is an urgent need for it because of climatic conditions or water conservation needs;
2. The available water supply has fallen to a level at which unrestricted use of water is not in the public interest; or
3. The service provider 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
4. The service provider has an outdoor water use conservation plan and the restriction is a measure to be implemented under the plan; or
5. The Minister has published a notice under the *Water Act, section 22 or a regulation has been made under the *Water Act, section 23 and the restriction is for the purposes of the notice or regulation; or
6. The service provider is directed, under a water supply emergency declaration, a water supply emergency regulation or an approved water supply emergency response to impose a restriction; or
7. The water service provider is directed by the regulator under section 42 (2) to impose the restriction.

*Water Act, section 22 (Limiting or prohibiting taking or interfering with water during emergencies)

*Water Act, section 23 (Regulation may limit taking or interfering with water for 1 year)

Mareeba Shire Council Water and Waste may impose the following types of restrictions:

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.

APPROVAL TO IMPOSE RESTRICTIONS

In normal circumstances, approval to impose water restrictions must be sought via a report to Council and recommendation to the Chief Executive Officer as delegate for Council for the water restriction powers under the Water Supply (Safety and Reliability) Act 2008.

In emergency situations, the Chief Executive Officer may impose water restrictions in accordance with this policy and the provisions of the Water Supply (Safety and Reliability) Act 2008 upon advice from the Director Infrastructure Services. In these circumstances a report on actions taken must be provided to the next scheduled Council meeting.

NOTIFICATION OF WATER RESTRICTIONS

For s43 (1) of the Water Supply (Safety and Reliability) Act 2008, Mareeba Shire Council must give notice of the water restriction to anyone affected by it in the way considered appropriate, having regard to the circumstances in which the restriction is imposed.

Except in emergencies the notice will be advertised in the local media. In emergencies the notice will be given in the way the Chief Executive Officer considers appropriate.

Under s43 (2) of the Water Supply (Safety and Reliability) Act 2008, water restrictions do not have effect until the day after the notice is given.

EXEMPTIONS

The Director Infrastructure Services of Mareeba Shire Council as delegate of the Chief Executive Officer may grant exemptions to water restrictions upon application from water users based on the following grounds:

1. For reasons of public health and safety;
2. To allow the undertaking of essential works;
3. Minor or infrequent uses of water outside the restrictions (e.g. sporting or community events);
4. Any other criteria deemed appropriated under the water supply conditions at the time.

NON-COMPLIANCE WITH WATER RESTRICTIONS

Failure to comply with water restrictions may incur penalties as described in s43 (3) of the Water Supply (Safety and Reliability) Act 2008.

REVIEW

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

REFERENCES

- Water Supply (Safety and Reliability) Act 2008
- Local Government Act 2009
- Local Government Regulation 2012