

	COUNCIL POLICY	
	Water Restriction Policy	
POLICY NO	040	
DEPARTMENT	Engineering and Commercial Infrastructure	
PROGRAM	Water and Waste Services	
ENDORSED BY COUNCIL	11 December 2019, Folio 65483	

## 1.0 Scope

This policy applies to consumers of potable water supplied by Mackay Regional Council.

## 2.0 Purpose

The intend of this policy is to:

1. Provide guidelines for the conservation of potable water;
2. Provide guidelines in respect to the conditions which water restrictions may be introduced;
3. Provide exemptions for imposed water restrictions.

## 3.0 Reference

- Water Supply (Safety and Reliability) Act 2008

## 4.0 Definitions

To assist in interpretation the following definitions shall apply:

**Active playing surface** shall mean a grass or synthetic area for playing sports such as a tennis court, turf cricket pitch, running track, hockey pitch, bowling green, croquet green, golf green or tee, football, soccer, volleyball, netball or basketball field and any similar area.

**Alternate days** shall mean designated days of water use, such that where permitted in Schedule 1 and 2:

- (a) Properties with an odd street number may water on Wednesday, Friday and Sunday;
- (b) Properties with an even street number may water on Tuesday, Thursday and Saturday;
- (c) Properties without a Council prescribed street number may water on Wednesday, Friday and Sunday.

**Authorised Person** shall mean a person authorised by CEO Mackay Regional Council to exercise the powers of an authorised person under the Water Supply (Safety and Reliability) Act 2008.

**CEO** shall mean the Chief Executive Officer of the Mackay Regional Council

**Commercial market garden or plant nursery** shall mean land used primarily for the growing of plants including produce and turf for sale or distribution for profit.

**Council** shall mean the Mayor and Councillors of Mackay Regional Council.

**Domestic purposes** shall mean potable water taken from the water supply system inside any premises for drinking, cooking, washing persons and clothes, use for dishwashing, or cleaning, heating and cooling a building.

**Drip system** shall mean a watering system that restricts the flow of water to a nominal amount such as an emitter and applies water directly to the soil around plants and usually incorporates a manual or automatic timer in operational condition.

**Exemption** shall mean permission approved by Mackay Regional Council in writing and accepted by an applicant that modifies or waives any water conservation measure under this policy.

**Exemption permit** shall mean a permit issued by Council granting an exemption from water conservation measures to an approved exemption holder. An exemption permit must be displayed in a prominent position on the property and will contain the name of the exemption holder, an approved property address, an approval number, any conditions attached to the approval and a commencement and expiry date or a Level to which the approval is given.

**Hand-held trigger or twist nozzle** shall mean a hose or pipe connected to a trigger or twist nozzle device to convey water, held in the physical possession of a person or under the supervision of a person aged 16 years or over, controlling the efficient distribution of water.

**Level** shall mean the increment as set out in Schedule 2 of this policy designating particular water conservation criteria.

**Microspray** shall mean a watering system that creates a fine jet or mist of water and usually incorporates a manual or automatic timer in operational condition.

**MRC** shall mean Mackay Regional Council.

**Non-active playing surface** shall mean the area of any sports ground that is not an active playing surface.

**Paved area** shall mean footpath, driveway, hard standing area or similar having an impervious surface such as concrete, asphalt, paving stones, tiles, etc.

**Portable wading pool** shall mean any demountable, temporary and transportable pool having a capacity less than or equal to 500 litres.

**Private garden** shall mean land, garden, lawn or grassed area used in relation to residential purposes, industrial, commercial or farming activities, hospitals and aged care facilities, schools, college, university and research facilities, cemetery or crematorium including any like area adjacent to a private garden, excluding sports ground contained within such.

**Private pool and spa** shall mean any pool, spa or ornamental pond which is not a MRC owned public asset.

**Public parks and gardens** shall mean land, garden, lawn or grassed area controlled by MRC or other statutory public authority including a nature strip, road verge, median strip, roundabouts, botanic gardens and footpaths.

**Public pool** shall mean pools open to the public or individuals operated by a contractor on MRC behalf.

**Sprinkler** shall mean a pipe or hose system and nozzle, soaker-hose or similar device used to distribute, sprinkle or spray water in any manner other than by a hand-held hose excluding microspray and drip systems, misting systems used in the commercial propagation of seeds or fogging systems used in commercial poultry industry.

**Sports ground** shall mean land used for the purpose of any sport, game or other form of recreation.

**Timer** shall mean any electronic or mechanical timing device that is used to regulate the time and duration of water flow to a sprinkler, microspray or drip watering system.

**Trigger nozzle or twist nozzle** shall mean a control nozzle intended to be used by persons that stop the flow of water by means of a lever or similar device that positively shuts off the supply of water when released.

**Water** shall mean potable water supplied from MRC's water supply system.

**Water efficient sprinkler** shall mean a sprinkler supplied by a fixed pipe or hose.

**Water supply system** shall mean MRC's infrastructure assets associated with the provision and distribution of water to customers, consumers, users and transporters of water.

**Water toys / facilities** shall mean any entertainment toy, facility or structure, which is operated by or uses non-recirculating running water from a hose or pipe as part of its use.

## 5.0 Background

MRC is responsible for providing a reliable water supply to its customers. Water conservation measures are necessary to ensure that the region's consumption does not outweigh supply, and that the water infrastructure can cope with the level of demand.

Without effectively monitoring and managing water, the region could face serious water supply issues, which would have an adverse impact on the region.

## 6.0 Policy Statement

MRC ensures planned management of water restrictions through the following actions and checks.

### 6.1 Application of Policy

This policy applies to consumers and transporters of potable water supplied by MRC, both within its water supply districts and in areas to which it supplies potable water outside of those districts.

Water restrictions may be applied separately or for any, all or for part of any of the following water supply scheme areas:

- Mackay City region including Bakers Creek and McEwens Beach
- Supply connected to the Seaforth Transfer Main Reticulation Network including Farleigh, The Leap, Seaforth, Ball Bay, Halliday Bay, Cape Hillsborough
- Walkerston
- Eton

- Calen / Kolijo
- Bloomsbury
- Supply connected to the Midge Point Transfer Main Reticulation Network including Midge Point / Laguna Whitsunday Resort
- Sarina areas including Louisa Creek, Hay Point, Koumala, Armstrong Beach, Freshwater Pt, Sarina Beach, Campwin Beach, Grasstree Beach, Salonika Beach and Half Tide
- Mirani and Marian
- Gargett, Finch Hatton and Pinnacle

Filling and topping up of water storage tanks in areas incorporating water supply by 'tank replenishment schemes' is exempt from the requirements under "Dams and Tanks" of Schedule 2, however persons must comply with all other water restrictions measures in place.

Nothing in this policy prevents the use of:

- a. Water drawn from a source other than from the water supply system under the control of MRC; or
- b. Reclaimed or used water; or
- c. Private bores; or
- d. Rainwater collected in tanks (unless the tank is topped up by the MRC water supply) or dams;
- e. Water supplied from another service provider; or
- f. Water used for domestic purposes only.

To assist investigation of alleged contravention of water restrictions, MRC encourages persons accessing private bores to register their details.

#### 6.4 Declaration of Water Restrictions

Subject to the provisions of the *Water Supply (Safety and Reliability) Act 2008*, if MRC considers it necessary to reduce the consumption of water taken from its water supply system, declaration of water restrictions will be made at one of the below levels:

- Permanent Conservation Measures
- Level 1 Low restrictions
  - Level 2 Medium restrictions
  - Level 3 High restrictions

Schedule 1 and 2 provide permitted and prohibited use or time of use for each level.

As required, the CEO may approve the level of water restriction that applies to an area, and upon such declaration, such new level will revoke any previous declaration.

#### 6.5 Publication of Water Restrictions

Declaration and revocation of water restrictions will be by public notice and other means Council considers appropriate. Generally, this will be by means of a public notice published in newspapers circulating in the region affected by the declaration. The notice will specify the region to which the water restrictions apply, the level of restrictions, including an outline of permitted hours and use of water, the period of operation of the declaration, penalties for contravention and contacts for further information. This information will be made available on the MRC website.

Additional media release of information and individual customer notification pertaining to water restrictions may be made as appropriate.

Unless otherwise substituted or revoked by a subsequent declaration or published notice, water restrictions cease to have effect at the end of any period specified in the notice.

#### 6.6 Compliance

During a period in which water restrictions are in effect, water from the water supply system shall not be used except as set out in Schedule 2 for the declared level of restriction, or as contained in any approved exemption.

#### 6.7 Investigation & Enforcement

Within a period in which water restrictions are in effect, a person allegedly contravening a water restriction will be investigated.

In order to promote consistency and fairness when responding to and investigating allegations of breaches of this policy, MRC Authorised Persons will follow standard operating procedures before undertaking any enforcement actions that are considered appropriate.

#### 6.8 Exemptions

Where an exemption or amendment to water restrictions is sought, applicants shall apply for each individual property or circumstance.

Applications shall be made to the CEO.

Applications may be:

- approved unconditionally; or
- approved subject to certain conditions; or
- not approved.

Applications will only be considered where reasonable grounds for such exemption have been presented and the prescribed fee has been paid. Application fees are non-refundable.

Exemptions for watering new turf will only be issued for 10 days. Applications should be submitted at least one (1) week prior.

Approval, if granted, will be in writing and takes effect as of the date of such approval.

Approvals may be modified or withdrawn at any time. Extensions to exemptions may only be issued in special circumstances and upon review. If an extension is required under normal circumstances an additional application must be submitted.

Any such approval is final and binding upon acceptance by the applicant.

The Application for Exemption on Water Restrictions Application Form provides an application for an exemption to water restrictions.

Approved applications will be issued with an Exemption Permit with the approval. The exemption permit is to be displayed in a prominent position on the approved property and is to be removed on the expiry of the permit.

## 7.0 Review of Policy

This policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three years.

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Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
1	New Policy		Adopted by Council	11.12.19

**SCHEDULE 1  
PERMANENT CONSERVATION MEASURES**

<p><b>Private gardens and lawns (residential and non-residential) including sports grounds and active playing surfaces</b></p>	<p>No watering between 10am and 4pm.</p> <p>Watering permitted outside the hours of 10am and 4pm on alternate days with a:</p> <ul style="list-style-type: none"> <li>• Sprinkler</li> <li>• Hand-held trigger or twist nozzle</li> <li>• Irrigation system</li> </ul> <p>Watering permitted outside the hours of 10am and 4pm daily with a watering can or bucket.</p>
<p><b>Commercial market garden and plant nursery</b></p>	<p>No watering between 10am and 4pm.</p> <p>Watering only permitted outside of these hours with a:</p> <ul style="list-style-type: none"> <li>• Sprinkler</li> <li>• Hand-held trigger or twist nozzle</li> <li>• Watering can or bucket</li> </ul>
<p><b>Swimming pools and spas</b></p>	<p>New and existing swimming pools, spas and portable wading pools must only be filled or topped up to their minimum operating level.</p>
<p><b>Vehicles and boats</b></p>	<p>Water may be used to clean vehicles and boats by means of:</p> <ul style="list-style-type: none"> <li>• A hand-held trigger or twist nozzle to initially we or rinse after washing.</li> <li>• High-pressure low-volume water blaster</li> <li>• Watering can or bucket</li> <li>• Commercial car wash facility</li> </ul> <p>Vehicles and boats must be washed on grassed areas where possible.</p> <p>Outboard motors may be flushed clean after use.</p>
<p><b>Paved areas, driveways, house and window cleaning</b></p>	<p>Water must not be used to clean paved areas, driveways, houses and windows, except by means of a:</p> <ul style="list-style-type: none"> <li>• Hand-held trigger of twist nozzle</li> <li>• High-pressure low-volume water blaster</li> <li>• Watering can or bucket.</li> </ul>
<p><b>Dams and tanks</b></p>	<ul style="list-style-type: none"> <li>• Dams and water storage tanks greater than 100,000 litres must not be filled or topped up except by way of exemption from MRC.</li> <li>• Water storage tanks providing water for firefighting, public health or stock water purposes may be used to the extent necessary to reasonable provide such purposes.</li> <li>• Tank filling in designated 'tank replenishment scheme' areas are excluded; however, use must comply with all other water restrictions.</li> </ul>
<p><b>All other areas</b></p>	<p>Water shall not be used except by way of exemption from MRC.</p>

**SCHEDULE 2  
WATER RESTRICTION LEVELS**

PURPOSE	LEVEL 1 LOW	LEVEL 2 MEDIUM	LEVEL 3 HIGH
<b>Private gardens and lawns (residential and non-residential) including sports grounds and active playing surfaces</b>	No watering between 10am and 4pm.  Watering permitted outside the hours of 10am and 4pm on alternate days with a: <ul style="list-style-type: none"> <li>• Hand-held trigger or twist nozzle</li> <li>• Irrigation system (gardens only, no grassed areas)</li> </ul> Non-active playing surfaces must not be watered.	No watering between 10am and 4pm.  Sprinklers and irrigation systems not permitted.  Watering only permitted outside of these hours on alternate days with a watering can.  Non-active playing surfaces must not be watered.	No watering permitted.
<b>Commercial market garden and plant nursery</b>	No watering between 10am and 4pm.  Watering only permitted outside of these hours with a: <ul style="list-style-type: none"> <li>• Hand-held trigger or twist nozzle</li> <li>• Irrigation system</li> <li>• Watering can or bucket</li> </ul>	No watering between 10am and 4pm.  Sprinklers not permitted  Watering only permitted outside of these hours with a: <ul style="list-style-type: none"> <li>• Water efficient irrigation system ie microspray or drip system</li> <li>• Watering can or bucket.</li> </ul>	No watering between 10am and 4pm.  Sprinklers and irrigation systems not permitted.  Watering only permitted outside of these hours with a watering can or bucket.
<b>Swimming pools and spas (private and public)</b>	New and existing swimming pools, spas and portable wading pools must only be filled or topped up to their minimum operating level.	Existing swimming pools and spas must only be topped up to their minimum operating level.  New and existing swimming pools and spas must not be filled except by way of exemption from MRC.  Portable wading pools must not be filled or topped up.	New and existing swimming pools and spas must not be filled or topped up except by way of exemption from MRC.  Portable wading pools must not be filled or topped up.
<b>Vehicles and boats</b>	Water may be used to clean vehicles and boats by means of: <ul style="list-style-type: none"> <li>• A hand-held trigger or twist nozzle to initially we or rinse after washing.</li> <li>• Watering can or bucket</li> </ul>	Water may be used to clean vehicles and boats by means of: <ul style="list-style-type: none"> <li>• A hand-held trigger or twist nozzle to initially we or rinse after washing.</li> <li>• Watering can or bucket</li> </ul>	Water must not be used to clean vehicles or boast except where required for public health and safety reasons or where permanent damage may occur if not rinsed with fresh water (eg flushing outboard motors).

	<ul style="list-style-type: none"> <li>Commercial car wash facility that recycles at least 50% of the water used.</li> </ul> <p>Vehicles and boats must be washed on grassed areas where possible.</p> <p>Outboard motors may be flushed clean after use.</p>	<ul style="list-style-type: none"> <li>Commercial car wash facility that recycles at least 50% of the water used.</li> </ul> <p>Vehicles and boats must be washed on grassed areas where possible.</p> <p>Outboard motors may be flushed clean after use.</p>	
<b>Paved areas, driveways, house and window cleaning</b>	Water must not be used to clean paved areas, driveways, houses and windows, except by means of a watering can or bucket.	Water must not be used to clean paved areas, driveways, houses and windows unless cleaning is required as a result of an accident, fire, health or safety reason, construction, building or like activity, storm or other emergency.	Water must not be used to clean paved areas, driveways, houses and windows.
<b>Dams and tanks</b>	<ul style="list-style-type: none"> <li>Dams and water storage tanks greater than 100,000 litres must not be filled or topped up except by way of exemption from MRC.</li> <li>Water storage tanks providing water for firefighting, public health or stock water purposes may be used to the extent necessary to reasonably provide such purposes.</li> <li>Tank filling in designated 'tank replenishment scheme' areas are excluded; however, use must comply with all other water restrictions.</li> </ul>	<ul style="list-style-type: none"> <li>Dams and water storage tanks must not be filled or topped up except by way of exemption from MRC.</li> <li>Water storage tanks providing water for firefighting, public health or stock water purposes may be used to the extent necessary to reasonably provide such purposes.</li> <li>Tank filling in designated 'tank replenishment scheme' areas are excluded; however, use must comply with all other water restrictions.</li> </ul>	<ul style="list-style-type: none"> <li>Dams and water storage tanks must not be filled or topped up except by way of exemption from MRC.</li> <li>Water storage tanks providing water for firefighting, public health or stock water purposes may be used to the extent necessary to reasonably provide such purposes.</li> <li>Tank filling in designated 'tank replenishment scheme' areas are excluded; however, use must comply with all other water restrictions.</li> </ul>
<b>All other areas</b>	Water shall not be used except by way of exemption from MRC.	Water shall not be used except by way of exemption from MRC.	Water shall not be used except by way of exemption from MRC.

# APPLICATION FOR EXEMPTION ON WATER RESTRICTIONS



**PRIVACY DISCLAIMER** Mackay Regional Council is collecting your personal information in order to process your application. This information will only be disclosed to any other third party with your written authorisation or as we are required to by law

**An Application Fee is to accompany each application for exemption. The fee is set out in the Mackay Regional Council Fees and Charges Schedule.**

## SECTION 1 – APPLICANT DETAILS

*(Applicants should have the consent of the owner of the property or authorised agent prior to submitting this application)*

Applicant	I,			(Full name)
				(Company Name, if applicable)
	of			(Address)
		(Mobile)		(Telephone)

## SECTION 2 – PROPERTY DETAILS

*If owner is Applicant, write "As Above"*

Property Details		(Address)
		(Lot and Plan Number)

## SECTION 3 – PROPERTY OR SITE DETAILS FOR WHICH EXEMPTION IS REQUESTED

**(attach additional page if necessary)**

- |   |  |
|---|--|
| <input type="checkbox"/> Private and public gardens and lawns | <input type="checkbox"/> Market garden and plant nursery |
| <input type="checkbox"/> Swimming pool and spas               | <input type="checkbox"/> Vehicles and boats              |
| <input type="checkbox"/> Paved areas, driveways               | <input type="checkbox"/> House and window cleaning       |
| <input type="checkbox"/> Other                                |  |

## SECTION 5 – GROUNDS FOR REQUEST

**Please explain the circumstances or specify the reasons for making the application (attach additional page if necessary)**

## SECTION 6 – DATE

**Please specify the commencement date and timeframe required for the exemption**

## SECTION 8 - CUSTOMER CONSENT

If this exemption is granted, I hereby:

- Authorise Mackay Regional Council to publicly disclose any relevant details of the exemption (excludes private personal details);
- Agree to adhere to all the specified conditions of any such exemption and the requirements under Mackay Regional Council's Policy No. 040 – Water Restrictions;
- Permit appropriate and reasonable access to the property / site to enable Mackay Regional Council to assess adherence to any exemption conditions;
- Acknowledge that any violation of the terms of the exemption will result in immediate voiding of the exemption and no further application will be considered;
- Acknowledge that this exemption is only applicable to the level of water conservation measures current as at the date of the exemption approval, and Mackay Regional Council may withdraw, modify or make additional conditions upon declaration of a revised level.

Signature		Date:        /        /
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### Office Use Only

Date Received	Application Number
Receipt Number	