Water Restrictions

To establish a policy and approval process for the implementation of water restrictions by Council

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<th>Category</th>
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<th>Policy number: IS008</th>
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<td>Related forms, policies and procedures</td>
<td>Nil</td>
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<td>Key words</td>
<td>Water restrictions, water use</td>
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<td>Relevant legislation</td>
<td><em>Water Supply (Safety and Reliability) Act 2008</em></td>
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<td>References and resources</td>
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**Review due by**  
Manager Water  
Date: 12 September 2017

**Approved by**  
Council Resolution 0449  
Date: 12 September 2013

**Approved by**  
Council Resolution 0676  
Date: 10 September 2009
1. **Purpose**
To establish a policy and approval process for the implementation of water restrictions by the Cassowary Coast Regional Council.

2. **Scope**
This policy applies to all users, including commercial, industrial, residential and Council.

3. **Definitions and principles**

   **The Act**: Water Supply (Safety and Reliability) Act 2008
   **The Council**: Cassowary Coast Regional Council
   **Water Service Provider**: Cassowary Coast Regional Council

3.1 **Principles**
Chapter 2, Part 3, S41 of the Water Supply (Safety and Reliability) Act 2008 provides the Cassowary Coast Regional Council powers to restrict water supply if—

   (a) there is an urgent need for it because of climatic conditions or water conservation needs; or
   (b) the available water supply has fallen to a level at which unrestricted use of the water is not in the public interest; or
   (c) 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
   (d) the service provider has an outdoor water use conservation plan and the restriction is a measure to be implemented under the plan; or
   (e) 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
   (f) the water service provider is directed, under a water supply emergency declaration, a water supply emergency regulation or an approved water supply emergency response, to impose the restriction; or
   (g) the water service provider is directed by the regulator, under section 42(2), to impose the restriction.

4. **Provisions**

4.1 **Restricting water supply**
If the Cassowary Coast Regional Council considers it necessary, the Council may restrict—

   (a) the volume of water taken by or supplied to a customer or type of customer; or
   (b) the hours when water may be used on premises for stated purposes; or
4.2 Approval to Impose Restrictions

The decision regarding the implementation of Water restrictions and the Corresponding level of Restrictions is made by the Chief Executive Officer or Delegated Representative.

A formal request to implement restrictions must be made by the Manager Water through the Director Works to the Chief Executive Officer that details the following:

- Intended date of Commencement
- Recommended restriction level
- Operational Justification

The request can be made by in the following manner at the discretion of the Chief Executive Officer:

- Electronic Correspondence (Email)
- Internal Council Memorandum
- Internal Written Report
- Formal Report to Council

Once the decision has been made to implement the Policy, notification will be provided via internal correspondence to the Mayor and the relevant Portfolio Councillor.

4.3 Notification of Water Restrictions

For section 43 of the Water Supply (Safety and Reliability) Act 2008, Cassowary Coast Regional 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.

4.4 Exemptions

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

(a) For reasons of public health and safety
(b) To allow the undertaking of essential works
(c) Minor or infrequent uses of water outside the restrictions (e.g. sporting or community events)
(d) Any other criteria deemed appropriate under the water supply conditions at the time.
4.5 Non-compliance with Water Restrictions

Failure to comply with water restrictions may incur penalties as described in Section 43 of the *Water Supply (Safety and Reliability) Act 2008.*