5.5. UPDATED WATER RESTRICTIONS SCHEDULE AND POLICIES

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Water and Wastewater

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DEPARTMENT Water and Wastewater

RECOMMENDATION

That Council receives and notes the updated Water Restrictions Schedule within Douglas Shire. Council also receives and notes the updated Water Conservation Policy and the Water Restrictions General policy.

EXECUTIVE SUMMARY

Under the Water Supply (Safety and Reliability) Act 2008 (the Act) Douglas Shire Council has the power to restrict water supply due to climatic conditions or for water conservation. In recent times, Douglas Shire Council have activated water restrictions within the shire when there was a lack of rain and the intake levels at Rex Creek and other creek water supplies dropped significantly.

The water restrictions are in place to help manage water demand and limit the number of water extraction exceedances.

The Douglas Shire Council community requires a greater water resilience and Council needs to encourage our community to be water wise users of potable water for environmental sustainability.

Aligning most of our water restrictions times, days and definitions with Cairns Regional Council will assist us in communicating the water wise message within our community. When residents see or hear advertisements on TV, Facebook, Noticeboards, Websites, Social Media or on the radio there will no longer be confusion due to a mis-alignment between Douglas and Cairns.

BACKGROUND

During amalgamation with Cairns Regional Council, restrictions were implemented on permanent water restrictions throughout the year, but additionally to higher level restrictions during the dry summer periods.

Since Douglas Shire Council de-amalgamated from Cairns Regional Council on 1 January 2014 there has been a requirement to implement Level 1, 2 and 3 restrictions only during prolonged dry winter and spring periods.

The updated water restriction schedule mostly aligns with conditions, days and times with other council areas nearby, such as Cairns Regional Council (CRC) and Cassowary Coast Regional Council (CCRC). The main differences between the schedules are:

1. Douglas Shire Council has adopted 4 levels of water restrictions starting from Level 1, whereas CRC and CCRC have 5 levels of water restrictions starting from Level 0 (permanent water conservation measure);

- 2. In Douglas Shire Council, the allocation of water and the permitted extraction licence is based on the flow of water from Rex Creek via a channel offtake whereas Cairns Regional Council water allocation comes from Copperlode Dam;
- 3. Douglas Shire Council relies on a water supply that has a complicated hydraulic morphology which means that the future water supply can be harder to predict compared to a dam water supply. Due to this, Douglas Shire Council may need to restrict the water usage at different times to when CRC activate their water restriction levels.

The updated water restriction schedules are simpler to read and intended to help communicate effortlessly to our community. It has similar conditions that are stated in other local council's water restrictions schedule.

The updated schedule will avoid confusion within the community when they see or hear water restrictions advertisements on TV, Facebook, Noticeboards, Websites, Social Media and on the radio from Cairns Regional Council or Cassowary Coast Regional Councils.

Prior to the Water Restriction amendments, Douglas Shire Council, as the water service provider, had chosen to regulate itself under the Water Restriction schedule. Whilst self-regulation may be implemented for reasons of public perception, Council is not required to regulate its own activities.

Within these amendments Douglas Shire Council has considered that it would be more appropriate to adopt a Water Conservation General Policy that includes a commitment to, where possible, comply with, and exceed, the relevant Water Restriction schedule.

Additionally, Water Restrictions are based on the Water Restrictions General Policy, which applies to all water supply users including commercial, industrial, residential and private activities within Douglas Shire.

PROPOSAL

That Council receives and notes the updated water restrictions schedule within Douglas Shire to align similar conditions, days and times with Cairns Regional Council schedule. Council also receives and notes the updated Water Conservation General Policy and the Water Restrictions General Policy.

FINANCIAL/RESOURCE IMPLICATIONS

The updated water restriction schedule has been redeveloped so that it is simpler to read and is intended to help communicate effortlessly to our community. This will assist resources within water and wastewater department, frontline and local laws units to succinctly communicate to our community the rules and regulations of water restrictions.

Implementing water restrictions and reducing water usage has an environmental benefit and thus can assist when applying for grants and funding in the future projects that support water resilience.

In adopting these changes, there will be no additional financial/resource implications to Council.

SUSTAINABILITY IMPLICATIONS

Economic: Nil

Environmental: Douglas Shire Council community requires a greater need for

water resilience, security and we need to encourage our community to be water wise users of potable water for

environmental sustainability.

Social: The new updated water restrictions will avoid confusion within the

community when they see or hear advertisements from Cairns

Regional Council water restriction schedules.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 3 - Improve Environmental Performance

3.2.2 - Investigate opportunities for efficiencies in water use including the use of recycled water.

Operational Plan 2018-2019 Actions:

- 2.1.2 Additional water extraction site designed and integrated into existing water infrastructure.
- 5.1.1 Determine the full cost of providing Council's Water, Sewerage and Cleansing activities and establish if these costs are being fully recovered via Council's Utility Charges.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Asset-Owner Meeting the responsibilities associated with owning or being the

custodian of assets such as infrastructure.

Information Provider Bringing people together to develop solutions to problems.

Regulator Meeting the responsibilities associated with regulating activities

through legislation or local law.

CONSULTATION

Internal: Consultation has been undertaken internally with Frontline,

Business Support Unit, Water & Wastewater and Local Laws.

External: The current Douglas Shire Council water restrictions were

reviewed by Preston Law who provided updated definitions and

suggested alterations to the water restriction schedules.

COMMUNITY EGAGEMENT

Nil

ATTACHMENTS

1. Schedule 1 - Amended Water Restrictions April 2019 [5.5.1]

- 2. Draft Water Restrictions General Policy [5.5.2]
- 3. Draft Water Conservation General Policy [5.5.3]



LEVEL 1 WATER RESTRICTIONS	Unless otherwise noted, the restrictions refer to all private, commercial and industrial sectors within the Douglas Shire Council water supply
Activity	Description
Watering plants/gardens/lawns	Watering cans/buckets allowed at any time Hand-held hoses with trigger/twist nozzles allowed at any time and need to be attended at all times
Using irrigation systems (e.g. sprinklers, see definitions)	Irrigation systems are allowed between 6am - 8am and 6pm-8pm on alternate days: Even Street No: Wed, Fri, Sun OR Odd Street No: Tue, Thu, Sat OR No Prescribed Street No: Wed, Fri, Sun Irrigation systems are not permitted on Mondays
Filling swimming pools, spas and portable wading pools	Filling allowed at any time to the minimum operating level
Operation of water features (ponds, fountains and water ornaments)	Allowed at any time Water fountains/ornaments must recycle water
Using water toys and facilities	Allowed at any time, provided they are operated in an efficient way to ensure that water is not excessively wasted
Filling water storage tanks and dams	Water storage tanks and dams are not to be filled unless an exemption has been approved
Cleaning of vehicles/boats/jet skis/trailers	Water must not be used expect by means of: 1) Commercial car washing facilities that recycle water 2) Hand held hoses with trigger/twist nozzles including high pressure, low volume cleaners 3) Watering cans/buckets filled directly from taps 4) Boat motors may be flushed and rinsed after use
	Where possible, vehicles/boats/jet skis/trailers are to be cleaned on grassed areas Hand held hoses with a trigger/twist nozzle including high pressure,
Washing windows/external house cleaning Cleaning of paved areas/concrete surfaces	low volume cleaners and watering buckets allowed at any time Hosing is prohibited unless cleaning is required as a result of an accident, fire, health hazard or other emergency
Filling mobile water tankers (other than those directly used for fire fighting purposes)	The use of a bucket is permitted at any time Only by using Council approved/issued metered standpipes Fees & charges and terms & conditions apply
Construction Industry	Unless an exemption has been approved, the use of water in construction is limited to buckets and handheld hoses with trigger/twist nozzles
Fire fighting or other emergency purposes	Any time as reasonably required
Supplying water for livestock and other animals	Any time as reasonably required
Any other purpose not listed in the water restrictions (except fire fighting, public health and safety, domestic purposes)	NO unless an exemption has been approved



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LEVEL 2 WATER RESTRICTIONS	Unless otherwise noted, the restrictions refer to all private, commercial and industrial sectors within the Douglas Shire Council water supply
Activity	Description
Watering plants/gardens/lawns	Watering cans/buckets allowed at any time Hand-held hoses with trigger/twist nozzles allowed at any time and need to be attended at all times
Using irrigation systems (e.g. sprinklers, see definitions)	Irrigation system use only between 6am - 7am and 6pm - 7pm on alternate days: Even Street No: Wed, Fri, Sun OR Odd Street No: Tue, Thu, Sat OR No Prescribed Street No: Wed, Fri, Sun Irrigation systems are not permitted on Mondays
Filling swimming pools, spas and portable wading pools	Filling allowed at any time to the minimum operating level
Operation of water features (ponds, fountains and water ornaments)	Newly constructed ponds must not be filled for the first time Existing ponds can be filled any time to the minimum operating level. Water fountains/ornaments must recycle water, lost water must not be replaced
Using water toys and facilities	Allowed at any time, provided they are operated in an efficient way to ensure that water is not excessively wasted
Filling water storage tanks and dams	Water storage tanks and dams are not to be filled unless an exemption has been approved
Cleaning of vehicles/boats/jet skis/trailers	Water must not be used expect by means of: 1) Commercial car washing facilities that recycle water 2) Hand held hoses with trigger/twist nozzles including high pressure, low volume cleaners 3) Watering cans/buckets filled directly from taps 4) Boat motors may be flushed and rinsed after use for a maximum 5 mins Where possible, vehicles/boats/jet skis/trailers are to be cleaned on grassed areas
Washing windows/external house cleaning	Water must not be used expect by means of a watering can/bucket
Cleaning of paved areas/concrete surfaces	Hosing is prohibited unless cleaning is required as a result of an accident, fire, health hazard or other emergency The use of a bucket is permitted at any time
Filling mobile water tankers (other than those	Only by using Council approved/issued metered standpipes. Fees &
directly used for fire fighting purposes)	charges and terms & conditions apply
Construction Industry	Unless an exemption has been approved, the use of water in construction is limited to buckets and handheld hoses with trigger/twist nozzles
Fire fighting or other emergency purposes	Any time as reasonably required
Supplying water for livestock and other animals	Any time as reasonably required
Any other purpose not listed in the water restrictions (except fire fighting, public health and safety, domestic purposes)	NO unless an exemption has been approved



LEVEL 3 WATER RESTRICTIONS	Unless otherwise noted, the restrictions refer to all private, commercial and industrial sectors within the Douglas Shire Council water supply
Activity	Description
Watering plants/gardens/lawns	Watering cans/buckets allowed at any time Hand-held hoses with trigger nozzles allowed between 6am - 8am and 6pm - 8pm and need to be attended at all times
Using irrigation systems (e.g. sprinklers, see definitions)	Irrigation system must not be used at any time
Filling swimming pools, spas and portable wading pools	New swimming pools and spas must not be filled for the first time unless an exemption has been approved Existing swimming pools can be filled to the minimum operating level
Operation of water features (ponds, fountains and water ornaments)	New ponds must not be filled for the first time Existing ponds can be filled any time to the minimum operating level Water fountains (expansion parts must records water lost water must
	Water fountains/ornaments must recycle water, lost water must not be replaced
Using water toys and facilities	NO unless an exemption has been approved
Filling water storage tanks and dams	Water storage tanks and dams are not to be filled unless an exemption has been approved
Cleaning of vehicles/boats/jet skis/trailers	Water must not be used expect by means of: 1) Commercial car washing facilities that recycle water 2) Watering cans/buckets filled directly from taps 3) Boat motors may be flushed and rinsed after use for a maximum 5 mins
	Where possible, vehicles/boats/jet skis/trailers are to be cleaned on grassed areas
Washing windows/external house cleaning	Water must not be used expect by means of a watering can/bucket
Cleaning of paved areas/concrete surfaces	Hosing is prohibited unless cleaning is required as a result of an accident, fire, health hazard or other emergency
	The use of a bucket is permitted at any time
Filling mobile water tankers (other than those directly used for fire fighting purposes)	Only by using Council approved/issued metered standpipes. Fees & charges and terms & conditions apply
Construction Industry	Unless an exemption has been approved, the use of water in construction is limited to buckets and handheld hoses with trigger/twist nozzles
Fire fighting or other emergency purposes	Any time as reasonably required
Supplying water for livestock and other animals	Any time as reasonably required
Any other purpose not listed in the water restrictions (except fire fighting, public health and safety, domestic purposes)	NO unless an exemption has been approved



LEVEL 4 WATER RESTRICTIONS	Unless otherwise noted, the restrictions refer to all private, commercial and industrial sectors within the Douglas Shire Council water supply
Activity	Description
Watering plants/gardens/lawns	Watering cans/buckets allowed between 7am - 8am and 7pm - 8pm Hoses must not be used at any time
Using irrigation systems (e.g. sprinklers, see definitions)	Irrigation system must not be used at any time
Filling swimming pools, spas and portable wading pools	NO unless an exemption has been approved
Operation of water features (ponds, fountains and water ornaments)	Existing ponds sustaining fish or bird life can only be topped up to their minimum operating level Other ponds must not be topped up or filled Water fountains/ornaments must not operate
Using water toys and facilities	·
Using water toys and facilities Filling water storage tanks and dams	NO unless an exemption has been approved Water storage tanks and dams are not to be filled unless an exemption has been approved
Cleaning of vehicles/boats/jet skis/trailers	Water must not be used expect by means of: 1) Commercial car washing facilities that recycle water 2) Watering cans/buckets filled directly from taps 3) Boat motors may be flushed and rinsed after use for a maximum 5 mins Where possible, vehicles/boats/jet skis/trailers are to be cleaned on grassed areas
Washing windows/external house cleaning	Water must not be used unless cleaning is required as a result of an accident, fire, health hazard or other emergency
Cleaning of paved areas/concrete surfaces	Water must not be used unless cleaning is required as a result of an accident, fire, health hazard or other emergency
Filling mobile water tankers (other than those directly used for fire fighting purposes)	Only by using Council approved/issued metered standpipes Fees & charges and terms & conditions apply
Construction Industry	Unless an exemption has been approved, the use of water in construction is limited to buckets and handheld hoses with trigger/twist nozzles Water must not be used for dust suppression
Fire fighting or other emergency purposes	Any time as reasonably required
Supplying water for livestock and other animals	Any time as reasonably required
Any other purpose not listed in the water restrictions (except fire fighting, public health and safety, domestic purposes)	NO unless an exemption has been approved



Definitions - Applies to all Water Restriction Levels

The following definitions apply to all Water Restriction Levels

"Alternate days" means designated days of water use, such that where permitted in Schedule 1:

- Properties with an even street number may water on Wednesday, Friday and Sunday
- Properties with an odd street number may water on Tuesday, Thursday and Saturday
- Properties without a Council prescribed street number may water on Wednesday, Friday and Sunday
- NO WATERING IS PERMITTED ON MONDAYS

"Authorised Officer" means a person authorised by Douglas Shire Council to exercise the powers of an authorised person under the Water Act, Local Government Act and State Penalties Enforcement Act.

"Domestic purposes" means 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, and sanitation purposes, e.g. flushing a toilet.

"Exemption" means permission approved by Douglas Shire Council in writing that modifies or waives any water conservation measure under this policy.

"Exemption notice" means a permit issued by Douglas Shire Council granting an exemption from water restrictions to an approved exemption holder. An exemption notice is provided to the applicant confirming the exemption conditions. Where possible, the exemption notice should be displayed in a prominent position on the property or be available upon request.

"Hand held hose" means a hose or pipe used to convey water. Preferably a trigger or twist nozzle, held in the physical possession of a person, controlling the efficient distribution of water.

"Irrigation system" is identified as manual or automated sprinkler, dripper, soaker hose, micro spray or drip watering systems.

"Paved area" means a footpath, driveway, hard standing area or similar having an impervious surface, such as concrete, asphalt, paving stones, tiles, etc.

"Portable wading pool" means any demountable, temporary and transportable pool.

"Gardens and Lawns" means land, garden, lawn or grassed area used for any purpose.

"Level" means the increment as set out in Schedule 1 of this policy designating particular water conservation criteria.

"Trigger/twist nozzle" means 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 supply" means Douglas Shire Council's infrastructure assets associated with the provision and distribution of water to customers, consumers, users and transporters of water.

"Water toys and facilities" means any entertainment toy or structure, which is operated by, or uses water from the Douglas Shire Council water supply system.

"Watering can/bucket" means a portable container that is filled directly from taps.

Failure to comply with Water Restrictions may incur penalties as described in s43 (5) of the Water Supply (Safety and Reliability) Act 2008. Douglas Shire Council operates under the Water Conservation Policy.



WATER RESTRICTIONS GENERAL POLICY

Intent

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

Scope

This policy applies to all water supply users including commercial, industrial, residential and private activities within Douglas Shire.

Provisions

Chapter 2 Part 3 of Division 3 of the *Water Supply (Safety and Reliability) Act 2008* (the Act) provides Douglas Shire Council with the power to restrict water supply due to climatic conditions or for water conservation needs. Under s41(2) of the Act Douglas 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; 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. 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)

Douglas Shire Council Water and Wastewater 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 the Water and Wastewater Department 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 General Manager of Water and Wastewater. In these circumstances

Water Restrictions General Policy

a report on actions taken must be provided to the next scheduled Water and Wastewater meeting.

Notification of Water Restrictions

For s43(1) of the *Water Supply (Safety and Reliability) Act 2008* Douglas 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 Manager of Douglas Shire Council Water and Wastewater, Co-ordinator of Water and Wastewater, Team Leader of Water Reticulation, People and Governance and Infrastructure as delegates 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 appropriate 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.

This Policy is to remain in force until otherwise determined by Council.

Manager Responsible for Review: Manager Water and Wastewater

ORIGINALLY ADOPTED: 16/06/2015

CURRENT ADOPTION:

DUE FOR REVISION: 16/04/2019



WATER CONSERVATION GENERAL POLICY

Intent To establish a policy for the adoption of water conservation principles and

actions for Douglas Shire Council operational activities, properties and

public facilities.

Scope This policy applies to all Douglas Shire Council activities.

PROVISIONS

- 1. All new building and infrastructure projects should be designed to include water efficient fixtures, appliances and irrigation systems.
- 2. For all new building and infrastructure projects, Douglas Shire Council will consider the opportunity for alternative water supply e.g. rainwater tanks, effluent reuse, stormwater harvesting.
- 3. When existing fixtures and appliances are to be replaced or upgraded, water efficient fixtures and appliances, fit for the purpose, will be installed.
- 4. That Douglas Shire Council will audit all Douglas Shire Council usage facilities to
 - 1. determine current water consumption rates
 - 2. identify appropriate water conservation management practices and procedures for implementation.
- 5. Provide training on relevant water conservation practices for employees and, where appropriate, contractors and lessees of council properties and facilities.
- 6. Ensure that employees, suppliers, lessees, contractors, professional peers and community groups are aware of this policy, and where appropriate, their responsibilities in regard to this policy.
- 7. Where applicable the following minimum standards, under the Australian Government "Water Efficiency Labelling and Standard Scheme" (WELS) apply to the following appliances to be installed in Council facilities –

Appliance	Minimum WELS Star Rating
Clothes Washing Machines	4
Dishwashers	4
Flow Controllers	5
Toilet (lavatory) equipment	4
Showers	3
Tap Equipment	5
Urinal equipment	3

Note: for commercial purposes there may be other fixtures and appliances not covered by the WELS Scheme. In this case the most water efficient options that are fit for purpose should be selected. Non-water using fixtures and appliances

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Attachmenta ያ ክፅt be covered by the WELS senethe? such as waterless urinals, and may be selected in preference to those products listed under the WELS Scheme. For details on the WELS Scheme refer to http://www.waterrating.gov.au/

- 8. Douglas Shire Council will respond to incidents such as leakage, pipe breakages, irrigation system malfunction and inappropriate use and any other water wastage incidents as soon as possible in order to minimise water loss.
- 9. This policy will be reviewed from time to time by Council to reflect changes in community expectations, and changes in state and federal government legislative, policy and guidelines.
- 10. Douglas Shire Council is to follow the current water restrictions that are set in Schedule 1 Water Restrictions level 1 4. Douglas Shire Council would be exempt from applying for a water exemption for reasons:
 - a) Health and safety
 - b) Undertaking of essential works
 - c) Minor or infrequent uses of water outside the restrictions (e.g. sporting or community events)
 - d) Aesthetic reasons
 - e) Any other criteria deemed appropriate under the water supply conditions at the time.

DIVISIONS RESPONSIBLE FOR ADMINISTRATION

- Water and Wastewater
- Infrastructure
- Environment and Planning
- People & Governance
- Community Development

This Policy is to remain in force until otherwise determined by Council.

Manager Responsible for Review: Manager Water and Wastewater

DOCUMENT CREATED: 04/10/2017

CURRENT ADOPTION:

DUE FOR REVISION: 16/04/2019

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