



Mungindi Water Restriction Policy

1. POLICY STATEMENT

Water restrictions shall be set for the Mungindi water supply in accordance with the Water Supply (Safety and Reliability) Act 2008, Sections 41-43 – Power to Restrict Water Supply.

Monitoring and compliance shall be carried out in accordance with:

- Water Supply (Safety and Reliability) Act 2008, Sections 45-48 - Authorised Persons;
- Local Government Act 2009, Section 125–148 – Powers of Authorised Persons;
- State Penalties Enforcement Regulation 2000, Section 8C; and
- State Penalties Enforcement Regulation 2000, Schedule 5.

2. PRINCIPLES

Moree Plains Shire Council (MPSC) manage the Mungindi Water Supply which provides potable water to Mungindi residents on both sides of the border. Water is primarily sourced from the Barwon River with back up supply provided by a GAB bore. MPSC apply water restrictions on their residents subject to trigger levels set out in the Moree Plains Drought Management Plan. This document sets out Balonne Shire Council's policy for imposing restrictions on Mungindi residents to align with those imposed by MPSC.

3. SCOPE

This policy applies to the use of water in the township of Mungindi, Queensland.

4. RESPONSIBILITY

Moree Plains Shire Council – shall notify Balonne Shire Council of intention to alter restriction levels.

Balonne Shire Council / Infrastructure Services – shall notify Mungindi residents of changes to restriction levels and undertake enforcement patrols

5. DEFINITIONS

The term **watering** applies to all outdoor use of water by a tap, hose, sprinkler, dripper system, soaker hose or like device.

A **hand-held hose** is a hose held by a person from the discharge end with or without a watering fitting attached.

6. POLICY

6.1 KEY OBJECTIVES

The key objectives of the Mungindi Water Restriction policy are to:

- Ensure efficient outdoor water use;
- Ensure water restrictions align with those imposed by Moree Plains Shire Council.
- Ensure equitable use of the water supply by all customers.



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6.2 DETERMINING RESTRICTION LEVEL

In accordance with the Water Supply (Safety and Reliability) Act 2008, Section 41, Council shall impose water restrictions with regard to the Moree Plains Shire Council Drought Management Plan and the triggers levels contained therein for Mungindi Water Supply

Notwithstanding, the above methodology for setting water restriction levels, Council may impose water restrictions in extenuating circumstances.

6.3 WATER RESTRICTION LEVELS

Water restriction levels are detailed in the Moree Plains Shire Council Drought Management Plan Appendix B *Table 1 Water Restriction Policy*.

6.4 OPEN – ENDED UNATTENDED HOSES AND TAPS

The use of open-ended unattended hoses and taps for watering shall not be permitted at any time.

6.5 NOTICE OF SERVICE PROVIDER WATER RESTRICTION

As a water service provider, Balonne Shire Council must provide notice prior to the introduction of a water restriction under section 43 of the Water Supply (Safety and Reliability) Act 2008. Notice shall be in the form of a written notice to householders delivered to each affected property. In addition, notice should also be provided in the locally circulated newspaper and on the Balonne Shire Council webpage.

6.6 ALTERNATIVE WATERING TIMES

A resident, business or organisation may make written application for alternative watering times for consideration by the Director of Infrastructure Services. Under normal circumstances, permission will not be granted for extended watering times.

A record of all variations to watering times will be kept by the Infrastructure Services Department. A copy of the variations to individual times will be made available to the Water and Sewerage Supervisor and all authorised persons monitoring compliance with water restrictions.

6.7 EXEMPTIONS

The imposed water restrictions do not apply to the following:

- Use of water by fixed systems NOT drawing water from the reticulated town water supply such as a property bore or rainwater tank etc should be accompanied by appropriate signage clearly visible from the street adjoining the property being watered. Evidence of such system/s is to be made available to authorised persons upon request.
- Use of grey water is permitted however Council approval and plumbing approvals must be obtained. Evidence of such system/s is to be made available to authorised persons upon request.
- Use of water to prevent material risks associated with an accident, fire or hazard to health, safety or the environment.



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6.8 AUTHORISED PERSONS

Compliance monitoring of water restrictions must be carried out by an authorised person of the service provider (i.e. Balonne Shire Council). The person will be authorised under the Local Government Act 2009, Water Supply (Safety and Reliability) Act 2008 and the State Penalties Enforcement Act 1999.

All authorised persons shall carry an authorised person identity card whilst undertaking compliance monitoring of water restrictions. If requested to do so by the occupier of a property, an authorised person shall present the identity card for inspection by the occupier.

6.9 INFRINGEMENT NOTICES FOR CONTRAVENTION OF A WATER RESTRICTION

When an authorised officer witnesses a breach of a water restriction, the following details shall be recorded:

- **Name** of the authorised person who witnessed the breach;
- **Address** at which the breach occurred;
- **Time** of breach;
- **Date** of breach;
- **Location** within property; and
- **Details of offence** (e.g. sprinkler, dripper system, unattended open-ended hose etc)

If requested to do so by the property occupier, the authorised officer shall present their identity card for inspection by the property occupier. An occupier may request to inspect an identity card at a later date if it is not practicable to do so or the occupier is not present at the time the authorised officer visits the property.

The following procedure for each level of water restriction shall be followed for each level of water restriction:

Level 1 Restrictions

1. **Written Warning Notice** – A written notice will be issued to the offender following the first breach. The written notice is to be issued within 48 hours of the offence. All warnings will be cancelled if the water restriction level changes
2. **Infringement Notice** – An Infringement notice will be issued for the second and subsequent offences. The officer who has witnessed the offence will complete the infringement notice. The infringement notice will be made out to the property owner and delivered by mail. Where the property is owned by multiple persons, the infringement notice will be issued to the first person listed in Council's rating system.

Level 2 Restrictions

The same process for warnings and infringement notices as above for level one restrictions is to be followed.

Level 3 Restrictions

No warning provided. The first breach will result in an infringement notice. The same process for infringement notices as above for level one restrictions is to be followed.



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Level 4 Restrictions

No warning provided. The first breach will result in an infringement notice. The same process for infringement notices as above for level one restrictions is to be followed.

Level 5 Restrictions

No warning provided. The first breach will result in an infringement notice. The same process for infringement notices as above for level one restrictions is to be followed.

LEVEL 6 RESTRICTIONS

No warning provided. The first breach will result in an infringement notice. The same process for infringement notices as above for level one restrictions is to be followed.

6.10 PENALTIES

In accordance with the State Penalties Enforcement Regulation 2014, *Schedule 1*, the penalty applicable for contravention of *Section 43(5)* of the Water Supply (Safety and Reliability) Act 2008 is:

Infringement Notice Offence	Penalty Units	
	Individual	Corporation
All Offences	3	15

6.11 RE-ISSUE OF INFRINGEMENT NOTICES

If the property owner listed on an original infringement notice is not responsible for the water restriction breach **and** the offender is known, the infringement notice may be reissued. In this instance a statutory declaration shall be provided to Council stating the full name and address of the offender and the details of the original infringement notice.

7. LEGAL PARAMETERS

- Local Government Act 2009, Section 125–148 – Powers of Authorised Persons;
- Water Supply (Safety and Reliability) Act 2008, Sections 41-43 – Power to Restrict Water Supply;
- Water Supply (Safety and Reliability) Act 2008, Sections 45-48 - Authorised Persons;
- State Penalties Enforcement Act 1999;
- State Penalties Enforcement Regulation 2014, Section 5 (1) – Administering Authority for Water Supply (Safety and Reliability) Act 2008; and
- State Penalties Enforcement Regulation 2014, Schedule 1.

8. ASSOCIATED DOCUMENTS

Moree Plains Drought Management Plan