



### *Our Vision*

Nambucca Valley ~ Living at its best

### *Our Mission Statement*

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

---

#### **1.0 Policy objective**

To ensure vehicles and equipment used for the transportation and supply of potable water, comply with relevant standards and legislation.

#### **2.0 Related legislation**

Local Government Act 1993, Food Act 2003, Australian Drinking Water Guidelines 2004  
(see end of Policy (6.0) for further information)

#### **3.0 Definitions**

As per the various Acts.

#### **4.0 Policy statement**

That Council adopt the NSW Health Guidelines for Water Carters dated 12 December 2002 as policy with amendments to Section 3 as detailed below.

#### **5.0 History**

The NSW Health Department has developed guidelines for the operation of water carting vehicles supplying water for drinking and domestic use.

The responsibility of regulating water carting vehicles and therefore ensuring the product is fit for human consumption rests firmly with Local Government.

The guidelines state that "ideally the water tank should be used only for the transport of potable water. Where the tank has been used for transport of non-hazardous materials other than potable water, the tank must be cleaned and disinfected prior to filling with potable water".

The procedure outlined under Section 3 of the guidelines is considered extremely arduous and will be difficult to monitor for the responsible authority. For these reasons it is essential that vehicles licensed by Council transport potable water only.

## **6.0 LEGISLATION**

The treatment and handling of water that is used or intended to be used for human consumption gives rise to a general duty of care and is also specifically regulated by law under the Public Health Act 1991, the Food Act 2003, and the Local Government Act, 1993.

### **6.1 Food Act 2003**

If a water supply authority sells water to a water carter as potable and fit for human consumption then it is a food for the purpose of the Food Act, 2003. Similarly, if a water carter sells water to a consumer as potable and fit for human consumption then it is a food.

If the water contains any foreign matter it may be considered adulterated under Section 8 (1) of the Food Act 2003, and the supplier may have committed an offence under Sections 13 & 14 (1) & (2) of that Act by selling the water.

The water tank and hoses etc are also subject to specifications set out in the document issued by Safe Food Australia, *A Guide to the Food Safety Standards*—Standards 3.2.2, Division 5—Cleaning, sanitising and maintenance (Clauses 19 to 21).

### **6.2 Public Health Act 2010**

Under Part 3 Division 1 of the Public Health Act 2010 the Chief Health Officer may give direction to prevent or restrict the use of water supplied by a carter or give directions to bring the water into a safe condition.

### **6.3 Local Government Act 1993**

The Local Government Act 1993 and Local Government (General) Regulation (the Regulation) 2005, also contain specific provisions for the regulation of water carting vehicles by local councils. Section 124 of the Act sets out the council's powers to order the owner or operator of a vehicle used for the storage and transportation of food (including drinking water) to take action as specified by the council to render the vehicle in a clean or sanitary condition. Clause 93 of the Regulation specifies particular requirements, including that a water carting vehicle must have an aperture that is large enough to enable easy inspection and thorough cleaning of the interior and must have a cover that is able to be kept clean.

A clean or sanitary condition has not been defined in the Local Government Act 1993, but if the conditions below are met the water and vehicle would be considered clean and sanitary.

Section 68(2) Part B(2) of the Local Government Act 1993, allows a person to draw water from a council water supply and sell the water, but only with the prior approval of the council.

The Local Government Act 1993, also contains a provision excluding liability and claims under certain circumstances, if the matter or thing (actions or omissions) was done in good faith for the purpose of executing the Act. However, if the Council (water supply authority) is aware of the problem and has failed to do anything to remedy the situation, it is unlikely that it is acting in good faith.

## **7.0 WATER QUALITY**

### **7.1 Guidelines**

Water carter operators providing potable water for human consumption should source water from a water supply that meets the 2004 NHMRC/ARMCANZ *Australian Drinking Water Guidelines (ADWG)*. The water must meet the microbiological guidelines as a minimum. Appropriate sources of water would include abstraction from reticulated supplies, or directly from a bulk water supplier at the point of treatment.

The water source must not exceed drinking water guidelines for blue-green algae or their toxins. It is the responsibility of the water carter to ensure that this requirement has been met.

**Note:** When water that meets the ADWG is added to an empty rainwater tank it may resuspend the sludge in the bottom of the rainwater tank creating taste and turbidity problems.

### **7.2 Treatment**

The water source should be chlorinated prior to carting, to ensure the safety of the supply. The operator must maintain adequate chlorine residual up to the point of supply to consumers.

Adequate free chlorine residual would be between 0.2 – 1.0 mg/L, depending on the quality of the source water. This can be obtained by adding 8 grams (one dessert spoon) of calcium hypochlorite (granular) at 65% strength per 10,000 litres giving 0.5 mg/L of chlorine.

Alternatively, if sodium hypochlorite (liquid) is used add 40 ml at 12.5% strength per 10,000 litres of water to give 0.5 mg/L of chlorine. (Free chlorine will be less depending on turbidity, colour etc and should be checked.)

## **8.0 WATER TANK AND VEHICLE**

The water tank shall be used only for the transport of potable water. All tanks constructed of mild steel should be coated or lined with a material that complies with AS/NZS 4020:2002 "Testing of Products for use in contact with Drinking Water, and AS 2070-1999 "Plastic Materials for Food Contact Use".

The vehicle tank and apparatus shall be submitted once every twelve months for inspection.

## **9.0 HOSES**

Hoses must be made of food grade material. Hoses and fittings must be capped or stored in a dust proof container during transport or when not being used.

Where the tank has been used for transport of non-hazardous materials other than potable water, the hose must be cleaned, flushed out and then disinfected by filling with water and chlorinated to at least 5.0 mg/L free chlorine for a minimum of 30 minutes.

Dedicated hoses are required for potable water so as to be consistent with Clause 8 above. (refer Council minutes: 17 July 2008, 584/08)

## **10.0 STANDPIPES AND HYDRANT BOXES**

Fixed standpipes must have an air gap to prevent backflow into the reticulated supply.

Hydrant boxes should be self draining, mounted above ground level and not collect surface runoff.

Any tanks being filled from a reticulated supply via a removable standpipe must have a backflow prevention device that complies with the *Plumbing Code of Australia*.

Removable standpipes should be flushed if the hydrant box is full of water, to discard any contaminated water.

## 11.0 LOG BOOKS

A water carter must keep a log book in each vehicle to record information of deliveries. Details must include the following:

- ❖ All dates of extraction and delivery
- ❖ Source of water
- ❖ Location of extraction
- ❖ Customers name and delivery address
- ❖ Volume delivered
- ❖ When the tank was last cleaned and materials transported
- ❖ Free chlorine level.

## 12.0 REGISTER OF WATER CARTERS

A record of water carters that draw from the reticulated water supply must be kept by the local Council.

Details should include:

- ❖ Name of owner
- ❖ Name of business
- ❖ Contact details for owner of the business
- ❖ Details of water carting vehicles, drivers, make, model, registration, tank volume, type of tank eg temporary mounted tanks etc
- ❖ Date of last inspection of each vehicle.

## 13.0 History

Department:	Governance	Last Reviewed	Resolution Number
Policy Category	Council	16 JULY 2008	584/08
Endorsed By:	General Manager	20 October 2010	
Approval Authority	Council	25 October 2018	502/18
Policy Owner	MD&E	13 December 2018	607/18
Contact Officer	MD&E		
Document No.	40076/2018		
First Adopted	6 Feb 2003		
Resolution No:	?		
Review Date:	Jan 2021		