

	<b>COUNCIL POLICY</b>	
	<b>Drought Resilience Council Policy</b>	
	Policy Number	CP091
	Directorate	Water and Waste Services
	Owner	Ken Diehm, Chief Executive Officer
	Last Approved	13/12/2023
	Review Due	13/12/2026

### 1. PURPOSE

This policy describes how Council will manage the use of Potable Water during drought, with the aim of extending drinking water supplies for the maximum possible duration, whilst also continuing to service the essential needs of the community.

### 2. SCOPE

This policy outlines:

- a. the Drought Resilience Levels and targets for reducing Potable Water usage;
- b. the regulation and enforcement of Water Control Measures; and
- c. the process for seeking exemption from Water Control Measures.

This policy applies to the outdoor use of Potable Water by residents, businesses, community groups, not-for-profits, and Council. It also applies to consumers and transporters of Potable Water, both within and outside the Declared Water Service Areas. Rainwater tanks, dams, swimming pools and other outside receptacles that store or are topped up with Potable Water, are also within the scope of this policy.

Nothing in this policy prevents the use of:

- a. water drawn from a source not under the control of Council;
- b. reclaimed or recycled water;
- c. private bores;
- d. collected rainwater stored in a rainwater tank, dam, swimming pool or other outside receptacle (that is not topped up with Potable Water);
- e. water supplied from another service provider; or
- f. water used for internal domestic purposes.

### 3. HEAD OF POWER

The head of power relevant to this policy is the ***Water Supply (Safety and Reliability) Act 2008 (Qld)*** (the Act), with specific reference to sections 41, 43-44, 31-32, 36 and 169.

#### 4. DEFINITIONS

To assist in the interpretation of this Policy the following definitions apply:

**“CEO”** means the Chief Executive Officer of the Council.

**“Council”** means Fraser Coast Regional Council.

**“Declared Water Service Areas”** means the areas defined by Council and mapped at <https://www.frasercoast.qld.gov.au/water-services-maps>.

**“Drought Resilience Level”** means the increments as set out in section 6.1 of this policy, designating permanent water conservation, or medium, high or severe water restriction levels.

**“Exemption Approval”** means a document, as detailed in section 6.5 of this policy, issued by Council to an approved exemption holder granting an exemption from Water Control Measures.

**“Penalty Infringement Notice (PIN)”** means a notice issuing a fine for an offence and meeting the requirements for an infringement notice under section 15 of *the State Penalties Enforcement Act 1999* (Qld).

**“Potable Water”** means drinking water supplied from Council’s Water Supply System, including water supplied through the Monica Water Fill Stations or hydrant standpipes.

**“Water Control Measures”** means measures applied to restrict the use of Potable Water to achieve the objectives and targets of a declared Drought Resilience Level.

**“Water Supply System”** means Council’s infrastructure assets associated with the supply, treatment and distribution of drinking water to customers, consumers, users, and transporters.

#### 5. PRINCIPLES

Council intends to implement this policy by applying the following principles:

- *equity* - ensuring the fair and consistent application of lawful drought resilience, water conservation and water restriction principles, without bias, taking account all relevant considerations;
- *transparency* - openness in the processes involved;
- *simplicity* – making processes which are simple and cost effective to administer;
- *consistency* - by treating customers with similar circumstances in the same manner;
- *fiscal responsibility* – ensuring Council meets its budgetary responsibilities;
- *clarity* - by providing meaningful information to enable customers to clearly understand their responsibilities;
- *compliance* - Council will be conscious of the legislative requirement that compliance and enforcement action must not be more than the cost to Council of providing the service or taking the action to which the action applies;
- *flexibility* - responding where possible to unforeseen changes in the local economy;
- *sustainability* – drought resilience, water conservation and water restriction decisions support the strategies for the delivery of infrastructure and services identified in Council’s long-term plan and corporate plan; and

- *compassion* - having regard to customer's circumstances, particularly if experiencing hardship.

## 6. POLICY STATEMENT

The Fraser Coast's drinking water supply currently relies on rainfall and may be impacted by drought. To conserve drinking water during drought and ensure ongoing security of supply, Council may declare a Drought Resilience Level and implement associated Water Control Measures to reduce Potable Water supply.

A change of Drought Resilience Level will be made as necessary during a drought and the level will be reduced once it has been determined that drought conditions have eased.

### 6.1. Declaration of Drought Resilience Level

Subject to the provisions of the Act, if Council considers it necessary to manage the usage of Potable Water, a declaration will be made to enter one of the below Drought Resilience Levels.

As required, the **CEO** or **Director Water and Waste Services** will approve the declaration and the Drought Resilience Level will be applied consistent with the below table.

The Drought Resilience Levels increase in severity as they increase in level. The corresponding objectives, targets and bulk water storage levels for each Drought Resilience Level are detailed below.

Drought Resilience Level	Objective	Target Reduction in Usage	Indicative Water Storage Levels	
			Lake Lenthall	Teddington Weir
<b>Level 1 - Permanent Water Conservation</b>	Promote the effective and efficient use of Potable Water outdoors.	-	Greater than 60% (23.96m)	Greater than 80% (7.8m)
<b>Level 2 - Medium Water Restriction</b>	Moderately reduce the use of Potable Water outdoors, whilst still enabling: <ul style="list-style-type: none"> <li>• essential watering of plants and lawns;</li> <li>• maintenance of sporting venues;</li> <li>• maintenance of pools and ponds;</li> <li>• cleaning of cars and other vehicles;</li> <li>• cleaning of buildings and paved areas,</li> <li>• building and civil construction activities; and</li> <li>• activities required to maintain water reliant businesses.</li> </ul>	5% - 20%	60% (23.96m)	80% (7.80m)
<b>Level 3 - High Water Restriction</b>	Significantly reduce the use of Potable Water outdoors, whilst still enabling: <ul style="list-style-type: none"> <li>• essential watering of plants;</li> <li>• maintenance of high-profile community facilities;</li> <li>• maintenance of water sensitive sporting venues;</li> <li>• essential maintenance of pools and ponds;</li> <li>• cleaning for the purposes of health and safety or biosecurity;</li> <li>• building and essential civil construction activities; and</li> <li>• activities required to maintain water reliant businesses.</li> </ul>	20% - 40%	45% (22.64m)	70% (7.26m)

Drought Resilience Level	Objective	Target Reduction in Usage (%)	Indicative Water Storage Levels (m)	
			Lake Lenthall	Teddington Weir
<b>Level 4 - Severe Water Restriction</b>	Limit the use of all Potable Water outdoors, enabling only: <ul style="list-style-type: none"> <li>• essential maintenance of pools;</li> <li>• cleaning for the purposes of health and safety or biosecurity;</li> <li>• building activities; and</li> <li>• other essential activities as approved by Council.</li> </ul>	Minimum 40%	Less than 30% (20.62m)	Less than 55% (6.56m)

## 6.2. Publication of Drought Resilience Level Declaration

Declaration and revocation of a Drought Resilience Level will be by public notice and other means Council considers appropriate. The notice will specify the permitted uses of Potable Water, the period of operation of the declaration, the area(s) covered by the declaration, penalties for contravention, and contacts for further information. This information will also be made available on Council's website.

Media releases with information pertaining to Drought Resilience Levels may be made as appropriate, and other methods for communicating levels and Water Control Methods may include:

- advertising on local radio;
- advertising in local papers;
- social media posts;
- articles in council's weekly newsletter;
- digital screens;
- roadside sign boards; and
- on-hold messages.

Unless otherwise substituted or revoked by a subsequent declaration or published notice, a Drought Resilience Level ceases to have effect at the end of any period specified in the notice.

## 6.3. Compliance and Enforcement

Potable Water must not be used in contravention of the prescribed Water Control Measures, or an Approved Exemption, for a declared Drought Resilience Level. The general compliance approach for each Drought Resilience Level is detailed below; however, it is noted that Council may still decide to undertake enforcement action with customers at any level.

Drought Resilience Level	Compliance Focus
<b>Level 1 - Permanent Water Conservation</b>	Education and awareness
<b>Level 2 - Medium Water Restriction</b>	Behaviour change
<b>Level 3 - High Water Restriction</b>	Enforcement for repeat offenders
<b>Level 4 - Severe Water Restriction</b>	Enforcement for all instances of non-compliance

Council has a range of options available to encourage and ensure compliance with Water Control Measures, including:

- educating and engaging with customers on the justification and requirements of the measures;
- street patrols and visits to properties to remind customers of the measures and demonstrate that compliance is being monitored;
- advocating and empowering the public to report misuse of Potable Water and to keep each other honest; and
- real-time analysis of water usage data, focusing on customers with high Potable Water use.

A customer allegedly contravening Water Control Measures may be investigated. To promote consistency and fairness when responding to and investigating allegations of breaches of Water Control Measures, an authorised person will follow Council's Enforcement Manual before undertaking any enforcement actions that are considered appropriate.

Council has a range of options for enforcement action if a customer does not comply with Water Control Measures, including:

- issuing a warning or written notice that the customer is not complying with a measure and advising of processes and penalties that may follow if non-compliance continues;
- issuing a fine via a Penalty Infringement Notice (PIN) by an authorised person, either on-the-spot, or sent by email or post;
- reducing the water supply to a premises to the minimum level necessary for the health and sanitation purposes of occupants (refer section 169 of the Act); and
- court action in response to continued and ongoing non-compliance.

#### **6.4. Exemptions**

The Act allows Council to provide an exemption to specific customers from all or part of a Water Control Measure specified for a declared Drought Resilience Level. Should a customer meet the approved criteria and require an exemption, the customer must complete and submit an application via the approved form.

Following receipt and assessment by Council, the customer will receive written confirmation from the **Director Water and Waste Services**, of the outcome of the application. This assessment by Council may take up to 10 business days, and applications may be approved unconditionally, approved subject to conditions, or not approved.

Applications for exemptions will only be considered where reasonable grounds for such exemption have been presented and must include one of the following:

- core business activities are water related (for businesses only); or
- water is required for health and safety; or
- water is required for biosecurity reasons; or
- health or physical ability.

In addition to one of the above, all the following criteria must also be achieved for an application for an exemption to be approved:

- have installed or implemented all reasonable water saving initiatives; and

- there are no feasible alternatives to the required water use (including waterless alternatives).

An exemption approval 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, an additional application must be submitted.

Any such exemption approval is final and binding upon acceptance by the applicant. The approval is to be available for inspection at the approved property and is to be removed on expiry. The exemption approval expires when there is a change in the declared Drought Resilience Level.

## 7. ASSOCIATED DOCUMENTS

- Exemption Application Form:  
<https://www.frasercoast.qld.gov.au/downloads/file/928/water-restriction-exemption>
- Fraser Coast Water Supply Security Strategy:  
<https://www.frasercoast.qld.gov.au/downloads/file/3871/fraser-coast-water-supply-security-study-strategy-planning-report-2022>
- Council’s adopted minimum Levels of Service for acceptable drought management actions - Adopted at FCRC Ordinary Meeting No 3/22, held on 23 March 2022, Agenda Item: ORD 11.5.1: <https://www.frasercoast.qld.gov.au/downloads/file/3851/ordinary-meeting-no-3-22-agenda-part-three-23-march-2022>

## 8. REVIEW

This policy will be reviewed when related legislation/documents are amended or replaced, other circumstances as determined from time to time by Council or at intervals of no more than three years.

### Version Control

Version Number	Key Changes	Approval Authority	Approval Date	Document Number
1	New Policy	Council	13/12/2023	4777321
2				