

# Water Flow Restriction Policy

- Section:** 3.2.1 – Engineering Services – Water/Sewer
- Subject :** Water Flow Restriction
- Description:** Allows Council to recover outstanding water charges through restriction of water supply as per Local Government (General) Regulation 2005-Reg 144 “Cutting off or Restricting Water Supply” (<http://www.legislation.nsw.gov.au/>).
- Objectives:** The objective of this policy is to recover outstanding water charges through the restriction of water supply.

## Policy:

### Overview:

This policy provides for the installation and removal of water flow restrictors on Council water meters.

### Scope:

This policy applies to premises that have outstanding unpaid water accounts and as the case may require for other purposes listed in Regulation 144 of the Local Government (General) Regulation 2005.

### Policy Statement:

Council will recover outstanding unpaid water rates or charges through the restriction of supply in accordance with Regulation 144 of the Local Government (General Regulation) 2005 which states:-

- 1) *Council may cut off or restrict the supply of water to premises:*
  - If any water meter used to measure that supply is out of repair or, in the opinion of Council, incorrectly registers the understating of supply of water,  
or
  - If any rates or charges in respect of the water supplied to the premises are unpaid,  
or
  - If, in the opinion of the Council, that action is necessary because of unusual drought or other unavoidable cause or any accident,  
or
  - If the owner or occupier or person requiring a supply of water fails to comply with a lawful order or requirement of the Council as to installing water meters or instruments for measuring the quantity of water supplied,  
or
  - If the owner or occupier or person requiring a supply of water fails to comply with a lawful order to requirement of the Council to repair or alter water connections, pipes, fittings or fixtures connected to the Council’s water supply system,  
or
  - If the occupier of the premises contravenes a provision of Division 3 of this Part or fails to comply with any Council order or public notice requiring consumers of water to economise its use in time of drought or scarcity of supply,  
or
  - If the owner or occupier of the premises fails to comply with a requirement of a Council order to remove, replace, alter, extend, repair or stop using a water pipe, fitting or fixture.
- 2) *The cutting off of the supply of water under this clause for non-payment of rates or charges does not affect the liability of the rateable person to pay those rates or charges*
- 3) *If the Council cuts off the supply of water to premises because:*

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- There is not a water meter installed on the premises,  
or
- The water meter on the premises registers incorrectly,  
or
- Water rates or charges for the premises are unpaid.

The Council may refuse to supply water to those premises until a water meter is installed on the premises, the water meter registers correctly or the water rates or charges are paid (as the case may require).

**Exemptions:** Exemptions will be offered if:

- the Owner/Occupier has health reasons for why the water restrictor should not be installed (e.g. Dialysis Patients). Contact with Council should be made immediately and proof needs to be provided with a current doctor's certificate, or
- the owner of the property has made repayment arrangements.

**Other Matters: Delegation**

The General Manager is authorised, pursuant to Section 377 of the Local Government Act 1993, to allow a matter that does not conform with a policy to proceed if the General Manager is of the opinion that the variation from the Policy is of a minor nature.

### Disputes

In the event of a dispute over any aspect of this policy, immediate action will be taken to resolve the situation through effective and constructive consultation between the parties concerned. If a resolution cannot be reached, the services of a mediator will be requested to finalise the matter to the satisfaction of all parties concerned.

**Responsibility:** The responsibility for the implementation of this policy will be shared between the Finance and Engineering Departments.

- Related Documents:**
- Water Flow Restrictions Practice Note
  - Local Government Act 1993
  - Local Government (General) Regulation 2005
  - NSW Water Directorate

**Review:** This Policy will be reviewed as necessary or at least every four (4) years from the date of adoption.

Created: December 2012

Last review: October 2013

Reviewer: Director of Engineering Services

**Resolution #** 466/12, 249/13 (August 2013)

**Authorised by:** .....

General Manager

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Date