



3. WATER SUPPLY

Policy 3.9

WATER SERVICES RESTRICTION POLICY

Version 1

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3. WATER FLOW RESTRICTION POLICY

OBJECTIVE:

The preservation of water supply and the recovery of water charges through restriction of water supply.

INTRODUCTION:

Lithgow City Council is the local water utility in the Lithgow Local Government Area and provides potable and non-potable water to customers for a cost. Water is one of our most precious resources and the ongoing management and function of the utility is reliant on the appropriate management of water wastage and recovery of costs.

A flow restrictor is a device that can limit the water flow to a property. In applying the Policy, Lithgow City Council will use restrictors that limit the flow of water to 3 litres per minute thus allowing residents to meet basic hygiene needs, in cases where an account remains unpaid past due dates or there is inaction to rectify leakage or breakages on private plumbing.

POLICY:

This policy outlines the responsibility and process for the application and removal of restrictors in the water supply system.

Local Government Act 1993 - Section 637 Waste or Misuse of Water

- 1) A person who wilfully or negligently wastes or misuses water from a public water supply, or causes any such water to be wasted, is guilty of an offence.
Maximum penalty—20 penalty units.
- 2) If an offence against this section is committed, the occupier of the premises on which the offence was committed is guilty of the offence as if the occupier were the actual offender unless the occupier proves that the waste or misuse constituting the offence—
 - a) was not reasonably within the occupier's knowledge, and
 - b) was caused by the act of the person other than a member of the occupier's household or other than a person employed on the premises by the occupier.
- 3) Subsection (2) does not affect the liability of the actual offender, but, if a penalty has been imposed on or recovered from any person in relation to the offence, no further penalty in respect of the offence may be imposed on or recovered from any other person.

Local Government Regulation 2021 - Section 144 - Cutting off or restricting water supply

- 1) The council may cut off or restrict the supply of water to premises—
 - a) if any water meter used to measure that supply is out of repair or, in the opinion of the council, incorrectly registers the supply of water, or
 - b) if any rates or charges in respect of the water supplied to the premises are unpaid, or
 - c) if, in the opinion of the council, that action is necessary because of unusual drought or other

- unavoidable cause or any accident, or
- d) 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
 - e) if the owner or occupier or person requiring a supply of water fails to comply with a lawful order or requirement of the council to repair or alter water connections, pipes, fittings or fixtures connected to the council's water supply system, or
 - f) 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
 - g) 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) Cutting off the supply of water under this section 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—
- a) there is no water meter installed on the premises, or
 - b) the water meter on the premises registers incorrectly, or
 - c) 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).

Local Government Regulation 2021 – Section 159 - Prevention of waste and misuse of water

The owner, occupier or manager of premises to which water is supplied by the council must—

- (a) prevent waste of water by taking prompt action to repair leaking taps, pipes or fittings located on the premises, and
- (b) take any other action that is reasonable to prevent waste and misuse of water.

Procedure for Water Flow Restriction

1. Standard Water Usage Reminder

Notice Issued by Finance Department fourteen (14) days after the due date of account. Allow Twenty-Eight (28) days to make payment or enter into a payment arrangement.

2. Standard Notification – Leak Detected on Property

Council will utilise its online metering and smart meter system to monitor usage and identify leaks that may be present on properties as per the Council Policy 3.8 Excessive Water Usage Allowance for Breakages.

Council will issue a notification to property owners that they have a potential leak identified on their property via email, SMS, or a hardcopy letter. Council will allow twenty-eight (28) days to make repairs and leaks removed from private plumbing.

Leak Reminder Notification issued by Water and Wastewater forty-two (42) days after the date of initial notification. Allow Twenty-Eight (28) days to good any plumbing and leaks that are on the property.

3. Final Notice and intention to restrict flow

3.1 Issued Twenty-eight (28) days after the reminder letter by the Finance Department. The final notice to include a copy of the Reminder letter and this "Water Flow Restriction Policy".

3.2 A Notice to make repairs for leaks and breakages on the property will be issued Twenty-eight (28) days after the reminder notice is issued. The final notice to include a copy of the Reminder letter and this "Water Flow Restriction Policy".

Provide a "Notice of Intention to Restrict" seven (7) days from the date of the Final Notice, without further notice.

Notice to be sent via Registered Mail. Copies to be provided to the Water and Wastewater Operations Manager. Restrictors will only be avoided if the balance of account is paid in full, or arrangements have been made.

Copy of letters to be filed against the property in Council's document management system.-

4. Final Notice and intention to restrict flow

Issued Twenty-eight (28) days after the leak notification by the Water and Wastewater Department. The final notice to include a copy of the Reminder letter and this "Water Flow Restriction Policy".

Provide a "Notice of Intention to Restrict" seven (7) days from the date of the Final Notice, without further notice.

Notice to be sent via Registered Mail. Copies to be provided to the Water and Wastewater Operations Manager. Restrictors will only be avoided if the balance of account is paid in full, or arrangements have been made.

Copy of letters to be filed against the property in Council's document management system.

5. Flow Restrictor Installation

A restrictor is to be installed on the existing water meter by the Water and Wastewater Operations Department.

Two water staff members are to be present at each installation.

Only three (3) litres per minute restrictors be utilised.

6. Flow Restrictor Removal

The removal of the flow restrictor will only take place after the proof of leakage or break repairs have been completed.

The removal of the flow restrictor will take place as soon as possible within two (2) working days from full payment of the overdue account.

Restrictors will be removed during normal working hours, unless otherwise instructed by the Water and Wastewater Operations Manager or Director Water, Wastewater and Waste

7. Disconnection from the water supply

Should a Flow Restrictor be tampered with, an account be outstanding for three months after a flow restrictor has been fitted (i.e.: not paid or no repayment negotiated), or leaks on the property not be repaired, Council will issue a notice to disconnect as follows:

Provide a written "Notice of Intention to Disconnect the Water Supply" seven (7) days from the date of this Notice, without further notice from the Finance Department.

Notice to be sent via Registered Mail. Copies to be provided to the Water and Wastewater Operations Manager.

Copy of letters to be filed against the property in Council's Document Management system.

8. Reconnection to the Water Supply

Reconnection will only take place after the balance of the account is paid in full. Proof of payment must be provided before reconnection if payment is not paid directly to Council.

The reconnection will take place as soon as possible within two (2) working days from full payment of the overdue account.

Reconnection will be removed during normal working hours, unless otherwise instructed by the Water and Wastewater Operations Manager or Director Water, Wastewater and Waste.

Council Action to Rectify Leaks

Council may at times restrict flow or remove a connection at short notice to ensure water misuse on a property is not continual or impactful to a customer's account. This will typically be undertaken on major leaks or on the major flows that are seen in the system that exhibit the same characteristics of misuse or leaks on the downstream side of the water meter.

Where Council either from its own resources or a contractor take action to remove or repair a leak on a property due to increased flows and no action, Council will not accept or provide a rebate to customers affected under Council policy 3.8 Excessive Water Usage Allowance for Breakages.

Where Council identifies a leak or water misuse and makes repairs to remove these, the cost of repairs and leak removal will be borne and paid for by the property owner. This may also rest on the property as a debt in extenuating circumstances.

Council will not accept liability or responsibility for the mismanagement of a private properties water usage due to the property owner being unaware of the potential overuse or leakage within the private system. Whilst Council will make every effort to inform property owners or their representatives of potential issues and leaks in their water system via metering, liability for private plumbing and drainage remains with the property owner.

Property owners should ensure that Council has their most up to date contact information and ensure that access to meters and connection is not hindered so Council can appropriately manage the meters and system connections.

References

- Local Government (General) Regulation 2021
- Local Government Act 1993

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