

Local Government Act 2002

193 Power to restrict water supply

- (1) The water supply to a person's land or building may be restricted by a local government organisation in any manner it thinks fit if the person—
 - (a) commits an offence against this subpart; or
 - (b) fails or refuses to do anything required by this Part in respect of water, water pipes, waterworks, or water races; or
 - (ba) fails to comply with any bylaw of a local authority that relates—
 - (i) to water, water pipes, waterworks, water races, or water supply; and
 - (ii) to the person's land or building; or
 - (c) fails or refuses to do anything that he or she has undertaken or agreed to do in respect of the water supply to his or her land or building; or
 - (d) refuses entry to, or obstructs, an enforcement officer under [section 182](#).
- (2) Restriction of the water supply under subsection (1) must not create unsanitary conditions in, or associated with, the land or building.
- (3) Restriction of the water supply under subsection (1) is subject to [section 69S](#) of the Health Act 1956.

Section 193(1)(ba): substituted, on 28 June 2006, by [section 21](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 193(3): added, on 1 July 2008, by [section 16](#) of the Health (Drinking Water) Amendment Act 2007 (2007 No 92).

Health Act 1956

69S Duty of suppliers in relation to provision of drinking water

- (1) Every networked supplier, bulk supplier, and water carrier must ensure that an adequate supply of drinking water is provided to each point of supply to which that supplier supplies drinking water.
- (2) Subsection (1) does not—
 - (a) require a networked supplier or a bulk supplier to ensure the uninterrupted provision of drinking water to all points of supply at all times; or
 - (b) prevent a networked supplier or a bulk supplier restricting or interrupting the provision of drinking water to any point of supply, if, in the opinion of the supplier, such action is necessary for the purposes—
 - (i) of planned maintenance or improvement; or
 - (ii) of emergency repairs.
- (3) Any restriction or interruption of the provision of drinking water by a networked supplier or a bulk supplier in reliance on subsection (2)(a) must not exceed 8 hours on any one occasion unless,—
 - (a) in the event of planned works,—
 - (i) approval has been given by the medical officer of health; and
 - (ii) the supplier has taken all practicable steps to warn the affected persons before the restriction or interruption of the provision of water occurs; or
 - (b) in the event of an emergency,—
 - (i) the supplier notifies the medical officer of health of the reasons for the interruption or restriction as soon as practicable and, in any event, not later than 24 hours after the commencement of the interruption or restriction; and
 - (ii) the supplier has taken all practicable steps to advise the affected persons of the restriction to or interruption of the provision of water.
- (4) A networked supplier or bulk supplier—
 - (a) may restrict supply to a point of supply if the relevant customer has unpaid accounts for any previous supply of drinking water or has failed to remedy water leaks that the customer is obliged to remedy; but
 - (b) must, despite any non-payment or failure referred to in paragraph (a), continue to provide an adequate supply of drinking water.
- (5) This section is subject to [section 69T](#) and to any contrary provisions in the [Civil Defence Emergency Management Act 2002](#).

Section 69S: inserted, on 1 July 2008, by [section 7](#) of the Health (Drinking Water) Amendment Act 2007 (2007 No 92).

Section 69S(1): amended, on 1 August 2019, by [section 8](#) of the Health (Drinking Water) Amendment Act 2019 (2019 No 41).

Council Water Supply Bylaw

721 Restriction for Non-payment or Non-compliance with Notice

721.1 As provided for under section 193(1)(BA) of the Local Government Act 2002, Council may restrict the supply of water to any premises where the owner fails to pay any targeted rates that have been assessed on water supplied pursuant to section 19(1) of the Local Government Rating Act 2002 within one month of the due date of the rate invoice. Council may also recover all monies owing in any Court of competent jurisdiction as a debt owing to Council. The restriction shall be subject to s69S of the Public Health Act.

721.2 The local authority may restrict the supply of water to any premises where the owner or occupier –

- (a) Fails to comply with a notice from the Chief Executive requiring repair of defective pipes or fitting; or
- (b) Willfully allows water to run to waste or be misused.

The restricted supply must be sufficient not to create unsanitary conditions

The unrestricted supply will only be restored when the offending condition has been eliminated and the reconnection fee paid.