



KEMPSEY  
Shire Council

## **DIRECTOR SHIRE SERVICES REPORT**

3<sup>rd</sup> February 2009

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|-------------|---|
| <b>DSS1</b> | <b>MANDATORY CONNECTION TO RECYCLED WATER SYSTEMS AND USE OF RECYCLED WATER</b> |
|             | <b>FILE: 365 CC: 694 GTS {Folio No. *}</b>                                      |

### **SUMMARY:**

Reporting on requisite mechanisms to ensure mandatory connection to recycled water systems and use of recycled water.

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### **DESCRIPTION:**

Legal advice in relation to the compulsory uptake of recycled water by customers where such a water service is provided by Council confirms that three options are available:

- inclusion of a provision in the LEP
- inclusion of a provision in the DCP
- institution of a local policy

Council could implement one or all of the options.

It is proposed that all three options be implemented to give Council maximum advantage and leverage in this matter as:

- greatest opportunity for swift resolution (without absolute surety of which option could be implemented before the others via due process)
- lack of history of each option's relative effectiveness within the recycled water industry
- flexibility for Council to choose various compliance and enforcement pathways on a case-by-case basis

The abovementioned legal advice appears at [Appendix A – Page H1](#).

It is expected that the first two options would be implemented and administered by Council's Sustainable Development Services Department and the third option would be the responsibility of Shire Services (Macleay Water). It is further expected that requisite inter-departmental liaison and co-operation would occur.

### **RECOMMENDATION IMPLICATIONS:**

- *Environmental*

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*Improvements in sources of water supply and demand management of potable water usage*

*Better management of sewage effluent disposal sites and reduced volumes of effluent discharged to the environment.*

- *Social*

*Increased security and availability of water supply*

*Meets Community Strategic Plan Goal 1 (To facilitate ecological and economic sustainable development in the Shire) and Goal 3. (To plan and fund the Shire's infrastructure and service needs)*

- *Economic (Financial)*

*Reduced costs for residents to comply with BASIX provision.*

*Reduced usage charge for recycled water against potable water (amount as per adopted fees and charges applicable at the time)*

- *Policy or Statutory*

*Increased capability of Council to require connections to dual water schemes in legal terms*

- *Director's Review*

*It is important that the uptake of recycled water is maximised to ensure effective use of the water recycling plant and maximise environmental benefits.*

**RECOMMENDATION:**

**It is recommended that provisions for the compulsory uptake of recycled water be implemented as summarily proposed in the report and as detailed in the legal advice.**

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**Bruce Morris**  
**DIRECTOR SHIRE SERVICES**