

- give the person information or an explanation
- gather information from the person or area that the complaint is about, or
- investigate the claims made in the complaint.

Council staff will keep the person making the complaint up to date on Council's progress particularly if there are any delays. Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions Council decides to take will be tailored to each case and take into account any statutory requirements.

## **10. PROVIDING REASONS FOR DECISION**

Following consideration of the complaint and any investigation into the issues raised, Council staff will contact the person making the complaint and advise them:

- the outcome of the complaint and any action taken;
- the reason/s for the decision;
- the remedy or resolution/s that has been proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, staff make any adverse findings about a particular individual, consideration will be given to any applicable privacy obligations under the Privacy and Personal Information Protection Act 1998 and any applicable exemptions in, or made pursuant to that Act, before sharing Council's findings with the person making the complaint.

## **11. CLOSING THE COMPLAINT, RECORD KEEPING, REDRESS AND REVIEW**

Staff will keep comprehensive records about:

- How the complaint was managed.
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations.
- Any outstanding actions that need to be followed up.

Staff will ensure that outcomes are properly implemented, monitored and reported to the complaint handling Manager and/or Executive Manager.

## **12. ALTERNATIVE AVENUES FOR DEALING WITH COMPLAINTS**

Staff will inform people who make complaints about the internal review options and also external review options available to them.

CTW will, in the first instance, manage complaints at the Customer Service or Manager level. This will enable complainants to appeal any dissatisfaction internally to Executive Managers or the General Manager. Dissatisfied complainants are encouraged to appeal internally as their first recourse.

Complainants can also appeal externally. The key agencies for external appeals are:

Investigations & Review Branch  
Office of Local Government  
Premier's Department  
Locked Bag 3015  
NOWRA NSW 2541  
Telephone: (02) 4428 4100  
Email: [olg@olg.gov.nsw.au](mailto:olg@olg.gov.nsw.au)

The Office of the Ombudsman  
Level 24  
580 George Street  
SYDNEY NSW 2000  
Telephone: (02) 9286 1000  
Toll Free: 1800 451 524  
Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

Independent Commission Against  
Corruption  
GPO Box 500  
SYDNEY NSW 2000  
Telephone: (02) 8281 5999  
Toll Fee: 1800 463 909  
Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)

Information & Privacy Commissioner  
GPO Box 7011  
Sydney NSW 2001  
Toll Free: 1800 472 679  
Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

### 13. LEVELS OF COMPLAINT HANDLING

CTW aims to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision. Written complaints will be assessed by Executive Manager Corporate Services. Corporate Services staff will be trained to undertake the initial assessment of complaints so that they are appropriately referred.

Where a person making a complaint is dissatisfied with the outcome of CTWs actions, they should appeal to the General Manager. The General Manager will ask the Executive Manager Corporate Services to review the complaint, the actions already taken, and report back for a response to the complainant.

This level of complaint handling will provide for the following internal mechanisms:

- Assessment and possible investigation of the complaint and decision(s) already made.
- Facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of review of their complaint, they may seek an external review of CTWs decision (by the Ombudsman, for example).

### 14. ACCOUNTABILITY AND LEARNING

#### 14.1 Analysis and evaluation of complaints

CTW will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

#### 14.2 Monitoring of the complaint management system

Council will continually monitor Council's complaint management system to:

- ensure effectiveness in responding to and resolving complaints, and

- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits and complaint satisfaction surveys.

#### **14.3 Continuous improvement**

CTW is committed to improving the effectiveness and efficiency of its complaint management. It will:

- support the making and appropriate resolution of complaints;
- implement best practices in complaint handling;
- recognise and reward exemplary complaint handling by staff;
- regularly review the complaints management system and complaints data; and
- implement appropriate system changes arising out of CTW's analysis of complaints data and continual monitoring of the system.

### **POLICY REVIEW**

This policy will be reviewed every 4 years, or more frequently if needed, with reference to any relevant legislation, best practice guides, or other related factors.

### **REFERENCES**

- NSW Local Government Act and Regulations
- OLG Complaints Guidelines
- NSW Ombudsman

### **VARIATION**

Council reserves the right to review, vary or revoke this policy.

**DRAFT**

**POLICY**



**Central  
Tablelands  
Water**

# **ARTIFICIAL INTELLIGENCE POLICY**

## DOCUMENT CONTROL

Document Title	Artificial Intelligence Policy				
Policy Number	CTW-PR041				
Responsible Officer	Executive Manager Corporate Services				
Reviewed by	EMCS, General Manager				
Date Adopted	Xx April 2026				
Adopted by	Council				
Review Due Date	Xx April 2027				
Revision Number	1				
<b>Versions</b>	<b>Date</b>	<b>Description of Amendments</b>	<b>Author</b>	<b>Review/ Sign Off</b>	<b>Minute No: (if relevant)</b>
1	17/12/2025	New policy	EMCS	Council	

## PURPOSE

To establish a framework for the use of Artificial Intelligence (AI) by Central Tablelands Water to ensure ethical, transparency, privacy and security implications are managed in ways that enhance operational effectiveness and collaboration.

## SCOPE

This policy applies to all users, including staff, contractors, consultants and councillors. The policy enables the appropriate usage of AI internal and external-facing use, including content creation, document editing, and communication, while protecting data from unauthorised exposure.

## POLICY STATEMENT

### 1. Key Categories of AI

- Generative AI (GenAI): Produces new content like text, images, or audio.
  - Example: CoPilot or Chat GPT for text generation, MidJourney for image generation
- Machine Learning (ML): Learns from data to predict outcomes or automate tasks.
  - Example: Analysing trends in asset deterioration
- Natural Language Processing (NLP): AI that interprets text to provide an output
  - Example: Summarising meeting minutes or translating documents
- Computer Vision: Analyses visual data for applications like asset inspection
  - Example: Identifying defects in concrete structures from photographs
- AI-Enhanced Productivity Tools: Tools that integrate AI for efficiency.
  - Example: CoPilot in Word or Excel
- Retrieval Augmented Generation (RAG): Reads defined documents to allow user interrogation
  - Example: NotebookLM

### 2. Approved Use of AI

AI may be used within the following approved cases:

- Drafting first versions of non-final documents, such as policy outlines, reports, briefings, or correspondence.
- Improving clarity, tone, structure, and conciseness of internally authored content.
- Generating or suggesting alternatives for plain English summaries.
- Preparing meeting notes or suggested minutes from input material.
- Brainstorming ideas for communications, campaigns, or service improvements.
- Internal research assistance (with human fact-checking).
- Machine Learning to help assess trends in data
- Computer vision for asset inspections
- CoPilot in Microsoft software to help develop documents or analyses

AI must not be used to:

- Make final decisions or official records.
- Generate or modify legally binding documents.
- Process sensitive, financial, health, confidential, or personal information.
- Operate without human oversight.

### 3. Principles for AI Use

The use of AI tools must align with these principles:

- **Human oversight:** All outputs must be reviewed and edited by staff before use or distribution. AI tools will be used to support, but not replace, human decision-making in critical areas.
- **Transparency:** AI-generated or AI-assisted content must be clearly acknowledged internally.
- **Privacy and Confidentiality:** No personal, sensitive, or confidential information may be entered into AI tools.
- **Accountability:** Staff remain responsible for the quality, accuracy, and appropriateness of all content created or edited using AI.
- **Equity and Inclusion:** AI tools should support communication that is inclusive, accessible, and free from bias.
- **Value for Public:** AI must create measurable public value through improved services, efficient operations, or strong community trust.
- **Explainability and Auditability:** all AI outputs must be explainable, traceable, and open to audit by internal or external stakeholders.

These Principles apply to all internal and externally sourced AI technologies and must be applied at all times, including during risk assessments, procurement processes, AI use case approvals, use and review.

### 4. AI Notetakers

CTW permits the use of AI notetakers of external meetings. All participants must accept the use of the AI notetaker in each meeting.

### 5. Data Use and Security

AI tools must use only AI platforms that have been vetted for data handling and privacy compliance.

The Generative AI tool approved by the CTW for Generative AI is Microsoft Co-Pilot. Staff MUST ENSURE they are logged into the Microsoft account prior to use. Any request to use other AI technology requires approval from the General Manager.

All access to AI technologies must comply with CTW's Information Technology Security and Information and Communication policies.

AI systems may only be accessed using CTW issued devices that meet CTW's security standards. The use of personally owned, unmanaged, or unapproved devices is strictly prohibited.

Where an AI system provides a setting to disable chat history, prompt retention or session logging, users must ensure that these features are turned off by default. Settings that allow model training using input data must always remain off. Auditability must be managed through CTW controlled logging tools and access records, not through third-party AI vendor history features.

AI systems used under this Policy form part of the CTW technology environment. In the event of AI security incidents, AI system failures, or unintended consequences, the Executive Manager Corporate Services and CTW's current IT Provider will initiate appropriate steps.

## 6. Roles and Responsibilities

The following roles and responsibilities apply in relation to this Policy:

- General Manager
  - Ensure staff understand appropriate AI use, monitor compliance, and provide training in AI use to staff.
- Staff
  - Use AI responsibly and in line with this policy.
  - Register all AI technologies used with CTW's Executive Manager Corporate Services
  - Document AI use where required.
- Councillors and External Parties
  - Use AI responsibly and in line with this policy.
  - Register all AI technologies used for CTW with the Executive Manager Corporate Services.
  - Document use where required.

## 7. Training and Awareness

All staff must complete training provided on:

- Responsible AI use
- Data security and privacy risks
- How and when to disclose AI use in their work.

## POLICY REVIEW

This policy will be reviewed every 12 months or as required due to:

- Advances in AI technology
- Regulatory or legislative changes
- Feedback from internal or external users.

Staff are encouraged to suggest improvements or propose new AI use cases for consideration.

Any new use case is required to be subject to a formal Risk Assessment and Privacy Impact Assessment, such as NSW AI Assessment Framework, prior to being approved by the General Manager.

## REFERENCES

- Australian Privacy Principles (Privacy Act 1988)
- AI Ethics Principles (Department of Industry, Science and Resources)
- Code of Conduct
- Information and Communication Technology Policy
- Information Technology Security Policy
- Records Management Policy

## VARIATION

Council reserves the right to review, vary or revoke this policy.

**DRAFT**

**POLICY**



**Central  
Tablelands  
Water**

# **DEBT RECOVERY & FINANCIAL HARDSHIP POLICY**

**DOCUMENT CONTROL**

Document Title		Debt Recovery & Hardship Policy			
Policy Number		CTW-PR014			
Responsible Officer		Executive Management Accountant			
Reviewed by		Executive Management Accountant & Executive Manager Corporate Services			
Date Adopted		xx April 2026			
Adopted by		Council			
Review Due Date		xx April 2030			
Revision Number		5			
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1	12/10/2016		DFCS		16/079
2	14/10/2020		DFCS		20/095
3	15/12/2022		DFCS		22/103
4	19/02/2025		DFCS		25/003
5	01/02/2026	Updated to include financial hardship, customer contact, sundry debtors, writing off debts and minor edits	EMA	Council	

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DRAFT

## PURPOSE

To establish guidelines for the General Manager and delegated staff on appropriate debt recovery procedures to ensure effective control over charges that become due and payable and to guide assistance for customers experiencing financial hardship.

It will also provide a framework for the efficient and effective collection of outstanding debts and fulfil statutory requirements of the Local Government Act, 1993.

Council has a responsibility to ensure monies owed are recovered in a timely and effective manner to finance its operation and to ensure effective cash flow management. During the debt recovery process Council will treat people fairly, consistently, and in a confidential professional manner.

## SCOPE

This policy will apply to all customers who may have breached the terms of an invoice, water notice, or other means of billing describing payment required.

## POLICY STATEMENT

Central Tablelands Water (CTW) acknowledges that customers will, for various reasons, fail to pay bills when they become due and payable. Most customers pay promptly.

It is not the intention to cause hardship to any customer through debt recovery procedures. Consideration will be given to acceptable arrangements to clear a debt, where possible. CTW acts to collect overdue monies to ensure good financial management and fairness to those customers who pay promptly.

The General Manager has the delegated authority to assess, approve and/or reject payment arrangements from any customer.

The General Manager has the delegated authority to proceed with legal action to recover outstanding charges where a payment arrangement has defaulted, or if the customer has failed to pay, or a suitable attempt has not been made to clear the outstanding balance.

The General Manager has delegated this authority under this Policy to the Executive Management Accountant, Revenue Officer, and Finance Officer.

### 1. WATER CHARGES

Water charges are set annually in the adopted Fees & Charges.

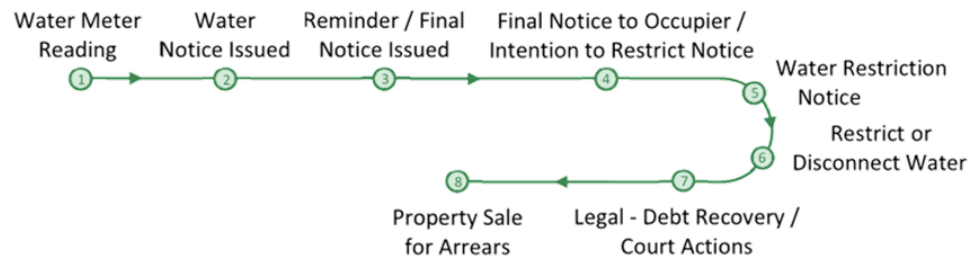
Water Notices are issued following the completion of quarterly meter readings. Each quarterly account reflects:

- Availability charges applicable to the current calendar quarter; and
- Water consumption charges calculated for the period commencing from the date of the previous meter reading, used in the prior account, to the date of the current meter reading. Meter readings are conducted quarterly.

Water Notices will be due for payment twenty-eight (28) days after the date on the notice.

The person/s listed as the owner/s of the property are responsible for the payment.

### 1.1 Overview of Water Billing and Debt Recovery Process



1. Water Meters are read quarterly to calculate water consumption and charges.
2. Quarterly Water Notices are issued and due for payment after 28 days.
3. If unpaid, a Reminder / Final Notice is posted 7 days after the due date.
4. If unpaid, after 10 days after the Reminder/Final Notice, a Final Notice to Occupier/ Intention to Restrict at the property will be delivered to the property.
5. If unpaid, after 7 days from the date of the Final Notice to Occupier, a Water Restriction Notice will be delivered to the property.
6. If unpaid, after 7 days from the Water Restriction Notice, the water supply will be restricted and a notification of restriction will be left at the property.
7. If unpaid, legal proceeding may commence which include judgements, writs, garnishes, or examination summons.
8. If still unpaid, Council may sell property to recover outstanding debts.

The above information outlines the debt recovery process where an account remains unpaid. Payment of the account will cease any current debt recovery action.

Intervention visits: early-stage and late-stage intervention visits can help customers manage payments and resolve complex difficulties. These can be initiated at any stage in the process at Council's discretion.

Additional charges apply for property attendance for non-payment, restriction, disconnection, and reinstatement of water supply, all debt recovery activities, intervention visits, legal proceedings, and property sales.

### 1.2 Interest on Overdue Accounts

Interest is calculated daily on overdue charges at the maximum rate announced by the Minister for Local Government each year, in accordance with Section 566 (3) of the Local Government Act, 1993. The rate of interest that applies to overdue charges will be advised in Council's adopted Fees & Charges in the Operational Plan and advised on each account.

### 1.3 Tenanted Properties

Landlords may have lease agreements that stipulate that the tenant is responsible for water usage or consumption charges. The billing of tenants is the owner's or agent's responsibility.

In the case of a tenanted property, CTW will only pursue the debt directly with the landowner and will only take legal action against a landowner. CTW will not seek payment from tenants, nor will it be involved in collecting money from tenants or accept a payment arrangement, unless provided for in Section 569 of the Act.

CTW will take reasonable steps to identify whether a property is tenanted before limiting or disconnecting the water supply and will only limit or disconnect a tenanted property as a last resort, after a notice has been issued under Section 569 of the Act and a reasonable opportunity is given for the tenant to comply with the notice.

#### **1.4 Payment Arrangements**

All property owners may request a payment arrangement in accordance with Section 564 of the Act.

Arrangements are to be negotiated with the aim of recovering all arrears and current charges. Requests to pay by regular amounts or for an extension of the due date for payment are to be assessed on their merits, having regard to payment history and circumstances.

Customers are encouraged to pre-arrange automated payments on a schedule that suits their financial circumstances, weekly, fortnightly, monthly or quarterly. CTW can provide estimates to assist customers calculate the amount required for bills to be fully paid as they become due.

For accounts where the owner has an approved payment arrangement to extend the due date or to pay by instalments, continuing checks are made to ensure the arrangement is being kept.

Where a customer defaults on an approved payment arrangement, recovery action will recommence from the stage which was reached prior to the last arrangement being approved.

#### **1.5 Reminder / Final Notice**

Only one 'Reminder / Final Notice' will be issued, where applicable, seven (7) days after the due date of a water account to customers with an outstanding balance greater than the quarterly 20mm access charge and who have not made satisfactory payment arrangements.

The Reminder / Final Notice issued to the customer will:

- State the outstanding balance on the account,
- Advise that non-payment may result in Council's representative attending the property to restrict or disconnect the water supply, and the applicable additional charges, and
- Advise of the applicable additional charges for the reinstatement of the water supply.

Reminder / Final Notices are due for payment ten (10) days after the date of issue.

If an account was not issued with a Reminder / Final Notice due to an existing approved payment arrangement, which is subsequently defaulted, the non-issuance of a Reminder / Final Notice does not preclude the account from recovery actions.

#### **1.6 Restrict Water Supply for Non-Payment**

Council reserves the right to restrict the water supply at any stage of the debt recovery process.

Water supply restriction or disconnection will not be reversed until such time as the debt has been paid in full.

At the expiration of time nominated for payment on a Reminder / Final Notice and where the account has not been paid or a suitable payment arrangement has not been entered into for any amounts outstanding of \$200.00 or over, CTW may issue a Final Notice to the Occupier / Intention to Restrict letter.

The Final Notice to the Occupier / Intention to Restrict letter will show the total balance outstanding and the actions required to maintain the water supply.

If contact is not made by the occupier or owner by the date and time notified, a further Water Restriction Notice will be served on the occupier giving seven days' notice of restrictions. The Notice will state that if the total balance shown, and due, is not paid by the date and time shown on the card, the water will either be limited or disconnected and associated additional charges.

If contact is not made by the owner or occupier by the date and time notified, the water supply will be:

- Limited to a nominal supply (approximately 1-2 litres per minute) if the property is occupied and categorised as a residential, industrial or commercial connection.
- Disconnected if the property is deemed to be vacant, categorised as a rural connection, or previously limited due to non-payment of the account.

The attendance fee identified in the current fees and charges will be added to the account for the actioning the restriction.

A notification will be left at the property stating that the water supply has been limited or disconnected and will only be restored on payment of the full account balance plus the reinstatement fee. Reinstatement of the water supply will be completed two business days after payment has cleared in CTW's account.

If Final Notice to the Occupier / Intention to Restrict letters have been issued to the property on 4 or more occasions, further Final Notice to the Occupier / Intention to Restrict letters will not be issued. Only Water Restriction Notices will be issued once bills are overdue.

Restrictions will only be removed following payment of the full account balance plus the reconnection fee identified in the current fees and charges.

### **1.7 Early-Stage Intervention**

At any stage in the debt recovery process prior to legal action commencing, an Early-Stage Intervention visit may be undertaken to assist customers, in a compassionate and rational manner, manage payments, prevent unmanageable levels of debt, and avoid legal proceedings.

Customers with an outstanding balance greater than \$600.00 or two (2) bills outstanding who do not currently have a payment arrangement with CTW, may be sent a letter encouraging payment or to request a payment arrangement. The letter will give fourteen (14) days' notice of a compassionate visit if no payment or payment arrangement is made.

The letter will explain:

- The purpose of the visit
- The time of the visit
- The cost of the visit, to be recovered at cost from the customer
- How to opt-out of both the visit and the cost, and
- The debt recovery consequences of taking no action.

The purpose of each visit is to:

- Avoid the requirement for legal action
- Understand the customer's situation and whether they are experiencing financial hardship and desire assistance
- Assist the customer to calculate a sustainable payment arrangement

- Assist the customer to complete any relevant forms
- Where indicated, assist the customer to complete a Financial Hardship application
- Where indicated, with the customer's consent, introduce financial counselling, and
- Explain the consequences of taking no action to resolve the situation.

During the 14 days' notice period, contact with a customer will be attempted - by any combination of telephone call, SMS message, and/or email - to help the customer to make a payment or payment arrangement and avoid an Early-Stage Intervention visit.

Council contracts a specialist third-party organisation to perform Early-Stage Interventions.

Additional charges apply to all actions in the Early-Stage Intervention stage.

#### **1.8 Legal Action**

If payment has not been received or no payment arrangement has been made following the restriction of the water supply for non-payment, or after Early-Stage Intervention, the debt may then be handed to a debt recovery agency. Payment arrangements after the commencement of legal action are encouraged and will be accepted provided the debt will be repaid within a satisfactory time frame.

Application for Judgment is to be affected wherever possible where payment or satisfactory payment arrangements have not been made. Action following Judgment is to be assessed by the debt recovery agency or General Manager and may include the issue of a writ, garnishee or examination summons.

Recovery costs, including legal expenses, are payable by the property owner and will be added to the outstanding water account. Those amounts form part of the charges secured against the property under Section 550 of the Act.

Regular reports detailing all legal action will be presented at Council meetings..

#### **1.9 Late-Stage Intervention**

From time-to-time accounts remain outstanding despite legal action. In some cases the customers are experiencing financial hardship and/or other complex issues exist.

Any customers whose accounts remain outstanding despite legal action may receive a more intensive visit to understand the difficulties they face, assist in finding a way to pay CTW.

CTW contracts a specialist third-party organisation to perform Late-Stage Interventions.

Where possible the third-party organisation will visit to help customers with both their water account and any outstanding accounts owing to a constituent council, to make payment arrangements more sustainable and to avoid cost duplication.

Additional costs apply for all actions in the Late-Stage Intervention stage.

#### **1.10 Sale of Land for Unpaid Charges**

In accordance with Section 713 of the Act, where charges remain unpaid for more than five (5) years, or one (1) year for vacant land, Council may begin proceedings to recover the outstanding amounts through a sale of land.

## 2. OTHER CHARGES – SUNDRY DEBTORS

CTW raises charges for non-water charges items including infrastructure works, equipment sales and services. The payable amounts are set with the customer at the time of agreement.

Where amounts are not paid in advance an invoice will be issued to the customer stating the applicable charges, GST and if relevant the period of service on dates either contractually agreed or determined by CTW.

Unless otherwise contractually agreed, accounts are due for payment fourteen (14) days after the date of invoice. Any applicable interest, fees or penalties are determined by the contractual arrangement.

CTW may stop the provision of credit facilities to customers when an invoice is overdue, or invoices are consistently paid late.

### 2.1 Other Charges Debt Recovery Process

Where an invoice is not paid by the due date CTW will issue a statement to the customer showing all outstanding amounts and attempt to contact the customer by any combination of telephone call and/or email.

Payment arrangements will be considered and are to be negotiated with the aim of recovering all charges. Requests to pay by regular amounts or for an extension of the due date for payment are to be assessed on their merits, having regard to payment history, circumstances and contractual arrangements.

Where the account remains unpaid, CTW may instruct a debt recovery agency to commence recovery actions or directly commence legal proceeding. All legal costs and expenses incurred in recovering outstanding debts will be added to the account.

CTW reserves the right to cease work or withhold any goods or services where payments are not made within the agreed time frames and are allowable under the contractual arrangement.

## 3. CONTACT WITH CUSTOMERS

In making contact and corresponding with customers, CTW staff and agents will follow the ACCC / ASIC Debt Collection Guidelines and the Office of Local Government's Debt Management and Hardship Guidelines. CTW has obligations to protect the privacy of all customers, and when making direct contact will always ensure it is dealing directly with the customer or their legal representative. Communications will only occur to the extent necessary and reasonable.

CTW staff and agents will conduct themselves with courtesy and respect when dealing with customers and shall maintain the privacy and confidentiality of all customers' personal circumstances. CTW request customers also conduct themselves with courtesy and respect and reserve the right to limit contact and communication methods, where appropriate, to protect staff from any unreasonable conduct.

### 3.1 Contact Details

As notices are sent to the customer's last known address for service, it is the customer's responsibility to immediately advise CTW in writing of any change of address. Changes of address must be signed by the owner of the property and will be accepted once CTW is satisfied that the signed notification was signed by the owner. For example, CTW may require proof of identification.

It is the responsibility of customers to ensure contact details including emails, phone numbers and the postal address for service of notices are correct as well as the preferred delivery channel for all communications.

#### **4. WRITING OFF DEBTS AND UNECONOMICAL TO RECOVER DEBTS**

If a debt cannot be recovered, or CTW chooses not to take further action, or it is assessed as uneconomical to recover, outstanding amounts may be written off. This can occur before, during or after any legal action has commenced.

Bad debts for non-water charges may be written off by the General Manager within delegated authority or by Council resolution.

#### **5. FINANCIAL HARDSHIP**

The Act requires CTW to be diligent in the collection and management of public funds, while also making provision for assistance to customers experiencing genuine financial hardship.

Hardship is difficulty paying debts when repayment is due and can arise from a temporary change in circumstances such as loss of employment or income, illness, loss from an accident, natural disaster or emergency, family violence or financial impact due to externalities. Long term hardship can arise from the above or can relate to the challenge of managing living costs with a low or fixed income such as a pension.

CTW is committed to engaging with its customers to limit the use of legal action in recovering debts. CTW will not commence legal action against any customer who is currently experiencing evidenced genuine financial hardship.

CTW will consider applications for financial hardship on an individual basis. As part of any application for relief under financial hardship the customer must confirm the nature and extent of the hardship. Evidence confirming the customer's hardship status must accompany the application. All customers who request assistance due to hardship will be assessed with the same eligibility criteria.

The following conditions apply to all financial hardship applications under this policy:

- The property for which this hardship application is made must be owned and occupied by the applicant as their principal place of residence
- Tenants are not eligible for hardship as responsibility for water charges resides with property owners
- That actual financial hardship exists; the applicant is experiencing a reduced capacity to pay, rather than an unwillingness to pay
- That a mutually accepted payment arrangement is agreed, which takes into account future charges estimated against the property and is for a period not exceeding eighteen (18) months, to be reviewed after 12 months and monitored for continued payments. Where a customer defaults on an approved arrangement, recovery action will recommence
- If a property has already been limited prior to Hardship Application, an decrease in restriction may be applied until the account has been paid in full.

Applications will be determined by the Executive Management Accountant and the Financial Officer or Revenue Officer. The applicant will be notified of the decision in writing. Any applicant who is dissatisfied by the determination may, by way of written request, have the application reassessed by the General Manager. The General Manager's decision will be final. CTW, at its discretion, may withdraw any hardship concession.

### 5.1 Support Services

Customers suffering financial hardship, or requiring support, may find the following organisations of assistance:

- ASIC's Moneysmart [www.moneysmart.gov.au](http://www.moneysmart.gov.au)
- Legal Aid NSW [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au) Phone: (02) 6885 4233
- Community Legal Centres NSW [www.clcnsw.org.au](http://www.clcnsw.org.au) Phone: 1300 888 529
- Centrelink [www.centrelink.gov.au](http://www.centrelink.gov.au) Phone: 13 63 57
- National Debt Hotline operated by Financial Counsellors Association of NSW [www.fcan.com.au](http://www.fcan.com.au) Phone: 1800 007 007

### REVIEW OF POLICY

This policy shall be reviewed each term of Council and any amendments, if necessary, shall be approved by a resolution of Council.

### VARIATION

Council reserves the right to review, vary or revoke this policy.

**POLICY**



**~~WATER~~**  
**~~CHARGES~~**  
**DEBT**  
**RECOVERY**  
**& FINANCIAL**  
**HARDSHIP**  
**POLICY**

## DOCUMENT CONTROL

Document Title	<del>Water Charges</del> Debt Recovery & Hardship Policy				
Policy Number	CTW-PR014				
Responsible Officer	<del>Director Finance and Corporate Services</del> Executive Management Accountant				
Reviewed by	<del>Director Finance and Corporate Services</del> Executive Management Accountant & <del>Governance Executive Support Officer</del> Executive Manager Corporate Services				
Date Adopted	<del>19xx February-April 2026</del> 25				
Adopted by	Council				
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Revision Number	4 <del>5</del>				
Previous Versions	Date	Description of Amendments	Author	Review/ Sign Off	Minute No: (if relevant)
1	12/10/2016		DFCS		16/079
2	14/10/2020		DFCS		20/095
3	15/12/2022		DFCS		22/103
4	19/02/2025		DFCS		25/003
5	01/02/2026	Updated to include financial hardship, customer contact, sundry debtors, writing off debts and minor edits	EMA	Council	

Central Tablelands Water

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**PURPOSE**

To establish guidelines for the General Manager and delegated staff on appropriate debt recovery procedures to ensure effective control over charges that become due and payable and to guide assistance for customers experiencing financial hardship.

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It will also provide a framework for the efficient and effective collection of outstanding debts and fulfil statutory requirements of the Local Government Act, 1993.

Council has a responsibility to ensure monies owed are recovered in a timely and effective manner to finance its operation and to ensure effective cash flow management. During the debt recovery process Council will; treat people fairly, consistently, and in a confidential professional manner.

## SCOPE

This policy will apply to all customers who may have breached the terms of thean invoice, water notice, or other means of billing describing payment being required.

## **POLICY STATEMENT**

Central Tablelands Water (CTW) acknowledges that customers will, for various reasons, fail to pay ~~for water charges/bills~~ when they become due and payable. Most customers pay promptly.

It is not the intention to cause hardship to any customer through debt recovery procedures. ~~and~~ Consideration will be given to acceptable arrangements to clear the a debt, where possible. Most customers pay promptly. CTW acts to collect overdue monies to ensure good financial management and fairness to those customers who pay promptly.

The General Manager has the delegated authority to assess, ~~approve and/or~~ reject payment arrangements from any customer.

The General Manager has the delegated authority to proceed with legal action to recover outstanding charges where an payment arrangement plan has defaulted, or if the customer has failed to pay, or a suitable attempt has not been made to clear the outstanding balance.

The General Manager has ~~sub~~ delegated this authority under this Policy to the ~~Director Finance & Corporate Services/Executive Management Accountant~~, Revenue Officer, and Finance Officer.

### **1. WATER CHARGES Procedure**

#### **Water Consumption Charges**

Water Charges are set annually ~~by way of the adopted Operational Plan in the adopted Fees & Charges.~~

Water Notices are issued following the completion of quarterly meter readings. Each quarterly account reflects:

- Availability charges applicable to the current calendar quarter; and
- Water consumption charges calculated for the period commencing from the date of the previous meter reading, used in the prior account, to the date of the current meter reading. Meter readings are conducted quarterly.

Water Notices are issued on the completion of the quarterly meter readings. On each quarterly account issued, the period covered by the availability charge components on the account is the current calendar quarter. The period covered by the water usage component on the account is the period from the last meter reading from which the account was calculated in the previous period, to the date the meter reading was taken in the current period. The frequency of the reading cycle is quarterly.

Accounts Water Notices will be due for payment twenty-eight (28) days after the date of issue on the notice.

The person, ~~or person/s, who are~~ listed as the owner/s of the property are responsible for the payment.

### 1.1 Overview of Water Billing and Debt Recovery Process



1. Water Meters are read quarterly to calculate water consumption and charges.
2. Quarterly Water Notices are issued and due for payment after 28 days.
3. If unpaid, a Reminder / Final Notice is posted 7 days after the due date.
- 2-4. If unpaid, after 10 days an operator may deliver after the Reminder/Final Notice, a Final Notice to Occupier-/ Intention to Restrict at the property will be delivered to the property.
5. If unpaid, after 7 days from the date of the Final Notice to Occupier, an operator may deliver a Water Notice-Restriction card/Notice will be delivered to at the property.
6. If unpaid, after 7 days from the Water Restriction Notice, an operator may the water supply will be restricted/restrict the water supply and leave a notification of restriction will be left at the property restriction/disconnection
7. If unpaid, legal proceeding may commence which include judgements, writs, garnishees/garnishes, or examination summons.
8. If still unpaid, Council may sell property to recover outstanding debts.

The above information outlines the debt recovery process where an account remains unpaid. Payment of the account will cease any current debt recovery action.

Intervention visits: early-stage and late-stage intervention visits can help customers manage payments and resolve complex difficulties. These can be initiated at any stage in the process at Council's discretion.

Additional charges apply for property attendance for non-payment, restriction, disconnection, and reinstatement of water supply, all debt recovery activities, intervention visits, legal proceedings, and property sales.

### 1.2 Interest on Overdue Accounts

Interest is calculated daily on overdue charges at the maximum rate announced by the Minister for Local Government each year, in accordance with Section 566 (3) of the Local Government Act, 1993. The rate of interest that applies to overdue charges will be advised

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in Council's adopted [Fees & Charges in the Operational Plan](#) ~~operational plan~~ and advised on each account.

### 1.3 Tenanted Properties

~~A number of~~ Landlords may have lease agreements that stipulate that the tenant is responsible for ~~the water~~ usage or consumption charges. The billing of tenants is the owner's or agent's responsibility.

In the case of a tenanted property, CTW will only pursue the debt directly with the ~~landowner, and~~ landowner and will only take legal action against a landowner. CTW will not seek payment ~~of water charges~~ from tenants ~~that landowners are liable for~~, nor will it be involved in collecting money from tenants or accept a payment arrangement, unless provided for in [Section 569](#) of the Act.

CTW will take reasonable steps to identify whether a property is tenanted before ~~considering limiting restricting or disconnecting the a~~ water supply; and will ~~not only restrict limit or disconnect when it becomes aware that the property is tenanted a~~ tenanted property

~~CTW will only restrict or disconnect the water supply~~ as a last resort, after a notice has been issued under [Section 569](#) of the Act and a reasonable opportunity is given for the tenant to comply with the notice.

### 1.4 Payment Arrangements

~~Arrangements may be entered into with a~~ All property owners may request a payment arrangement in accordance with [Section 564](#) of the Act.

Arrangements are to be negotiated with the aim of recovering all arrears and ~~the current~~ charges. ~~Agreement to re~~ requests to pay by regular amounts or for an extension of the due date for payment are to be assessed on their merits, having regard to ~~the individual's~~ payment history and circumstances.

Customers are encouraged to pre-arrange automated payments on a schedule that suits their financial circumstances, weekly, fortnightly, monthly or quarterly. CTW can provide estimates to assist customers calculate the amount required for bills to be fully paid as they become due.

For ~~those~~ accounts where the owner has ~~entered into an an~~ approved payment arrangement to extend the due date or to pay ~~off~~ by instalments, ~~a~~ continuing checks are is made that to ensure the arrangement is being kept.

Where a customer defaults on an approved payment arrangements for payment, recovery action will recommence from the stage which ~~was had been~~ reached prior to the last arrangement being ~~negotiated~~ approved.

### 1.5

#### Reminder / Final Notices

~~A Only one~~ 'Reminder / Final Notice' ~~shall will~~ be issued, where applicable, seven (7) days after the due date of a water account to ~~those~~ customers who have with an outstanding balance greater than the quarterly 20mm access charge and who have not made previous satisfactory payment arrangements, ~~with CTW~~.

The Reminder / Final Notice issued to the customer will:

- State the outstanding balance on the account,

- Advise that non-payment may result in Council's operator representative attending the property to restrict or disconnect the water supply, and the applicable additional charges, and
- Advise of the applicable additional charges for the reinstatement of the water supply.

The Reminder/Final Notice will provide the customer with the balance outstanding, and will indicate that if the balance remains unpaid, it may result in Council's operator attending the premises to restrict or disconnect the water supply, and if this should occur an attendance fee will be payable immediately in addition to the outstanding amount. It will also advise the customer of the fees for reconnection or removal of the restriction.

Reminder / Final Notices will be due for payment ten (10) days after the date of issue.

If an account was not issued with a Reminder / Final Notice because and due to an existing approved payment arrangement had been entered, which is subsequently defaulted and the arrangement is then not kept, the non-issue non-issuance of a Reminder / Final Notice does not preclude the account from normal recovery actions.

#### 1.6 Attend to Restrict / Disconnect Water Supply for Non-Payment

Council reserves the right to restrict the water supply at any stage of the debt recovery process.

Water supply restriction or disconnection will not be reversed until such time as the debt has been paid in full.

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At the expiration of time nominated for payment on a Reminder / Final Notice and where the account has not been paid or a suitable payment arrangement has not been entered into for any amounts outstanding of \$200.00 or over, a CTW representative may attend the premises and present issue a Final Notice to the Occupier / Intention to Restrict letter card.

The Final Notice to the Occupier / Intention to Restrict letter will show the total balance outstanding and the actions required to maintain the water supply.

If contact is not made by the occupier or owner by the date and time notified, a further Water Restriction Notice will be served on the occupier giving seven days' notice of restrictions. The Water Restriction Notice will

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The Final Notice to the Occupier card will state that a representative of CTW visited the premises property in regard to the imminent restriction/disconnection of the water supply because due to of non-payment of water charges. The Notice will show state that if the total balance amount shown, and due, is not paid by the date and time shown on the card, the water will either be restricted/limited or /disconnected and associated additional charges.

The Final Notice to the Occupier card will show the total balance outstanding, including the attendance fee.

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If no contact is not made by the landowner or occupier by the date and time notified, the water supply will be:

- Restricted/Limited by the fitting of a restriction device but so as to make available to a nominal supply to the consumer (approximately 0.261-2 litres per minute) if the property is occupied and categorised as a residential, industrial or commercial connection.

- Disconnected if the property is deemed to be vacant, categorised as a rural connection, or previously limited due to non-payment of the account.

The attendance fee of \$195 identified in the current fees and charges will be added to the account for the actioning the restriction.

When a restrictive washer has been fitted to a meter, or alternatively the supply has been disconnected, a card notification will be left at the premises property notifying the occupant stating that the as no contact has been made after the issuing of the Final Notice to the Occupier card, they are informed that the water supply has been disconnected/restricted/limited or disconnected and will only be restored on payment of all arrears the full account balance owing plus the reinstatement fee, in addition to a reconnection fee. Reinstatement of the water supply will be completed on the two business days following after payment has cleared in CTW's account.

If a Final Notice to the Occupier / Intention to Restrict card letters have been issued to the owner of a property on 4 or consecutive times or more occasions, a further Final Notice to the Occupier / Intention to Restrict letters will not be issued. The water supply will be restricted without further notice. Only Water Restriction Notices will be issued once bills are overdue.

The restrictions washer will only be removed after following payment of the full account balance payment of plus the reconnection fee identified in the current fees and charges, the water account and reconnection fee is paid in full.

#### 1.7 Early-Stage Intervention

At any stage in the debt recovery process prior to legal action commencing, an Early-Stage Intervention visit may be made undertaken to assist customers, in a compassionate and rational attempt manner, to help them to pay Council manage payments, prevent and to help them avoid accumulating unmanageable levels of debt, and to avoid legal proceedings action.

Those customers who have with an outstanding balance greater than \$600.00 or two (2) bills outstanding and who do not currently have a satisfactory payment arrangement with CTW, may be sent a letter encouraging them to pay payment in full or to request a enter a satisfactory payment arrangement with CTW. The letter will give fourteen (14) days' notice of a compassionate visit if no payment or payment arrangement is made.

The letter will transparently explain:

- The purpose of the visit;
- The timing of the visit;
- The cost of the visit, to be recovered at cost from the customer;
- How to opt-out of both the visit and the cost, and
- The debt recovery consequences of taking no action.

The purpose of each visit is to:

- Avoid the requirement for legal action;
- Understand the customer's situation and whether they are experiencing financial hardship and desire assistance;
- Assist the customer to calculate a sustainable payment arrangement;
- Assist the customer to complete the any relevant forms;
- Where indicated, assist the customer to complete a Financial Hardship application;
- Where indicated, with the customer's consent, introduce Financial Counselling, and
- Explain the consequences of taking no action to resolve the situation.

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During the 14 days' notice period, contact with a customer ~~may will~~ be attempted - by any combination of telephone call, SMS message, and/or email - to help the customer to make a payment ~~or payment~~ arrangement and avoid an Early-Stage Intervention visit.

~~Council contracts a specialist third-party organisation to perform Early-Stage Interventions.~~

~~Additional charges apply to all actions in the Early-Stage Intervention stage.~~

#### 1.8 Legal Action

If payment has not been received or no ~~payment~~ arrangement has been made following the ~~disconnection or~~ restriction of the water supply for non-payment, ~~or if the total outstanding remains unpaid after a Final Notice to the Occupier card was presented,~~ or after Early-Stage Intervention, the debt may then be handed to a debt ~~collection recovery~~ agency, ~~appointed by CTW to follow up collection of the outstanding debt.~~ Arrangements ~~to pay Payment arrangements~~ after the commencement of legal action are encouraged and will be accepted provided ~~the offer will complete~~ the debt ~~will be repaid~~ within a satisfactory time frame.

Application for Judgment is to be affected wherever possible ~~where payment or~~ satisfactory ~~payment~~ arrangements have not been made ~~to finalise the account.~~ Action following Judgment is to be assessed by the ~~debt recovery agency or~~ General Manager and may include the issue of a writ, garnishee or examination summons.

~~Recovery costs, including legal expenses, are payable by the property owner and will be added to the outstanding water account. Those amounts form part of the charges secured against the property under Section 550 of the Act.~~

~~All legal costs and expenses incurred in recovering outstanding water charges shall be charged against the property in accordance with Section 605 of the Local Government Act, 1993.~~

~~Regular A reports detailing all legal action is to be provided to a subsequent will be presented at Council meetings for notification.~~

#### 1.9 Late-Stage Intervention

~~From time-to-time accounts remain outstanding despite legal action having been taken.~~

~~In most such some cases the customers are experiencing financial hardship and/or other complex issues exist.~~

~~Any customers whose accounts remain outstanding despite legal action being taken may receive a more intensive visit to understand the difficulties they face, and endeavour to help them to assist in finding a way to pay CTW, and where Where possible, Late-Stage Intervention also helps customers take steps towards their general recuperation.~~

~~Council-CTW contracts a specialist 3rd-third party organisation, which assists ratepayers for many NSW councils, to perform Early-Stage and Late-Stage Interventions.~~

~~Where possible the 3rd-third party organisation will visit to help customers with both their water account and any outstanding rates accounts owing to a constituent council, to make payment arrangements more sustainable and to avoid cost duplication.~~

~~Additional costs apply for all actions in the Late-Stage Intervention stage.~~

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**1.10 Sale of Land for Unpaid Charges**

In accordance with Section 713 of the Act, where charges remain unpaid for more than five (5) years, or one (1) year for vacant land, Council may begin proceedings to recover the outstanding amounts through a sale of land.

If Late-Stage Intervention fails to get the account paid to Council, then after 5 years, pursuant to Section 713 of the Local Government Act 1993, the property upon which the water service is provided may be sold by Council.

**2. OTHER CHARGES – SUNDRY DEBTORS**

CTW raises charges for non-water charges items including infrastructure works, equipment sales and services. The payable amounts are set with the customer at the time of agreement.

Where amounts are not paid in advance an invoice will be issued to the customer stating the applicable charges, GST and if relevant the period of service on dates either contractually agreed or determined by CTW.

Unless otherwise contractually agreed, accounts are due for payment fourteen (14) days after the date of invoice. Any applicable interest, fees or penalties are determined by the contractual arrangement.

CTW may stop the provision of credit facilities to customers when an invoice is overdue, or invoices are consistently paid late.

**2.1 Other Charges Debt Recovery Process**

Where an invoice is not paid by the due date CTW will issue a statement to the customer showing all outstanding amounts and attempt to contact the customer by any combination of telephone call and/or email.

Payment arrangements will be considered and are to be negotiated with the aim of recovering all charges. Requests to pay by regular amounts or for an extension of the due date for payment are to be assessed on their merits, having regard to payment history, circumstances and contractual arrangements.

Where the account remains unpaid, CTW may instruct a debt recovery agency to commence recovery actions or directly commence legal proceeding. All legal costs and expenses incurred in recovering outstanding debts will be added to the account.

CTW reserves the right to cease work or withhold any goods or services where payments are not made within the agreed time frames and are allowable under the contractual arrangement.

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**3. CONTACT WITH CUSTOMERS**

In making contact and corresponding with customers, CTW staff and agents will follow the ACCC / ASIC Debt Collection Guidelines and the Office of Local Government's Debt Management and Hardship Guidelines. CTW has obligations to protect the privacy of all customers, and when making direct contact will always ensure it is dealing directly with the customer or their legal representative. Communications will only occur to the extent necessary and reasonable.

CTW staff and agents will conduct themselves with courtesy and respect when dealing with customers and shall maintain the privacy and confidentiality of all customers' personal

circumstances. CTW request customers also conduct themselves with courtesy and respect and reserve the right to limit contact and communication methods, where appropriate, to protect staff from any unreasonable conduct.

**3.1 Contact Details**

As notices are sent to the customer's last known address for service, it is the customer's responsibility to immediately advise CTW in writing of any change of address. Changes of address must be signed by the owner of the property and will be accepted once CTW is satisfied that the signed notification was signed by the owner. For example, CTW may require proof of identification.

It is the responsibility of customers to ensure contact details including emails, phone numbers and the postal address for service of notices are correct as well as the preferred delivery channel for all communications.

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#### 4. WRITING OFF DEBTS AND UNECONOMICAL TO RECOVER DEBTS

If a debt cannot be recovered, or CTW chooses not to take further action, or it is assessed as uneconomical to recover, outstanding amounts may be written off. This can occur before, during or after any legal action has commenced.

Bad debts for non-water charges may be written off by the General Manager within delegated authority or by Council resolution.

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#### 5. FINANCIAL HARDSHIP

The Act requires CTW to be diligent in the collection and management of public funds, while also making provision for assistance to customers experiencing genuine financial hardship.

Hardship is difficulty paying debts when repayment is due and can arise from a temporary change in circumstances such as loss of employment or income, illness, loss from an accident, natural disaster or emergency, family violence or financial impact due to externalities. Long term hardship can arise from the above or can relate to the challenge of managing living costs with a low or fixed income such as a pension.

CTW is committed to engaging with its customers to limit the use of legal action in recovering debts. CTW will not commence legal action against any customer who is currently experiencing evidenced genuine financial hardship.

CTW will consider applications for financial hardship on an individual basis. As part of any application for relief under financial hardship the customer must confirm the nature and extent of the hardship. Evidence confirming the customer's hardship status must accompany the application. All customers who request assistance due to hardship will be assessed with the same eligibility criteria.

The following conditions apply to all financial hardship applications under this policy:

- The property for which this hardship application is made must be owned and occupied by the applicant as their principal place of residence
- Tenants are not eligible for hardship as responsibility for water charges resides with property owners
- That actual financial hardship exists; the applicant is experiencing a reduced capacity to pay, rather than an unwillingness to pay
- That a mutually accepted payment arrangement is agreed, which takes into account future charges estimated against the property and is for a period not exceeding eighteen (18) months, to be reviewed after 12 months and monitored for continued payments. Where a customer defaults on an approved arrangement, recovery action will recommence
- If a property has already been limited prior to Hardship Application, an ~~increase larger in sized flow~~ restriction device may be applied ~~installed~~ until the account has been paid in full.

Applications will be determined by the Executive Management Accountant and the Financial Officer or Revenue Officer. The applicant will be notified of the decision in writing. Any applicant who is dissatisfied by the determination may, by way of written request, have the application reassessed by the General Manager. The General Manager's decision will be final. CTW, at its discretion, may withdraw any hardship concession.

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### 5.1 Support Services

Customers suffering financial hardship, or requiring support, may find the following organisations of assistance:

- ASIC's Moneysmart [www.moneySMART.gov.au](http://www.moneySMART.gov.au)
- Legal Aid NSW [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au) Phone: (02) 6885 4233
- Community Legal Centres NSW [www.clcnsw.org.au](http://www.clcnsw.org.au) Phone: 1300 888 529
- Centrelink [www.centrelink.gov.au](http://www.centrelink.gov.au) Phone: 13 63 57
- National Debt Hotline operated by Financial Counsellors Association of NSW [www.fcan.com.au](http://www.fcan.com.au) Phone: 1800 007 007

### REVIEW OF POLICY

This policy shall be reviewed each term of Council and any amendments, if necessary, shall be approved by a resolution of Council.

### VARIATION

Council reserves the right to review, vary or revoke this policy.

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**Central  
Tablelands  
Water**

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**Gathering Information  
Policy**

**DOCUMENT CONTROL**

Document Title		Gathering Information Policy			
Policy Number		CTW-PR006			
Responsible Officer		Director Finance and Corporate Services			
Reviewed by					
Date Adopted		December 2015			
Adopted by		Council			
Review Due Date		June 2020			
Revision Number		3			
Previous Versions	Date	Description of Amendments	Author	Review /Sign Off	Minute No: (if relevant)
1	19/12/15				15/097
2	12/10/16				16/079

## Background

Central Tablelands Water requires a formal policy supporting the consistent and systematic treatment and collection of information systems and procedures. Councils are constantly being asked to provide information that is to be used to defend public liability and professional indemnity claims. The information is often valuable and needs to be formatted so that it is not rendered inadmissible when defending claims in court.

## Objective

To document the required standard of Council generated information and data needed to assist in defending a public liability or professional indemnity claim and ensure that they constitute admissible evidence.

To support procedures for the gathering of information for such purposes.

## Principles

- To meet operational business needs, accountability requirements and community expectations.
- The protection of Councils financial position through risk management.
- To facilitate the minimum data requirements for information required to be used defending possible public and professional liability claims.

## Policy Statement

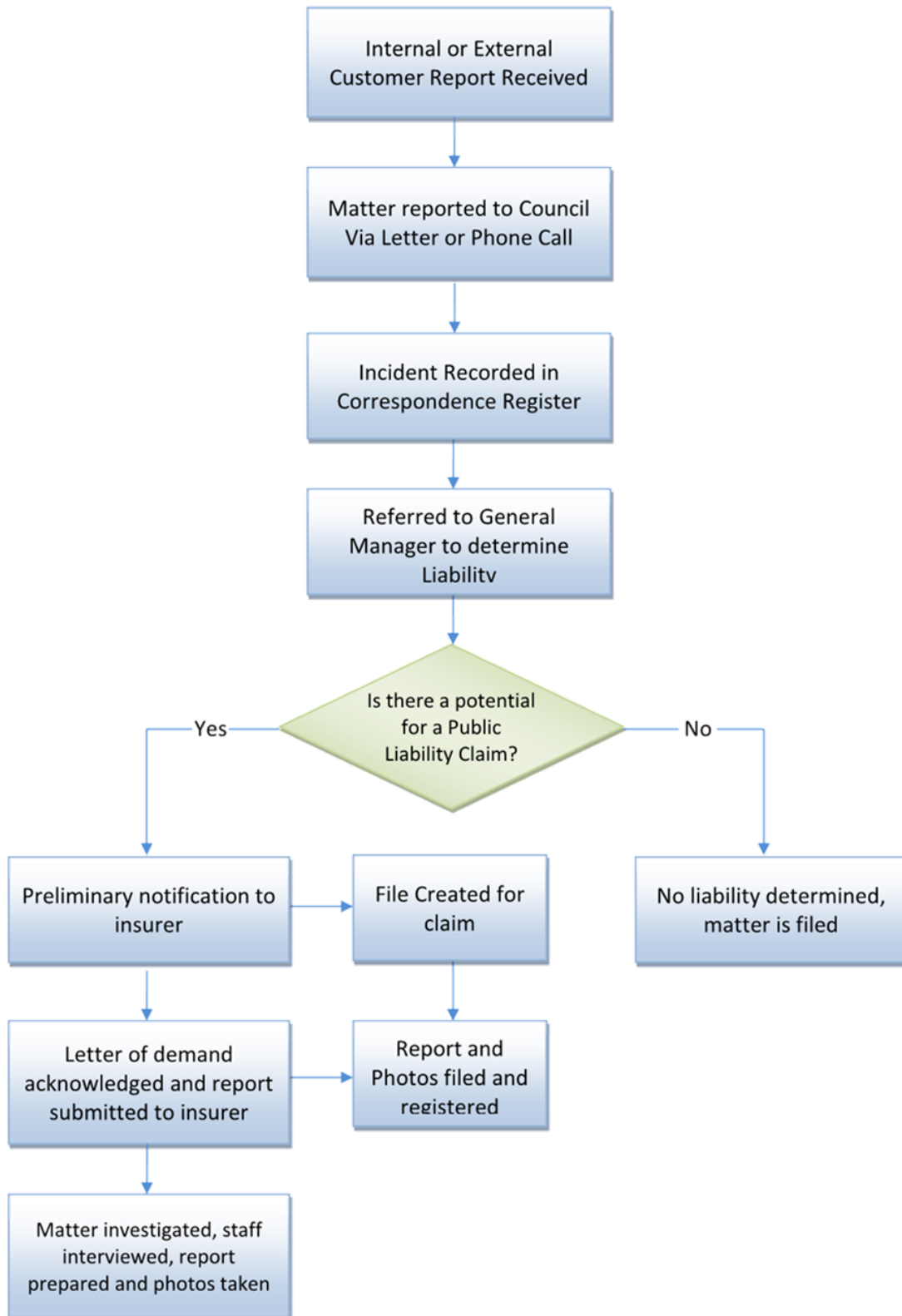
Central Tablelands Water aims to provide sustainability to the community, by providing services and making decisions that enhance our quality of life, our economic and our natural environment. Central Tablelands Water is committed to documenting and assisting groups within Council by distributing the adopted procedures for gathering information and information systems.

This policy, together with the procedures, provides the minimum data standards for the gathering of information. It is aimed at reducing the information supplied by Council to its lawyers that is currently inadmissible, together with either information or data that is not detailed or unwanted additions that may render the information of little value in the defence of a potential claim. The checklist should be used to ensure that all the appropriate data is gathered and contains the appropriate information. Listed Information Source documentation from the checklist must be appropriately recorded and archived in accordance with the State Records Act 1998.

Council will, within its budgetary constraints and using existing information systems available to it, endeavour to ensure accurate and systematic information are maintained and stored appropriately. By adopting the policy, Council is working towards enhancing Central Tablelands Water's image in keeping with Council's Vision and Mission.

## Supporting Documentation

Appendix 1:	Incident reporting procedure	Work Flow
Appendix 2:	Gathering Information Incident	Checklist
Appendix 3:	Gathering Information Internal (Minimum Data Requirements)	Documents Checklist
Appendix 4:	Gathering Information External (Minimum Data Requirements)	Documents Checklist

**Appendix 1: Incident Reporting Procedure Work Flow**

## Appendix 2: Gathering Information Incident Checklist

The following checklist is used to ensure that all the appropriate information has been gathered at the scene of an incident.

INFORMATION	SPECIFIC REQUIREMENTS
<b>Photographs</b> There may only be one chance to gain photographs at the scene of the incident. Remember, there can never be too many photographs.	a) Total working area from all points of the compass b) Examples of the environmental conditions including rivers, drains, approaches, verges, vegetation, shadows, etc. c) Close ups of all the damaged area, property, approaches, road conditions, any other d) Ensure that photographs of close ups have a size reference point e.g. ruler or pen. e) Warning signs and general signs positioned by Council. f) The damaged property from all angles
<b>Description of Scene</b>	Record as accurately as possible each photograph that has been taken. Also add a brief description of the scene. This will help to paint the overall picture.
<b>Time</b>	Day, Month, Year and Time.
<b>Weather Conditions</b>	Record as accurately as possible the weather conditions. Include wind direction, wet or dry, light or dark, etc. If weather has played a part in incident obtain relevant information from Bureau of Meteorology.
<b>Measurements</b> These can be useful to determine the actual facts of the situation e.g. "the one that got away."	Record all measurements as accurately as possible. These may include heights, lengths or widths of objects, obstructions, holes, etc.
<b>Description of damage</b>	Record as accurately as possible the type, nature and extent of the damage.
<b>Property involved</b>	Itemise all the property that has been damaged. This includes both third party property and Council property.
<b>Registration Numbers</b>	If a vehicle is involved record the registration numbers of all vehicles whether damaged or not. Also include a diagram of their exact location.
<b>Description of any Injuries</b> This is only an indication. Council staff are not medically trained nor are they expected to be involved with the treatment of any injuries.	Record the type of injuries people have received: a) Minor - walked away from the scene. b) Moderate - required medical attention c) Severe - was transported away from the scene by ambulance d) Unknown
<b>Witness</b>	If possible record name and address of any witnesses
<b>Statements made by third parties</b>	Record any statements uttered by third parties
<b>Council Employees</b>	Name of all employees working within the area of the incident.
<b>Type of Work</b>	Record the actual activity being undertaken by Council at the time of the incident.
<b>Police</b>	Record the name and station of any Police in attendance
<b>WorkCover</b>	Record the name and region of any WorkCover Inspectors in attendance
<b>Signs</b>	Record the place of erection, the day of erection, the day of last inspection, etc. of all general and warning signs displayed by Council. Record any other signs in the area that may have erected by other authorities.

### APPENDIX 3: Gathering Information Internal Documents Checklist

Table 1: List of Internal Information, Uses and Minimum Data Requirements

Information Source	Description	Typical Use	Minimum Requirements
<b>1. Works Programme</b>	A strategic document that prioritises works, linking timeframe and resources for individual capital works, projects and/or maintenance activities.	Used to highlight Council's level of commitment to its infrastructure relative to its financial strength. Could be used to defend a statement claiming <b>inaction</b> by Council.	Financial year and date of preparation Version number and date of preparation Council minute of change (if appropriate)
<b>2. Work or Service Request</b>	A document requesting work to be completed by Council as a result of a potential risk found by an employee or a member of the public.	Used to highlight Council's identification of risks programme. Could be used to defend a statement claiming <b>inaction</b> by Council.	Date Name of originator Specific location Unique identifier Referred to Priority Action taken Date action taken Name and signature of person completing action
<b>3. Inspection Record</b>	A pro-forma document used by Council Officers to report on the general condition of the infrastructure and assets of Council.	Used to highlight Council's identification of risks programme. Could be used to show that Council was there, has inspected and made recommendations including repair, thus able to defend a statement claiming <b>negligence</b> by Council	Date Name of inspecting officer Signature of inspecting officer Inspecting officer's position and department Specific location Unique identifier Recoverable List of recommendations

Information Source	Description	Typical Use	Minimum Requirements
4. MMS	Maintenance Management System (MMS) is used for the planning, organising, directing and controlling of maintenance work. It was originally developed by the RTA for use on road maintenance, but can be adapted to virtually any maintenance activity of a given asset.	Work scheduling can be used to defend a statement claiming <b>inaction</b> by Council. The system can also record the type of maintenance activity performed at any given time and location. This data could be used to defend a statement claiming <b>inaction</b> or <b>negligence</b> .	Daily running sheet recoverable Date Name and signature of originator List of employees in gang Activity Number of employees Work achieved Location Audit trail Password protection
5. Environmental Due Diligence Programmes	A strategic document, dealing primarily with environmental management issues that prioritises works and sets out a timetable for completion.	Used as a defence in the case of a breach under the EOP Act or a third party action claiming <b>negligence</b> or <b>inaction</b> by Council.	Date Name of originator Signature of originator Endorsed by Council Action plan with timetable for completion
6. Time and Plant Sheets	System of recording and allocating labour and plant costs, primarily for the purpose of payroll and project costing.	Useful in verifying the location of staff and resources on a particular day. Can assist in defending a statement claiming <b>negligence</b> by Council.	Date All changes crossed out are to be initialled Signature of employee All relevant data to be completed
7. Diary Entries	Diary entries are often used to record details of the scene of an incident and are regularly the basis of the "Initial Council Report". They can be a source for information such as weather, times, locations etc as well as staff attendances.	Used for evidence of staff attendances and actions taken or not taken. Could be used to defend a statement claiming <b>negligence</b> by Council.	Name Date Department Unique identifier Black Ink (preferable) Photocopy should show book binding Legible writing All entries signed and dated (full date dd/mm/yy) All activities noted

Information Source	Description	Typical Use	Minimum Requirements
<b>8. Work Practices/ Procedures</b>	Written procedures used to standardise Council's response to a particular task.	Used in verifying that the work undertaken by Council is routine and is performed to a prescribed level of quality. Could be used to defend a statement claiming <b>negligence</b> by Council.	Recoverable Details of implementation Dates
<b>9. Photographs</b>	Pictures of specific locations or job.	Used to provide evidence of the physical appearance of a defect or work at a particular point in time. Could be used to defend a statement claiming <b>negligence</b> by Council.	Date taken recorded preferably on the photograph Photographer and signature Claim Number Location and direction facing at location Colour 35 mm
<b>10. Training Records</b>	A detailed record of the training activities of all members of staff.	Used to verify Council's commitment to ensuring that staff is well trained. Could be used to defend a claim of <b>negligence</b> .	Name of employee Name of trainer Employer of trainer Date of training Title of course(s) Brief course outline Duration of course Indication of successful completion Any results , certificates, licenses etc
<b>11. Standards</b>	A predetermined "benchmark" by which results or performance is measured. The "benchmark" can be set either by the particular industry or Council.	Used to highlight Council's commitment to best practice within its resources. Could be used to defend a statement claiming <b>negligence</b> by Council.	Name of standard Citation number of standard Name of issuing standards organisation Date standard approved/implemented Full copy of standard

Information Source	Description	Typical Use	Minimum Requirements
<b>12. Site Visits</b>	Routine site inspection documented by the inspecting officer noting conditions found at the site.	Used to produce a detailed description of the condition of the site at a given point in time. Could be used to defend a statement claiming <b>negligence</b> and/or <b>inaction</b> by Council	Date of visit Location, address of site Name of inspector Names of any additional inspectors, escorts etc Field notes, photographs, diagrams all to be dated, signed
<b>13. Interviews</b>	As a result of a claim a recorded discussion between the relevant Council employees and the interviewing officer.	This is used to extract fact which dictates the course of the investigation. Could be used to defend a statement claiming <b>negligence</b> and/or <b>inaction</b> by Council.	Name of individual being interviewed Job title of staff being interviewed Date of interview Time of interview Location interview taken Witness to interview Typed format for interview notes
<b>14. Statements</b>	Is a first party testimony of fact.	It can be used as a record of an individual's account of the event. Could be used to defend a statement claiming <b>negligence</b> and/or <b>inaction</b> by Council.	Name of individual making statement Job title of staff making statement Date of statement Time of statement Location statement taken Witness to statement Signature (black pen) of person making statement Signature of person taking statement and witness Typed format for statement
<b>15. Annual Budget</b>	A financial statement that details the projected income and expenditure for a financial year. It indicates the amount of financial resources able to be allocated to each function/project of Council.	Used to highlight Council's level of commitment to its infrastructure relative to its financial strength. Could be used to defend a statement claiming <b>inaction</b> by Council.	Date of report Version of report Financial year of report

Information Source	Description	Typical Use	Minimum Requirements
<b>16. Drawings or plans</b>	A graphical representation of the work area, work method or location of the incident.	Visually shows evidence of the work planned. Shows standards to which the work is to be performed. Could be used to defend a statement claiming <b>professional negligence, inaction</b> or <b>design failure</b> .	Legible format (size) A legend indicating name of draftsman, architect, company etc Reference to related drawings Total number of drawings in set Index number of drawing Direction of north recorded on drawing Scale of drawing
<b>17. Maps</b>	Defines the exact location of the event.	Visually shows the location of the incident. Could be used to defend a statement claiming <b>responsibility</b> for an event where Council may not even be liable	Date map was made Person/organisation drafting map (source) Direction of north recorded on map Scale of map Area depicted by map Legible format
<b>18. Phone logs</b>	Chronological record of calls made or received by Council officers.	Used as a record of proceedings, conversations and advice given over the phone. Could be used to defend a statement claiming <b>negligence</b> and/or <b>inaction</b> by Council.	Contained in book with binding Date of call Time of call Name of caller Name of log book user Summary of call
<b>19. E-mail</b>	electronic mail, e-mail, <b>email</b> ((computer science) a system of world-wide electronic communication in which a computer user can compose a message at one terminal that can be regenerated at the recipient's terminal when the recipient logs in.	Used in every aspect of Council functions; communications internally between staff at all levels and communications externally with any number of stakeholders or parties totally unknown to council.	Captured in Server Name/ e-mail address Date Sender/e-mail address Subject Header Subject Text

## Appendix 4: Gathering Information External Documents Checklist

Table 2: List of External Information, Uses and Minimum Data Requirements

Information Source	Description	Typical Use	Minimum Requirements
<b>1. Medical reports</b>	Is a written summary from an attending physician summarising the patient's condition.	Used to establish the degree of injury and disability and thus challenge <b>general damages</b> .	Name of examining physician Date of examination Reason for examination Type written format Signed by attending physician
<b>2. Loss Adjuster reports</b>	A written formal independent summary of the facts of the claim.	Used to verify the facts. Could be used in the determination of liability and <b>negligence</b> .	Name of loss adjusting firm Name of loss adjuster Claim reference number Date of all inspections Names and dates of all interviews Numbered pages in report Clear annotations to document, photographs, etc
<b>3. Expert reports</b>	A written formal summary of certain circumstances of the claim, prepared by a specialist in the field of the incident.	Used to verify the specific facts of the incident by an expert with the relevant experience. Could be used to justify <b>action</b> or <b>inaction</b> .	Name of expert CV of expert List of publications by expert Reference number Signature of expert Date of investigation
<b>4. Weather reports</b>	A record of the weather conditions that prevailed at a given time and location.	Used to verify the conditions at the time of the incident.	Date of event Date of inquiry Name of weather service Symbol of authority (letterhead, stamp, etc) Contact telephone number of issuing authority