

Taking legal action against water theft: protecting customers, not revenue

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Background

- Other cities have struggled to combat unauthorised network access.
- Watercare has a user pays pricing plan.
- Customers must apply directly to us for connections.
- We supply 440ML to about 1.7M Aucklanders – 470,000+ water connections



Quick stats



WE LOSE 2.4 MEGALITRES A DAY

Unauthorised water use is estimated at 0.45% of water produced. Assuming wastewater is discharged that's \$10k a day.



BIGGEST LOSS IS FROM BUSINESS

We lose our biggest volume of water through commercial sites – arguably residential development is commercial too.



90% IS FROM CONSTRUCTION

90% of unauthorised connections are found at new residential greenfield sites and majority of owners are first time builders.

Why

He taonga te wai

- Sending a clear message
- Protecting 1.7M people
- Guardians of water



Why

Okay, it's a bit about money

- Damage to network
- Emergency services not able to couple to hydrant
- Creation of leaks



Why

Okay, it's a bit about matter

- Enforcing the user pays policy
- Prevent subsidisation
- Offending needs to be more expensive than the approved process



Prosecuted theft



WATER SERVICES ACT

Formerly referenced the Health Act – this is to highlight the risk to the public water supply.

WATER FOCUS



LOCAL GOVERNMENT ACT

Bylaw - the manner in which the connection was undertaken, i.e. tampering with our network.

NETWORK FOCUS



CRIMES ACT

Used to highlight the financial loss associated with using our services without authorisation.

MONEY FOCUS

Preparing to prosecute

How to pick a winner

- Agreed processes
- Formal warning
- Groundwork
- Objectivity



Prosecution case

It's not about money

- There were things we were certain of.
- We were prepared to lose.
- We picked our battles.
- Outcome was in our favour



Prosecution learnings



TIMING IS EVERYTHING

Act fast, there are time limits. It all happens at the last minute, so book time in your calendars.



BE CYNICAL

Treat every case like it could go to court, even when they're nice to you. Tick all the boxes every time.



RESTRUCTURING FINES

Successfully implemented a tiered approach with by-law fines.

Future state

Where to from here?

- Water literacy – appreciation of a precious resource
- Instant infringement
- Education of processes



Education



WHO'S LISTENING

Tailor the message to the audience, we're not working with one group of people.



IT'S NOT WHAT YOU SAID

It's how you said it. You don't get the message through with a 100 page code of practice.



MAKE IT MAKE SENSE

Is the right message, getting to the right people, at the right time in an easy to understand way?

Summary

Secured a successful prosecution

Biggest challenge is getting people to prioritise the safety of our drinking water.

It's our role to educate people.



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Thank you

Any questions?