



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Salisbury Water Flow Restriction Policy for Residential Customers

Adopted by:	Council
Responsible Division:	Salisbury Water - Business Excellence
First Issued/Adopted:	28 July 2014
Last Reviewed:	7 March 2023
Next Review Date:	March 2026

1. Purpose

- 1.1 This policy provides clear direction to staff, management and Council in relation to the recovery of outstanding Salisbury Water residential water charges through the restriction of water supply in accordance with the Council's Water Industry Retail Licence.
- 1.2 A flow restrictor is a device that can limit water flow to a property, typically an orifice plate inserted at the supply meter. The Council proposes to use restrictors to limit the flow of water to a nominal 0.4 litres per minute thus allowing residents to still meet basic hygiene for toilet flushing but limiting the 'usability' of the supply for other purposes.

2. Scope

- 2.1 This Policy applies to residential customers who receive Salisbury Water from the City of Salisbury's Water Business Unit who meet the criteria for non-payment of Salisbury Water accounts as per Clause 5.1.

- 2.2 This Policy provides clear direction to those Council officers who are responsible for managing the recovery of outstanding Salisbury Water residential water charges and the criteria to be applied for the installation of a water flow restriction device.

3. Legislative Requirements and Corporate Policy Context

- 3.1 City of Salisbury Water Industry Retail License (Intermediate Retailer);
3.2 Water Retail Code – Minor & Intermediate Retailers (WRC-MIR/02)
3.3 *Water Industry Act 2012 (SA)*;
3.4 *Essential Services Commission Act 2002 (SA)*;
3.5 *Local Government Act 1999*.

4. Interpretation/Definitions

- 4.1 **Salisbury Water Business Unit** is a business unit of the City of Salisbury ('the Council').
4.2 **Salisbury Water** is the term used for Council's fit-for-purpose recycled water supply.
4.3 **Council Staff** referred to in this policy are authorised water industry officers appointed under the *Water Industry Act 2012*.

5. Policy Statements

5.1 Criteria for Flow Restriction

- 5.1.1 A residential customer may have a water flow restriction device installed when their water account has a minimum outstanding balance of \$200.00 or has been in arrears for 4 consecutive quarters.
5.1.2 A water flow restriction device will only be installed in accordance with the procedures outlined in the following Clauses 5.2 to 5.8.

5.2 Councils Ability to Restrict a Residential Water Service

- 5.2.1 The Council may arrange for the restriction of the supply of Salisbury Water to a residential customer where the residential customer has:
- not paid a bill or bills by the due date;
 - not agreed to another payment option to pay a bill;
 - not adhered to the residential customers obligations to make payments in accordance with the payment options in relation to the payment of bills in Clause 3.2; and
 - not complied with the terms of Council's Hardship Policy for Residential Salisbury Water Customers, resulting in the residential customer being removed from that program.

5.3 Councils Obligations Prior to Restricting a Residential Water Service

- 5.3.1 Before restricting supply of Salisbury Water to a residential customer for failure to pay a bill or bills, the Council will:

- a) Use its best endeavours to contact the residential customer personally either by:
 - Telephone
 - Mail
 - Electronic mail
 - Visiting the property, or
 - Any other method approved or required by the Commission (ESCOSA) from time to time.
- b) Give the residential customer information about the terms of its Hardship Policy for Residential Salisbury Water Customers and assess the residential customer's eligibility for participation in the hardship program;
- c) Give the customer a reminder notice in writing;
- d) After the expiry of the period referred to in the reminder notice, give the residential customer a written "Notice of Intention to Restrict" with 7 business days' notice of its intention to install the restriction; and
- e) Advise the residential customer of the existence and operation of Councils external dispute resolution body or industry ombudsman (whichever is applicable at the time).

5.4 Prohibition on Residential Water Flow Restriction

5.4.1 In the following instances, the Council must not arrange for the supply of a residential customers water service to be restricted:

- a) where supply to the residential customer is in accordance with the terms of the Hardship Policy for Residential Salisbury Water Customers and the residential customer is adhering to those requirements,
- b) for non-payment of a bill where the amount is less than an amount approved by the Commission and the residential customer has agreed with Council to repay that amount,
- c) where the residential customer or a person residing at the residential customers supply address has advised the Council that the person ordinarily residing at the supply address is dependent on life support equipment,
- d) where a residential customer has made a complaint, directly related to the reason for the proposed flow restriction, to the industry ombudsman or another external dispute resolution body and the complaint remains unresolved,
- e) Where the residential customer is the landlord, and the supply address is occupied by a tenant and the tenant has:
 - Provided acceptable evidence (such as an executed tenancy agreement, proof of rental receipts or other bills for goods and services) demonstrating the tenant's residence at the supply address; and

- Satisfied its payment obligations (if any) in respect of the retail service in accordance with the terms of the relevant tenancy agreement.

5.5 Flow Restriction Procedures

5.5.1 The Council will recover outstanding residential water usage charges through the restriction of water supply by following the procedure below:

a) Initial invoice

- Issued by the Salisbury Water Business Unit at end of billing quarter.
- Allow the customer 30 days to make payment/arrangements.

b) Final Notice

- Issued by a Financial Officer 7-10 days after the due date.
- The final notice is to include a copy of the initial notice, including:
 - advisement that failure to pay will result in restriction of flow;
 - costs associated with the installation of a flow restrictor will be charged to the customer's account.

c) Notice of Intention to Restrict Flow (minimum outstanding balance \$200 or 4 quarters in arrears)

- Subject to satisfying Council's obligations under Clause 5.1, the Salisbury Water Business Unit will attempt to make direct 'face to face' contact, issue a written reminder notice (as per section 5.5.1(b)) followed by a "Notice of Intention to Restrict", nominally 7 days from the date of the Final Notice issued by the Financial Officer.
- The Notice of Intention to Restrict must contain the following information:
 - Date of issue;
 - The matter giving the rise to the potential restriction;
 - Where the notice has been issued for not paying a bill, state the date on which the restriction warning notice period ends and state that the payment of the bill must be made during the restriction warning notice period;
 - Informs the customer of applicable restoration procedures and charge that will be imposed;
 - Includes details of Councils telephone number and website for complaints, and disputes; and
 - Includes details of the existence and operation of Councils external dispute resolution body or the industry ombudsman scheme (whichever is applicable).
- The notice is to be delivered via Registered Mail or Hand Delivered. Copies to be provided to the Salisbury Water Business Unit Technical Officer.

- Flow restriction will only be avoided if the balance of the account is paid in full or arrangements to pay have been agreed to by Council or other criteria as detailed in Clause 5.4 are met.
- All correspondence shall be registered in Council's corporate document management and water billing systems.

d) Flow Restriction Installation

- Restrictor to be installed on the existing purple recycled water meter.
- The restrictor will not be installed:
 - after 3.00pm on a business day
 - on a Friday, on a weekend, on a public holiday or on the day before a public holiday, except in the case of a planned interruption; or
 - if it is a day of total fire ban declared by a relevant authority in the area in which the supply address is located.
- Two Council staff members are to be present at each installation
- Only 0.4 litres per minute restrictors are to be utilised.
- An "installation of flow restrictor fee" will be charged to the customer's account in accordance with Council's Fees and Charges.

e) Flow Restrictor Removal

- The removal of the flow restrictor will take place after the balance of the account is paid in full or an agreed payment scheme has been negotiated with Council or other Clause 5.4 criteria come into effect.
- The removal of the flow restrictor will take place as soon as possible but within 2 working days from clearance of funds.
- Restrictors will be removed during normal working hours, unless otherwise instructed by the Manager Salisbury Water.

f) Legal Action

- Legal action will only be taken in accordance with the Council's debt recovery procedures.

5.6 Full Disconnection from Salisbury Water Supply

5.6.1 In accordance with the *Water Retail Code – Minor and Intermediate Retailers*, the Council must not arrange for the full disconnection of supply of a water service to a customer's supply address for non-payment of bills.

5.6.2 Permitted disconnections are only permitted if:

- a) a customer has requested the disconnection;
 - b) a customer has used the retail service illegally; or
 - c) a customer has refused entry to Council staff for the purposes of meter reading or other purposes consistent with carrying out duties in accordance with the applicable regulatory instruments.
- d) Clause 5.4 Prohibition clauses still apply in all cases.**

5.6.3 The disconnection fee will be in accordance with the Council's Fees & Charges.

5.7 Recovery of Outstanding Balances after Installation of a Flow Restrictor or Disconnection

5.7.1 Following installation of a flow restrictor or disconnection of supply, the Council may without further notice commence proceedings for recovery of all amounts due. Recovery proceedings available to Council include:

- a) Proceedings in any court of competent jurisdiction
- b) Such other legal processes as deemed appropriate by Council.

5.8 Reconnection to Salisbury Water Supply

5.8.1 Should a customer wish to be reconnected to Salisbury's Water Supply (eg. change of ownership), then reconnection will be at the owner's cost.

6. Related Policies and Procedures

6.1 Water Retail Code – Minor & Intermediate Retailers (WRC-MIR/02), Essential Service Commission of South Australia

6.2 Hardship Policy for Residential Salisbury Water Customers

7. Approval and History

Version	Approval Date	Approval By	Change
6	April 2023	Council 0236/2023 24/04/2023	Reviewed for currency, minor amendments to reflect references to other policies.

8. Availability

8.1 The Policy is available to be downloaded, free of charge, from Council's website www.salisbury.sa.gov.au

8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Salisbury Community Hub
34 Church Street, Salisbury SA 5108
Telephone: 8406 8222
Email: city@salisbury.sa.gov.au

9. Review

This Policy will be reviewed:

- Within 12 months of a Council election and thereafter as necessary; or
- Earlier in the event of changes to legislation or related Policies and Procedures; or
- If deemed necessary by Council.

Further Information

For further information on this Policy please contact:

Responsible Officer: Manager, Salisbury Water

Address: 34 Church Street, Salisbury SA 5108

Telephone: 8406 8222

Email: city@salisbury.sa.gov.au