

CONCEALED LEAKS POLICY

INTENT

To guide Cook Shire Council's (Council) practice and decision-making on the extent of, and the conditions under which, financial assistance will be offered to property owners who have received an unusually high water notice, resulting from a concealed leak.

SCOPE

This policy applies to Council staff delegated to consider applications to provide financial assistance with excessive water accounts due to a concealed leak.

The policy will only apply to non-profit community organisations and residential properties where the property is the ratepayer's principal place of residence and no commercial benefit is derived from the property.

DEFINITIONS

TERM	DEFINITION
<i>Average Consumption</i>	Shall mean where possible and/or relevant, the average of the past three (3) years' normal water consumption during the equivalent billing period, adjusted at the discretion of Council, for any relevant changes in circumstances that would impact consumption.
<i>Billing Period</i>	Shall mean the time between meter readings and does not refer to the issue date or the payment due date on the rate notice.
<i>Concealed Leak</i>	Shall mean a leak that has occurred within the owner's property in the main water supply pipe from the water meter to the primary constructed structure, either underground, under or within concrete or paving or underneath a structure where the leak was not apparent and the occupant was not

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TERM	DEFINITION
	aware of its existence and could not reasonably be expected to be aware of its existence.
Council	Shall mean the Mayor and Councillors of Council.
Policy	Shall mean this Concealed Leaks Policy.
Property	Shall mean the property within the Council area to which water is being supplied by Council for which rate notices are issued.
Property Owner	Shall mean the owner or owners of the property.
Consumption Charge Rate	Shall mean the Consumption Charge identified within the Revenue Statement as adopted by Council each financial year.
Rate Notice	Shall mean the notice issued by Council to the property owner which contains the water consumption charges.

POLICY STATEMENT

1. Principles

- The property owner is responsible for managing their water consumption. This includes monitoring water consumption and/or manually reading the water meter and carrying out overnight consumption tests on a regular basis to monitor water usage and consumption patterns.
- The property owner is responsible for repairing water leaks in the pipes carrying water from the water meter into the premises, in any internal pipes or plumbing fixtures within the premises, or in any irrigation piping or garden water systems.
- Subject to any financial; assistance under this policy, the property owner is responsible for the payment of the full water consumption charges, including consumption related to leaks.
- Where Council becomes aware of a potential water leak at a property, Council will make best efforts to notify the property owner. Such notification is provided as an added service and such notification or the lack thereof does not alter the availability or non-availability of financial assistance under this policy.

2. Eligibility

Council will only consider a request for financial assistance on rate and charges payable due to a water leak where:

- the leak was a concealed leak; and

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- the property owner took all reasonable steps to ensure that the concealed leak was repaired within a reasonable period of time; and
- the concealed leak was repaired by a licensed plumber, or
- where the property owner has effected repairs, a detailed Statutory Declaration must accompany the application.

3. Extent of Financial Assistance

A reduction in water consumption charges will be granted where consumption in a billing period exceeds one thousand kilolitres (1000kl). Only one (1) application per property owner in a five (5) year period is permitted.

The reduction of water consumption charges may be applied over two billing periods, as a single concealed leak can affect the consumption over two billing periods.

If the application for financial assistance in water consumption charges is granted, the following calculation will be applied:

Billed consumption - Average Consumption = Revised Consumption

Financial assistance will be 50% of the Revised Consumption (Average is calculated using the last three (3) normal, equivalent billing period consumption charges).

If the above method is deemed inappropriate under a given circumstance by Council, then an alternate methodology may be adopted.

The decision whether to use an alternative methodology and the alternative methodology to be used will be at the discretion of the Director Organisational Business Services, on a case by case basis.

4. Applying for Financial Assistance

The property owner must apply in writing for a reduction of water consumption charges due to a concealed leak using the *Application for a Financial Assistance on Rate Notice due to a Concealed Leak* form. The application must outline the location and circumstances of the concealed leak, including the condition to be met under Section 2 – *Eligibility* of this policy and complete all sections of the form.

The application must be made to Council, no later than the date on which payment for the consumption charge on which the financial assistance is being sought falls due for payment. Applications made after this date but before the next rate notice may be considered at the discretion of the delegated decision-maker. Where such an application is considered and approved, the financial assistance will be granted as identified in Section 3 of this policy. An application received by Council after the issuance of the next rate notice will not be considered for relief.

The application must be accompanied by a detailed plumber’s report, using the *Plumber’s Report on Repair of Concealed Leak* form as specified by Council, from the licensed plumber who carried out the repair work, or a Statutory Declaration if the repairs were effected by the property owner certifying:

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- the property on which the concealed leak was discovered; and
- the concealed leak was repaired by the licensed plumber; or
- the concealed leak was repaired by the property owner; and
- the date the concealed leak was repaired; and
- the details of the plumbing repairs undertaken; including:
 - that the concealed leak was in the main water supply pipe from the water meter to the *primary constructed structure* on the property; and
 - that the concealed leak was in a location and/or of a nature which contributed to it not being evident.

5. Specific Exclusions

Council will not provide financial assistance for leaks that occur in:

- internal structural pipework (under floor or within walls) water fittings, and appliances including taps, toilets, showers, sinks, hot water systems and appliances with water connections such as dishwashers, washing machines and fridges; or
- water tanks that are plumbed to the potable water supply, including solar water heaters and pipework related to such tanks; or
- external water taps, hoses, sprinklers and irrigation systems; or
- swimming pools, spas, and other water features including fittings and the pipework that supply such fixtures; or
- firefighting equipment and systems.

Financial assistance will also not be available for water loss:

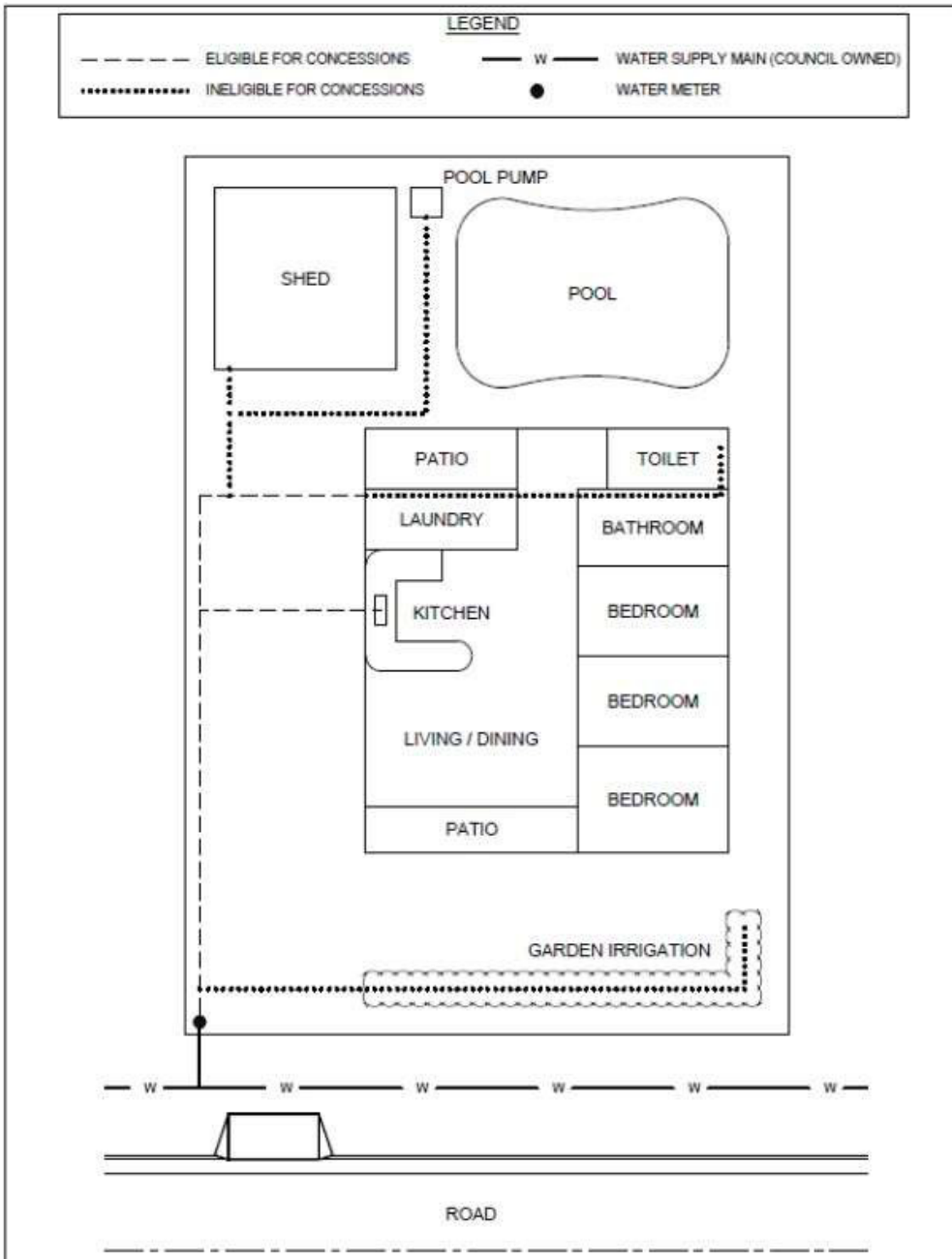
- during construction, renovation, excavation or similar activity; or
- due to theft, vandalism, and inadvertent use (e.g. tap/hose left running due to an oversight).

6. Delegated Authority to Chief Executive Officer

Where applications are received and after assessment have been deemed to be compliant with this policy, Council pursuant to section 257 of the *Local Government Act 2009* delegates authority to the Chief Executive Officer to grant financial assistance for excessive water consumption as detailed in this policy.

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Inclusions and Exclusions



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KEY RESPONSIBILITIES

RESPONSIBLE OFFICER	RESPONSIBILITY
Chief Financial Officer	Ensuring that all applications received for financial assistance are considered in accordance with the approved policy. The annual review of the policy.
Council	Approval of the "Concealed Leaks Policy".
Director Organisational Business Services	The delegated decision maker with respect to minor inconsistencies/unintended consequences of the policy and determining the methodology of calculating the financial assistance on a concealed leak where the identified method would be inappropriate (for example the sale of the premises or a change in use of the premises).
Rates Officer	Assessment of applications and preparation of any associated reports where required.

REFERENCES, LEGISLATION AND GUIDELINES

Local Government Act 2009

Local Government Regulation 2012

RELATED DOCUMENTS

Revenue Policy

Revenue Statement

Application for Financial Assistance on Water Consumption due to Concealed Leaks Form

IMPLEMENTATION/COMMUNICATION

The policy will be implemented on 1 July 2022 and will be placed on Council's website.

APPROVED BY

Adoption annually by Council.

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REVIEW

SPONSOR:	Director Organisational Business Services
OFFICER RESPONSIBLE FOR REVIEW:	Chief Financial Officer
ADOPTION DATE:	24 May 2022
REVIEW DATE:	June 2023

THIS POLICY IS TO REMAIN IN FORCE UNTIL OTHERWISE DETERMINED BY COUNCIL

AMENDMENT HISTORY

VERSION	AMENDMENT DETAILS	AMENDMENT DATE	APPROVAL
2.0	Section 3, para 5 – Changed from five (5) to three (3) and new template.	20/05/2019	
3.0	Minor Amendments	18/04/2020	
4.0	Adopted by Council Resolution	11/05/21	2021/100
5.0	Adopted by Council Resolution	24/05/22	2022/107

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