

Council Policy

Water Leaks



CONTROLLED DOCUMENT INFORMATION

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22 November 2023	OCM317/23	Policy previously known as 'Property owners with concealed water leaks'. Updated definitions of concealed, undetected and detectable water leaks and new additions to policy.

Further Document Information and Relationships	
Related Legislation*	Local Government (General) Regulation 2005 Water Management Act 2000 Local Government Act 1993 No 30
Related Policies	Issuing and Processing of Stopped Water Meters, Estimated Usage and Inaccurate Water Meters ECM732837
Related Documents	Water Leak Application Form ECM1312859 Register of Leak Applications [internal] ECM1314662 Criteria for Approval Checklist [internal] ECM1412914
<p>Note: Any reference to Legislation will be updated in this Policy as required. See website http://www.legislation.nsw.gov.au/ for current Acts, Regulations and Environmental Planning Instruments.</p>	

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1. Purpose

The purpose of this policy is to ensure that all applications for allowances for water lost through leaks are processed in a consistent manner. This policy establishes and clarifies all terms, conditions and processes associated with customer requests for reductions to water accounts due to water service leaks. Water leaks can result in significant unexpected costs to property owners and as such, Council has adopted a policy regarding allowances.

2. Commencement

This Policy is effective from date of adoption by Council resolution and shall remain in force until repealed by resolution of Council.

3. Definitions

Term	Definition
Council	Parkes Shire Council.
Business Day	means a day that is not a Saturday, a Sunday, 27/28/29/30/31 December, nor a public holiday in Sydney.
General Manager	means the General Manager of Parkes Shire Council appointed under section 334 of the <i>Local Government Act 1993</i> .
Governing Body	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
Property Owner	The owner of the subject property and does not include tenants or property managers.
Water Account	An account issued by Council for water related access and usage charges. Non-Residential properties are also charged for sewer and trade waste usage charges via the Water Account where these services are applicable.
AS/NZS 3500	Australian & New Zealand Standards 3500.1: Plumbing and Drainage. Published document setting out specifications and procedures designed to ensure products, services and systems are safe, reliable and consistently perform the way they were intended.
Concealed Water Leak	A water leak that is hidden from view and there is no visible evidence of lush or green grass, damp soil or damp walls or floors. Water escaping on the customer's side of the water meter, which is hidden from view and where an owner or occupant could not reasonably be expected to know of its existence, as determined by Parkes Shire Council (e.g. under a concrete slab).
Undetected Water Leak	A water leak that was not easily detectable and has not been detected by the owner or occupant. A water leak in a paddock, yard or garden where the leak can generally be detected by visible inspection (e.g. A leak in a paddock during a wet period of time, that could not have been detected as the entire paddock was green and boggy).

Detectable Water Leak	A water leak that could have been detected easily with an inspection, that was not detected. (e.g. a leak in a paddock during a dry period, showing a green patch, a running toilet, leaking tap or a leaking air conditioner unit).
Average Water Usage	Average water use will generally be determined using three (3) previous equivalent billing periods.

3.1 Photo examples

i. Concealed Water Leak



ii. Undetected Water Leak



iii. Detectable Water Leak



4. Policy Statement

The property owner is responsible for the maintenance and repair of their water service which starts from Council's water meter. Once water has passed through the water meter, it becomes the legal responsibility of the property owner. Council has no obligation to adjust water accounts affected by leaks in private plumbing. The property owner is responsible for maintaining and repairing all of the pipes and fittings from the water meter and accepts responsibility for any water loss from the pipes and fittings they are responsible for.

4.1. When will Council consider Account Adjustments

Regardless of the category of the leak, the following criteria must be met:

1. The leak was repaired by a licensed plumber and meet the Australian Standards, however in circumstances where a licensed plumber is unable to be engaged or the owner is suitably qualified, repairs by the customer may be acceptable:
 - a. Where the customer completes the repair, they should arrange for a licensed plumber to check the repair to ensure compliance with relevant legislation and plumbing standards. A report from the plumber stating that the repairs meet the relevant Australian Standards must be attached to the application.
 - b. If the customer can provide written evidence showing they are suitably qualified to complete the repair this may be accepted, Council will determine this on a case-by-case basis.
2. The water leak must cause an increase to the property's average water usage of increase of 20% and more than 100kl.
3. The property, if vacant, must have been inspected regularly.
4. The water leak was repaired in a timely and effective manner to minimise water loss. Repairs must be completed within 21 days of a water account being issued or the customer becoming aware of a possible water leak via Council notification. A customer is deemed to be notified by Council of a possible water leak on:

- a. the day a Council Officer leaves a “High Water Usage Advice” card or similar notification at the property, or
 - b. the day a Council Officer telephones the property owner (or managing agent) or posts a note regarding high reading in the mail.
5. Photos of the leak and/or repair must be submitted.

Note: If there is a reason the property owner could not detect an obvious leak, such as a physical condition rendering them unable to see the leak location, evidence of this may be requested. This will be assessed on a case-by-case basis.

For a water leak allowance to be approved under one of the following categories the following additional criteria must be met:

i. Concealed Water Leaks Criteria

- The concealed water service leak was in a location that was not readily visible or apparent (e.g. under a concrete slab) as per Council's definition of 'Concealed Leak'.

ii. Undetected Water Leaks Criteria

- The concealed water service leak was in a location that was not readily visible or apparent as per Council's definition of 'Undetected Leak'.

5.2. Limit of Account Adjustments

For a concealed water leak properties will be eligible for one (1) water account adjustment per ownership over a ten (10) year period.

For an undetected water leak properties will be eligible for one (1) water account adjustment per ownership, regardless of the time frame.

4.2. Applying for an account adjustment

To apply for a water account adjustment, customers must submit a fully completed copy of Councils' Application for Water Account Adjustment (Concealed Leak) Form within 21 days of the account issue date. This includes the plumber's report on the second page of the application.

If it is not reasonable that a plumber completes the repair within 21 days, however a plumber has been engaged, the application can be submitted without the plumbers report to receive a Customer Reference (CRM) number and advise Council of the pending leak application. Following from this if no completed plumbers report is submitted within a two (2) week period from the date of submission and no reasonable explanation is given, the application will be denied.

The applicant grants permission for Council Officers to conduct an inspection of the property to verify that the water service leak was of a concealed nature and that repairs meet required standards (if Council requests such an inspection).

4.3. How will accounts be adjusted

Approved water account adjustments will be calculated using the following provisions, with access charges not included in any allowances. After the allowance is granted Council will then work with the customer on a case-by-case basis for a suitable payment arrangement for the remaining costs.

i. Concealed Water Leaks:

Customers will be charged based on their average consumption for the period that the leak occurred.

ii. **Undetected Water Leaks**

Customers will have an average consumption calculated which will be charged at the rate adopted in the fees and charges (as of 1 July 2023 this was \$2/kl).

Any usage over the average consumption will be charged at the direct operational cost (as determined by Parkes Shire Council, as of 1 July 2023 this was \$0.85/kl) with an upper limit for the total bill of \$5000.

An example of this is below, using the rates as of 1 July 2023:

- A customer has used 6000kl with an average usage of 300kl. 300kl will be charged at the adopted rate, the remaining 5700kl will be charged at the direct operational cost. These two figures calculated together will be the new bill amount and the additional value over this will be credited to the water account.

i.e. Actual bill received would have been for 6000kl x \$2 = \$12,000

calculated bill:

300kl x \$2 = \$600

5700kl x \$0.85 = \$4845

\$600 + \$4845 = \$5445

This would then be capped at \$5000 resulting in an allowance of \$7000

- A customer has used 1200kl with an average usage of 400kl. 400kl will be charged at the adopted rate, the remaining 800kl will be charged at the direct operational cost. These two figures calculated together will be the new bill amount and the additional value over this will be credited to the water account.

i.e. Actual bill received would have been for 1200kl x \$2 = \$2400

calculated bill:

400kl x \$2 = \$800

800kl x \$0.85 = \$680

\$800 + \$680 = \$1480

The actual bill minus the calculated bill results in an allowance of \$920

\$2400 - \$1480 = \$920.

4.4. When will an application for a water account adjustment not be considered

A water account adjustment will not be considered:

1. If the "Application for Water Account Adjustment (Concealed Leak)" or any other required documentation is found to be incomplete or false i.e. not concealed.
2. If no photographs are provided per 5.1
3. For leaking fixtures or water using appliances, including, but not limited to:
 - Taps
 - Toilets
 - Hot water systems (including solar)
 - Irrigation systems
 - Air conditioners
 - Dishwashers
 - Washing machines
 - Fridges
 - Water features
 - Swimming pools or spas

4. For a leak caused by wilful, accidental or negligent damage to a water service, regardless of who caused the damage.
5. When the leak was visible or detectable.
6. No greater than two (2) consecutive periods will be included in the adjustment.

4.5. Exclusions from account adjustments

Council will not reimburse or make any contribution towards associated plumbing costs for either the location or repair of a concealed water service leak. Council will not reimburse any access charge costs.

5. Review

As part of Council's commitment to good governance and continuous improvement, this Policy must be reviewed and re-adopted by Council not less than once every four years or as Council otherwise determines in line with legislative requirements and policy changes.