

<b>POLICY:-</b>	
Policy Title:	Water Determination Policy (Previously Non-Potable (Previously Rebate for Undetected Water Leaks)
File reference:	F13/77
Date Policy was adopted by Council initially:	18 July 2013
Resolution Number:	210/2013
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Resolution Number:	210/2013, 331/15, 18/2021
Current Policy adopted by Council:	21 March 2024
Resolution Number:	32/24
Next Policy Review Date:	2027

<b>PROCEDURES/GUIDELINES:-</b>	
Date procedure/guideline was developed;	
Procedure/guideline reference number:	

<b>RESPONSIBILITY:-</b>	
Draft Policy Developed by:	Manager Water Sewer & Waste
Committee/s (if any) consulted in the development of this policy::	N/A
Responsibility for implementation:	Manager Water Sewer & Waste Chief Financial Officer
Responsibility for review of Policy:	Director, Environment and Planning and Director Finance and Administration

## **Objective.**

To provide a determination (or adjustment) to the owner of a property in a situation where high-water usage on a water account is the result of circumstances that are beyond the owner's control.

## **About this policy:**

Once water has passed through the meter at a property, it becomes the responsibility of the owner of the property.

## **What to do if there is leaking water?**

- If a property owner discovers a leakage, the property owner should turn off the stop tap on your meter and keep it turned off where possible. If the tap is faulty this should be reported to council for repair.
- The property owner should determine where the problem is coming from. If it is on the Council side (Figure 1), the property owner should contact Upper Lachlan Shire Council on 4830 1000 (business hours and after hours).
- If the leak is coming from the property owner's side, the property owner should contact a plumber (Figure 1).
- If the leak is in Council's water main, or if the water is leaking between Council's water main and the water meter, Council will repair the leak. This may require a water shutdown in the immediate area to rectify.
- Any leak from the water meter to the house, is the property owner's responsibility. Owners are responsible for phoning a licensed plumber to repair the internal water pipes. Repairs must be completed by a licensed plumber.
- If the property owner or plumber is unsure as to where the water main and pipelines are located, it is best to contact Council, who will be able to show the property owner or plumber the locations of the main and meter location.

FIGURE A

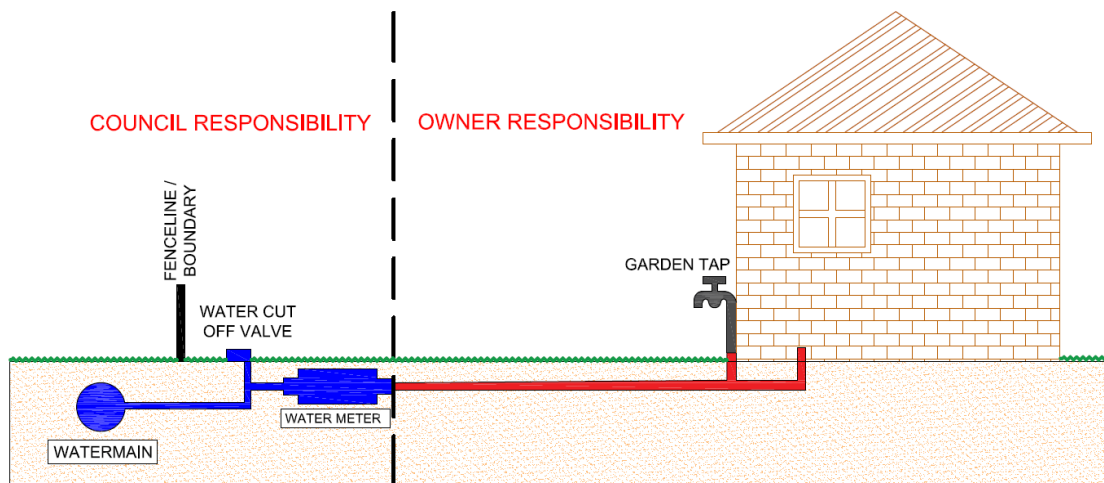
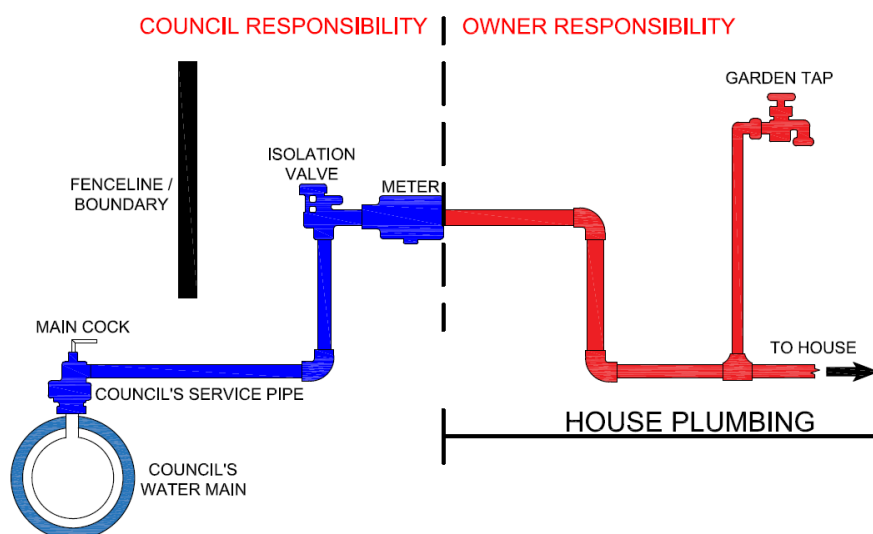


FIGURE B



There is no provision in the *Local Government Act 1993* that require or allow water account to be adjusted for high water usage which is the consequence of a water leak, so it becomes the Policy of the respective Water Authority of whether an adjustment mechanism is provided to consumers.

This policy provides determination (but not full) compensation to an owner where high-water usage was the result of a concealed, undetectable or an inaccessible leak.

### Provisions

Council will determine an adjustment under this Policy where the following conditions are met:-

- An application for a determination under this Policy will **not** be accepted where the water account is in arrears unless the owner has previously entered into an arrangement to pay those arrears; and;
- Where a water account is not in arrears, the access charges on the affected notice(s) should also be finalised by the due date of the notice(s), as any adjustment will only be made in respect of the water usage charges for the current billing period; and;
- An application for an adjustment under this Policy must be lodged within 30 days of the issue of the water account; and;
- The applicant must be an owner of the property, or their authorised agent; and;
- One claim will be offered per property, per ten (10) year period of ownership irrespective of whether ownership is sole or part ownership of the property; and;
- A claim for adjustment under this Policy must be made in writing / email and include a copy of the invoice for any repairs undertaken by a licensed plumber; and;
- The inspecting Council water operator, plumber or engineer must be satisfied that the leak would not have been noticed in day to day activities either because it was concealed, undetectable or not easily accessed; and;
- The inspecting Council water operator, plumber or engineer must be satisfied that any repairs have been undertaken in a timely manner; and;
- Before an adjustment is processed to a water & sewerage account, the owner is required to sign and return a deed of release to Council agreeing to the claim;
- If the repair of the leak has not been undertaken by a licensed plumber, a statutory declaration must be provided by the owner stating:
  - Who has repaired the leak;
  - The address where the work was carried out;
  - The date, nature and location of the repairs;
  - A statement that the defect was not readily visible or apparent.

### **Extreme weather event**

Where an extreme weather event (e.g. flooding) masks the presence of a leak or delays the repair of a leak, Council may choose to:-

- Provide an adjustment over more than one (1) billing period provided they are consecutive billing periods; and;
- Accept an application for a water determination outside of the deadline required by this Policy.

An extreme weather event counts as a claim within a ten (10) year period.

### **Water leaks over more than one consumption period**

A claim can only be lodged for one consumption period water bill. If an undetected water leak occurs over more than one reading period, a rebate will only be considered on one water bill.

### **Completion of the consumption period**

An assessment of claim can only be undertaken after completion of the standard water consumption period (i.e. September – March, March – September) which applies to the claim. For example if a leak was repaired in July, the claim could only be assessed after the September readings had been completed.

### **Applications that are not successful**

Where an application for a determination under this Policy is not successful, the owner will be allowed thirty (30) days from the date of the advice to pay the outstanding usage charges.

Property owners who have a Private Water Service Agreement with Council for the supply of water are ineligible to claim for a determination under this Policy.

### **Assessment based on previous consumption**

Determination of the rebate shall be based on the average consumption over the same period (i.e. March to September) for the two previous years.

### **Private Main**

If the water meter is not located on your property as the property is not adjacent to a water main. Your property is connected to the water meter via a privately owned pipe which would be called a private main. The property owner is responsible for the maintenance and repair of the main between the meter and the property. Leak detection through monitoring usage and visual inspection is the responsibility of the owner of the private water main.

It should be noted that the assessment of water pressure is made in the vicinity of the water meter. The pressure at your point of use may be different. This could be due to the size, length and configuration of your internal plumbing and difference in ground elevation. Pressure beyond Council's meter is the responsibility of the owner of the private main.

### **What you maintain**

The property owner is responsible for the water pipes and fittings between Council's water main and the buildings or taps on the property.

Council is responsible for the meter. In order to maintain the meter, Council requires the property owner to keep the area around the meter clear and

accessible (at least 30 centimetres all around the meter) so Council can read, repair or replace the meter.

Council cannot read, maintain or repair a meter if the meter is:

- Behind a locked gate
- Buried in concrete or dirt
- Hidden by trees, plants or grass
- In an unsafe location on the property, for example, if there's a dog.

Property owners are required to ensure a meter is accessible to Council's staff.

### **Eligibility for rebate.**

#### Frequency

A claim for a rebate due to the water leakage must be lodged within 30 days of the issue of the account.

A rebate is only available once every ten (10) years for each property with an individual metered connection. A property with multiple water assessments and serviced by a single bulk meter will be considered as a single property for rebate payment.

Water leaks that are considered detectable (i.e. wet areas in yards, meter continually running, and or water leakage that has been advised by Council) and not rapidly resolved by the property owner will not be eligible for the rebate.

#### Evidence of Repair

A copy of a plumbers invoice must be provided identifying the source of the leak and the corrective work undertaken. The invoice must be signed by a licensed plumber.

### **Calculation of the Adjustment.**

The maximum amount of any rebate granted will be \$800.00. Where the amount of the rebate is calculated to be less than \$200.00, (this is not considered significant water consumption and no rebate will be granted.

Where an application is approved, Council will provide a rebate of 50% of the difference between the total billed amount and the average of the last two (2) water bills for the same consumption period up to the maximum rebate being \$800.00. The following formula will be used in calculating the rebate:

$$(A) \text{ Usage (Kls) Rebate} = \frac{(B) \text{ Usage (Kls) Billed} - (C) \text{ Average Usage (Kls)}}{2}$$

The maximum adjustment provided will be equal to 50% of the difference between the water usage KIts of the affected account and an estimate of the average consumption for that period calculated using the usage of the two (2) billing periods immediately preceding the affected notice.

The \$ rebate will be calculated using the current period pricing rates per Councils adopted fees and charges relevant to the period under review.

Where current ownership of the property is less than two (2) consecutive billing periods, Council may choose to obtain two (2) additional readings over consecutive months to determine the average consumption to be used when calculating the adjustment.

Where the leak appears to affect more than one billing period, Council may choose to replace the additional affected billing period from any calculation with the usage from another billing period.

#### Assessment based on previous consumption

Determination of the rebate shall be based on the average consumption over the same period (i.e. March to September) for the two previous years.

#### Rebate Calculation

Where an application is approved, Council will provide a rebate of 50% of the difference between the total billed amount and the average of the last two water bills for the same consumption period calculated at current usage rates up to the maximum rebate being \$800.00. The following formula will be used in calculating the rebate:

$$\text{\$ Rebate (maximum \$800)} = (A) \text{ Usage (KIs) Rebate} * \text{Usage charge rates (current per adopted fees and charges)}$$

The maximum and minimum rebate amounts will apply and if a dispute arises regarding consideration of a rebate a final decision will be made by the Chief Executive Officer

#### **Water Meter Testing, Accuracy and Replacement**

Council may, on its own initiative, arrange for a Council owned water meter to be examined and tested. If, as a result of such an examination and test, a water meter is found not to correctly measure the quantity of water passing through it, Council may charge for the supply of water:

- a) On the basis of a daily consumption equal to the average daily consumption during the corresponding meter reading period of the previous year, or
- b) On such other basis as Council and the consumer may agree.

A water meter that registers less than 5% more or less than the correct quantity is taken to correctly measure the water passing through it.

If a water meter provided by Council is found to be defective, Council will replace it with one that is not defective.

At the request of an owner or occupier of premises and on the payment of a fee according to Council's adopted Fees and Charges, Council will arrange for a water meter installed on the premises to be examined and tested.

Testing carried out at the request of a person who is the owner or occupier of premises is to be at the expense of the person.

In cases where the water meter is found to be faulty and must be replaced, Council will refund the meter-testing fee.

### **Scope**

This Policy applies to all Councillors and Council's Officers and manages the recovery of all debt owed to Council.

### **Performance Measures**

The success of this Policy will be measured by:

- The number and dollar value of applications processed;
- The number of applications rejected;

### **Definitions**

<b>Water Determination</b>	An adjustment provided to a water account
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### **Non-compliance with this Policy**

Non-compliance with this Policy should be reported to the Chief Financial Officer who will investigate and determine the appropriate course of action.

### **Relevant Legislation and Council Policies**

The following legislation and Council policies that are relevant to this Policy include:-

- *Local Government Act 1993*;
- *Local Government (General) Regulations 2005*;

### **Variation**

Council reserves the right to vary or revoke this policy.