

## HEAD OF POWER

- *Local Government Regulation 2012, part 10*

## INTENT

The purpose of this policy is to facilitate a means for Council to provide relief to ratepayers by partially remitting water consumption charges in cases of financial hardship resulting from a concealed water leak which has occurred on a ratepayer's property.

## SCOPE

This policy applies to properties connected to the Council's water supply scheme and have a Council approved water meter.

## DEFINITIONS

**Compelling reasons** means:

- Medical reasons where medical evidence is produced to substantiate illness of the ratepayer, either housebound or hospitalised, supported by a statutory declaration declaring the ratepayer had no one to act for them or conduct their business affairs during incapacity.
- Infirmary of the ratepayer preventing them from discovering a leak or making an application within the specified timeframe.
- Natural disaster, such as extensive flooding, which disrupted normal business and prevented normal action from being taken.
- Temporary absence from their principal place of residence for reasons such as an absence overseas or elsewhere in Australia, where ratepayers were not aware of a leak and were therefore not capable of submitting an application within the specified timeframes. This should be proven by submitting airline tickets or similar documentation to substantiate travel.

**First and second step water tariff** means the two-tiered charging system as outlined in Council's Revenue Statement.

**Dedicated fire service** means the connection for fire emergencies and testing purposes.

**Regulation** means the *Local Government Regulation 2012*.

## POLICY STATEMENT

Ratepayers must take all reasonable steps to ensure all plumbing on their property is kept in good condition and operates properly. Accordingly, responsibility for all plumbing on the property side of the meter resides with the property owner. This includes repairing leaks in a timely manner to conserve water and reduce partial costs.

Tenants have an obligation to report a suspected leak to the owner/managing agent of the property.

Council has no obligation to provide financial assistance to ratepayers affected by leaks on their property, however, Council recognises that at times water leaks can go undetected for relatively long periods and may cause financial difficulties for ratepayers. Ratepayers that have experienced a sudden and large increase in water use due to concealed leaks on their property may apply for financial assistance subject to conditions outlined in this policy.

1. Council may provide relief to ratepayers in accordance with part 10 – Concessions, of the *Local Government Regulation 2012*.
2. Concessions for water leak relief is calculated by using the consumption from previous corresponding period or 150 kilolitres, whichever is the greater, which is indicative of the normal usage for the property, multiplied by the current water tariff. This methodology will apply whether the applicant was the ratepayer or not in the prior period.
3. Concessions for water leak relief from a dedicated fire service is calculated by using the consumption from the previous corresponding period or 150 kilolitres, whichever is the greater, which is indicative of the normal usage for the property, multiplied by the second step water tariff. This methodology will apply whether the applicant was the ratepayer or not in the prior period.
4. The eligibility of a ratepayer to receive water leak relief from Council will be determined by the following criteria.
  - 4.1 The ratepayer applying for relief must be responsible for the payment of the water consumption charges.
  - 4.2 The water leak that was repaired must have resulted from a break or other fault in a fixture, fitting, pipe or other plumbing within a property that was not reasonably foreseeable or detectable, resulting in unintentional loss of water within the property.
  - 4.3 As water leak relief is permitted in terms of the hardship provision of the Regulation, relief may only be provided if water consumption exceeds the first step in Council's water tariff. For the case of ratepayers who receive the State Government Pensioner Concession, application can be made for water leak relief where the consumption is less than the first step in Council's water tariff. Relief of 50% may be applied to the difference between the water consumption of the applicable billing period and the water consumed during the same billing period in the immediately preceding financial year, which is indicative of the ratepayer's normal consumption, multiplied by the current water tariff.
  - 4.4 Relief excludes water leaks inside buildings as these are more likely to be detectable by the ratepayer e.g. running toilet.
  - 4.5 Ratepayers are limited to one water leak relief per property every three years from the date of the repair. Where an application is not approved, the three-year restriction does not apply.

The three-year restriction encourages ratepayers who have experienced a water leak to take responsibility to monitor their future water use.

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Where Council has read a water meter and advised a ratepayer of a possible leak, the ratepayer cannot claim the further loss of water during the days between the date on which the meter was read and the date on which it was repaired, which falls into the next water meter reading period.

- 4.5.1** A ratepayer must have a water leak repaired by a current Queensland registered plumber or a service supplier related to the type of water leak (e.g. landscaping company, swimming pool), or must have the repair sighted and confirmed by a current Queensland registered plumber, within 15 working days of the ratepayer becoming aware of the leak, or within 15 working days from the date of a letter from Council advising of a potential water leak, whichever is sooner, unless there are compelling reasons why these timeframes cannot be achieved. These timeframes serve to limit the loss of water which is a precious community resource.
- 4.5.2** Ratepayers/body corporate/agents must apply to Council for water leak relief by submitting the application form within 60 days.

Where a ratepayer/body corporate/agent:

- has a water leak repaired without being advised by Council of the possibility that the leak exists, and the ratepayer is aware of this policy, the ratepayer must submit a water leak relief application within 60 days from the date on which the leak is repaired.
- experiences a water leak and has it repaired but is not aware of Council's water leak relief policy until they receive notification from Council advising them that they may be eligible for relief, the ratepayer must submit a water leak relief application within 60 days from the date of Council's notification, as the leak has already been repaired.
- receives notification from Council and has a water leak repaired within 15 working days of the date of that notification, in terms of this policy, the ratepayer must submit a water leak relief application within 60 days from the date on which the leak is repaired.

These timeframes apply unless there is a compelling reason why these timeframes cannot be achieved.

- 4.5.3** The application for water leak relief must be submitted on Council's prescribed Water Leak Relief Application Form and must be accompanied by either:
- an account from a current Queensland registered plumber, providing details of the water leak that was repaired; or
  - a letter from a current Queensland registered plumber providing details of the water leak that was repaired and confirming that the leak was repaired correctly; or
  - an account from a suitably qualified service supplier, such as a landscaping company or swimming pool company, providing details of a water leak that was repaired.

- 4.5.4** An exceptional water loss due to the unauthorised use or activity (e.g. break and enter, vandalism, water theft) during a period where the property is unattended for a period greater than two weeks may be considered for a rebate subject to the provision of satisfactory evidence and demonstrated financial hardship.

Evidence must include a Queensland Police Service report, demonstrated absence from the property, the inability to claim insurance cover, and genuine circumstances of financial hardship. The application must be submitted within 60 days as per clause 4.5.2. The three-year restriction on successful applications does not apply to an application under this sub-clause.

- 4.5.5** Compelling reasons exclude circumstances where ratepayers:
- are unable to contact a current Queensland plumber;
  - experience a delay in receiving the plumber's account;
  - have failed to advise Council of a change of address thus delaying the receipt of a high consumption letter; or
  - were not advised by their property agent or tenant about a potential water leak.
  - Agent/property manager/third party submit a late application on behalf of the ratepayer.

## ASSOCIATED DOCUMENTS

- Hardship Policy
- *Local Government Act 2009*
- Revenue Policy
- Revenue Statement
- Water Leak Relief Application Form

## DOCUMENTS CONTROLS

Council will review this policy biennially or in response to changes in law or best practice.

## POLICY OWNER

Chief Financial Officer.