



Management of Undetected Water Leaks Policy

MSC044E

Authorisation Details

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Community Strategic Plan Goal	6. Collaborative and responsive leadership that meets the expectations and anticipates the needs of the community		
Community Strategic Plan Strategy	6.2: Ensure Council is well managed, appropriately resourced, effective, efficient, accountable and responsive to its communities and stakeholders		
Delivery Program activity	6.2.1 Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves		

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1 Policy Objective

To provide financial relief under certain circumstances to the owner/occupier of a property, in situations where high quarterly water consumption has been registered through the meter, due to circumstances judged by Council to be beyond the control of the owner/occupier to detect.

2 Policy Statement

- There is no provision in the Local Government Act, 1993 to reduce water accounts due to water leaks in private water services. Once water has passed through any meter it becomes the responsibility of the landowner.
- This Policy is intended to provide some financial relief for customers who have experienced a sudden increase in water consumption due to circumstances that were not reasonably foreseeable.
- Financial relief under this policy would only be available under certain circumstances where all the criteria as outlined in “2.2 Criteria for Financial Relief Due to Concealed or Undetectable Water Leaks” are met.
- The Policy is also intended to serve as a means of good public relations by providing “one off” assistance where a significantly higher quarterly usage account has been incurred through circumstances beyond the owner/occupier’s control.

2.1 Regarding Procedural Fairness

It should be noted that this policy applies to a narrow set of criteria and should not be enacted in cases where an owner/occupier could reasonably have detected and repaired a water leak on premises before incurring an increased water charge.

Currently Council will notify customers in writing if there is a radical increase in consumption. The meter reading is verified with a photograph at the time of reading or is checked either by the water meter contractor or Water and Waste operators. If the reading is incorrect the account is issued using the corrected reading. If a functional problem with the meter is suspected, it is replaced. Any customer can apply to have the meter tested at their cost, which, if faulty, is reimbursable.

2.2 Criteria for Financial Relief Due to Concealed or Undetectable Water Leaks

Council will only give consideration to adjusting the water and (where applicable) non-residential sewerage account for a property due to a high quarterly water meter account under the following circumstances:

- a) The defect causing the associated high water meter reading must be such that it is not readily visible or apparent and could be reasonably judged by Council as not being detectable. If leakage is visible as ground surface moisture or water flow, it is detectable and ineligible for financial relief.
- b) An undetectable leakage which is not visible to the owner/occupier, is defined as a pipeline or connection break in the ground or under concrete slabs, between a

Council owned and operated meter and the main building. It does not include leaks from internal building service lines, appliances, or irrigation systems.

- c) The quarterly consumption is more than double the average consumption for the corresponding period over the previous three (3) years.
- d) The applicant must be the owner, part owner or the person liable for the water charges for which the application applies.
- e) The application for adjustment of the affected account must be received within 30 days of the issue of the water and, where applicable, non-residential sewerage account.
- f) Only one claim per property, per ownership, will be considered where ownership is taken as being full or part ownership of that property.
- g) In order to be eligible for the account adjustment, the property owner/occupier shall make best efforts to:
 - Advise Council about the issue within five (5) days of the problem being identified;
 - Provide documentary evidence within a further fourteen (14) days confirming that immediate and effective action has been taken to rectify the problem;
 - Provide a written statement from a licenced plumber stating the reasons why the leak was not detected or could not have been detected; and
 - Complete the Undetected Leaks Application Form, including supporting documentation as noted on the form.
- h) The Management of Undetected Water Leaks Policy does not apply to leaks from private water pipelines that occur outside the property boundary.
- i) If Council notifies an owner/occupier about any leakage, such leakage is considered detectable and ineligible for financial relief under this Policy.
- j) Claims will not be considered for assistance if they:
 - are the result of a second occurrence at the same property and by the same owner(s) regardless of whether it is a related event or separate concealed leak;
 - involve loss of water from faulty fixtures or fittings such as appliances (for example, but not limited to, dishwashers, plumbed fridges, pumps, hot water systems, pressure relief valve, float valves, solar panels, taps, cisterns and other water fittings);
 - involve a leak caused directly by way of accidental or wilful damage or human error;
 - do not contain documentation or meet the terms of an eligible claim.

The maximum adjustment allowed will be 50% of the difference between the usage on the affected account and the average consumption for the corresponding period for the past three (3) years, or from change of ownership if occurred within a shorter period. The adjustment will only be made if all other water and sewerage charges have been paid in full at the time the determination is made. The minimum adjustment for water and non-residential sewerage charges (where applicable) combined shall be \$200 and the maximum adjustment \$2,000.

The Chief Financial Officer and General Manager are authorised to approve applications for financial relief under the terms of this policy.

Where financial assistance is granted, the applicant will be advised that payment of the amended account is required within 30 days of the date of the advice.

If financial assistance is not granted, the applicant will be advised in writing and be given a further 30 days from the date of the advice to pay the account. There are no grounds for appeal, as financial relief is discretionary and subject to satisfying the above criteria.

If the concealed leak has caused the usage to exceed the 350 kilolitre first step tariff, all future accounts in that financial year will be charged at the higher kilolitre rate.

Council may allow customers that do not meet criteria and are ineligible for an adjustment to enter into a payment arrangement for payment of the high account. Any arrangement will require all future accounts to be paid in full by the due date. Council may consider waiving interest charges if the payment arrangement conditions are met.

3 Related Documents

Application for Adjustment of Water Account Form (Pages 6 & 7 of this policy)

4 Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

Version No.	Date changed	Modified by	Amendments/Previous adoption details
1	9/2/2015	Council	Adopted by Council 9 February 2015, minute no 20
2	24/4/2023	Water Billing Officer	Policy reviewed and updated and Policy title changed from "Water Management Policy Undetected Water Leaks" to "Management of Undetected Water Leaks Policy". Public Exhibition of draft policy 25/05/23 - 22/06/23.
3	12/07/2023	Business Improvement Officer	Attached Application for Adjustment of Water Account Form to the policy.
4	25/7/2023	Water Billing Officer	Adopted by Council 25 July 2023, minute no 20

Application for Adjustment of Water Account

To request an adjustment of a water usage account due to a concealed or undetectable water leak, which is eligible under Council's Management of Undetected Water Leaks Policy MSC044E, complete this form and return to Muswellbrook Shire Council by mail, email or in person as per above listed contact details.

Only property owners / part owner or the person liable of water charges can request an adjustment under Council's Policy.

Applications will not be considered where the leak was the result of a second occurrence at the same property under the same ownership regardless of whether it is a related or separate concealed leak.

Eligibility Criteria

For a concealed or undetectable water leak claim to be eligible for assistance, a claim must meet the criteria in section 2.2 of Council's Management of Undetected Water Leaks Policy.

• Application for Adjustment of Water Account form is to be completed within 30 working days of the water usage account being issued and include the following documents:

- Supporting documentation that the water leak was repaired. This may be in the form of a paid statement or paid invoice from a licensed plumber indicating the cause and location of the water leak, the reason that it could not have been detected and that it has been repaired or in the case where a plumber was not employed a statement from the owner with the equivalent details, receipts and photographs for any materials used.
- A photograph of the water meter showing a current reading.

Owner details

Name _____ Phone _____

Postal address _____ Mobile _____

Email _____

Property Details

Unit/shop/suite no _____ Street no _____ Street Name _____

Suburb _____ Assessment no _____

Lot/portion no _____ Section no _____ Deposit/strata plan no _____

Details of Request

When did you first notice the leak?

Where was the leak located?

Date the leak was repaired:

Person who completed the repairs:

Current Meter Reading: _____

Date Read: _____

Additional Details:

Declaration:
<input type="checkbox"/> I have read Council's Management of Undetected Water Leaks Policy MSC044E and believe that my application meets the criteria for an adjustment
<input type="checkbox"/> I am the owner of the property or the person liable for water charges at the property
<input type="checkbox"/> I have not previously applied for an adjustment of water account for this property
<input type="checkbox"/> I have included the supporting documentation required to assess this application
<input type="checkbox"/> I declare that the information provided in the application and all supporting documentation is true and correct

Print Name _____ Signature: _____ Date: _____

5 Privacy notification
The personal information that Council is collecting from you is personal information for the purposes of the Privacy and Personal Information Protection Act 1998.
The intended recipients of the personal information may be:

- Officers within the Council
- Data service providers engaged by the Council from time to time
- Any other agent of the Council
- Financial institution involved in the process

The supply of the information by you is voluntary. However, if you cannot provide or do not wish to provide the information sought, the Council may be unable to process your application.
Council is collecting this personal information from you in order to provide Council approved services.
You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the Act.
Address enquires concerning privacy matters to the Public Officer.

6 Office use only	
Forward this request to Water Billing Officer for processing	
Date Received	Received by
_____	_____