## MURRAY RIVER COUNCIL COUNCIL POLICY

# CONCESSIONS FOR CONCEALED WATER LEAKS POLICY

POL-316.V#1





**POL-316** 

#### 1. INTRODUCTION

Council provides both raw and filtered water services in selected areas within its region. Council's practice has been to install water meters for each of its connections and to levy a <u>Water Consumption Charge</u> (whether raw or filtered) based on the quantity of water registered on the meter for a given period of time.

On occasion, plumbing within a property may experience a leak that is not readily detectable (concealed water leak) due to its nature and or location, resulting in an unusually high Water Consumption Charge.

#### 2. OBJECTIVES

The objectives of the Policy are:

- To provide a financial concession to property owners who have received an unusually high <u>Water Consumption Charge</u> due to a concealed water leak, resulting in the said property owner(s) experiencing a hardship.
- ▶ To guide Council Officers in their decision-making on the extent of, and the conditions under which, financial concessions on Water Consumption Charges will be extended.

#### 3. SCOPE

This Policy is applicable to property owner(s) who are issued with a <u>Water Notice</u> containing a <u>Water Consumption Charge</u>, in keeping with Council's <u>Revenue Policy</u>, who will experience financial hardship due to a larger than usual <u>Water Notice</u> resulting from a concealed water leak.

This policy also applies to Council Officers delegated to consider applications for concessions due to a concealed water leak.

#### 4. LEGISLATION

- Local Government Act 1993
- Local Government (General) Regulation 2021

### 5. POLICY STATEMENT

#### 5.1. PRINCIPLES

- ▶ The property owner(s) is responsible for managing their water consumption. This includes registering on MiWater to monitor their water consumption and set up alerts for water leaks.
- ▶ The property owner(s) is responsible for repairing water leaks, in a timely manner, in the water infrastructure carrying water from the water meter:
  - Into the premises;
  - In any internal pipes or plumbing fixtures within the premises; and/or
  - In any irrigation piping or garden watering systems.

In keeping with Clause 159 of the <u>Local Government (General) Regulations 2021</u> and other relevant Legislation and Regulations.

Adopted: 22 July 2025

Subject to any concessions under this Policy, the property owner is responsible for the payment of the <u>Water Notice</u> in full, including consumption related to leaks, by the due date identified in the <u>Water Notice</u>, unless prior arrangements have been made for the payment of the <u>Water Notice</u> in instalments.

# murray river

## CONCESSIONS FOR CONCEALED WATER LEAKS POLICY POL-316

- ▶ Any concessions, extended in keeping with this Policy, will be at the sole decision of Council. The Chief Executive Officer (CEO) will make the final decision under their delegated authority from Council.
- Where Council becomes aware of a potential water leak at a property, Council will make best efforts to notify the property owner(s). Such notification is provided as an added service and the lack thereof, does not alter the availability or non-availability of concessions under this Policy.
- Where a property owner(s) is not satisfied with the decision of Council, in relation to their application for a concession due to a concealed water leak, they may appeal the decision in keeping with Council's <u>Customer Feedback and Complaints Management Policy</u>.

Any appeals of decisions made under this Policy must be made within sixty (60) calendar days of the decision being communicated to the property owner(s).

#### 5.2. ELIGIBILITY

Council will only consider a request for concession on a <u>Water Notice</u> due to a water leak where:

- the leak was a concealed water leak; and
- where a Smart Meter is installed at the property, the property owner(s) has registered on MiWater and has active leak alerts in place, and
- the property owner(s) took all reasonable steps to ensure that the concealed water leak was repaired within a reasonable period of time; and
- the concealed water leak was repaired by a licensed plumber.

#### 5.3. CONDITIONS FOR GRANTING OF CONCESSIONS

- A reduction in water consumption charges will be granted only once per property per property owner for each two-year period.
- Concessions may be applied over two billing periods, as a single concealed water leak can affect the consumption over two billing periods.
- A concession will only be available if the consumption for applicable billing period is above the <u>Tier 1</u> Allocation Limit (pro-rated where applicable).
- Interest will accrue on all applicable overdue amount, in accordance with Council's <u>Revenue Policy</u> and related practices, while an application for a concession due to a concealed water leak is being assessed unless prior arrangements have been made for the payment of the <u>Water Notice</u> in instalments.

## 5.4. CALCULATION OF CONCESSIONS

## **Hourly Data Available**

(where detailed hourly consumption data is available through a Smart Meter, for number of days the concealed water leak existed or 30 days, whichever is lower)

#### Where:

1 = first day of concealed water leak; and

N = day the concealed water leak, became apparent or the day on which the concealed water leak ceased, whichever is earlier.



## **No Hourly Data Available**

(where no Automated Meter Reader (AMR) is installed, or no detailed hourly consumption information is available)

**Excess Consumption** 

due to Concealed water X Concession Rate

leak

Where:

Excess consumption due to Concealed water

due to Concealed water

leak

Consumption for applicable

Billing Period

Non-concession consumption

and,

Concession Rate = Tier 2 Water Consumption

=

Charge rate

Tier 2 Water Consumption

Charge rate

and where,

The greater of:

Non-concession consumption

• average consumpton for property, or

• Tier 1 Allocation Limit (pro-rated where applicable)

If use of either of the above methods is deemed inappropriate by Council, under a given circumstance, 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 CEO or a Council Officer delegated to consider applications for concealed water leaks under this Policy. Such decisions will be assessed on a case-by-case basis.

## 5.5. LIMITATIONS OF CONCESSION

- For purposes of calculating the concession, the concealed water leak volume will be capped at 1,000 kilolitres per property connection for single residential properties and all non-residential properties.
- ▶ Where the property is a multi-dwelling property, the concealed water leak volume will be capped for purposes of calculating the concession at 500 kilolitres per unit or assessment, subject to an overall limit for the multi-dwelling property of 5,000 kilolitres.
- Where a residential property is the principal place of residence of an eligible pensioner, there will be no cap applied to the concealed water leak volume, in calculating the concession.

#### 5.6. APPLYING FOR A CONCESSION

- The property owner(s) must apply in writing for a reduction of water consumption charges due to a concealed water leak using the <u>Application for a "Concession on Water Account due to a Concealed Water Leak"</u> Form and completing all sections of the Form.
- ▶ The application must be made, no later than the date on which payment for the consumption charge, on which the concession is being sought, falls due for payment.

Application made after this date but before the next  $\underline{\text{Water Notice}}$ , may be considered at the discretion of the delegated decision-maker. Where such an application is considered, the concession granted will be 50% of the concession as identified in "Section 5.4 - CALCULATION OF CONCESSIONS" of this Policy.

An application received after the issuance of the next Water Notice will not be considered for relief.



- ▶ The application must be accompanied by a detailed plumber's report, using the <u>Plumber's Report on Repair of Concealed Water Leak Form</u>, from the licensed plumber who carried out the repair work, certifying:
  - the property on which the concealed water leak was discovered;
  - the concealed water leak was repaired by the licensed plumber;
  - the date the concealed water leak was repaired; and
  - the details of the plumbing repairs undertaken; including:
    - that the concealed water leak was in the main water supply pipe from the water meter to the primary constructed structure on the property; and
    - that the concealed water leak was in a location and/or a nature which contributed to it not being evident.

#### 5.7. SPECIFIC EXCLUSIONS

Murray River Council (MRC) will not provide concessions for leaks that occur in:

- internal 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 tank; 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.

Concessions 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. ROLES AND RESPONSIBILITIES

Position	Responsibility
Mayor	To lead Councillors in their understanding of, and compliance with this Policy.
CEO	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this Policy and related procedures.
Directors, Managers and Supervisors	To communicate, implement and comply with this Policy and related procedures.
Council Officer(s)	To be aware of and ensure compliance with this Policy.  To make decision in keeping with this Policy (for officers with authority to make decisions on concessions for concealed water leaks).
Council Committees	To be aware of and adhere to this Policy.



#### 7. EVALUATION AND REVIEW

It is the responsibility of the Manager Water Services with the assistance of the Chief Financial Officer, to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

## 8. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS

#### External:

- NSW Ombudsman Better Service and Communication Guidelines for Local Government
- ▶ NSW Ombudsman Good Conduct and Administrative Practice Guidelines (2<sup>nd</sup> Edition)
- NSW Ombudsman Unreasonable Complainant Conduct
- Australian Standard AS/NZS 3500.1:2021 Plumbing and Drainage Part 1: Water Services

#### Internal:

- MRC Policy Revenue Policy (applicable for the relevant financial year).
- MRC Policy Customer Feedback and Complaints Management
- MRC Charter Customer Service Charter
- MRC Strategy Customer Service Strategy
- ► MRC Form Concession on Water Notice due to a Concealed Water Leak Application Form (Appendix 1)
- MRC Form Plumber's Report on Repair of Concealed Water Leak Form (page 2 of above form) (Appendix 2)

(or any amended or replacement Policy).

## Definitions:

Term	Definition
AMR	Automated Meter Reader
Billing Period	shall mean the time between meter readings, used to calculate the consumption and therefore the <u>Water Consumption Charge</u> for the relevant period, and does not refer to the issue date or the payment due date on the <u>Water Notice</u> .
Council	Murray River Council (MRC)
	A leak within a property's main water supply pipe from the water meter to the primary constructed structure, that is not apparent and could not reasonably be expected to be apparent, as determined by Council (i.e. hidden from view and no visible signs indicative of a leak due to it being at a considerable depth, underneath a building, footpath or concrete drive or similar reasons).
Concealed Water Leak	A leak shall be considered to have been made apparent and as such cease to be a concealed water leak from that point of time onwards.
	<ul> <li>if and when, Council provides a notification to the property owner(s) of the existence or the possible existence of a leak or an alert of high water consumption, whether such alter is delivered via post, email, phone call or as a short messaging service (SMS); or</li> <li>the property owner(s) receive a high than usual <u>Water Notice</u>.</li> </ul>



1	
	Concealed water leak will not include leaks that are caused by:
	a) the use of incorrect materials;
	b) workmanship which is not consistent with applicable sections of AS/NZS 3500.1;
	c) internal infrastructure being of excessive age and/or in a poor state of repair;
	d) as a result of any form of construction activity, including landscaping and gardening activities;
	e) vandalism, theft or carelessness;
	or where:
	f) the leak occurred in pipework, fittings or appliances located within or on a building or structure;
	g) the leak occurred in a swimming pool, spa or other water feature, or the fittings or pipework supplying them;
	h) the leak occurred in pipework, fittings or appliances used in garden watering or irrigation.
	A Council Officer is defined as being one of the following:
	▶ an employee, or
	▶ a contractor or subcontractor, or
	an employee of a contractor or subcontractor, or     an employee of a labour bire company who had been essigned to work in
Council Officer(s)	<ul> <li>an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or</li> </ul>
	▶ an outworker, or
	▶ an apprentice or trainee, or
	▶ a student gaining work experience, or
	▶ a volunteer.
Kilolitre or kl	1,000 litres
MiWater	Council's customer portal for customers with a water connection, among others, for accessing detailed water consumption information, setting up alerts for water leaks and high consumption and obtaining periodic water consumption reports.
Principal Place of Residence	A single dwelling where the registered owner (ratepayer) resides for more than 80% of the relevant financial year, as evidenced through the electoral roll, taxation, pension records or other document acceptable to Council.
Policy	This "Concession for Concealed Water Leaks" Policy
Property Owner(s)	The owner(s) of a property within Murray River Council, as documented in Council's property database, which has a metered Filtered Water connection, where such property owner(s) have been issued a <u>Water Notice</u> containing a <u>Water Consumption Charge</u> .
Smart Meter	Water meters that have capability transmit periodic (hourly, daily) meter readings to a centralised Council system, enabling detailed consumption information to be made available to property owner(s) through a customer portal, and the issuance of leak and high consumption alerts to property owner(s), provided such owner(s) have created an account for themselves on the customer portal.



Tier 1 Allocation Limit	The maximum volume on which the <u>Tier 1 Consumption Charge</u> rate will be applicable as identified within the Revenue Policy as adopted by Council each financial year. Where <u>Tier 1 Allocation</u> is defined as an annual allocation and calculations are for a Billing Period, a pro-rated <u>Tier 1 Allocation</u> limit will be used.
Water Consumption Charge	A charge levied on properties with a metred water connection, based on the water supplied through the said meter. These charges are detailed in Council's annual Revenue Policy.
Water Notice	A Notice issued to property owner(s) detailing consumption charges related to the water supplied to the relevant property.

#### 9. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	22 July 2025 to today	VF/24/1970	130725

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review before 2029

### NOTE:

This is a controlled document. If you are reading a printed copy please check that you have the latest version by checking it on Council's Electronic Document system. Printed or downloaded versions of this document are uncontrolled.

## **DISCLAIMER:**

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended, and an extension added (e.g. V#1.1)

## **INTERPRETATION GUIDE**

## **Hourly Data Available**

Property A has had a concealed water leak. The total consumption for billing period in which the concealed water leak occurred was 250 kl. As hourly meter reading data is available for Property A, the meter data management system will calculate the exact quantum of the leak on a weekly basis as in Table 1:

Table 1

Week	Leak (kl)
1	30.0
2	103.7
3	90.2
Total	223.9

Table 2

Tier	Rate (\$)
2	2.70
1	1.40
Difference	1.30

Table 3

Total Quantum of Leak (Calculated)	223.9 kl
Total Consumption for billing Period	250.0 kl
Tier 1 Allocation	* 75.0 kl
Consumption above Tier 1 Allocation	175.0 kl
Max Consumption Eligible for Concession (lower of 223.9 kl and 175.0 kl)	175.0 kl

<sup>\*</sup> Annual Tier 1 Allocation Limit of 225 kl pro-rated into 3 Billing Periods per annum

The rate per kl applicable in calculating the concession is the difference between the <u>Tier 2 Consumption Charge Rate</u> and <u>Tier 1 Consumption Charge Rate</u> as depicted in Table 2.

Even though the quantum of the leak is calculated as 223.9 kl, only the quantum used above 75 kl (prorated <u>Tier 1 Allocation Limit</u>) for the Billing Period will be eligible for concession. Therefore, the maximum quantum eligible for concession is 175 kl (the consumption for the Billing Period of 250 kl less the prorated Tier 1 Allocation of 75 kl). See Table 3.

The concession for Property A therefore would be 175 kl multiplied by the difference between the rates applicable to the two Tiers (\$1.30 as shown in Table 2), which amounts to \$227.50.

## No Hourly Data Available

Property B has had a concealed water leak. Property B is not receiving hourly data through the AMR device installed on its water. The total consumption for Property B for the billing period of the concealed water leak was 400 kl. The <u>Tier 1 Allocation Limit</u> for the Billing Period is 75 kl (<u>Annual Tier 1 Allocation limit</u> of 225 kl pro-rated for the Billing Period, based on three Billing Periods per annum).

In this instance, the non-concession consumption for Property B will be calculated as the average consumption of the three previous corresponding billing periods.

Table 1

Consumption (kl)
100
80
150
110

Table 2

Tier	Rate (\$)
2	2.70
1	1.40
Difference	1.30

For the purposes of calculating relief under this policy, the non-concession consumption for Property B will be 75 kl. (pro-rated Tier 1 Allocation Limit of 75 kl).

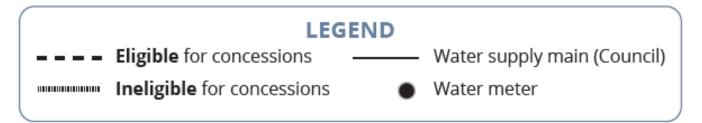


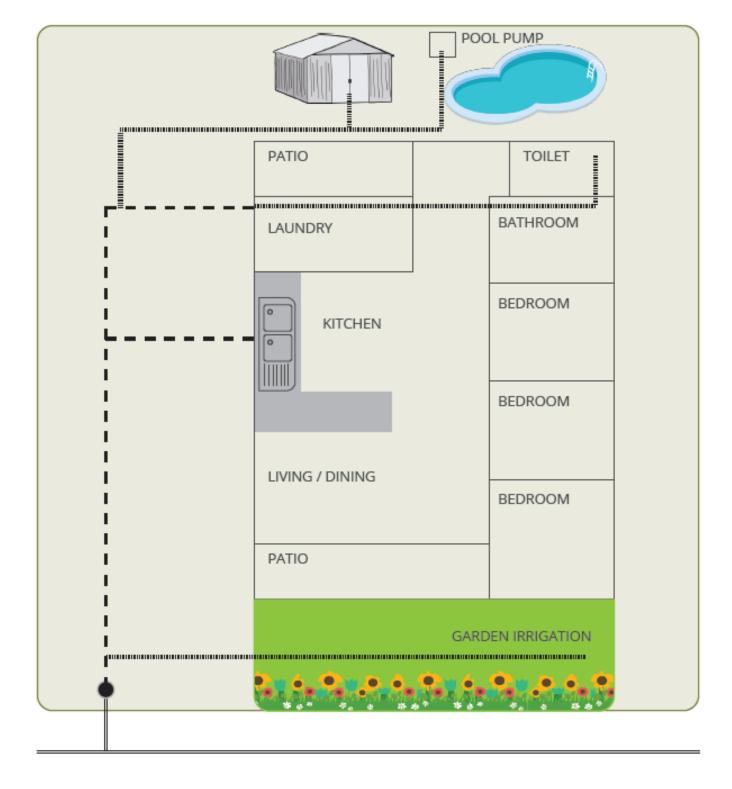
## Therefore:

- the excess consumption due to concealed water leak will be 400 less 110; i.e. 290 kl.
- the concession for Property B would be 290 kl multiplied by the difference between the rates applicable to the two Tiers (\$1.30 as shown in Table 2) which amounts to \$377.



## **Inclusions and Exclusions Diagram**







## Appendix 1:

## **Concession on Water Notice Due to a Concealed Water Leak Application Form**



Name <sup>m</sup>																					
Address m																					_
	Mobile m	0	4								Telepho	one			Ĭ						Γ
Contact Details	Email <sup>m</sup>													<u> </u>							
ECTION 2: PR	OPERTY DE	TAIL	S FO	DR 1	NHI	CH C	CONCE	ALE	) LE	AK H	IAS OC	CUI	RRE	D							
Property ID **																					_
Property	No.									Stre	eet										
Address m	Suburb									Pos	t Code	N	ISW	0							_
A licensed plur	mber engageo	d to ma	ake re	әраіг	·s: ``	Yes		No □	lf N	<b>lo</b> , a s	statutory	· decl	arat	ion <sup>,</sup>	will al	so ne	ed to	be s	ubmi	itted.	_
A licensed plui	mber engageo	ti to ma	ake re	epair	s: ``	Yes	<u> </u>	No 🗆	If N	<b>lo</b> , a s	statutory	r ded	arat		will al		ed to	be s	ubmi	itted.	

Concession on Water Notice due to a Concealed Water Leak Application Form V#1 (P316-001)

Adopted: DRAFT

Adopted: 22 July 2025

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# Concession on Water Notice Due to a Concealed Water Leak Application Form



SECTION 4: PLUMBER INFORMATION (to be filled in by Plumber undertaking repair)

Business Name <sup>m</sup>																00									
ABN/ACN													m	Lice	nce No										
	Mo	bile "	n	0	4									Tele	ephone										
Contact Details																									
		Email <sup>m</sup>									9														
Details of Wo	rk Und	ertak	en:	m Pro	vide	info	rma	tion	on lo	cati	on o	f leal	k and	d rep	air deta	ils. A	ttacl	n sep	oara	ate re	ort	if rec	uired	d.	!-
Signature <sup>m</sup>																							,		

Concession on Water Notice due to a Concealed Water Leak Application Form V#1 (P316-001)

Adopted: DRAFT

Adopted: 22 July 2025

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# Concession on Water Notice Due to a Concealed Water Leak Application Form



## **SECTION 5: INFORMATION FOR APPLICANTS**

r -														
will be returned	uncil will only accept this application once all sections to applicant, causing delays in processing any eligib any concession confirmed, will accrue overdue interes	le conce	ssions. Any overdue amo	ounts,										
I have complete	ed the following mandatory sections:													
Section 1:	☐ Property Owner Details (mandatory information)													
Section 2:	☐ Property details for which Concealed Leak has o	occurred	(mandatory information)											
Section 3:	☐ Leak Details & Property Owner Signature (man-	datory in	formation)											
Section 4:	☐ Plumber's Report (mandatory information)													
Other	☐ Are you registered on Council's customer portal☐ If No, sign up to MiWater (dicking on the name) See Council's Concession for Concealed Leaks	. Not elig	ble for concession unless	s regis	stered (	on MiV	Vater.							
	☐ Copy of plumber's invoice (mandatory)													
Attachments	☐ Leak Details Attachment (if applicable)													
	☐ Plumber's Report Attachment (if applicable)													
	☐ Statutory Declaration (If applicable)													
OFFICE USE ON	ILY													
Receiving Officer:														
Date Received:		Applicat	plication No:											
Documents Compl	ete: Yes 🗆 No 🗆													
Processing Officer:														
Eligible for Conces	sion: Yes 🗆 No 🗆		Concession (\$):		,									

Concession on Water Notice due to a Concealed Water Leak Application Form V#1 (P316-001)

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## Appendix 2:

## **Concession on Water Notice Due to a Concealed Water Leak Application Form**



SECTION 4: PLUMBER INFORMATION (to be filled in by Plumber undertaking repair)

Business Name <sup>m</sup>																										
ABN/ACN													m	Lice	nce	No.										
Contact Details	Мо	bile '	n	0 4				П						Tele	eph	one										
		Email m														П				T						
	Em																			T					10.	
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Signature m																										

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Adopted: DRAFT

Adopted: 22 July 2025

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