



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Concealed Water Leak Remission Policy

RESOLUTION NO. **OM31/11/20** VERSION **V2**

APPLIES TO STRATEGIC POLICIES ONLY

This an official copy of the **Concealed Water Leak Remission Policy**, made in accordance with the provisions of *Local Government Act 2009, Local Government Regulation 2012, Plumbing and Drainage Act 2018* and current Council Policies.

Strategic policies are adopted by Council due to its desire to influence the direction of an issue or assist in the delegated decision making of Council officers. Strategic policies should follow the jurisdiction provided to Council through its Corporate Plan; the **Concealed Water Leak Remission Policy** is approved by the Mount Isa City Council for the operations and procedures of Council.

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 David Keenan
Interim Chief Executive Officer

DOCUMENT VERSION CONTROL			
Governance/Policies/Strategic Doc ID 14992		POLICY TYPE	Strategic (Council)
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	28.08.2019	OM18/18/19	Responsible Officer – Manager Corporate and Financial Services
V2	25.11.2020	OM31/11/20	Responsible Officer – Acting Manager Corporate and Financial Services
		REVIEW DUE	30.06.2021

DISTRIBUTION AND DISSEMINATION			
Internal email to all employees		Section meetings / Toolbox talks	X
Internal email to all Councillors	X	Included in employee inductions	
Staff noticeboards		Uploaded to Council website	X
Internal training to be provided	X	External training to be provided	
Registered in Magiq	X		



1. PURPOSE

The purpose of this policy is to detail how Mount Isa City Council (“Council”) may provide financial assistance via a remission for water consumption charges due to a concealed water leak.

This policy describes the eligibility criteria and the administrative procedures to process applications for the granting of a remission for water consumption charges in the abovementioned circumstances.

2. COMMENCEMENT

This policy will commence on and from 25 November 2020. It replaces all other policies or arrangements governing remissions for water consumption charges due to a concealed water leak (whether written or not).

3. PRINCIPLES

In the consideration of the application, remissions will be guided by the principles of:

- Transparency by making clear the requirements necessary to receive a remission; and
- Equity by ensuring all eligible applicants of the same type receive the same treatments.

4. APPLICATION

This policy applies to any properties that are connected to the Mount Isa City Council’s water supply scheme.

All connected properties must have a Council installed water meter to receive any remission on water consumption charges due to a concealed water leak.

5. RESPONSIBILITIES

The Chief Executive Officer or delegated Officer is responsible for assessing applications and approving a remission for water consumption charges due to a concealed water leak under this policy

Managers and Supervisors of Mount Isa City Council are responsible for ensuring that the policy is understood and adhered to by all relevant workers.

6. DEFINITIONS

Concealed Water Leak – Water escaping from a private water service that is either underground, under or within concrete, or underneath a building where an occupant could not be reasonably be expected to know of its existence, as determined by the authorised officer.

Authorised Managing Property Agent – Agent/s, and/or delegated persons, as authorised by the property owner. This authority must be in writing from the property owner, stating who is authorised to act on their behalf.

7. PROVISIONS

7 (a). The *Plumbing and Drainage Act 2018, Part 3, 70 (1)* states “*the owner of the premises must take all reasonable steps to ensure all plumbing and drainage on the premises is kept in good condition and operates properly.*” Accordingly, responsibility for all plumbing on the property side of the water meter resides with the property owner. This includes repairing leaks within seven (7) days of becoming aware of the leak to conserve water and reduce potential costs.

7 (b). Tenants of rental properties have an obligation to report a suspected water leak to the property owner/managing agent of the property. Tenants should be reporting a leak as soon as evident within a seven (7) day period

7 (c). Council has no obligation to provide financial assistance to customers affected by water leaks on their property, however, Council recognises that at times water leaks can go undetected for relatively long periods and may cause significant financial difficulty. Property owners or occupiers who experience sudden and very large increases in water usage due to a concealed water leak may apply for a remission on water consumption charges subject to the conditions detailed in this policy.

7 (d). The responsibility for water passing through the water meter rests with the property owner or occupier. Owners are encouraged to check their water meters regularly to determine the amount of

water being consumed and registered by the water meter. Rectification action must be promptly taken where an unusually high increase in water consumption is evident. Concealed water leaks can remain undetected for lengthy periods if a property's water meter is not monitored by the property owner and / or occupier. If a leak or blockage is detected on the property side of the water meter, it is the property owner's responsibility to ensure repairs are carried out promptly.

8. CONDITIONS FOR RECEIVING FINANCIAL ASSISTANCE IN THE FORM OF A REMISSION

Approval of financial assistance is at the discretion of Mount Isa City Council and will only be granted as follows:

- All applications are to be submitted on a Concealed Water Leak Remission Application Form.
- Applications must be made by the property owner and/or authorised managing property agent.
- Where the application is for a Community Title property that is not individually sub-metered by a Council installed water meter, the body corporate acting on behalf of all lot owners must submit the application with all required supporting documentation.
- Repairs must be completed by a licensed plumber within 14 days of the property owner/property managing agent becoming aware of the concealed water leak to minimise water loss.
- A copy of the licensed plumber's invoice for repairs is to be submitted with the application. The invoice must detail;
 - The address of the property that the plumber attended.
 - The date the plumber attended the property to repair the leak.
 - Where the leak was located (e.g. under concrete driveway).
 - Confirmation that it was a concealed water leak.
 - Scope of work carried out to repair the concealed water leak.
 - Confirmation that the concealed water leak has been repaired.
- Statement in writing from the plumber detailing the above information if it is not recorded on the invoice.
- If a water consumption notice has been issued, the application must be received no later than 30 days after the issue of the water consumption notice for the period affected by the concealed water leak.
- Only two (2) applications may be granted per property within a five (5) year period. The five (5) year period commences from the date of approval of the first application for remission. This only applies while the property owner remains unchanged. Should the property owner change during the five (5) year period, the time period will re-set.
- The water usage of the ratepayer must be significantly in excess of their historical usage pattern and not correlate to an event that would explain increased usage such as the installation of a pool or commencement of a water intensive business.
- A council officer should re-read the water meter soon after notification of the leak being fixed and approximately 14 days later to ensure average daily usage has decreased.
- Further consideration may be given as determined by Council's Chief Executive Officer or delegate if an application is received for a remission of water consumption charges due to a concealed water leak that does not meet the above criteria, and sufficient evidence is provided that deems the excessive water consumption usage as extenuating circumstances.

9. A REMISSION WILL NOT BE CONSIDERED IN THESE CIRCUMSTANCES

- If there is any evidence of tampering with the water meter, including tampering with any plumbing associated with the meter in any way that may hinder the capacity of the meter to accurately measure the volume of water supplied to the premises.



- Council will not provide a remission to any landowner or occupier with overdue rates and charges unless the landowner or occupier has entered into, and is maintaining, a compliant payment commitment, and in accordance with Council's Rates and Charges Debt Recovery Policy.
- Leaks and/or bursts on internal appliances, fixture or fittings including air conditioners, dish washers, swimming pools, hot water systems, toilet cisterns, valves, internal or external taps.
- Situations where the leak is or was visible.
- Applications submitted without the required supporting documentation.
- Plumbing work that is not compliant with legislation.

10. ASSESSMENT OF THE APPLICATION FOR FINANCIAL ASSISTANCE

In assessing each application for a remission on water consumption charges due to a concealed water leak under this policy, the Chief Executive Officer or delegated Officer will consider;

- All required documentation, including evidence provided by the applicant, relevant associated documents, and council records.

The decision to approve an application of a reduction in water consumption charges under this policy is at the discretion of the Chief Executive Officer or delegated Officer.

11. REMISSION AVAILABLE

Where the application form has been submitted and all eligibility criteria has been met, the following remission will be applied:

- A credit of up to a maximum of 75% will be applied to the water consumption charges effected by the concealed water leak, taking into account the average historical water consumption usage of the property.

12. VARIATIONS

Council reserves the right to vary, replace or terminate this policy at any time.

13. BREACH OF POLICY

Where Council reasonably believes an employee, contractor or councillor has breached this policy, the matter will be dealt with under the applicable policy and/or in accordance with legislative requirements.

14. COMMUNICATION AND DISTRIBUTION

Council will make available to the public, the Concealed Water Leak Remission Policy and Concealed Water Leak Remission Application Form on our website at www.mountisa.qld.gov.au and at our Customer Service Centre.

Supervisors will ensure the policy is distributed as per the Distribution and Dissemination table on this policy.

Internal training will be conducted by the Revenue Team.

15. ASSOCIATED LEGISLATION, POLICIES AND DOCUMENTS

Local Government Act 2009

Local Government Regulation 2012

Plumbing and Drainage Act 2018

Concealed Water Leak Remission Application Form



DECLARATION OF UNDERSTANDING

Please complete the declaration below. Once signed, the page should be returned to the Human Resources section.

I, the undersigned acknowledge:

- *Receiving Council's **Concealed Water Leak Remission Policy**; and*
- *That I should comply with the Policy; and*
- *That there may be disciplinary consequences if I fail to comply.*

Workers Name: _____ Date: _____

Workers Signature: _____