



# Reduction of Water Consumption Charges Policy

Local Government Act 2009

## 1. POLICY STATEMENT

In certain circumstances the Council will provide reduced water consumption charges for property owners who become responsible for those charges as a result of a concealed leak.

## 2. PRINCIPLES

The property owner is responsible for maintaining and repairing all pipes and fittings after the water meter, including the pipe carrying water from the water meter into the property owner's premises, all pipes and plumbing fixtures within the premises and all irrigation piping and garden watering systems. The property owner is responsible for managing their water consumption, and for continuously monitoring whether there is a water leak within their property. The Council does not have jurisdiction to enter the property for that purpose.

Townsville Water is responsible for Council's water reticulation infrastructure.

Apart from imposing water restrictions when required, Townsville Water does not manage water consumption within private property. To assist property owners to monitor and manage water consumption, Townsville water will provide high consumption advice notices if scheduled meter readings show unusually high water consumption.

Townsville Water has no obligation to provide financial assistance to property owners who experience higher than anticipated water charges, including when those higher charges are the result of leaks from pipes and fittings owned by the property owner.

## 3. SCOPE

This policy applies to all requests for a reduction in water charges from property owners in the local government area of Townsville who receive a metered supply of water to a residential or commercial property.

## 4. RESPONSIBILITY

The Chief Executive Officer or a delegate is responsible for assessing applications and approving remissions under this policy.

Managers and Supervisors of Townsville Water and Waste Division are responsible for ensuring that the policy is understood and adhered to by all relevant workers.

## 5. DEFINITIONS

**Annual allowance** – means the volume of water allowed annually for a standard plan property owner as set out in the Rates and Charges Schedule each year.

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**Average consumption for a Standard Plan property owner:**

- If consumption for the past three years has not been consistently above the annual allowance, the average consumption will be the annual allowance; or
- If consumption for the past three years has been consistently above the annual allowance, the average consumption will be the average of the past three year's actual water consumption during the equivalent billing period.

**Average consumption for a Water Watcher property owner:** the average of the past three year's actual water consumption during the equivalent billing period.

*(Note that Townsville Water has discretion to choose an alternative averaging method if the above methods are not applicable in the circumstances).*

**Billing period:** means the time between meter readings. It does not refer to the time when the bill was sent or when the payment was to have been received. The billing periods for Townsville Water are either one month or three months depending upon the property owner type.

**Concealed leak** – means a leak that is not readily visible or apparent and the occupant could not reasonably be expected to know of its existence.

**Excess water** – means water used in excess of the property's average consumption

**Owner's side of the water meter** – means all water pipes or systems that occur on the downstream side of the meter at the property from and including the meter coupling

**Workers** – includes employees, contractors, volunteers and all others who perform work on behalf of council.

## 6. POLICY

### 6.1 CONDITIONS REQUIRED FOR A REDUCTION IN WATER CONSUMPTION CHARGES

Townsville City Council will consider a request from a property owner for a reduction of water consumption charges due to a concealed leak, in the following circumstances:

- The leak was concealed; and
- The property owner took all reasonable steps to ensure that the leak was located and repaired as soon as practicable after:
  - i. the leak was discovered or there was a noticeable decrease in water pressure; or
  - ii. the property owner became aware, or should have become aware, of an increase in water consumption that could indicate the presence of a leak; and
- The leak was repaired by a licensed plumber.

Townsville Water will endeavour to assist property owners by providing a high consumption advice notice for single residential properties after the quarterly read when usage exceeds 2.5kL per day.

### 6.2 APPLICATION FOR REDUCTION OF WATER CONSUMPTION CHARGES

Applications for a reduction of water consumption charges due to a leak must be lodged in writing and addressed to the Chief Executive Officer.

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The application must:

- Describe the location and circumstances of the leak; and
- Provide the date the applicant discovered the leak or became aware of an increase in water consumption indicating the presence of a leak; and
- Be accompanied by a detailed report from the licensed plumber who repaired the leak, containing the following information:
  - i. Confirmation the leak was repaired by the licensed plumber;
  - ii. The date the leak was repaired;
  - iii. Details of the plumbing repairs that were undertaken; and
  - iv. The report must confirm the leak was in a location and/or of a nature which contributed to it not being readily visible or apparent.

### 6.3 ASSESSMENT OF APPLICATION

In assessing each application for a reduction in water charges under this Policy, the Chief Executive Officer will consider:

- All the available facts and circumstances;
- Whether, in the opinion of the Chief Executive Officer, the property owner has acted in good time to ensure the leak was repaired; and
- Whether, in the opinion of the Chief Executive Officer, there has been substantial compliance with this policy in the circumstances.

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

### 6.4 EXTENT OF THE REDUCTION IN WATER CONSUMPTION CHARGES

If an application for a reduction in water consumption charges is approved, for both standard plan and water watchers, all excess water will be charged at a rate equivalent to 90% of the water watchers' rate applicable in the relevant consumption year.

A reduction in water consumption charges will be granted only once per property per owner in a five-year period.

The reduction of water consumption charges may be applied over two water meter reading cycles as the leak may affect the consumption over more than one reading cycle.

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## 6.5 FURTHER CONSIDERATION OF THE EXTENT OF THE REDUCTION IN WATER CONSUMPTION CHARGES

The Chief Executive Officer may at their discretion, determine to apply a further reduction in extenuating circumstances for residential properties.

A property owner claiming that there are extenuating circumstances that justify the Council providing relief in excess of that stated in this policy must establish that:

1. the concealed water leak occurred as a consequence of interference with the property owner's plumbing infrastructure by:
  - an event over which the property owner could not have exercised control; or
  - a person with no relationship to the property owner and over whom the property owner could not have exercised control. In this context "relationship" includes a familial relationship or a commercial relationship (e.g. property owner and contractor);

and

2. the concealed leak would not have come to the property owner's attention had the property owner been reasonably diligent.

Failure of a portion of the property owner's plumbing infrastructure without evidence of interference by an identifiable event or person is not an extenuating circumstance because it was within the property owner's power to maintain that infrastructure.

By way of examples, the Council accepts that the following are extenuating circumstances:

1. A motor accident which did not involve the property owner or any person having any form of relationship to the property owner, causing damage to the property owner's plumbing infrastructure which:
  - was not apparent to the property owner; and
  - would not have become apparent to the property owner had the property owner monitored monthly water consumption at the property.
2. A council plumber fitting a new meter at the premises causing damage to the property owner's water infrastructure which was not apparent to the property owner.

## 6.6 PROMPT PAYMENT DISCOUNT

A prompt payment discount is allowed on certain rates and charges when full payment of all rates and charges, including any arrears, is received by the discount due date shown on the notice.

Any dispute, or application for concession or reduction, on all or part of any charges listed requires full payment of those charges upfront to receive a discount. Irrespective of whether an application is made under this policy for a reduction of water charges, any discount will be lost if those charges are not paid before the discount due date.

## 7. LEGAL PARAMETERS

*Local Government Act 2009*

## 8. ASSOCIATED DOCUMENTS

Nil

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