

CONCEALED LEAK REFUND PROCEDURE

1. Scope

The Concealed Leak Refund Procedure (this 'Procedure') applies to premises in the declared water service area that have had a concealed leak.

2. Purpose

The aim of this Procedure is to provide:

- financial relief for the owners of premises that have high water usage resulting from a concealed leak; and
- clear guidelines for the administration of requests for a waiver or refund of payments made on water usage notices due to concealed leaks.

3. Related Documents

Primary

Retail Water and Sewerage Service Provider - Management and Functions Policy

Legislative reference

Water Supply (Safety and Reliability) Act 2008 ss 161, 676

Related documents

Application for a Concealed Leak Refund/Waiver

Council's Pathway application module template 'Concealed Leak Refund Calculations'

Council's Revenue Statement

Plumber's Statement for Repairs to a Concealed Leak

4. Definitions

To assist in interpretation, the following definitions shall apply:

Application	Application for a Concealed Leak Refund/Waiver.
Billing Period	As defined in the <i>Water Supply (Safety and Reliability) Act 2008</i> .
Body Corporate	As defined in the <i>Body Corporate and Community Management Act 1997</i> .
Commercial Premises	A premises other than a residential rated premises.
Concealed Leak	A water leak on the owner's side of the water meter, either underground, under or within concrete or paving or underneath a structure where the occupant could not reasonably be expected to know of its existence.
Council	Livingstone Shire Council.

Declared Water Service Area	The area declared by Council at its 9 September 2014 Meeting and taken to be declared as a retail water service area pursuant to s 676(2) of the <i>Water Supply (Safety and Reliability) Act 2008</i> and any subsequent amendments pursuant to s 161(6).
Licensed Plumber	A plumber who holds a Queensland Building and Construction Commission Plumbing and Drainage Trade Contractor Licence.
Owner	The registered owner of a residential or commercial premises or a body corporate.
Premises	As defined in the <i>Plumbing and Drainage Act 2018</i> .
Residential Premises	A premises used for a residential purpose and categorised for rates purposes as residential.
Water meter	As defined in the Queensland Plumbing and Wastewater Code.

5. Procedure

Council receives regular requests for water accounts to be waived or refunded due to concealed leaks on the owner's side of the water meter.

The requests generally occur when an owner receives a higher than normal water usage notice resulting from an increased rate of consumption.

5.1 Applications

- 1) An application must:
 - a) be lodged within 30 days from the date of issue of the following quarterly water usage notice; and
 - b) detail the nature of the concealed leak and include evidence demonstrating it has occurred and been repaired such as:
 - a Plumber's Statement for Repairs to a Concealed Leak form completed by a licensed plumber;
 - an invoice from a licensed plumber demonstrating the concealed leak has been repaired; or
 - a signed statement on the letterhead of a licensed plumber.
- 2) Where there has been a change of ownership, an application may only be approved for the party who can provide evidence they incurred the cost to repair the leak and paid the water usage notice for that period.
- 3) The Manager Water and Waste Operations may approve applications where there are minor inconsistencies with the provisions of this Procedure.

5.2 Refunds/Waivers

- 1) The refund/waiver is calculated as the difference between the amount payable on the water usage notice and the adjusted charge.
- 2) An owner is eligible for a maximum of one refund/waiver per premises in a five year period.
- 3) Refunds/waivers will be applied to the billing period in which the leak occurred up to a maximum of two billing periods.

5.3 Calculation of Adjusted Charge

- 1) Average Consumption - is the average consumption based on the same billing period for the three preceding financial years.
 - a) If there are inadequate records to make a calculation, the three preceding consecutive billing periods will be used; and
 - b) If there are insufficient records to calculate average consumption, processing of the application will be deferred until three consecutive water consumption readings are available.
- 2) Additional Consumption - is the difference between the actual consumption recorded by the water meter and the average consumption.
- 3) Adjusted Charge for a residential premises - is the sum of average consumption at the tiered rates plus the additional consumption at the lowest tier rate.
- 4) Adjusted Charge for a commercial premises - is the sum of average consumption plus 50% of the additional consumption.

Notes:

- *Tiers and associated rates can be obtained from Council's Revenue Statement.*
- *Refer to Council's Pathway application module template 'Concealed Leak Refund Calculations'.*

6. Changes to this Procedure

This Procedure is to remain in force until otherwise amended/replaced by the Executive Director Infrastructure.

7. Repeals/Amendments

Version	Date	Action
1.0	15/03/2022	New Procedure - Approved

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EXECUTIVE DIRECTOR INFRASTRUCTURE