

Shire of Lake Grace



Customer Service Charter

for

Wastewater Services

for the

Lake Grace Townsite Sewerage Scheme

Adopted 28 October 1998

Revised July 2019

Contents

| | | |
|----------|--|-------|
| 1 | Introduction | 3-4 |
| 1.1 | The Role of this Charter | 3 |
| 1.2 | Our Commitment to Service | 3 |
| 1.3 | Services we Provide | 3 |
| 1.4 | How to Contact Us | 3 |
| 1.5 | Emergency Assistance | 3 |
| | | |
| 2 | Your Basic Rights | 4-8 |
| 2.1 | Your Rights to Wastewater Services | 4 |
| 2.2 | Your Rights to Industrial and Commercial Wastewater Services | 4 |
| 2.3 | Your Rights in Relation to Sewerage Spills | 4 |
| 2.4 | Your Rights to Constitution and Information | 4 |
| 2.5 | Your Rights to Assistance, Redress and Compensation | 4 |
| 2.6 | Charges and Accounts | 4-5 |
| 2.7 | Connecting to our Services | 5-6 |
| 2.8 | Disconnection | 6 |
| 2.9 | Enquiries, Suggestions, Complaints and Disputes | 6-7 |
| 2.10 | Review of Bills | 7-8 |
| | | |
| 3 | Our Powers | 8-10 |
| 3.1 | Entry to Your Property | 8 |
| 3.2 | Rectifying Defective Work | 8 |
| 3.3 | Service Interruptions | 8 |
| 3.4 | Maintenance | 8-9 |
| 3.5 | Discharge of Unauthorised Substances | 9 |
| 3.6 | Limitation or Withdrawal of Services | 9 |
| 3.7 | Liability | 9-10 |
| | | |
| 4 | APPENDICES | 10-16 |
| 4.1 | System Defect Report | 11 |
| 4.2 | Application for Wastewater Service | 12 |
| 4.3 | Disconnection of Wastewater Service | 13 |
| 4.4 | Fees and Charges | 14 |
| 4.5 | Risk and SWOT Analysis | 15 |
| 4.6 | Figure 1 - Operating Area Site Plan | 16 |

1.0 INTRODUCTION

1.1 The Role of this Charter

This charter sets out the broad philosophy of the Shire of Lake Grace in supplying sewerage services to the Lake Grace town site in accordance with the License issued to the Shire by the Economic Regulation Authority under the Water Services Act 2012.

The charter informs you, the customers of the Shire, of your rights in accordance with the provisions of the license, including service interruptions, levels of service, complaint procedures.

If you would like a copy of the operating license, please contact the Shire on (08) 9890 2500 or the Economic Regulation Authority on (08) 6557 7900.

1.2 Our Commitment to Service

The Shire of Lake Grace will provide its sewerage services in a manner which is fair, courteous and timely – with a focus on consultation with our customers, respecting your rights and meeting your reasonable expectations.

1.3 Services We Provide

The Shire of Lake Grace will use its best endeavours to provide a service to collect, treat and dispose of domestic sewerage discharged from each customers' property to the Shire's sewerage system. In addition, the Shire shall provide other services on terms agreed upon between the customer and the Shire.

The areas of operation of the Shire's Sewerage Scheme are detailed in Appendix 6.

1.4 How to Contact Us

| | | |
|-------------------|---|--|
| Location: | Shire Offices – 1 Bishop Street Lake Grace WA | |
| Postal Address: | P O Box 50 Lake Grace 6353 | |
| Office Hours: | 8.30 am to 5.00 pm, Monday to Friday | |
| Telephone Number: | (08) 9890 2500 | |
| Facsimile Number: | (08) 9890 2599 | |
| Contact Officers: | Chief Executive Officer – General Operations Manager Infrastructure Services – General Operations Environmental Health Officer – General Operations Finance Officer – Rating Enquiries | |

1.5 Emergency Assistance

Telephone calls to the emergency number shall be answered promptly and advise of action to be taken and timing given within one hour of your call.

The Shire maintains a 24-hour emergency contact service for emergency events, such as an overflow from a sewer. On the majority of occasions the telephone contact number will result in contact being made directly with a person authorized to attend to the problem.

The **AFTER HOURS** emergency service contact telephone numbers are –

| | | |
|---------|---------------------------------|---------------------|
| First: | Manager Infrastructure Services | Mobile 0448 089 092 |
| Second: | Chief Executive Officer | Mobile 0417 621 708 |

2.0 YOUR BASIC RIGHTS

2.1 Your Rights to Wastewater Services

Subject to the Water Act, the Shire shall provide a service for the removal, treatment and disposal of wastewater under the terms set out in this Charter and the Operating License. In certain circumstances, the Shire may supply water for purposes other than drinking to irrigate the oval in accordance with the conditions imposed by the Department of Health WA.

The Shire shall treat and dispose of wastewater in an environmentally responsible manner. All wastewater treatment plants shall operate in accordance with the license conditions set by, and or agreements with, the Economic Regulation Authority.

Occasionally, some odours escape from the treatment plant, and these may affect nearby residents. The Shire shall respond to complaints of odours by investigating the report and advising the customer of the outcome within one day.

2.2 Your Rights to Industrial and Commercial Wastewater Services

Industrial and commercial wastewater may be acceptable for discharge into the Shire's wastewater system, subject to the compliance with the Shire's requirements. An agreement with a customer for industrial and wastewater services to be provided by the Shire shall be documented in the industrial waste permit issued by the Shire.

2.3 Your Rights in Relation to Sewage Spills

If a sewer overflow occurs on your property due to failure of the Shire's infrastructure, representatives of the Shire shall be on site as soon as possible, but within three hours of being notified. Action shall be taken to restore the service, clean up the affected area and minimize any damage or inconvenience.

2.4 Yours Rights to Consultation and Information

The Shire is committed to involving its customers on issues relating to its programs and services. Community involvement in the Shire's service planning and decision making processes will be sought through formal requests for customer feedback and through information published in the local newspaper. The Shire will notify customers of any system change that any result in significant variation in its service levels.

The Shire will publish information on matters relating to its wastewater services and on other aspects such as charges and complaints handling. Information regarding these matters can be obtained from the Shire Office during business hours. The Shire's representatives will identify themselves when engaged in business discussions with customers.

2.5 Your Rights to Assistance, Redress and Compensation

If the Shire's activities have caused damage to your property or disruption to you, such as a sewer overflow, the Shire shall deal with the matter in a fair and businesslike manner, whether or not a complaint is received. The Shire will rectify damage and, as necessary and reasonable, may make compensation to you subject to the provisions of Section 62 of the Health Act 1911 and Section 77 of the Water Services Act 2012.

2.6 Charges and Accounts

Charges for services to customers shall comply with the relevant provisions and regulations of the Health Act 1911, the Local Government Act 1995 and the Water Services Code of Conduct (Customer Service Standards) 2018.

If the Shire notices an error is made resulting in the customer paying more than the correct amount, the Shire will contact the customer within 15 days as to whether they would like a refund or a credit to the their account. If the Shire receives a request for either option, it will

be carried out within 15 days of the receipt of the request. Otherwise after 10 days without a response the Shire will credit the customer's account within 15 days.

Customers who have chosen to have the overcharged amount applied to their account, the Shire will notify the customer immediately after it has been carried out.

If an error is made in the charges which results in the customer paying less than the correct amount, the customer may be required to pay the correct amount (up to the previous 12 months ending on the date the Shire informed the customer about the undercharged amount) upon request.

When the Shire proceeds on claiming on undercharged amounts, the amount will either be sent as a special separate bill, or as a separate item on the next bill. This undercharged amount will not be subject to late payment fees or interest,

The repayment plan for the undercharged amount shall last no longer than the shorter of 12 months or the duration the undercharging has occurred over, starting on the day the bill was issued.

The Shire has the discretion to make refunds, adjustments and waive or defer payments.

The Shire will accept any payments in advance that a customer makes towards the wastewater portion of their next rates notice. This payment will be allocated as a credit to the customer's account.

The Shire can make special financial arrangements to assist customers experiencing hardship in the payment of their accounts. Information on these options is available from the Shire's office or by calling the telephone number shown on your account. Ask for the Shire's Financial Hardship Policy at the Shire office, or download the document from the Shire's website.

Statements of account for outstanding charges are issued on a regular basis. In addition, the Shire shall supply additional statements of account on request. A fee applies for this service.

Utility service availability and other charges are made against the owner of the land to which services are available or supplied and are the responsibility of the property owner. A property owner is responsible for payment of the charges set by the Shire as applicable to the property.

An account shall be regarded as having been delivered when it is transmitted to a property owner at the address notified to the Shire by the property owner, or the property owner's agent. It is the property owner's responsibility to notify the Shire of any change of address.

The Shire may charge interest on overdue accounts as prescribed under the provisions of the Health Act 1911 (sections 46, 63 and 112), the Local Government Act 1995 (sections 6.13 and 6.51) and the Water Agencies (Powers) Act 1984. Also, if a customer's cheque is not honoured for any reason, the Shire may pass on any costs incurred.

2.7 Connecting to our Services

Applications for wastewater service connections should be made at the Shire Office. These applications must be accompanied by the related building plans. Single applications for approval shall be processed on receipt at the Shire's Office. Multiple applications shall be processed within seven business days of receipt. An administration fee and installation inspection charge will be made for applications to connect.

Where a Shire wastewater reticulation main is available to your land and had the capacity for the required service, the Shire shall, on application by you, approve connection to the wastewater system, under the terms and conditions set out in this Charter, the License and the Water Acts.

Where a junction to an available sewer does not exist, the Shire will provide a junction, by arranging with a licensed plumber, for the connection of the property to the sewer, no fee is applied where a service availability charge has been applied to a property, except for those properties subject to redevelopment.

Upon the receipt of the fees and compliance with all relevant requirements for a new sewerage connection, the Shire will endeavour to carry out and complete the works to connect the property in question to the sewerage reticulation system within 10 working days.

If the Shire's wastewater system is available to a property, which produces or has capacity to produce wastewater, it is a requirement for the property owner to connect to the system, subject to the provisions of section 72 of the Health Act 1911.

2.8 Disconnection

If the wastewater service is no longer required by you, a disconnection from the Shire's service may be approved provided that:

- The Shire is first notified of the intention, and
- A fee is paid to the Shire which shall arrange the disconnection, and
- The property has no further wastewater disposal requirement.

In most circumstances, disconnection of a wastewater service does not terminate this Charter. The Shire is required under the Water Acts and License to levy a service availability charge to the owner of land (including vacant land) where wastewater services are available for connection. The Charter is void if there were no services available and no charges levied.

The Shire will reconnect its service upon your request and on compliance with the terms and conditions of this Charter. A reconnection fee will apply.

2.9 Enquiries, Suggestions, Complaints and Disputes.

The Shire of Lake Grace values your enquiries and suggestions on ways that it can improve its sewerage services. If you have an enquiry you can telephone the Shire on (08) 9890 2500 during business hours. You will receive prompt, courteous and helpful replies and will be told who is handling your enquiry.

General written correspondence will be replied to as soon as possible normally within seven business days. Over the counter and telephone enquiries will be responded to within 24 hours. Telephone calls to the emergency number shall be answered promptly and advice of action to be taken and timing given within one hour of your call.

When you lodge a complaint, (either in writing, or verbally), the Shire will address the issue in a timely and efficient manner. A representative of the Shire shall respond in person within three business days of a complaint being lodged. Where this response advises the need for further assessment you shall receive a written reply within seven business days, starting from that response.

Note – When a verbal complaint is lodged, it is not necessary to confirm it in writing. However, written confirmation of a verbal complaint made is welcomed by Council.

If you are not satisfied with a solution offered or action taken on a complaint you may seek referral to the Shire's Chief Executive Officer, who shall investigate the complaint, assess the appropriateness of the Shire's response and either confirm or amend the Shire's proposed solution or action.

If the matter has not been resolved to your satisfaction within 21 days, you may refer the matter to the Energy and Water Services Ombudsman.

The Energy and Water Services Ombudsman will seek a detailed explanation of the nature of the complaint, the solutions or actions offered by the Shire of Lake Grace and the reasons why these are not acceptable to you. The Ombudsman will respond with its opinion on the matter and suggest a solution to the parties involved.

If you remain dissatisfied with the outcome, you may submit the matter to the State Administrative Tribunal for a review. The Tribunal's decision, including award of costs, will be binding on both parties and will preclude further action on the matter. You may elect to bypass the arbitration process and take legal action to resolve the matter.

You may contact the Energy and Water Services Ombudsman and the State Administrative Tribunal at the following addresses:

Energy and Water Ombudsman

Address: 2nd floor, Albert Facey House, 469 Wellington Street, Perth WA 6000

Postal address: PO Box Z5386, St George's Terrace, Perth WA 6000

Telephone: (08) 9220 7588 or 1800 754 004

Facsimile: (08) 9220 7599 or 1800 611 279

Website: <http://www.ombudsman.wa.gov.au/energyandwater/>

Email: energyandwater@ombudsman.wa.gov.au

State Administrative Tribunal

Address: Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH WA 6000

Postal address: GPO Box U1991, Perth 6845

Telephone: (08) 9219 3111 or 1300 306 017

Facsimile: (08) 9325 5099

Website: <https://www.sat.justice.wa.gov.au/>

Email: sat@justice.wa.gov.au

2.10 Review of Bills

If you believe there is an error present on your rates notice that relates to wastewater charges, pursuant to clause 20 of the Water Services Code of Conduct (Customer Service Standards) 2018 you may apply for a review of the bill with the Shire. The review and possible investigation can take up to of 15 business days, within which you will be advised of the outcome. While your bill is being reviewed or investigated, payment collection will temporarily cease until the completion of the review or investigation. If the Shire has identified an error, you may request a refund or a credit towards your next bill, or the Shire may issue an invoice if it is found that you have been undercharged.

After you have received the outcome of the review or investigation and you are still not satisfied, you may request a written reasoning of the outcome from the Shire, refer the outcome to the Energy and Water Services Ombudsman if you feel the decision unjust or unfair, or make an appeal to the State Administrative Tribunal.

You may submit your rates notice to the Ombudsman before or instead of going through the Shire's complaints procedure.

Please note that the review will only cover the wastewater portion of your bill.

You may reach the Ombudsman and the Tribunal at the addresses provided under section 2.9 of this document.

3.0 OUR POWERS

3.1 Entry to your Property

The circumstances which Shire representatives may enter your property to carry out required investigations and/or work on the Shire's sewerage wastewater system are set out in the Health Act 1911 (sections 54, 62, 68, 71 and 349) and the Water Agencies (Powers) Act 1984. Any such entry shall normally occur during business hours, except in cases of emergency. For planned work within a property, the Shire shall give 48 hours' notice if the investigation or works are likely to be disruptive, unless you (as the occupier or owner) agree otherwise. In cases of emergency, the occupier, of present, shall be informed of the repairs to be undertaken and the anticipated length of time for the work.

3.2 Rectifying Defective Work

If the Shire becomes aware of the presence of any defective or improper work forming part of your wastewater pipes and fittings, which may impair the effective operation of the Shire system, it may serve a notice requiring you to remedy any such defect or improper work within a specified time.

If the terms of the notice are not followed, the Shire may enter the customer's property to remedy the defective or improper work. This action, if taken, shall be in accordance with the relevant legislation and the full cost of any remedial work shall be charged to the customer.

3.3 Service Interruptions

The Shire's wastewater services are designed to be available 24 hours a day. However, the Shire may interrupt, postpone or limit its wastewater services to customers:

- If any part of works is damaged, for example, by bursting, blockages or breakdown of machinery or equipment; or
- If it is necessary to inspect, maintain, repair or replace any part of the sewerage works; or
- For connection of new works or service; or
- If an event occurs beyond the Shires control, including acts by others, such as sabotage, vandalism, flood, earthquake, power or water shortage, or industrial action.

Except in emergencies, the Shire shall give notice to you of its intention to interrupt, postpone or limit the supply of services for the purpose of regular maintenance or planned works program. Unless interruptions are limited to a few minutes, notification shall be given to domestic, commercial and industrial customers at least 48 hours prior to a suspension of the service.

3.4 Maintenance

The Shire's wastewater services are provided from the point where the pipes serving your property connect to the Shire's wastewater reticulation main.

Wastewater reticulation mains (sewers) and associated fittings remain the property of the Shire whether or not they are located within private property. The location of these structures can be obtained from the Shire Office. You are required to ensure that the Shire's pipelines and structures are reasonably accessible, are not interfered with, covered, built too close to, built over or damaged.

Prior to undertaking building or construction activity on the land connected or capable of being connected, it is a requirement to gain the Shire's approval. In the first instance, you should contact the Shire's office. Unauthorised property improvements that interfere with the Shire's assets, may be required to be removed at your cost.

The Shire is responsible for the maintenance of the sewer property connections where they are unable to be cleared or repaired from the inspection shaft – provided that the depth of the repair job is 2.5 metres or more and/or the fault in the property connection is outside the property concerned.

You are responsible for all plumbing, pipes and fixtures on or serving your property to the point where pipes connect to the Shire's sewer property connection. Where the sewer property connection is at a depth of less than 2.5 metres and it is situated within the property boundary, you are responsible for maintenance of that property sewer connection.

3.5 Discharge of Unauthorised Substances

It is your responsibility to ensure that storm water (including roof runoff) and other unauthorised substances are not discharged into the Shire's sewer.

Certain waste products are not suitable for disposal in the Shire's wastewater system because of their nature and ability to pollute. Specialised procedures for disposal are required for substances such as:

- Cooking oil and grease – these should be placed in a container or wrapped and placed in the rubbish bin;
- Paint, paint thinners, dry cleaning fluids, engine oil, solvents, acids, alkalis, laboratory chemicals, kerosene, garden poisons, polishes or cleaning products – such substances should be recycled through the Industrial Waste Exchange (the Office of Waste Management, Department of Environmental Protection); and
- Products like disposable nappies, panty hose, sanitary napkins, tampons, cotton buds, syringes, toilet deodorant packs and razors – these should be wrapped and placed in the rubbish bin.

3.6 Limitation or Withdrawal of Services

The Shire may discontinue its wastewater services in the following circumstances:

- If you do not comply with the terms and conditions of this Charter;
- If there is a public health, environmental and/or safety risk to the Shire's service connection (e.g. risk of backflow or unauthorised industrial waste discharge); or
- If you do not pay, or make arrangements to pay, the overdue charges for the services.

If there is a health and safety risk the Shire may discontinue service immediately. In all other cases, the Shire shall provide 48 hours notice in writing of its intention to refuse, alter or restrict its services.

The Shire shall reinstate its supply of services at your request and on compliance with the terms and condition of this Charter. A fee will be applied for this service.

3.7 Liability

The Shire is liable for any loss or damage that you may suffer:

- As a result of a breach of this Charter by the Shire, its servants or agents;
- As the result of a negligent act or omission by the Shire, its servants or agents; or
- As a result of the failure to meet standards prescribed by its Operating License or regulations (if any).

The Shire's liability is limited.

Section 77 of the Water Services Act 2012 allows the Shire to interrupt, suspend or restrict the provision of a water service if, in the Shire's opinion it is necessary to do so because of an accident, emergency, potential danger or other unavoidable cause.

The Shire is not liable for any loss or damage that arises from any such interruption, suspension or restriction unless the customer has an agreement with the Shire, which expressly states that the Shire is, to the extent that the agreement states, liable in those circumstances.

The Shire's liability under breach of Charter is limited to the rights of compensation and redress set out in this Charter. The Shire's liability for failure to meet prescribed standards is limited to the amount prescribed as a penalty in its Operating License or regulations.

APPENDICES

1. System Defect Report
2. Application for Wastewater Service
3. Disconnection of Wastewater Service
4. Fees and Charges
5. Risk and SWOT Analysis
6. Figure 1 - Operating Area Site Plan

APPENDIX 1

Clause 2.9

Shire of Lake Grace**Sewerage System Defect Report No. _____**

| | |
|--------------------------------|--|
| Date & Time of Report | |
| Name of Person Making Report | |
| Location of Fault | |
| Description of Fault | |
| Repair Work Carried Out | |
| Repairs Carried Out By | |
| Date & Time Completed | |
| Other Work Required | |
| Date & Time Register Completed | |
| Sighted By | |

APPENDIX 2

Clause 2.7

Shire of Lake Grace

Application for Wastewater Service

Applicant: _____

Postal Address: _____

Property Address: _____

Date Lodged: _____

NB: Site plan of all buildings and proposed buildings must accompany this application

Date Approved: _____

Approved By: _____

APPENDIX 3

Clause 2.8

Shire of Lake Grace

Disconnection of Wastewater Service

Applicant: _____

Postal Address: _____

Property Address: _____
(for disconnection) _____

NB: Disconnection fee to be paid prior to disconnection being authorised and following inspection of property by Shire officers.

Fee: _____

Paid: _____

Authorising Officer: _____

Date: _____

APPENDIX 4

Shire of Lake Grace

Fees and Charges

As per Council's published list of fees and charges (and amended from year to year).

APPENDIX 5

Shire of Lake Grace**RISK AND SWOT ANALYSIS****Risks**

- (a) Plant malfunction
- (b) Power failure
- (c) Water failure of supply
- (d) Environmental
 - flood
 - fire
 - lightning
 - earthquake

Strengths

- (a) Stable workforce
- (b) Well maintained infrastructure
- (c) System will gravitate from properties with an estimated 6 ours storage capacity at Imhoff tank
- (d) Ability to flush the main sewer lines with water via mobile water tankers
- (e) Personell machinery and equipment available locally to repair damage
- (f) Stable environment not within the earthquake zone
- (g) Infrastructure essentially underground so limits fire damage
- (h) Lighting strikes seldom in the near vicinity

Weaknesses

- (a) Limited revenue base from which to obtain funds
- (b) Small workforce (but considered adequate)
- (c) Have no control over power or water services
- (d) Unable to control environmental damage other than provide fire protection

Opportunity

- (a) Stable well trained workforce
- (b) Ability to manage finances to enable programmed replacement of infrastructure
- (c) Ability to reuse effluent water for oval/garden reticulation

Threats

- (a) Population decline may reduce loading on the system to such a stage as to reduce performance
- (b) Population decline would limit ability to reuse revenue

Summary

The infrastructure originally installed in the late 1960's has performed well and the population of the townsite has stabilised which provides the confidence to assume the Shire of Lake Grace Sewerage Scheme should be able to be operated in an efficient, reliable and cost effective manner for the foreseeable future.

Figure 1

