

Shire of Victoria Plains

CUSTOMER CHARTER  
FOR  
WASTEWATER SERVICES

*August 1997*  
*Reviewed November 2004*  
*Reviewed February 2008*  
*Amended July 2008*  
*Amended September 2008*  
*Amended July 2009*  
*Amended October 2009*

# Table of Contents

<b>1.0</b>	<b>INTRODUCTION</b>	<b>- 1 -</b>
1.1	The Role of this Charter	- 1 -
1.2	Our Commitment to Service	- 1 -
1.3	Services we Provide	- 1 -
1.4	How to Contact Us	- 2 -
1.5	Emergency Assistance	- 2 -
<b>2.0</b>	<b>YOUR BASIC RIGHTS</b>	<b>- 2 -</b>
2.1	Your Rights to Wastewater Services	- 2 -
2.2	Your Rights to Industrial and Commercial Wastewater Services	- 2 -
2.3	Your Rights in Relation to Sewage Spills	- 2 -
2.4	Your Rights to Consultation and Information	- 3 -
2.5	Your Rights to Assistance, Redress and Compensation	- 3 -
2.6	Charges and Accounts	- 3 -
2.7	Connecting to our Services	- 4 -
2.8	Disconnection	- 4 -
2.9	Enquiries, Suggestions, Complaints and Disputes	- 5 -
<b>3.0</b>	<b>OUR POWERS</b>	<b>- 6 -</b>
3.1	Entry to your Property	- 6 -
3.2	Rectifying Defective Work	- 6 -
3.3	Service Interruptions	- 6 -
3.4	Maintenance	- 7 -
3.5	Discharge of Unauthorised Substances	- 7 -
3.6	Limitation or Withdrawal of Services	- 8 -
3.7	Liability	- 8 -

## **1.0 Introduction**

### **1.1 The Role of this Charter**

This charter sets out the broad philosophy of the Shire of Victoria Plains in supplying sewerage services to the Calingiri and Yerecoin Townsites in accordance with the Licence issued to the Shire by the Economic Regulation Authority under the Water Services Licensing Act 1995.

The charter informs you, the customers of the Shire, of your rights in accordance with the provisions of the licence, including service interruptions, levels of service, complaints procedures. If you would like a copy of the operating licence please contact the Shire on (08) 9628 7004 or the Economic Regulation Authority on (08) 9213 1900.

The Shire of Victoria Plains may amend this charter by agreement with the Authority. This charter will be terminated if the Shire of Victoria Plains licence is terminated. This charter is subject to relevant provisions in the Water Acts<sup>1</sup>, the Health Act 1911 and the Local Government Act 1995.

### **1.2 Our Commitment to Service**

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

---

<sup>1</sup> *Water Boards Act 1904, Metropolitan Water Supply, Sewerage and Drainage Act 1909, Water Agencies (Powers) Act 1984 and Water Services Licensing Act 1995*

## **1.4 How to Contact Us**

Postal Address: P O Box 21, Calingiri WA 6569  
Office Hours: 8.30 am to 4.30 pm  
Telephone Number: (08) 9628 7004  
Facsimile Number: (08) 9628 7008  
Contact Officers: Chief Executive Officer – general operations  
Community Services Manager – general operations  
Finance Officer – rating enquiries

## **1.5 Emergency Assistance**

The Shire maintains a 24 hour emergency contact service for emergency events, such as an overflow from a sewer. The emergency customer service telephone number is 0429 117 758.

## **2.0 Your Basic Rights**

### **2.1 Your Rights to Wastewater Services**

Subject to the Water Services Licensing Act 1995, 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 Licence.

The Shire shall treat and dispose of wastewater in an environmentally responsible manner. All wastewater treatment plants shall operate in accordance with the licence conditions set by, and or agreements with, the Department of Environment and Conservation.

Occasionally some odours occur in treatments plants, 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 accepted for discharge into the Shire's wastewater disposal 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 an 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 assets, representatives of the Shire shall be on site as soon as possible, but within two hours of being notified. Action shall be taken to restore the service, clean up the affected area and minimise any damage or inconvenience.

## **2.4 Your Rights to Consultation and Information**

The Shire is committed to involving its customers on issues relating to its programmes and services. Community involvement in the Shire's service planning and decision making process 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 may result in significant variation in its service levels.

The Shire will publish and make available at its premises information on matters relating to its wastewater services and on other aspects such as charging and complaints handling. Information regarding these matters can be obtained from the Shire's business office. 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 may rectify damage and, as necessary and reasonable, compensate you subject to the provisions of Section 62 of the Health Act 1911.

## **2.6 Charges and Accounts**

If an error is made resulting in the customer paying more than the correct amount, the excess amount shall be held in credit for a future charge, or refunded, at the discretion of the customer.

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

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 office or by calling the telephone number shown on your account.

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 and the Local Government Act 1995. Also, if a customer's cheque is not honoured for any reason, the Shire may pass on any costs incurred.

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 upon request.

## **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 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 has 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 Licence and the Water Services Licensing Act 1995.

Where a junction to an available sewer does not exist, a junction will be provided by the Shire, by arrangements with the licensed plumber installing the property sewer. No fee applied where a service availability charge has been applied to a property, except for these subject to redevelopment.

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,
- 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 shall reconnect its service at your request and on compliance with the terms and conditions of this Charter. A reconnection fee shall apply.

## **2.9 Enquiries, Suggestions, Complaints and Disputes**

The Shire values your enquiries and suggestions on ways it can improve its services. If you have an enquiry you can telephone the Shire on (08) 9628 7004 during business hours. You will receive prompt, courteous and helpful replies and will be told who is handling your enquiry.

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. General written correspondence will be replied to as soon as possible normally within seven (7) business days. Over the counter and telephone enquiries will be responded to within twenty four (24) hours.

When you lodge a complaint, (either in writing or verbally) the Shire shall address the issue in a timely and efficient manner. A representative of the Shire shall respond in person within three (3) business days of a complaint being lodged. Where this response advises the need for further assessment you shall receive a written reply within seven (7) business days. If the final determination of an issue arising out of a complaint requires the attention of Council the complainant shall be notified of such and will be advised of the result of Council's deliberations within five (5) business days of the Council meeting.

*(Note – When a verbal complaint is lodged it would be appropriate that such complaint is confirmed in writing.)*

If you are not satisfied with a solution offered or action taken on a complaint you may seek referral to the 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.

The Shire must resolve complaints within 15 business days. If your complaint has not been resolved within 15 business days, the shire will inform you of the option of referring your complaint to the Department of Water.

If you have a dispute with the shire regarding a provided or requested water service, you may refer your dispute to the Department of Water. The Department of Water's contact details are as follows:-

Customer Services Officer  
The Department of Water  
Water Industry Support Branch  
P O Box K822  
Perth WA 6842

The Atrium, 168 St Georges Tce  
Perth WA 6000  
Ph: 08 6364 7600 Fax: 08 6364 6520

Email: [WISBcomplaints@water.wa.gov.au](mailto:WISBcomplaints@water.wa.gov.au)  
Website: [www.water.wa.gov.au](http://www.water.wa.gov.au)

The Department of Water will seek a detailed explanation of the nature of the complaint, the solutions or actions offered by the Shire and the reasons why these are not acceptable to you. The Department of Water 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 arbitration by an Arbitrator selected by you from a list provided by the Department of Water. The Arbitrator'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.

## **3.0 Our Powers**

### **3.1 Entry to your Property**

The circumstances in which the Shire representatives may enter your property to carry out investigations and/or work on the Shire wastewater system, are set out in the Health Act 1911. Any such entry shall normally occur during business hours, except in cases of emergency. For planned work within a property the Shire shall advise the occupier in advance. In cases of emergencies, the occupier, if 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 breakdowns; or
- If it is necessary to inspect, maintain, repair or replace any part of works; or
- For connection of new works or services; or
- If an event occurs beyond the Shires control, including acts by others, sabotage, 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 service for the purpose of regular maintenance or works programs. Unless interruptions are limited to a few minutes, notification shall be given to domestic, commercial and industrial customers at least 48 hours prior.

### **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 to 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 Shire approval. In the first instance, you should contact the Shire office. Unauthorised property improvements which interfere with the Shire's assets may be required to be removed at your cost.

The Shire is responsible for the maintenance of 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's 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 stormwater (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 deposited at a local Council collection point for these materials (this only applies to substances used for domestic purposes); 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 (eg backflow risk or unauthorised industrial waste discharge);
- If you do not pay, or meet and make arrangements to pay, overdue charges for the services.

If there is a health and safety risk the Shire shall 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 applies 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 a result of a negligent act or omission by the Shire, its servants or agents;
- As a result of the failure to meet standards prescribed by its Operating License or regulations (if any).

The Shire's liability is limited as follows:

Section 35 of the Water Services Licencing Act allows the Shire to interrupt, suspend or restrict the provision of 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.