

Water Compliance Reporting Manual

Water Services Act 2012

~~July 2016~~October 2017

Economic Regulation Authority

 WESTERN AUSTRALIA

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1 Introduction

The licensing of water services in Western Australia is provided for under the *Water Services Act 2012 (Act)*. The Act creates four licence classifications:

- Water supply services (which the ERA further categorises into potable and non-potable water)
- Sewerage services
- Irrigation services
- Drainage services

The Economic Regulation Authority (**ERA**) is responsible for administering the licensing scheme under the Act, including determining the terms and conditions, and granting of licences. An entity licensed by the ERA is required to comply with a range of obligations prescribed by the Act and its associated regulations. The ERA also monitors compliance with decisions and directions of the *Energy and Water Ombudsman Western Australia*.

It is the ERA's responsibility under the Act to monitor and report to the Minister for Water on the performance of the water service providers, water industry and the operation of the licensing scheme. The ERA is also required to inform the Minister of any failure by a licensee to comply with its licence conditions, including relevant regulations.

It is important that there is a shared understanding amongst all stakeholders with respect to the licence terms and conditions that are applicable to a licensee and the way in which the ERA will fulfil its responsibilities under the Act, including monitoring and reporting on licence compliance. In support of this objective the ERA has issued this Water Compliance Reporting Manual (**Reporting Manual**) in order to provide:

- a consolidated list of the compliance obligations relevant to the licensees, depending on their licence type;
- categorisation of licence conditions to assist with reporting obligations;
- a self-assessment framework for licensees to facilitate compliance with licence conditions and report non-compliances to the ERA; and
- the format of the reports that licensees must provide to the ERA and the timing of these reports.

The Reporting Manual aims to identify all the compliance requirements for water supply, sewerage, drainage and irrigation licensees. Compliance requirements vary for some types of operating licences. Licensees are encouraged to make note of the compliance requirements that apply to them based on their licence type and circumstances.

Performance reporting is discussed in Section 3 of this Reporting Manual.

1.1 Structure of Reporting Manual

This Reporting Manual is structured as follows:

- Section 3 details the nature of licensees' performance reporting requirements, including the timing of reporting and lodging requirements.
- Section 4 details the classification criteria for compliance obligations.
- Section 5 details the nature of licensees' compliance reporting requirements, including the timing of reporting and lodging requirements.
- Section 6 details the format of the compliance report template.
- Section 7 details the format for reporting a non-compliance.
- Section 8 details the Type 1 reporting obligations for all licence types (i.e. where immediate notification to the ERA is required).
- Sections 9 to 12 detail the licence compliance obligations applicable to each licence under the following legislative and regulatory instruments:
 - *Water Services Act 2012* (Section 9);
 - *Water Services Regulations 2013* (Section 10);
 - *Water Services Code of Conduct (Customer Service Standards) 2013* (Section 11); and
- Section 12 details the licence conditions.

While the ERA has taken care to compile the compliance and reporting requirements for water supply, sewerage, drainage and irrigation licensees, the omission of a compliance requirement in this Reporting Manual does not imply a licensee is exempt from fulfilling that requirement. Licensees are required to ensure they are aware of the statutory obligations relevant to their licence and take measures to comply with these obligations.

In Sections 8 to 12 of this Manual, the ERA's policy is to, where possible, retain the obligation numbering despite changes in legislation and regulations. This may result in some numbers being designated as 'Not Used' where the original legislative requirement has been rescinded.

2 Amending this Reporting Manual

The ERA may amend this Reporting Manual from time to time to:

- reflect amendments to the Act;
- include references to new licence obligations;
- delete references to obsolete or replaced obligations;
- amend the performance information that must be provided to the ERA;
- improve the compliance and reporting process; or
- to correct any errors.

The ERA will consult with licensees, and other stakeholders as appropriate, prior to making any significant revisions to this Reporting Manual.

3 Performance Reporting

Urban Framework

Western Australia signed the National Water Initiative Agreement (**NWI Agreement**) in 2006, joining the Commonwealth¹ and the other States and Territories. Under the NWI Agreement, the signatories agreed to report independently, publicly and on an annual basis; benchmarking data on the pricing and service quality of urban and rural water delivery agencies. The parties to the NWI Agreement have convened a Roundtable Group to oversee the publication of annual reports on the performance of urban utilities.

To assist urban utilities with their reporting obligations under the NWI Agreement the Roundtable Group has developed a performance reporting framework for urban utilities (**Urban Framework**), which comprises two documents:

- A handbook containing performance reporting indicators and definitions.
- A handbook containing the auditing requirements for the Urban Framework.

The handbooks are published by the Bureau of Meteorology.

The Urban Framework captures all urban utilities that service 10,000 or more connected properties. In Western Australia, the licences of potable water and sewerage service providers that are captured by the Urban Framework include a condition requiring these licensees to provide the ERA with annual performance data in accordance with the Framework.²

All licensees

All water licences include a condition requiring the licensee to provide to the ERA performance data specified in the ERA's *Water, Sewerage and Irrigation Performance Reporting Handbook (Reporting Handbook)*.

The Reporting Handbook provides the specific performance indicators for each water service undertaken by the licensee.

For further information on performance reporting refer to the Reporting Handbook, available on the ERA's website.³

3.1 Lodgement of Performance Reports

The Reporting Handbook specifies:

- the performance indicators that licensees are required to report against;
- the definitions to be applied to the performance indicators in the performance reports;
- how to calculate the performance data (where applicable); and
- how and when the data is to be provided to the ERA.

Licensees are advised to refer to the Reporting Handbook for further information how to lodge their annual performance information with the ERA.

¹ The original signatory representing the Commonwealth in the NWI was the National Water Commission (NWC) which was abolished by the Australian Government in June 2015. Representation of the Commonwealth was subsequently transferred to the Bureau of Meteorology (BoM).

² For further information on NWI reporting, refer to the BoM website: <http://www.bom.gov.au/water/npr/>

³ <https://www.erawa.com.au/water/water-licensing/regulatory-guidelines>

4 Classification of Compliance Obligations

Table 1 sets out a suite of criteria which seek to balance:

- The cost to licensees of monitoring and reporting against their compliance obligations – for example, through recognition and appropriate classification of obligations which are inherently unmeasurable or which have minimal impact. This objective has been realised through the introduction of a more high-level and ‘exception-based’ reporting framework for Type 2 breaches.
- The provision of appropriate incentives to licensees to ensure that regulatory obligations are adhered to and that non-compliances do not become systemic – for example, through a weighting towards the classification of obligations as Type 2 and the ability to reclassify non-compliances in circumstances where, although the impact may not be significant, the incidence of non-compliance has become systemic.

Table 1: Criteria for Classification of Compliance Obligations

Rating (Type)	Classification of Non-compliance	Criteria for Classification
1	Major	Classified on the basis that: <ul style="list-style-type: none"> • the consequences of non-compliance would cause major damage, loss or disruption to customers; or • the consequences of non-compliance would endanger or threaten to endanger the safety or health of a person.
2	Moderate	Classified on the basis that: <ul style="list-style-type: none"> • the consequences of non-compliance would impact the efficiency and effectiveness of the licensee’s operations or service provision but do not cause major damage, loss or disruption to customers; or • the regulatory obligation is not otherwise classified as Type 1 or Type NR non-compliance. Reclassification of Type 2 to Type 1 may occur in circumstances of systemic non-compliance.
NR (not reportable) ⁴	Minor	Classified on the basis that: <ul style="list-style-type: none"> • the consequences of non-compliance are relatively minor – i.e. non-compliance will have minimal impact on the licensee’s operations or service provision and do not cause damage, loss or disruption to customers; • compliance with the obligation is immeasurable; • the non-compliance is required to be reported to the Regulator under another instrument, guideline or code; • the non-compliance is identified by a party other than the licensee; or • the licensee only needs to use its reasonable endeavours or best endeavours to achieve compliance or where the obligation does not otherwise impose a firm obligation on the licensee. Reclassification of Type NR to Type 2 may occur in circumstances of: <ul style="list-style-type: none"> • systemic non-compliance; or • a failure to resolve non-compliance promptly.

⁴ Compliance obligations classified as Type ‘NR’ are not reportable for purposes of the annual compliance report, but will be assessed during the independent, cyclical operational audit.

5 Compliance Reporting

This section covers both immediate notification of Type 1 non-compliances and annual compliance reports.

5.1 Notification of Type 1 Non-compliances

A licensee must immediately notify the ERA when it becomes aware of a breach of a Type 1 licence obligation. Type 1 obligations are listed in section 8. This notification must include:

- a telephone call to the Executive Director, Licensing, Monitoring & Customer Protection, or the Assistant Director, Monitoring, on (08) 6557 7900 to explain the nature and impact of the breach; and
- a letter from the licensee's CEO or senior executive officer to the ERA's Chair within 5 business days of the breach, which details:
 - the licence obligation that has been breached;
 - the nature and extent of the breach;
 - the impact of the breach including the number of customers and other licensees affected;
 - the reasons for the breach;
 - the actions that the licensee has taken/will take to rectify the breach;
 - the actions that the licensee has taken/will take to prevent recurrence of the breach; and
 - the date the licensee has, or expects to, comply again fully with the licence obligation that has been breached.

A licensee must lodge the letter at the following address:

By post at: PO Box 8469, PERTH BC WA 6849

By email at: records@erawa.com.au

5.2 Annual Compliance Reports

5.2.1 *Format and Timing of Compliance Reports*

The licensee is required to submit a signed annual compliance report to the ERA by 31 August for the year ending 30 June. The annual compliance report must be approved by the licensee's CEO or senior executive officer responsible for the activities covered by the licence. The template for the compliance report is provided in Section 6. Section 7 provides a template (referred to as Schedule A) for reporting non-compliances. The compliance report requires a licensee to:

- confirm that it has complied with all applicable Type 1 and Type 2 licence obligations during the period, other than those specifically referred to in Schedule A of the report;
- identify in Schedule A any Type 1 or Type 2 licence obligations that have been breached during the period and provide details of:
 - the licence obligation that has been breached;

- the nature and extent of the breach;
- the impact of the breach including the number of customers and other licensees affected;
- the reasons for the breach;
- the actions that the licensee has taken to rectify the breach;
- the actions taken to prevent recurrence of the breach; and
- the date the licensee has, or expects to, comply again fully with the licence obligation that has been breached.

It is mandatory for licensees to address all information elements in the template set out in Section 7 for each non-compliance that is included in the annual compliance report.

5.2.2 Lodgement of Compliance Reports

Licensees must lodge a completed and signed copy of the annual compliance report to the ERA:

By post at: PO Box 8469, PERTH BC WA 6849

By email at: records@erawa.com.au

It is important to note that compliance with the licence will not be achieved until a *signed* copy of the compliance report has been received by the ERA.

6 Compliance Report Template

Licensees must use the following format for the annual compliance report.

Compliance Report

Time period: 1 July 20__ to 30 June 20__

Submitted by: [*Licensee name*]

ACN: [*Number*]

To: Chair
Economic Regulation Authority
PO Box 8469
Perth Business Centre
WA 6849

[*Name of signing officer*] reports as follows:

- (1) This report documents compliance during [*Time period*] with all obligations classified as Type 1 and Type 2 obligations in the Economic Regulation Authority's current Water Compliance Reporting Manual.
- (2) This report has been prepared by [*Licensee name*] with all due care and skill in full knowledge of the obligations to which it is subject under the Regulations and Codes made pursuant to the *Water Services Act 2012* and in compliance with the current Water Services Operating Licence.
- (3) Schedule A to this report provides information on all obligations with which [*Licensee name*] did not comply during [*Time period*] as required by the current Water Services Operating Licence.
- (4) Other than the information provided in Schedule A, [*Licensee name*] has complied with all Type 1 and Type 2 obligations to which it is subject.
- (5) This compliance report has been approved and signed by [*Licensee*]'s [*CEO/senior executive officer*].

Date:

Signed

Name

Position

The format of Schedule A (referred to in points 3 and 4 of the above template), is provided in Section 7 of this Reporting Manual. **Note:** If there are no non-compliances to report, a positive statement to that effect should be made in Schedule A (i.e. "No non-compliances to report").

7 Format for Reporting Non-Compliances

Licensees must use the following format of Schedule A when reporting non-compliances to the ERA. The information prescribed in Schedule A should be provided for each non-compliance that is being reported. The compliance report template provided in Section 6 should be completed and Schedule A provided as an attachment. *Note:* If there are no non-compliances to report, a positive statement to that effect should be made in Schedule A (i.e. “No non-compliances to report”).

Schedule A		
Water Compliance Reporting Manual Reference No. (refer to Sections 8 – 12 of the Reporting Manual)	Brief description of licence obligation that has been breached	Describe the: <ol style="list-style-type: none"> 1. nature and extent of the breach; 2. impact of the breach including the number of customers and other licensees affected; 3. reasons for the breach; 4. actions that the licensee has taken to rectify the breach; 5. actions that the licensee has taken/will take to prevent recurrence of the breach; and 6. date the licensee has, or expects to, comply again fully with the licence obligation that has been breached.

8 Type 1 Reporting Obligations for all Licence Types

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
1.	Water Services Act Sections 21(1)(a)	Clause 3.3.1	The licensee must provide a water service authorised by the licence to persons entitled to the service under the Act, except to the extent otherwise provided for by the Act.	All	1
21.	Water Services Act Section 95(3)	Clause 3.1.1	The licensee cannot cut off the supply of water to an occupied dwelling unless the occupier agrees to that.	Water supply services	1

9 Licence Compliance Requirements - Water Services Act 2012

Note: This table only provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
1.	Water Services Act Section 21(1)(a)	Clause 3.3.1(a)	The licensee must provide a water service a water service authorised by the licence to persons entitled to the service under the Act, except to the extent otherwise provided for by the Act.	All	1
2.	Water Services Act Section 21(1)(b)	Clause 3.3.1(b)	The licensee must offer to provide a water service on reasonable terms, unless provision of the service is not financially viable or is otherwise not practicable, to persons within the operating area who are not entitled to the service under the Act.	All	2
3.	Water Services Act Section 21(1)(c)	Clauses 3.1.1 and 3.5	The licensee must provide, operate and maintain the water service works specified by the ERA in the licence.	All	2
4.	Water Services Act Section 22	Clause 3.4.1	The licensee must notify the ERA as soon as practicable before commencing to provide the water service outside of the operating area of the licence.	All	2
5.	Water Services Act Section 23	Clause 3.5	All water service works used by the licensee in the provision of a water service must be held by the licensee, or must be covered by a works holding arrangement.	All	2
6.	Water Services Act Sections 24(1)(a) & 24(2)	Clause 4.1.1	The licensee must have an asset management system that provides for the operation and maintenance of the water service works.	All	2
7.	Water Services Act Section 24(1)(b)	Clauses 4.1.2 4.1.1 and 4.1.2	The licensee must give details of the asset management system and any changes to it to the ERA.	All	2
8.	Water Services Act Section 24(1)(c)	Clause 4.1.3	A licensee must provide the ERA with a report by an independent expert as to the effectiveness of its asset management system every 24 months, or such longer period as determined by the ERA.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
9.	Water Services Act Section 25	Clause 4.3.1	A licensee must, not less than once every 24 months, or such longer period as determined by the ERA, provide the ERA with an operational audit conducted by an independent expert appointed by the ERA.	All	2
10.	Water Services Act Section 26(3)	Clause 3.1.1	The licensee must comply with each code of practice made by the Minister to the extent to which it applies to the licensee.	All	2
11.	Water Services Act Section 27	Clause 3.1.1	The licensee must comply with the code of conduct that may be made by the ERA to the extent to which it applies to the licensee and is not inconsistent with the licence.	All	2
12.	Water Services Act Section 29	Clause 3.1.1	The licensee must comply with the duties imposed on it by the Act in relation to its licence and must carry out its operations in respect of the licence in accordance with the Act.	All	2
13.	Water Services Act Section 36	Clause 3.1.1	If the licensee ceases to provide a water service in an area, the licensee must ensure that the water service works are left in a safe condition, and must not remove any part of the works except with the approval of the Minister.	All	2
14.	Water Services Act Section 60	Clause 5.6.1	If the licensee is the supplier of last resort for a designated area, the licensee must perform the functions of the supplier of last resort and must comply with the relevant duties and carry out the relevant operations prescribed.	All	2
15.	Water Services Act Section 66	Clause 5.5.1	Licensees who are required to be a member of the water services ombudsman scheme agree to be bound by, and compliant with, any decision of direction of the water services ombudsman under the scheme.	All	2
16.	Water Services Act Section 77(3)	Clause 3.1.1	The licensee must take reasonable steps to minimise the extent or duration of any interruption of water services it is responsible for.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
17.	Water Services Act Sections 82(4) & (5)	Clause 3.1.1	If a person must give the licensee notice of any building work to be carried out on land in the operating area of a license, the licensee must return a copy of the plans and specifications contained in the notice with any written directions about the proposed building work that the licensee considers necessary to ensure the safety and efficacy of the provision of water services provided, or to be provided. The licensee must do this within 7 days of receiving the fee for dealing with the notification.	All	2
18.	Water Services Act Section 84(2)	Clause 3.1.1	If the licensee has given a notice under section 83(3)(a) of the Act, and the licensee is satisfied that the person given the notice is not going to comply with the notice within a reasonable time, the licensee must give the person 21 days notice of its intention to commence the works.	All	2
19.	Water Services Act Section 87(2)	Clause 3.1.1	If a person makes an application with the State Administrative Tribunal for a review of a decision in respect of the licensee providing additional water services when a person has not responded to the licensee's notice, the licensee cannot provide the works until the application has been finally dealt with, except in limited circumstances.	All	2
20.	Water Services Act Section 90(7)	Clause 3.1.1	If the licensee gives a compliance notice to a person who is undertaking construction or carrying out similar works in the vicinity of water service works, the licensee must, to the extent practicable, consult with the owner of the land on which the obstruction is located or the activity is taking place if the person to be given the notice is not the owner of the land.	All	NR
21.	Water Services Act Section 95(3)	Clause 3.1.1	The licensee cannot cut off the supply of water to an occupied dwelling unless the occupier agrees to that.	Water supply services	1
22.	Water Services Act Section 96(1)	Clause 3.1.1	If the licensee provides water supply reticulation works, or enters into an agreement for the provision of water supply reticulation works, the licensee must install fire hydrants attached to those works in accordance with the requirements of FESA, or the relevant local government as to the location and type of hydrant.	Water supply services	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
23.	Water Services Act Section 96(5)	Clause 3.1.1	The licensee must comply with requests made by FESA or a local government under sections 96(3) and 96(4) of the Act to the extent practicable and within a reasonable time.	Water supply services	NR
24.	Water Services Act Section 98(3)	Clause 3.1.1	If required to by the Minister, the licensee must connect a wastewater inlet on land to the sewerage works of the licensee.	Sewerage services	2
25.	Water Services Act Section 106(2)	Clause 3.1.1	The licensee must include the information specified in a compliance notice given in relation to failure to maintain fittings, fixtures and pipes.	Sewerage services	2
26.	Water Services Act Section 110(3)	Clause 3.1.1	If required to by the Minister, the licensee must connect a drainage asset on land to the drainage works of the licensee.	Drainage services	2
27.	Water Services Act Section 112(5)	Clause 3.1.1	If required by the Minister, the licensee must modify the property drainage connection.	Drainage services	2
28.	Water Services Act Section 119(2)	Clause 3.1.1	The licensee must include the information specified in a compliance notice given in relation to the matters set out in section 119(1).	All	2
29.	Water Services Act Section 122(2)	Clause 3.1.1	If a person makes an application to the State Administrative Tribunal under section 122(1), the licensee cannot take, or continue to take, action against the person except in the circumstances specified.	All	2
30.	Water Services Act Section 125(2)	Clause 3.1.1	If the licensee provides a water supply, sewerage or drainage service to 2 or more dwellings on land by a single property connection, the licensee may apportion fees. The licensee cannot apportion fees to the extent inconsistent with any agreement related to such a provision of services, or section 66 of the <i>Strata Titles Act 1985</i> .	Water supply services, sewerage services & drainage services	2
31.	Water Services Act Section 128(4)	Clause 3.1.1	If the licensee has previously lodged a memorial with the Registrar, the licensee must lodge a withdrawal of memorial with Registrar along with the prescribed fee (if any) if the charge or contribution has been paid.	All	2
32.	Water Services Act Section 129(5)	Clause 3.1.1	If a routine inspection or maintenance is likely to cause disruption to the occupants of a place at least 48 hours notice of a proposed entry must be given to the occupier of the place unless the occupier agrees otherwise.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
33.	Water Services Act Section 139(3)	Clause 3.1.1	If the licensee removes or erects a fence or gate when exercising a works power conferred by the Act, the licensee must take all reasonable steps to notify the owner before doing so.	All	NR
34.	Water Services Act Section 141(1)	Clause 3.1.1	In certain instances, if a person authorised by the licensee carries out road work that involves breaking the surface of the road or that would cause major obstruction to road traffic, the licensee must give at least 48 hours notice to the public authority managing the road.	All	2
35.	Water Services Act Sections 142	Clause 3.1.1	The licensee must comply with sections 143 and 144 of the Act in relation to the proposed major works, and has given any notice required under section 148.	All	2
36.	Water Services Act Sections 143 (2)	Clause 3.1.1	Before the licensee submits a proposal for the provision of major works to the Minister, the licensee must prepare, publish and make available plans and details of those major works as specified.	All	2
37.	Water Services Act Sections 143 (3)	Clause 3.1.1	The licensee must, within 5 days of publishing the plans and details on the licensee's website, give notice setting out the matters prescribed in section 143(4) to the persons and agencies specified.	All	2
38.	Water Services Act Sections 144(3)	Clause 3.1.1	The licensee must have regard to an objection or submission lodged within the relevant period.	All	2
39.	Water Services Act Section 145(2)	Clause 3.1.1	If the licensee makes alterations to the plans or details referred to in section 143(2), the licensee must give written notice of the alterations to any person who is likely to be adversely affected by those alterations.	All	2
40.	Water Services Act Section 147(3)	Clause 3.1.1	The licensee must comply with a direction given by a Minister in respect of a proposal to provide water service works that are major works under section 143(3).	All	2
41.	Water Services Act Section 147(4)	Clause 3.1.1	If the Minister gives a direction that further notices in relation to the proposed major works be given under section 143(3), the licensee must resubmit the proposal.	All	2
42.	Water Services Act Section 151(1)	Clause 3.1.1	A licensee proposing to provide water service works that are general works must prepare plans and details of the proposed works and publish and make them available for inspection.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
43.	Water Services Act Section 151(2)	Clause 3.1.1	The licensee must give a notice of general works setting out the matters referred to in section 151(3) to the persons and agencies specified.	All	2
44.	Water Services Act Section 152(3)	Clause 3.1.1	The licensee must have regard to an objection or submission lodged by the date specified in the notice given under section 151(2).	All	2
45.	Water Services Act Section 153(3)	Clause 3.1.1	If the licensee makes alteration to those plans or details referred to in section 151, the licensee must give written notice of the alterations to any person who is likely to be adversely affected by those alterations.	All	2
46.	Water Services Act Section 166(5)	Clause 3.1.1	On being advised by the Minister that an interest in land is appropriate to the licensee's needs, the licensee is required to acquire the interest.	All	2
47.	Water Services Act Section 166(6)	Clause 3.1.1	Any costs incurred in taking an interest in land are to be paid by the licensee.	All	2
48.	Water Services Act Section 170	Clause 3.1.1	The licensee must not sell an interest in land if the purchaser would hold a parcel of land that did not comply with the minimum lot size and zoning requirements under the <i>Planning and Development Act 2005</i> , unless the Minister permits the licensee to do so.	All	2
49.	Water Services Act Section 173(4)	Clause 3.1.1	In relation to entry to a place for the purposes of doing works, in the circumstances specified the licensee is required to give 48 hours notice of proposed entry to a place to the occupier or owner, as applicable, unless the occupier or owner agrees otherwise.	All	2
50.	Water Services Act Section 174(1)	Clause 3.1.1	Notice of a proposed entry by the licensee must be in writing and must set out the purpose of the entry, including (if applicable) any work proposed to be carried out.	All	2
51.	Water Services Act Section 174(3)	Clause 3.1.1	Even if in a particular instance the licensee may enter a place under the Act without having to give notice of proposed entry, the licensee must when practicable, and when it will not compromise the reason for entry, give notice of entry to the occupier.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
52.	Water Services Act Section 175(2)	Clause 3.1.1	If an occupier is present when the licensee proposes to enter a dwelling, the licensee must perform the prescribed actions before entering the premises.	All	2
53.	Water Services Act Section 175(5)	Clause 3.1.1	If the licensee enters a dwelling that is unoccupied, the licensee must leave a notice or a copy of the warrant (as applicable) in a prominent position in the dwelling before leaving the dwelling.	All	2
54.	Water Services Act Section 176(1)	Clause 3.1.1	If the licensee has entered a place with or without consent, the licensee must leave the premises as soon as practicable after being notified that the owner or occupier has refused or withdrawn their consent.	All	2
55.	Water Services Act Section 176(3)	Clause 3.1.1	The licensee must produce their certificate of authority if asked to do so, and must not perform, or continue to perform, a function under the Act if they are not able to do so.	All	2
56.	Water Services Act Section 176(4)	Clause 3.1.1	If the licensee enters or proposes to enter a place, and the owner or occupier requests the licensee produce evidence of authority for that entry, then the licensee must leave the place if they are unable to do so unless the owner or occupier agrees otherwise.	All	2
57.	Water Services Act Section 181	Clause 3.1.1	The licensee, or a person assisting the licensee, must, as far as is practicable comply with any reasonable request from the owner or occupier intended to limit interference with the lawful activities of the owner or occupier.	All	NR
58.	Water Services Act Section 186	Clause 3.1.1	If the licensee applies for a warrant, the application must contain the prescribed information.	All	2
59.	Water Services Act Section 187(1) – (3)	Clause 3.1.1	If the licensee applies for a warrant to enter, the application must be made in accordance with the procedures specified depending on the location of the applicant and the justice.	All	2
60.	Water Services Act Section 190(4)	Clause 3.1.1	Unless required to give a copy of the warrant, the licensee executing the warrant must produce the warrant for inspection by the occupier of the place concerned on entry (if practicable), and if requested to do so.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
61.	Water Services Act Section 190(5)	Clause 3.1.1	On completing the execution of a warrant the licensee must record the prescribed information on that warrant.	All	2
62.	Water Services Act Section 210(5)	Clause 3.1.1	If the licensee designates a person as an inspector or compliance officer, the licensee must give that person a certificate of authority that includes certain prescribed information.	All	2
63.	Water Services Act Section 218(2)	Clause 3.1.1	In the exercise or purported exercise of a power under the Act, the licensee must ensure that, to the extent practicable, the free use of any place is not obstructed, and that as little damage, harm or inconvenience is caused as is possible.	All	NR
64.	Water Services Act Section 218(3)	Clause 3.1.1	If the licensee does any physical damage in the exercise of a works power or a power of entry, the licensee must ensure that the damage is made good, and pay compensation to the extent that it is not practicable to make good the damage.	All	2

10 Licence Compliance Requirements - Water Services Regulations 2013

Note: This table only provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
65.	Water Services Regulations 2013 Regulation 23(2)	Clause 3.1.1	If the licensee provides a water supply service in respect of a multi-unit development, the licensee <u>must</u> , on the owner's request <u>of the owner or the strata company</u> , is to assess whether a meter is satisfactory for measuring the quantity or flow of water <u>passing</u> through a pipe supplying water to the unit.	All	2
66.	Water Services Regulations 2013 Regulation 24(4)	Clause 3.1.1	If the licensee gives a compliance notice to a person in respect of access to meters, the notice must specify the specified information.	All	2
67.	Water Services Regulations 2013 Regulations 26(3)	Clause 3.1.1	If the owner or occupier requests the licensee to test a meter, subject to the payment of the charge (if any) for testing that type of meter, the licensee must test the meter in accordance with the approved procedure.	All	2
68.	Water Services Regulations 2013 Regulation 26(5)	Clause 3.1.1	If a meter test finds that the meter is outside the prescribed tolerance applicable, the licensee must take the specified actions, bear the costs of testing and refund or credit any charges paid under regulation 26(3).	All	2
69.	Water Services Regulations 2013 Regulation 29(21)	Clause 3.1.1	<u>The licensee must, on the written request of a developer who is required to pay the licensee an infrastructure contribution in respect of a subdivided lot, defer the payment of the contribution unless regulations 29(3) or 29(4) applies</u> If the developer of a lot makes a request to the licensee to defer payment of an infrastructure contribution, the licensee must, subject to regulations 29(3) and 29(4), allow the payment to be deferred.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
70.	Water Services Regulations 2013 Regulation 42(2)	Clause 3.1.1	The written order requiring the owner or occupier of land to install a backflow prevention device must set out the date which the device must be installed and tested (which must be at least 7 days after the order is given).	All	2
71.	Water Services Regulations 2013 Regulation 43(3)	Clause 3.1.1	The compliance notice requiring the owner or occupier of land to have their backflow prevention device tested or maintained in accordance with the standard by a specified date (which must be at least 7 days after the notice is given).	All	2
72.	Water Services Regulations 2013 Regulation 43(6)	Clause 3.1.1	The compliance notice requiring the owner or occupier of land to have their backflow prevention device made good as specified in the notice must include the work that is required to be done, the manner in which the work is to be done and the date by which the work is to be done (which must be at least 7 days after the notice is given).	All	2
73.	Water Services Regulations 2013 Regulation 53(3)	Clause 3.1.1	The licensee must provide a person with a plan of the existing drainage plumbing for a building on request and on receipt of payment from the person.	All	2
74.	Water Services Regulations 2013 Regulation 60(2)	Clause 3.1.1	If the licensee proposes to exercise a works power in a road and considers that it is necessary to alter the position of infrastructure, the licensee must notify the person who is responsible for the infrastructure and may request that the person make the alterations within the time specified in the notice.	All	2
75.	Water Services Regulations 2013 Regulation 63	Clause 3.1.1	If the licensee opens or breaks up the surface of a road, the licensee must complete the relevant work and reinstate and make good the road, and must take all reasonable measures to prevent that part of the road from being hazardous.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
76.	Water Services Regulations 2013 Regulations 65(1)	Clause 3.1.1	The licensee must maintain records for all land in respect of which water service charges apply.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
77.	Water Services Regulations 2013 Regulations 65(2)	Clause 3.1.1	The records for all land in respect of which water service charges apply must contain prescribed information.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
78.	Water Services Regulations 2013 Regulation 65(4)	Clause 3.1.1	The licensee must make the records for all land in respect of which water service charges apply available for inspection by any person without charge, and give a copy of particular records to a person with a material interest in them, on payment of the prescribed charge.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
79.	Water Services Regulations 2013 Regulation 67	Clause 3.1.1	Except as otherwise provided under the Act, the records maintained by the licensee for a period in relation to land are the basis upon which the licensee must determine the water service charges applicable for the period.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
80.	Water Services Regulations 2013 Regulations 68(5)	Clause 3.1.1	The licensee must consider an objection to the records maintained by a licensee under regulation 65 as soon as practicable.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	NR
81.	Water Services Regulations 2013 Regulations 68(6)	Clause 3.1.1	The licensee must give the person by whom the objection was made written notice of the licensee's decision on the objection together with a brief statement of the licensee's reasons for the decision.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
82.	Water Services Regulations 2013 Regulations 68(7)	Clause 3.1.1	If the licensee disallows an objection, wholly or in part, to entries in the records maintained by a licensee under regulation 65, the licensee must advise the person who objected of any consequent amendment of the records.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
83.	Water Services Regulations 2013 Regulations 68(8)	Clause 3.1.1	If the licensee allows an objection, wholly or in part, to entries in the records maintained by a licensee under regulation 65, the licensee must advise the person of the time within which and the manner in which a review of the decision may be sought.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
84.	Water Services Regulations 2013 Regulation 69(3)	Clause 3.1.1	Upon receipt of a notice from a person dissatisfied with a decision of the licensee on an objection, the licensee must promptly refer the relevant records to the State Administrative Tribunal for a review.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
85.	Water Services Regulations 2013 Regulation 70(2)	Clause 3.1.1	Upon receipt of a notice from a person dissatisfied with a decision of the licensee to refuse to extend the time for giving an objection to the licensee or a notice under regulation 69(2), the licensee must promptly refer the decision to the State Administrative Tribunal for a review.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
86.	Water Services Regulations 2013 Regulation 74(1)	Clause 3.1.1	The licensee must make any amendment of the records necessary as a consequence of an allowance, wholly or in part, of an objection under the Act or the <i>Valuation of Land Act 1978</i> or as a consequence of a review by the State Administrative Tribunal.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
87.	Water Services Regulations 2013 Regulation 74(2)	Clause 3.1.1	The licensee must, if necessary as a consequence of the amendment to the records under regulation 74(1) re-determine and if necessary provide a rebate or refund.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
88.	Water Services Regulations 2013 Regulation 75(1)	Clause 3.1.1	If a person is liable, under an agreement with the owner of land, for payment of the water service charges in respect of certain land, the person is entitled to receive from the licensee all information necessary for the person to assess his or her liability under the agreement.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation ##	2
<u>88A.</u>	Water Services Regulations 2013 Regulation 80H	Clause 3.1.1	The licensee must, within 60 days after receiving a water efficiency management plan from an owner or occupier of a non-residential lot, approve the plan, request further information, or request a revised plan by written notice.	Water Corporation, Bunbury Water Corporation, Busselton Water Corporation, Hamersley Iron Pty Ltd and Robe River Mining Company Pty Ltd	<u>2</u>
89.	Water Services Regulations 2013 Regulation 85	Clause 3.1.1	Compliance notices issued by the licensee must include a brief description of the possible consequences under the Act of not complying with the notice, and the rights of review under the Act in relation to the notice and who may apply for review.	All	2
90.	Water Services Regulations 2013 Regulation 86(6)	Clause 3.1.1	If the licensee appoints an employee as an authorised or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2, the licensee must issue the officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation Licenseses that are water corporations	2
91.	Water Services Regulations 2013 Regulation 86(9)	Clause 3.1.1	The licensee must maintain a list of persons appointed to be authorised officers or approved officers for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2, and must, on request, give a copy of the list to the CEO or to the chief executive officer of the Public Services principally assisting in the administration of the <i>Criminal Procedure Act 2004</i> .	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation Licenseses that are water corporations	2

11 Licence Compliance Requirements - Water Services Code of Conduct (Customer Service Standards) 2013

Note: This table only provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.

Additional Note: Under clause 5 of the *Water Services Code of Conduct (Customer Service Standards) 2013*, a licensee and a customer can enter into an agreement that varies or displaces the requirements of this code in relation to the licensee or customer. Similarly, where an agreement between a licensee and a customer is already in effect that has provisions that are inconsistent with the requirements of the code in relation to the licensee or customer, the provisions of the agreement prevail to the extent of the inconsistency.

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
92.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 7	Clause 3.1.1	The licensee must have written information for customers about the prescribed matters.	All	2
93.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 8	Clause 3.1.1	The licensee must ensure that, in any 12 month period, 90% of connections are completed before the end of 10 business days, starting on the day on which the customer has paid the relevant fees and complied with the relevant requirements.	Water supply services	2
94.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 9	Clause 3.1.1	The licensee must issue a bill for non-quantity charges to each customer at least once in every 12 month period.	All	2
95.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 10(2)	Clause 3.1.1	The licensee must issue a bill for usage to each customer at least once in every 6 month period.	All	2
96.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 10(3)	Clause 3.1.1	The licensee must ensure a bill for usage is based on a meter reading to ascertain the quantity supplied or discharged.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
97.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 10(4)	Clause 3.1.1	If an accurate meter reading is not possible, a bill for usage must be based on an estimation (in accordance with the prescribed regulations) of the quantity of water supplied or waste water discharged.	All	2
98.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 10(5)	Clause 3.1.1	If an accurate meter reading is not possible and there are no applicable regulations, a bill for usage must be based on a reasonable estimate of supply or discharge using one of the prescribed methods.	All	2
99.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 11	Clause 3.1.1	The licensee must send a bill to the address of the place where the water service is provided or, if the customer nominates another address, to the nominated address.	All	2
100.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 12(1)	Clause 3.1.1	Each bill must contain the prescribed information.	All	2
101.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 12(2)	Clause 3.1.1	Each bill for usage for a metered water service must, in addition to the requirements of clause 12(1), contain the specified information.	All	2
102.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 12(3)	Clause 3.1.1	Each bill must inform the customer of the specified information and where further details can be obtained.	All	2
103.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 13(1)	Clause 3.1.1	If a bill is based on an estimate, the licensee must tell the customer on request the basis of the estimate and the reason for the estimate.	All	2
104.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 13(2)	Clause 3.1.1	The licensee must make any adjustments to the next bill to take into account the extent to which the estimate was not reasonable having regard to a subsequent and accurate meter reading.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
105.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 14(1)	Clause 3.1.1	The licensee must provide to the customer on request a meter reading and a bill in in the prescribed circumstances.	All	2
106.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 15	Clause 3.1.1	The licensee must have a publicly available written policy, standard or set of guidelines in relation to granting a discount to a customer whose meter reading indicates a water usage that is higher than normal for the customer but is likely to have been wasted because of a leak.	All	2
107.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 16(2)	Clause 3.1.1	The licensee cannot recover an undercharged amount from a customer unless it is for water services provided in the 12 month period ending on the day on which the licensee informed the customer of the undercharging.	All	2
108.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 16(3)	Clause 3.1.1	An undercharged amount must be the subject of, and explained in, a special bill or a separate item in the next bill. The licensee cannot charge interest or late payment fees on an undercharged amount. The licensee must allow a customer to pay an undercharged amount by way of a repayment plan as specified in the code of conduct.	All	2
109.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 16(4)	Clause 3.1.1	The licensee must not charge interest or late payment fees on an undercharged amount.	All	2
110.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 16(5)	Clause 3.1.1	The licensee must allow a customer to pay an undercharged amount by way of a repayment plan that has effect for the duration of shorter of the prescribed periods starting on the day that the bill in clause 16(3) is issued.	All	2
111.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 17(1)	Clause 3.1.1	If the licensee overcharges a customer, the licensee must credit the customer's account and must immediately afterwards notify the customer, or inform the customer of the overcharging and recommended options for refunding or crediting the overcharged amount.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
112.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 17(2)	Clause 3.1.1	The licensee must, in accordance with the customer's instructions, refund or credit the customer's account within 15 business days from starting on the day the licensee receives the instructions.	All	2
113.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 18(1)	Clause 3.1.1	The licensee must review a bill on the customer's request.	All	2
114.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 18(2)	Clause 3.1.1	The license must have a written procedure for the review of a bill on the customer's request.	All	2
115.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 18(3) & (6)	Clause 3.1.1	The review procedure in clause 18(2) must include the specified information and be publicly available.	All	2
116.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 18(4)	Clause 3.1.1	The review procedure must state that the customer may, but does not have to, use the licensee's complaints procedure mentioned in clause 35 before or instead of applying to the water services ombudsman or, if available, making an appeal from, or applying for a review or, the decision under regulations mentioned in section 222(2)(k) of the Act.	All	2
117.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 18(5)	Clause 3.1.1	The licensee must inform the customer of the outcome of a review of the customer's bill as soon as practicable or otherwise less than 15 business days from the day the customer's request for review was received.	All	2
118.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 20	Clause 3.1.1	The time set by the licensee for the payment of a bill must be after 14 days from when the bill is issued.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
119.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 21(1)	Clause 3.1.1	The licensee must allow a customer to pay a bill using any of the prescribed methods selected by the customer.	All	2
120.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 21(2)	Clause 3.1.1	The licensee must, when offering bill payment method options, inform the customer of the fees and charges (if any) associated with each bill payment method offered.	All	2
121.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 22	Clause 3.1.1	Before receiving a bill payment by direct debit the licensee must obtain the express consent, either orally or in writing, of the holder of the account to be debited and of the customer or an adult person nominated by the customer, to do so.	All	2
122.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 23(1)	Clause 3.1.1	The licensee must accept payment in advance from a customer on a customer's request.	All	2
123.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 24	Clause 3.1.1	The licensee must on request and at no charge redirect a customer's bills because of the customer's absence or illness.	All	2
124.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 25	Clause 3.1.1	The licensee must allow a customer to pay a bill under a payment plan or other arrangement under which the customer is given more time to pay the bill or to pay arrears if the customer is assessed by the licensee as experiencing payment difficulties.	All	2
125.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 26(1) & (2)	Clauses 3.1.1 and 5.4.1	The licensee must have a written policy in relation to financial hardship that is approved by the ERA.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
126.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 26(3)	Clause 3.1.1	If the licensee's licence was in place before the commencement of the Act, the licensee must have a financial hardship policy before the end of the 6 month period starting on the day on which section 27 of the Act comes into effect.	All	2
127.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 26(4)	Clause 3.1.1	If the licensee's licence was granted after the day on which the Act came into effect, the licensee must have a financial hardship policy within 6 months of the day of the grant of the license.	All	2
128.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 26(5)	Clause 3.1.1	The licensee's financial hardship policy must be publicly available.	All	2
129.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 26(6)	Clause 3.1.1	The licensee must review its financial hardship policy at least once in every 5 year period and, as part of the review process, consult with relevant consumer organisations.	All	2
130.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 27(2)	Clause 3.1.1	The licensee must allow a customer experiencing financial hardship to pay a bill under an interest-free or fee-free payment plan other arrangement under which the customer is given more time to pay the bill or to pay arrears.	All	2
131.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 27(3)	Clause 3.1.1	The licensee must also consider reducing the amount owed, review and revise, if appropriate, how a customer is paying a bill under clause 27(2) and provide the specified written information to a customer.	All	2
132.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 28(1)	Clause 3.1.1	Before the licensee enters into a payment plan or other similar arrangement with a customer who is not the owner of the land in respect of which the water service is provided, the licensee must ensure that the owner is aware of the proposed plan or arrangement.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
133.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 28(4) & (5)	Clause 3.1.1	The licensee must have publicly available written information regarding the payment plans, arrangements and other assistance that is available to customers.	All	2
134.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 29	Clause 3.1.1	The licensee must not commence or continue proceedings to recover a debt from a customer who is complying with a payment plan or other arrangement, or who is being assessed for payment difficulties or who is being assessed for financial hardship.	All	2
135.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 30(1)	Clause 3.1.1	If the licensee has reduced the rate of flow of drinking water to land under section 95(1)(b) of the Act, the licensee must restore the supply of water if the amount owing is paid, or if the customer enters into a payment arrangement for the amount owing that is satisfactory to the licensee.	Water supply service	2
136.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 30(2)	Clause 3.1.1	If the licensee has, under section 95(1)(a), (c), (d) or (e) of the Act, cut off or reduced the flow of drinking water, the licensee must restore the supply of water if the licensee is satisfied that the reason for the disconnection or reduction no longer applies.	Water supply service	2
137.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 31	Clause 3.1.1	The licensee must not, under section 95(1)(b) of the Act, reduce the rate of flow of drinking water to a customer without having first used its best endeavours to inform the customer in person of its intention to do so if the amount owing is not paid.	Water supply service	NR
138.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 32	Clause 3.1.1	The licensee must not reduce the rate of flow of drinking water under the Act if the specified circumstances apply.	Water supply service	2
139.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 33	Clause 3.1.1	The licensee must not reduce the rate of flow of water to a customer to below 2.3 litres each minute.	Water supply service	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
140.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 34(2)	Clause 3.1.1	The Water Corporation must restore a water supply to land in the metropolitan region within the specified timeframe, unless the licensee and customer expressly agree otherwise.	Water Corporation	2
141.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 34(3)	Clause 3.1.1	The Water Corporation must restore a water supply to land outside the metropolitan region within the specified timeframe, unless the licensee and customer expressly agree otherwise.	Water Corporation	2
142.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 34(4)	Clause 3.1.1	The licensee (other than the Water Corporation) must restore a water supply to land within the specified timeframe, unless the licensee and customer expressly agree otherwise.	Water supply service licensees other than the Water Corporation	2
143.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 34(5)	Clause 3.1.1	The Water Corporation must ensure that there is a 90% compliance rate with clauses 34(2) and 34(3) in any 12 month period ending on 30 June.	Water Corporation	2
144.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 34(6)	Clause 3.1.1	The licensee (other than the Water Corporation) must ensure that there is a 90% compliance rate with clause 34(4) in any 12 month period ending on 30 June.	Water supply service licensees other than the Water Corporation	2
145.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 35(1)	Clause 3.1.1	The licensee must have a written complaints procedure in relation to investigating and dealing with complaints of customers about the provision of water services by the licensee or a failure by the licensee to provide a water service.	All	2
146.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 35(2)	Clause 3.1.1	The licensee's complaints procedure must be developed using as minimum standards the relevant provisions of the AS ISO 10002-2006 and the ERA's guidelines (if any).	All	2
147.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 35(3)	Clause 3.1.1	The licensee's complaints procedure must provide for the matters specified in relation to lodgement of complaints, responding to complaints, dispute resolution arrangements and resolving complaints.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
148.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 35(4)	Clause 3.1.1	The licensee's complaints procedure must inform the customer that they do not have to use the licensee's complaints procedure, provide details of procedures under the Act, and set out the costs and benefits to the customer if the use the complaint resolution procedure or instead of the procedures under the Act.	All	2
149.	Water Services Code of Conduct (Customer Service Standards) 2013 Clauses 35(6)	Clause 3.1.1	The licensee's complaints procedure must be publicly available.	All	2
150.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 36(1)	Clause 3.1.1	The licensee must provide a customer with the specified services on request and at no charge.	All	2
151.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 36(1)	Clause 3.1.1	The licensee must provide a customer with the specified services on request and at no charge.	All	2
152.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 36(2)	Clause 3.1.1	The licensee must make available to each customer the customer's personal account information.	All	2
153.	Water Services Code of Conduct (Customer Service Standards) 2013 Clause 37(1)	Clause 3.1.1	The licensee must make the prescribed information publicly available.	All	2
154.	Water Services Code of Conduct (Customer Service Standards) 2013 Notes – Clause 12 [clause 37(2)]	Clause 3.1.1	The licensee must ensure that the specified information about bill may be obtained from its website.	All	2

12 Licence Compliance Requirements - Licence Conditions

Note: This table only provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
155.	Water Services Act Section 12	Clause 3.2.1	The licensee must pay the applicable fees and charges in accordance with the applicable regulations.	All	2
156.	Water Services Act Section 12	Clause 3.1.1	Subject to any modifications or exemptions granted pursuant to the Act and this licence, the licensee must comply with any applicable legislation.	All	2
157.	Not Used				
158.	Not Used				
159.	Water Services Act Section 12	Clause 3.1.2	The licensee must comply with a direction from the ERA in relation to a breach of applicable legislation.	All	2
160.	Water Services Act Section 12	Clause 3.6.1	The licensee and any related body corporate must maintain accounting records that comply with the Australian Accounting Standards Board Standards or equivalent International Accounting Standards.	All	2
161.	Water Services Act Section 12	Clause 4.2.1	The licensee must comply with any individual performance standards prescribed by the ERA.	All	2
162.	Water Services Act Section 12	Clause 4.3.4	The licensee must cooperate with the independent expert and comply with the ERA's standard audit guidelines dealing with the operational audit.	All	2
163.	Water Services Act Section 12	Clause 3.7.1(a), (b), (c)	The licensee must report to the ERA, in the manner prescribed, if a licensee is under external administration or there is a material change in the circumstances upon which the licence was granted which may affect a licensee's ability to meet its obligations.	All	2
164.	Not Used				

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
165.	Water Services Act Section 12	Clause 3.8.1	The licensee must provide the ERA specified information relevant to the operation of the licence or the licensing scheme, or the performance of the ERA's function under the Act in the manner and form specified by the ERA.	All	2
166.	Water Services Act Section 12	Clause 3.8.2	The licensee must comply with any information reporting requirements prescribed by the ERA, including but not limited to the provisions of the <i>Water Compliance Reporting Manual</i> that apply to the licensee.	All	2
167.	Water Services Act Section 12	Clause 3.8.3	The licensee must provide the ERA with the data required for performance reporting purposes that is specified in the <i>Water, Sewerage and Irrigation Licence Performance Reporting Handbook</i> , and the National Performance Framework that apply to the licensee.	All	2
168.	Water Services Act Section 12	Clauses 2.8.1 and 2.8.2	Subject to clause 2.8.3, the licensee must publish within the specified timeframe any information that the ERA has directed the licensee to publish under clause 2.8.1.	All	2
169.	Water Services Act Section 12	Clause 2.7.1	Unless otherwise specified, all notices must be in writing.	All	2
170.	Not Used				
171.	Water Services Act Section 12	Clause 4.1.2	The licensee must notify the ERA of any material change to the asset management system within 10 business days of the change.	All	2
172.	Water Services Act Section 12	Clause 4.1.6	The licensee must cooperate with the independent expert and comply with the ERA's standard guidelines dealing with the asset management system review.	All	2
173.	Water Services Act Section 12	Clause 5.5.1	The licensee must not supply water services to customers unless the licensee is a member of and bound by the water services ombudsman scheme.	All	2
174.	Not Used				
175.	Water Services Act Section 12	Clause 5.1.1	If directed by the ERA, the licensee must submit a draft customer contract for approval.	All	2
176.	Water Services Act Section 12	Clause 5.1.2	The licensee must comply with any <i>Customer Contract Guidelines</i> that apply to the licensee.	All	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
177.	Water Services Act Section 12	Clause 5.1.3	The licensee may only amend the customer contract with the ERA's approval.	All	2
178.	Water Services Act Section 12	Clause 5.1.5	The licensee must comply with any direction by the ERA to amend the customer contract.	All	2
179.	Water Services Act Section 12	Clauses 5.3.1 and 5.3.2	Unless clause 5.3.3 applies, the licensee cannot enter into an agreement with a customer to provide water services that exclude, modify or restrict the terms and conditions of the licence or the requirements of the <i>Code of Conduct</i> without the prior approval of the ERA.	All	2
180.	Water Services Act Section 12	Clause 5.3.4	If the licensee enters into an agreement that excludes, modifies or restricts the terms and conditions of the licence or the requirements of the <i>Code of Conduct</i> , the licensee must publish an annual report containing the information specified.	All	2
181.	Water Services Act Section 12	Clause 5.6.1	If the licensee is appointed as the supplier of last resort for a designated area, the licensee must perform the functions of a supplier of last resort, comply with the duties imposed by the Act and carry out its operations under or for the purpose of the last resort plan in accordance with the Act.	All	2
182.	Water Services Act Section 12	Clause 3.4.1(b)	If the licensee provides a water service outside of the operating area the licensee must apply to amend the licence unless otherwise notified by the ERA.	All	2
183.	Water Services Act Section 12	Clause 5.4.3	The licensee must comply with the ERA's Financial Hardship Policy Guidelines as they apply to the licensee.	All	2
184.	Water Services Act Section 12	Clause 6.1.1	The licensee must enter into a Memorandum of Understanding with the Department of Health as soon as practicable after the commencement date or as otherwise agreed with Department of Health.	Potable water supply	NR
185.	Water Services Act Section 12	Clause 6.1.2	The Memorandum of Understanding must comply with the specified requirements in relation to legal standing of the document and compliance audits by the Department of Health.	Potable water supply e	2
186.	Water Services Act Section 12	Clause 6.1.3	The licensee must comply with the terms of the Memorandum of Understanding.	Potable water supply	2

No.	Obligations Under	Licence Condition	Summary Description	Licensee	Type
187.	Water Services Act Section 12	Clause 6.1.4	The licensee must publish in the form agreed with the Department of Health, the Memorandum of Understanding and any amendments to the Memorandum of Understanding within one month of signing or making the amendment.	Potable water supply	2
188.	Water Services Act Section 12	Clause 6.1.5	The licensee must publish the audit report on compliance with its obligations under the Memorandum of Understanding on its website within one month of the completion of the audit.	Potable water supply	2
189.	Water Services Act Section 12	Clause 6.1.6	The licensee must publish any reports required by the Department of Health or set out in the Memorandum of Understanding on the licensee's website quarterly or at a reporting frequency specified by the Department of Health.	Potable water supply	2
190.	Water Services Act Section 12	Schedule 2	The licensee must comply with the service and performance standards as set out in Schedule 2.	All	2

Amendment Record Sheet:

Amendment Date	Description of amendment
May 2011	<p>Amendments to this Manual include:</p> <p>The removal of any references to incident reporting.</p> <p>Basis for NWI urban indicator references changed from the 2007-08 version of the <i>National Performance Framework – Urban Water Performance Report – Indicators and Definitions Handbook</i> to the 2009-10 version.</p> <p>Basis for NWI rural indicator references changed from the 2006-07 version of the <i>National Performance Framework – Rural National Performance Report – Indicators and Definitions Handbook</i> to the 2009-10 version.</p> <p>Section 6 - Minor re-wording to the Compliance Report Template.</p> <p>Section 7 - This section has been reworded to specify that Schedule A has been provided as the format for reporting non-compliances on an annual basis (i.e. as an attachment to the annual compliance report).</p> <p>Section 11 - Summary description of Schedule 3, Clause 2.5 has been expanded.</p> <p>Section 11 - Summary description of Clause 9.1 has been updated.</p> <p>Section 11 - Summary description of Clause 15.1 has been expanded.</p> <p>Section 11 - The compliance type classifications for items 47 and 48 have been changed from NR (not reportable) to Type 2.</p> <p>Section 12 - Inclusion of a licence reference for indicator LPW 3.</p> <p>Section 12 - Frequency of reporting for indicator LPW 6 has been clarified as being on an annual basis.</p> <p>Section 17 - Updated the indicator number for sewer main breaks and chokes from A12 to A14 (A14 is the indicator that replaces A12).</p> <p>Section 17 - Updated the indicator definition of indicator E13 (sewer overflows).</p> <p>Section 18 - Re-ordering of indicators so they appear in numerical order of NWI Indicator Number.</p> <p>Section 18 - Updated the indicator description for E.1 (changed the word 'agency' to 'provider').</p> <p>Section 19.1 - A column titled 'Applicable Licensee' has been added to show which licensee(s) a particular indicator applies to.</p> <p>Section 19.2 - A column titled 'Applicable Licensee' has been added to show which licensee(s) a particular indicator applies to.</p> <p>Section 19.2 - The NWI indicator reference for CH 7 changed from S.2 to S.6.</p> <p>Appendix 1 - Moama Lifestyle Villages Pty Ltd added to the list of sewerage licensees not subject to NWI reporting.</p>
July 2012	<p>Updated the contact information to the ERA.</p> <p>Updated the document to reflect current year.</p> <p>Section 18 – Removed indicators C.4, C.6 and C.9 to reflect the changes from the 2009-10 version of the <i>National Performance Framework – Rural National Performance Report – Indicators and Definitions Handbook</i> to the 2011-12 version.</p> <p>Section 19.2 - Removed indicators CH 6 and CH7 and renumbered the remaining indicators (CH1-5).</p>
March 2014	<p>Amended section 3.1 to require licensees to refer to the <i>Water, Wastewater and Irrigation Licence Performance Reporting Handbook</i> for information on their annual performance reporting obligations.</p> <p>Amended section 5.3.3 to permit licensees with the option to provide a copy of the signed compliance report in place of the original signed version.</p> <p>Updated the manual to reflect the new licensing framework under the <i>Water Services Act 2012</i> – see sections 8 – 12.</p> <p>Removed sections 12 – 19 and Appendix 1 (performance reporting obligations). These obligations have been moved into the <i>Water, Wastewater and Irrigation Licence Performance Reporting Handbook</i>.</p>
May 2014	<p>Amended section 1 to include reference to the title of the Act, Regulations and Code applicable to water licences.</p>

Amendment Date	Description of amendment
	<p>Amended section 3 to direct licensees to refer to the Reporting Handbook for information on how to lodge annual performance reports with the ERA.</p> <p>Amended sections 5.1 and 5.2 to include the addresses that can be used to lodge Type 1 breach notifications and the annual compliance report with the ERA.</p>
June 2016	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • Section 1 now includes an explanation of the ERA's policy with regards to numbering the obligations. • Section 3 has been edited to update information on performance reporting requirements. • Section 5.1 was amended to remove the option of notifying Type 1 non-compliances by hand to the ERA's office. • Section 5.2.2 was amended to remove the option of delivering compliance reports by hand to the ERA's office. • Sections 8 to 12 were amended to reflect the changes in the structure of the water licences dated 1 July 2016, following the 2016 Water Licence Review. • Obligations 142 and 144 were amended to apply to water service providers other than Water Corporation. • Obligations 184 to 186 were amended to apply to potable water providers. • References to the Authority have been replaced by the reference to ERA throughout the Manual. • References to the Chairman have been replaced by reference to the Chair. • Some typographical errors were corrected in the document.
<u>October 2017</u>	<p><u>Amendments to this Manual include:</u></p> <ul style="list-style-type: none"> • <u>Obligations 65 and 69 were reworded slightly, following amendments to the <i>Water Services Regulations 2013</i>.</u> • <u>Obligation 73 was deleted, following amendments to the <i>Water Services Regulations 2013</i>.</u> • <u>Obligations 76 to 88 were re-classified to apply to the Water Corporation, the Bunbury Water Corporation and the Busselton Water Corporation only.</u> • <u>Obligation 88A was added, following amendments to the <i>Water Services Regulations 2013</i>.</u> • <u>Obligations 90 to 91 were amended to clarify that they apply to the Water Corporation, the Bunbury Water Corporation and the Busselton Water Corporation.</u>