

***THE SHIRE OF  
DALWALLINU***

***CUSTOMER SERVICE  
CHARTER FOR  
WASTEWATER SERVICES***

***JULY 2006***

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## 1.0 Introduction

### 1.1 The Role of This Charter

This charter sets out the broad philosophy of the Shire of Dalwallinu (“the Shire”) in supplying sewerage services to the town of Dalwallinu in accordance with the Operating Licence issued 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 operating licence, including service interruptions, levels of service and complaint procedures. If you would like a copy of the operating licence please contact the Shire on (08) 9661 1001 or the Economic Regulation Authority on (08) 9213 1900.

### 1.2 Our Commitment to Service

The Shire will provide its 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 sewerage 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.

The areas of operation of the Shire are those within the Townsite of Dalwallinu provided with available sewer and defined in the area coordination map.

### 1.4 How to Contact Us

Contact Officer:	Works Supervisor
Office Hours:	8:30am - 4:30pm
Telephone Number:	(08) 9661 1001
Facsimile Number:	(08) 9661 1097
Postal Address:	PO Box 141 Dalwallinu WA 6609

### 1.5 Emergency Assistance

The Shire maintains a 24-hour emergency contact service for emergency events, such as an overflow from a sewer. **The after hours emergency customer service telephone number is (08) 9661 1836, or 0429 371 778 for John Ellison or (08) 9661 1153 for Kevin Ashby.**

**OR**

B.C. & M.J. Huggett, Plumber – (08) 96611 094

*Where a blockage caused by a man-made object occurs within the property line and before the connection point, the resident or landowner is responsible for payment of the necessary charges. (Resolution 9.2.3 dated 17/12/02 Amended).*

## **2.0 Your Basic Rights**

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

Subject to the Water Acts<sup>1</sup>, 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. In certain circumstances, the Shire may supply water for other than drinking purposes (eg. treated effluent in a manner agreed with the customer).

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-

Occasionally some odours occur in treatment 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 system subject to compliance with the Shire's requirements. An agreement with a customer for industrial and commercial 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 Sewerage 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, within two hours of being notified. Action shall be taken to restore 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 processes will be sought through forums such as focus groups, customer surveys, and displays at local functions. The Shire will use local media bulletins to advise 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 provide identification, their name and section 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 business-like manner, whether or not a complaint is received. The Shire may rectify damage and, as necessary and reasonable, compensate you subject to the Water Acts.

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

## 2.6 Charges and Accounts

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.

The Shire service availability charge 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.

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.

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.

The Shire can make special financial arrangements to assist customers experiencing hardship with payment of their accounts. Information on these options is available from the Shire's offices or by calling the telephone number shown on your account.

The Shire may charge interest on overdue accounts as prescribed in By-Laws<sup>2</sup>. If a customer's cheque is not honoured for any reason, the Shire may pass on any costs incurred.

## 2.7 Connecting to Our Services

Applications for wastewater service connections should be made at the Shire's business office. These applications must be accompanied by the related building plans. Single applications for approval shall be processed on receipt at the business office. Multiple applications shall be processed within two business days of receipt.

Where a Shire wastewater reticulation main is available to your land and it 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 Acts.

Where a junction to an available sewer does not exist, the Shire will provide a junction, by arrangement with the licensed plumber installing the property sewer. No fee applies where a service availability charge has been applied to a property, except for a property 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.

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<sup>2</sup> Local Government Act 1995

## 2.8 Disconnection

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

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

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

On compliance with the terms and conditions of this Charter the Shire shall reconnect its services at your request. A reconnection fee shall apply.

## 2.9 Enquiries, Suggestions, Complaints and Disputes

The Shire values your enquiries and suggestions on ways that it can improve its services. If you have an enquiry you can telephone the Shire on (08) 9661 1001 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 numbers 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 within 10 business days. Over the counter and telephone enquiries will be responded to within 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 two business days of a complaint being lodged. Where this response advises the need for further assessment you shall receive a written reply within 10 business days.

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

If the matter has not been resolved to your satisfaction within 21 days, you may refer the matter to the Department of Water at the following address:

The Atrium, 168 St Georges Terrace  
 Perth WA 6000  
 Phone Number: (08) 6364 7600  
 Fax Number: (08) 6364 6520  
 Website address: [www.water.wa.gov.au](http://www.water.wa.gov.au)  
 Email address: [info@environment.wa.gov.au](mailto:info@environment.wa.gov.au)

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 awarding of costs, shall 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’s wastewater system, are set out in the Water Acts. 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 emergency, 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 the wastewater pipes and fittings, which may impair the effective operation of the Shire’s 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 Acts 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
- it is necessary to inspect, maintain, repair or replace any part of works; or
- it is required for connection of new works or services; or
- an event occurs beyond the Shire’s control, including acts by others, sabotage, flood, earthquake, power or water shortage or industrial action.

The Shire will endeavour to limit any disruption to the wastewater service caused by its operations and maintenance activities to less than 3 hours.

Except in emergencies, the Shire shall give notice to you of its intention to interrupt, postpone or limit the supply of services for the purpose of regular maintenance or works programs. Unless interruptions are limited to a few minutes, notification shall be given to domestic customers, at least 24 hours prior, and for commercial and industrial customers, at least 7 days prior or by agreement.

#### **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’s office. You are required to ensure that the Shire’s pipelines and structures are reasonably accessible, are not interfered with, covered, built close to, built over, or damaged.

Prior to undertaking building or construction activity on land connected or capable of being connected, it is a requirement to gain the Shire's approval. In the first instance, you should contact the Shire's office. Unauthorised property improvements, 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 is situated within the property boundary, you are responsible for maintenance of that property sewer connection.

Where a blockage occurs within the property line and before the connection point, and is caused by a man-made object, the resident or landowner is responsible for payment of the necessary charges. (*Resolution 9.2.3 dated 17/12/02 Amended*).

### 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 sewers, unless authorised in writing by the authority. Certain waste products are not suitable for disposal in the Shire's wastewater system because of their nature and ability to pollute. Specialised procedures for disposal are required for substances such as:**

- cooking oil and grease - these should be placed in a container or wrapped and placed in the rubbish bin
- paint, paint thinners, dry cleaning fluids, engine oil, solvents, acids, alkalis, laboratory chemicals, kerosene, garden poisons, polishes or cleaning products - such substances should be recycled through Industrial Waste Exchange (the Office of Waste Management, Department of Environment) or be deposited at a local council collection point for these materials
- 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 if:

- you do not comply with the terms and conditions of this Charter;
- there is a public health, environmental and/or safety risk to the Shire's services from a service connection (eg backflow risk or unauthorised industrial waste discharge);
- 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 conditions 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; and
- a negligent act or omission by the Shire, its servants or agents;
- the failure to meet standards prescribed by its Operating Licence or regulations (if any).

The Shire's liability is limited by section 35 of the Water Services Coordination Act 1995 which allows the Shire to interrupt, suspend or restrict the provision of a water service if, in the Shire's opinion it is necessary to do so because of an accident, emergency potential danger or other unavoidable cause. The Shire is not liable for any loss or damage that arises from any such interruption, suspension or restriction unless the customer has an agreement with the Shire which expressly states that the Shire is, to the extent that the agreement states, liable in those circumstances.

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

N A HALE  
**CHIEF EXECUTIVE OFFICER**