

SHIRE OF EAST PILBARA
WATER SUPPLY SERVICES LICENCE

No.17

END USER SERVICE CHARTER FOR
NEWMAN NON-POTABLE WATER SUPPLY

DRAFT 4 May 2010

1 - INTRODUCTION

1.1 -Background

Prior to normalization of the Newman in 1990, water supply, power, sewerage and municipal services (roads, drainage, garbage collection etc) were provided by the mining company, BHP.

Following normalization, water supply and sewerage services (collection, treatment and effluent disposal) were taken over by Water Corporation. The municipal services – including recreation facilities were similarly taken over by the East Pilbara Shire Council (the Shire). Power supply remained and still is, provided by BHP.

In 1996 responsibility for the treatment of sewage and disposal of treated effluent was transferred to the Shire.

Following passing of the *Water Services Licensing Act 1995 (WA)* separate Water Services Operating Licenses were issued to Water Corporation - for operation of potable water and sewage collection services and Licence 17 was issued to the Shire for the operation of the sewage treatment services and supply of non potable water.

In addition to its water services licence, the Shire operates the treatment plant under a separate licence from the WA Department Conservation and Environment and disposes of treated effluent to the requirements of the WA Department of Health.

Department of Health (DOH) have the controlling State Government role for the disposal of treated effluent and have audited the Shire operations and put in place a set of Guidelines which govern the use of the treated sewage once discharged from Newman Sewage Treatment Plant. The Australian Guidelines for Water Recycling: Managing Health and Environmental Risks 2006 apply.

The Shire of East Pilbara is restricted in the use of the Treated Effluent and cannot supply treated effluent to end users other than the Shire without the permission of Council and the Wastewater Branch of the Department of Health.

The DOH conditions in place for the Newman System make the Shire East Pilbara responsible for the use of effluent across the entire system regardless of the end user.

If private use of the effluent is requested the Shire not the proponent is obliged to make an application on its own behalf to DOH and will ultimately have the final responsibility and liability for its use not the end user.

As a result the Shire cannot allow the end user the benefits normally accorded to customers who purchase a service. The end user is entitled to its rights under the Shire's ERA licence including complaint handling and emergency response.

This end user charter in effect lays out to the end user their obligations to the Shire in the Shire's provision of water at the end user sites.

The primary responsibility for all aspects of the provision of non potable water to each site including the end users is the Shire's only. The Health Department provides a regulatory role through the 1911 Health Act and in particular the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks 2006.

In the case of end users they must receive and sign off on an operating Manual prepared by the Shire and approved under the guidelines which sets down what the end user must do in terms of watering times and other environmental and health risks.

End users do have obligations to the Shire set down in each end user site Manual.

Treated effluent is disposed of in two ways from the sewage treatment plant recycle using the existing BHP recycle pipeline to Town with a number of stations along the way which includes the end user entities or disposal to a managed wetland without recycle.

The recycle line stations include the Shires' facilities at the Boomerang and Capricorn Ovals and in addition treated effluent supply to Newman Racecourse, Ambulance Station, High School and Lions Park Animal Area which are classified as end user entities.

All of the end user stations involved were set up by BHP originally as part of the overall scheme and are part of the system taken over by the Shire in its entirety at normalization.

The water supply to all non Shire end users has been continued by the Shire without change and without charge but all the user stations are supervised by the Shire's outside staff through the site Operations Manuals.

Such Manuals have to have the approval of the Department of Health and the entire operation including end users remains the responsibility of the Shire East Pilbara not the end user.

The end users have the benefit of the water as long as the conditions of the individual Shire issued Operation Manuals are kept and there is sufficient supply without compromising the Shire's own reticulation requirements.

The end user sites are subject to surveillance by Council Staff and the water is tested at all sites for biological compliance monthly, with sampling undertaken by the Shire Health Professional acting on behalf of the Department of Health.

The subsequent results are communicated after analysis at State Health Laboratories by DOH to the Shire and in the event of non compliance by the end user the Shire must investigate and rectify not the end user.

The pipeline into Newman from the sewage plant is approximately 5.5 kilometers long and is owned by BHP not the Shire but is used by the Shire and this includes connections to end users. The delivery system to the end users the subject of this charter is not an asset of the Shire East Pilbara.

1.2 – The Role of this Charter

In accordance with the Operating Licence issued under the *Water Services Licensing Act 1995* by the Economic Regulation Authority (ERA) to the Shire of East Pilbara, this charter sets out the broad philosophy of the Shire in supplying non-potable water to end user private facilities see 1.1.

The charter is intended to inform owners of end user facilities connected to the Shire's non-potable water supply system of their rights and obligations to the Shire under the DOH regulations already in place.

The level of service is defined that reticulated water is supplied to the entire system from Sunday to Thursday only and must be used from 9pm and use must finish at 4 am.

The Shire will not allow end users to use of the reticulated water outside of those times except when it has previously been agreed and formalized with health department approval.

There are complaints procedures in place and emergency reporting and each end user has a manual specifically for water use at each non Shire site.

Copies of the site manual may be obtained from the Shire office (phone (08) 9175 8000) and ERA Licence 17 from the Shire Office or the Economic Regulation Authority (phone (08) 9213 1900).

The Shire will provide each end user with a copy of this charter once every three years.

The Shire may vary this charter by agreement with ERA provided it does not in the process compromise the obligations set down by the Department of Health and it should be noted that the Shire has a contingent liability to observe the Health Regulations in place in the operation of this scheme.

1.3 – Commitment to Service

The Shire will provide its waste water treatment and disposal services and associated non-potable water supply services in accordance with its Water Services and Department

of Environment and Conservation Licences and the requirements of the Health Department.

The services will be provided in a manner that is courteous, timely, fair and mutually convenient.

1.4 – Service Charter Availability

The Shire will make the service charter available to end users (and its ratepayers) in the following ways:

- (1) By displaying it in the reception area of its offices.
- (2) By providing a free copy of the charter on request
- (3) By providing end users a copy of the charter once every three years as per Schedule 3 ,clause 2.5 (c) of the Shire’s Licence.

1.5 – Provision of Non-Potable Water Services

The Shire will endeavor to continue providing a non-potable water service to each property connected to its reticulation system. At its sole discretion, the Shire may allow ongoing current supply and / or additional connections to its reticulation system or withdraw supply at any time and under such conditions as is determined by the Shire in consultation with the Department of Health.

1.6 – End User Agreement

All non Shire end users will be required to sign a end user agreement setting out the terms and conditions embodied in this charter.

1.7 – Water Quality & Quantity

Samples of the water are taken from each supply point monthly and are subjected to bacterial quality analyses nominated by the Health Department.

Although the analyses invariably indicate the water quality is in accordance with the Department’s requirements, it is stressed that the water is classed as “Non-potable” and in no circumstances should be used for human consumption, or for irrigation of vegetables consumed uncooked.

The volume of non-potable water available depends on the volume of waste water treated over a given period which in turn is dependent on the population of the Newman town site.

In view of the above, whilst the Shire expects to maintain an adequate supply of non-potable water to its end users such maintenance of supply is not guaranteed and the Shire does not accept responsibility for any loss or damage which may occur due to failure to provide an adequate supply volume to an end user.

Furthermore there is no guarantee given by the Shire as to the chemical quality of the supplied non potable water.

Generally chemical quality is governed by the ability of the sewage treatment plant to treat the incoming effluent and should be fit to disposal to land after sterilisation

Such quality cannot be guaranteed as it is an operational characteristic of the sewage process and will vary according to the nature of the incoming raw sewage.

1.8 - Watering Times

The end user is allowed to take water from the Shire's distribution only during the periods set out for each end user's facility manual.

Generally water is supplied Sunday to Thursday only and can only be used between the hours of 9pm and 4am.

Exceptions can be considered for closed sites which have restricted public access eg Racecourse

1.9 – Contact Details & Business Hours

The East Pilbara Shire Council's Administration Centre

- is located at Kalgan Drive Newman 6753
- Ph. (08) 91758000
- Fax (08) 91751522
- Email dts@eastpilbara.wa.gov.au
- Office Hours 9.00 AM to 4.00 PM Monday to Friday

All correspondence should be addressed to The Chief Executive Officer.

1.10 – Emergency Assistance

The East Pilbara Shire maintains a 24 hour emergency contact service to receive advice of emergency situations and implement the necessary investigation and action. Callers will be advised of the situation and action to be taken within one hour of making the emergency call

The Emergency Assistance telephone number is: 0419858331

2. – USER’S BASIC RIGHTS

2.1 – End User’s Rights to Water Services

The Shire will provide a service of non-potable water under the terms set out in this Charter backed up by an end user agreement.

2.2 – End User’s Rights to Consultation and Information

The Shire is committed to informing and consulting with its non-potable water end users and its ratepayers, regarding its services, their operations and development programs.

Appendix 1 gives details of the complete system as an information brochure which is available as a separate document from the Council Administration Centre.

As a result this charter is produced as a means of advising end users and the general community of the activities associated with the treatment of wastewater and the delivery of treated water to the town’s sporting facilities and end users connected to the reticulation system. The treatment facility and recycled water supply operates as a separate entity and is treated as such by the Shire’s accounting system.

Full details of the objectives and cost analysis for all activities associated with the Newman Wastewater Scheme are included in Section 7.1 of the Shire’s ongoing Five Year Financial Plan – Principal Activity 14.

The Five Year Plan is revised annually and circulated for review / comment to all ratepayers including end users of the non-potable water system over a period of 45 days prior to amendment (if necessary) and submission to Council for adoption at the first Council Meeting of each Financial year.

In addition, Council meeting agendas always include an item for discussion/ comment on the wastewater services. The dates of Council meetings are advertised in local newspapers and are generally open to members of the public who may ask questions at

set times during meetings. Minutes of Council meetings are available from the Shire's Administration office.

2.3 – End User's Rights to Assistance and Compensation

If the Shire's wastewater treatment or non-potable water services cause damage to a user's property, disruption or inconvenience to a user, the Shire will deal with the matter promptly, in a fair and courteous manner whether or not a complaint is received.

2.4 – Charges and Accounts for Non-Potable Water Services

As stated earlier, the Shire currently provides its non-potable water services to end users free of charge as an informal community service to existing end users. However, as stated in paragraph 1.5, if circumstances change in the future, the Shire may elect to continue the existing or terminate supply or allow additional connections.

2.5 – Connection to the Non-Potable Water System

At its sole discretion, the Shire may allow additional connections to its non-potable water reticulation system at such time and under such conditions as determined by the Shire.

As the Shire is responsible for the entire system it must make application to Department Health on behalf of a new end user and the final decision regarding supply will be made by the Council subject to the approval of the Department of Health.

2.6 – Disconnection

The Shire may temporally or permanently disconnect a non potable water service in the event of it being unable to continue the supply, or in the event of the end user mis-using the service or breaching the public health or environmental requirements for the supply.

End users can voluntarily disconnect from the system at their own expense.

2.7 – Enquiries and Suggestions

The Shire appreciates receiving enquiries or suggestions regarding the provision or improvement of its water services. Such enquiries will receive courteous and helpful replies.

A reply to written correspondence will be provided within 5 days. Telephone or over the counter enquiries will be responded to within 24 hours.

2.8 – Complaints, Dispute Resolution

The Shire has a written complaints procedure in place and an officer designated to record complaints and to coordinate a response.

Following receipt of a complaint, an officer of the Shire will personally respond within two business days of the complaint lodgment. If not satisfied with the response, the complainant may request that the matter be referred to the Shire's Chief Executive Officer, who will investigate the complaint and the Shire's response before either confirming or amending the Shire's proposed solution or action.

The Shire's Water Services Licence specifies that complaints must be resolved within a period of 15 days.

If not satisfied with the Shire's response, or if the matter has not been resolved within a period of 15 days the complainant may refer the matter to The Department of Water, which may conciliate the dispute or direct the matter to arbitration binding on both parties.

The contact at the Department is

The Customer Services Officer
The Department of Water
Water Service Branch
PO Box K822Perth WA 6842

Email - WISBcomplaints@water.wa.gov.au Website – www.water.wa.gov.au

3 – THE SHIRE'S POWERS

3.1 – Entry to Private Property

Public Health personnel of the Shire may enter onto private property to undertake investigations, allow work on the non-potable water reticulation system or to correct an environmental or health hazard such as ponding or an overflow from the end users non-potable supply.

For planned work within a property, the Shire will advise the end user, or occupier in advance of the work – which will normally be undertaken during normal business hours. In case of an emergency – including environmental or health hazards, the end user or occupier, if present, will be informed of the work to be undertaken and the anticipated length of time involved.

3.2 – Rectifying Defective Work and Health or Environmental Hazards

If the Shire becomes aware of any defective work or practices associated with an end user's distribution system it may serve a notice requiring the end user to fix the defect or change the defective practices within a specified time.

If the terms of the notice are not implemented, the Shire may enter the property concerned and undertake the necessary works at the end user's expense. It should be noted that an environmental or health hazard occurring under such circumstances will be considered an emergency situation in which case the Shire will undertake the necessary works without notice and at the end user's expense.

3.3 – Service Interruptions

The East Pilbara Shire Council may interrupt, postpone, withdraw or limit its non-potable water services if:

- Any part of its distribution system (or user's distribution system) is damaged or broken down.
- It is necessary to inspect, repair, maintain or replace certain works, or to connect new services.
- An event beyond the Shire's control occurs – such as acts of God, sabotage industrial action, power or water shortages.
- The end user fails to comply with the terms and conditions of this charter
- If there is a health, environmental or safety risk associated with the end user's connection or the non-potable water supply system in general.

Except in emergencies, or interruptions limited to a few minutes, end users will be given a minimum of 24 hours notice of interruptions. Health, environmental or safety risks will generally be treated as an emergency.

3.4 – Maintenance

End users are responsible for repairs and maintenance of all pipe work and fixtures serving their property from the point of connection to the Shire's water meter.

No alterations or extensions shall be made to the end user's pipe work without the Shire's written approval and approval of the Department of Health.

Any such works undertaken without the Shire's approval may be removed at the end user's expense.

3.5 – Liability

The Shire will be liable for any loss or damage that an end user may suffer as a result of a breach of this charter by the Shire or a negligent act or omission by its servants or agents.

The Shire's liability under breach of this charter is limited to the rights of compensation and redress as set out in the Shire's Water Services Licence.

APPENDIX 1: Newman Wastewater Scheme

CUSTOMER INFORMATION BROCHURE

Shire of East Pilbara

Newman Wastewater Scheme Treatment Information Brochure 2010



Newman Wastewater Treatment Facility

Newman Wastewater Treatment Plant

Since 1982 the East Pilbara Shire Council (EPSC) has been operating and maintaining the treated effluent reticulation system which distributes treated sewage effluent to irrigation points in the town including the main sports ovals, the racecourse, ambulance station, road verge at the Red Sands Tavern and the Lions Park.

The source of the irrigation water for the scheme is Newman Wastewater Plant, constructed in 1982, and brought under Shire ownership on 1st January 1996.

In 1996 the Newman Wastewater Treatment Plant ownership and operations were transferred from Water Corporation WA to the EPSC, in order to maintain a significant asset at reasonable cost to the Community.

The Wastewater Treatment Plant is located approximately 5 kilometres from the township of Newman on 1.25 ha of Crown Land at Windell Location 81.

It comprises a mechanical secondary sewage treatment plant with holding ponds and sheds, and produces high quality sewage effluent for delivery to the EPSC treated effluent reticulation system which services a number of ovals and other sites in the Township.

The EPSC use their own day labour staff to operate the plant with specialist engineering and project management support provided by an external specialist in wastewater treatment.

Plant asset management and programmed maintenance is carried out in a similar way with EPSC staff supervising a number of dedicated local contractors for civil, mechanical and electrical works with specialist support.

EPSC Newman Wastewater Operations deliver treated wastewater to a storage pond on the Treatment Plant site and this provides the termination of sewage treatment activities and the start of the EPSC reticulation operations.

The treatment plant has a maximum operating capacity of 2,000 kL/day, which is sufficient to meet the needs of the township of Newman for the foreseeable future. Over recent years the population has been fluctuating as a result of mining operations and currently the population is around 8,500 at December 2009.

EPSC Wastewater Reticulation

The EPSC is the end user for the treated effluent from Newman Wastewater Treatment Plant.

Treated effluent as a product of treatment activities is delivered to a holding pond on the treatment plant site for EPSC use in the Town.

The EPSC operates a substantial pumping and chlorination system which is essential for the delivery and safe end use of the treated water for the Town.

Pumping and chlorination of the final treated effluent is located separately at the treatment plant site.

Water quality ie product quality is checked monthly by chemical and microbiological analysis.

EPSC sterilised treated effluent, is delivered to reticulation sites in the Town via a BHP rising main which is operated and maintained by the EPSC.

The locations for the delivery of treated effluent are:

- Boomerang Oval
- Capricorn Oval and Associated Ovals
- Newman High School
- Shire of East Pilbara Administration Centre
- Red Sands Tavern
- Newman Turf Club
- Newman Ambulance Station
- Lions Park



Newman Rugby Oval Irrigated with Treated Sewage Effluent

Newman Wastewater Treatment Activities: State Government Interaction

The regulatory environment associated with EPSC Wastewater Operations involves interaction with at least four State Government entities covering the areas of local government, environment, public health and corporate regulation.

In the latter case, corporate matters are regulated under State Government Legislation by issue to EPSC of a Water Co-ordination Licence by the Economic Regulatory Authority WA.

This licence regulates the corporate activities of the EPSC Wastewater Treatment Plant from delivery of wastewater for treatment to end users of treated wastewater.

Within the licence there are provisions for end user input and interaction but in the EPSC case, the enuser for water supply and reuse is the Shire itself.

As a result, this information brochure is produced as a means of advising the community of the activities associated with Wastewater treatment and delivery of treated water to the sports facilities in the Town and associated sites mentioned above.

The treatment facility operates as an independent operation and is treated as such by the EPSC accounting system.

It is self-funded through a sewerage rate levied on Newman residential properties and additional funding from Water Corporation.

Full details of the objectives and cost analysis for all activities associated with the Newman wastewater Scheme are included in section 7.1 of EPSC Five Year Financial Plan – Principal Activity 14.

The EPSC Five Year Financial Plan is revised annually is made available for public comment for substantial period before the end of each current financial year.

Details of the public review period may be obtained by application to EPSC.

The principal objective of the current plan is to protect the health of the people of the area by providing and managing a sewerage waste water treatment, reclaim, storage, and redistribution service.

This must meet the needs of the people of the Newman Township and is performed in accordance with all the relevant statutory requirements.

The Five Year Financial Plan identifies all those assets that require replacing over the next ten (10) year period, so that the level of funding can be established.

The next five years of those replacements are included in the plan for both treatment and water reuse issues.

Both the treatment and delivery parts of the Newman Wastewater Scheme are funded from the sewerage rate.

The EPSC seeks to ensure that an appropriate rating regime applies, with the annual surplus of the operations of the service being transferred into a Reserve Account.

That Account is then used to finance the replacement of assets, as well as any new assets that may be needed.

For the entire period of operations to date the rates figure has been frozen, which translates in real terms to a reduction by the inflation factor allowed for each year.

Further details of the Newman Wastewater Scheme and Five Year Financial Plan and any other issues discussed in this brochure may be obtained by contacting:

Mr Allen Cooper
CEO Shire of East Pilbara
Council Administration Centre
Kalgan Drive Newman 6753
Telephone: 08 9175 1924