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Mr Chris Hutchins
Essential Services Commission (ESC)
Level 2, 35 Spring Street
Melbourne Vic 3000

water@esc.vic.gov.au

Dear Chris

Ai Group Comments on the Draft Trade Waste Customer Service Code

The Australian Industry Group (Ai Group) is a peak industry association in Australia which along with its affiliates represents the interests of more than 60,000 businesses in an expanding range of sectors including: manufacturing; engineering; construction; automotive; food; transport; information technology; telecommunications; call centres; labour hire; printing; defence; mining equipment and supplies; airlines; and other industries. The businesses which we represent employ more than 1 million employees. Ai Group represents over 4,000 businesses in Victoria.

Preparation of the Draft Code

Ai Group was pleased to be a member of the working group established to assist with the preparation of the Draft Code. As a member of the working group, Ai Group has had the opportunity to provide input to and feedback on the Draft Code throughout its development.

Ai Group is very supportive of the Draft Code which has been issued for comment. We have assessed that the code largely addresses the issues raised in our submission to the *Developing a Trade Waste Customer Service Code Scoping Paper* in December 2010.

Objective of the Code

Ai Group strongly supports the objective of the Draft Code to provide for consistent, transparent and timely decision making on trade waste management matters. Overall, Ai Group considers that the Draft Code clarifies the respective requirements

of water businesses, trade waste customers and the Essential Services Commission without being overly prescriptive.

Comments on particular provisions are detailed below.

Timeframes for Decision Making

Ai Group welcomes the inclusion in the Draft Code of time frames for making decisions on applications from trade waste customers and for variations to acceptance criteria. Ai Group's submission to the Essential Services Commission in response to the scoping paper raised the concerns held by our membership in relation to lengthy delays in trade waste decision making processes which adversely impact on business costs. The inclusion in the Draft Code of the requirement on water businesses to respond within 10 business days to applications for trade waste agreements and for customer specific acceptance criteria are therefore supported.

Ai Group further supports the requirement that in the event that an application is rejected, notification to the customer of this rejection must be accompanied by a clear statement of reasons.

Classification and Risk Assessment

Ai Group also supports the requirement on water businesses to:

- Have and comply with policies, practices and procedures for classifying trade waste customers;
- Explain to customers how their particular classification was determined; and
- Advise customers of any identified risks associated with accepting the customer's trade waste into its sewer, including any risk mitigation that the customer will be required to implement.

These provisions will support improved transparency and consistency in trade waste management.

Acceptance Criteria

The inclusion in the Draft Code of a requirement on water businesses to have and comply with policies, practices and procedures for determining and amending customer-specific acceptance criteria and approved acceptance criteria are also supported by Ai Group. These provisions will go much of the way towards addressing industry's need for greater clarity and transparency as to the basis for decisions made on variation requests.

Ai Group further supports: the requirement on water businesses to undertake appropriate stakeholder consultation, which is open for at least 30 business days; and the provisions for ESC oversight of the consultation process.


Dispute Resolution

Ai Group's submission in response to the scoping paper advocated introduction of a dispute resolution and appeals process. We therefore welcome inclusion in the Draft

Code of the complaint escalation provisions in section 7.1. The provision allowing for disputes to be referred to a neutral party should be of benefit to industry.

Please contact me if you require additional information on phone 03 9867 0283 or vfilling@aigroup.asn.au.

Yours sincerely

A handwritten signature in blue ink that reads "Vivienne Filling". The signature is written in a cursive style with a large initial 'V'.

Vivienne Filling
National Manager
Environment Policy & Membership Services