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| COMMUNITY WASTEWATER MANAGEMENT SYSTEM (CWMS) POLICY | | |

Policy Statement

The Policy sets out how ratepayers and developers shall make a contribution towards the following:

- a) The maintenance cost of the existing Community Wastewater Management System (CWMS) infrastructure.
- b) To finance the upgrading of existing infrastructure where required as a result of new development.
- c) The construction of new CWMS infrastructure required as a result of new development.

1. Introduction

A Community Wastewater Management System (CWMS) is a system designed for the collection and management of wastewater generated in a town or community to collect, treat, re-use and/or dispose of wastewater from individual properties. Council, as the manager of CWMS assets, is responsible for the operation, maintenance and upgrading of existing systems within the Council area. Council will maintain a plan of its CWMS network and schedule regular upgrades/maintenance of the systems.

Council has developed a long-term plan to manage and maintain its CWMS network and is committed to provide sustainable CWMS's across townships in the Copper Coast that meet the needs of the community while complying with the Department of Health (DoH) and Environment Protection Authority (EPA) requirements. In order to maintain and manage the system requires users of the system to make a financial contribution as outlined in this Policy.

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2. Applicable Legislation

Council's CWMS network must be managed in accordance with relevant legislation including:

a) *Local Government Act 1999*

In terms of **Section 154** of the Act a council may declare a separate rate on rateable land within a part of the area of the council for the purpose of planning, carrying out, making available, supporting, maintaining or improving an activity that is, or is intended to be, of particular benefit to the land, or the occupiers of the land, within that part of the area, or to visitors to that part of the area.

In terms of **Section 155** of the Act a council may impose a service rate, an annual service charge or a combination of both on land to which it provides, or makes available, a prescribed service. A "prescribed service" is defined to mean the collection, treatment or disposal (including by recycling) of waste.

In terms of **Section 188** of the Act a council may impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by Council. This empowers Council to impose connection fees where a property owner wishes to or has to connect to a CWMS.

b) *South Australian Public Health (Wastewater) Regulations 2013*

In terms of Regulation 9 of the Regulations a council may, by notice in writing, require the owner or occupier of premises where a waste control system is located to take specific action (within a period specified in the notice) to connect the system to a sewer scheme.

In terms of Regulation 9 the owner or occupier of premises where a waste control system is approved and located must ensure that the system is maintained in good order and condition in accordance with a waste water works approval issued by the relevant authority.

c) *Environment Protection Act 1993*

The Act provides that a council must not undertake an activity that pollutes, or have the potential to pollute, the environment unless Council takes all reasonable and practicable measures to prevent or minimise any resulting environmental harm.

3. Integration with Corporate Objectives

Strategic Plan: Environmental Objective - Sustainability

Goal: To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community

Strategy: Sewage and Waste – To provide and maintain sewerage and solid waste infrastructure to all our communities



4. **Definitions**

Access to CWMS means the ability for an allotment to be physically connected to the scheme via the installation of a CWMS connection point to the allotment boundary.

Council means Copper Coast Council.

CWMS means Community Wastewater Management System for the disposal of wastewater.

CWMS Infrastructure means all facilities owned by the Council and used for the purposes of collecting, treating and re-use of wastewater. It includes the connection point provided to each property.

CWMS Augmentation Charge means a charge raised by Council pursuant to Section 188 (1)(a) and (b) of the Local Government Act 1999.

CWMS Connection Point means the infrastructure that joins the CWMS Mains to a specific allotment. The extent of a 'connection point' runs from the CWMS Main to the property boundary, and does not include any mains line extensions. An excessive length may constitute both a line extension and connection point.

CWMS Main means all infrastructure associated with the CWMS system and includes any CWMS treatment plant and any drainage line or pipe associated with the CWMS excluding the connection point.

CWMS Service Charge means an annual service charge imposed by the Council pursuant to Section 155 of the Local Government Act 1999 to recover the costs of providing and maintaining the CWMS.

Effluent means the treated liquid leaving a septic tank.

Vacant Allotment means an allotment upon which no dwelling, structure commercial or industrial premises (or any other habitable structure) is located or encroaches.

Wastewater means water which is collected and transported through waste pipes and sewers and includes water from domestic, commercial and industrial sources. It includes effluent.

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5. Application

This Policy applies to the whole Copper Coast Council Area.

5.1 Fees

There are 3 categories of fees or charges covered by this policy which are described as follows:

- a) *Connection Fee* - this fee is applied when a property connects to the CWMS Main. It could be considered as "buying the right to connect to the main system".
- b) *Augmentation Charge* - this fee is payable where additional wastewater is generated for disposal into the CWMS Main. The charge can be considered as a monetary contribution to fund the expansion of the existing CWMS Main to accommodate the increased amount of wastewater generated by the new development.
- c) *CWMS Service Charge* - this charge is an ongoing fee payable for the ongoing maintenance of the CWMS Main.

A description of the manner in which this Policy applies to each category of fees follows.

5.1.1 Connection Fee

Application of Connection Fee

CWMS connection fees generally apply to any property that is to be connected to the CWMS Main. The fee covers the right to connect to the system and does not cover any costs to physically install the connection. All costs for the physical connection of the allotment to the CWMS Main will be for the account of the applicant/owner. Where more than one connection is required (example where multiple units are developed on one site and separate connections are requested) the connection fee will apply to each connection point. No connection fee will be charged to vacant land until application is made to develop the allotment.

[Note: When an application for land division is lodged to create an additional allotment or allotments, the applicant must notify the appropriate Council Officers to inspect the location of the proposed connection points before the land division is approved.]

The connection fee as noted in Council's *Register of Fees and Charges* will apply as follows when application is made for the development of any allotment:

- Where the allotment falls in an area that is serviced by a CWMS Main that is operated and managed by Council the connection fee is charged.
- Where the allotment cannot be connected to a CWMS Main no connection fee is charged.

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- Where the allotment is to be connected to a wastewater management scheme operated and managed by any party other than Council no connection fee is charged.

Implementation of Connection Fee

Where an applicant/owner wishes to, or is required by Council to connect to the CWMS Main, a wastewater application for approval has to be lodged with Council. The Connection Fee has to be paid prior to the granting of the wastewater approval.

Where CWMS connection point(s) are required to be installed to service a vacant allotment or an allotment for multiple dwellings, the Council must receive the CWMS Augmentation Charge applicable as outlined in this policy and the CWMS infrastructure must be installed in accordance with this policy prior to Council approving the connection of any new waste control system(s) connected to the existing CWMS.

All applications and works for a new CWMS Connection Point(s) and CWMS line extension(s) and/or modification(s) will be subject to the following requirements:

- a) The applicant will provide Council and the Department for Health and Ageing (DHA) with construction drawings in accordance with Council and DHA specifications. These drawing(s) shall be provided to Council and DHA for review and approved prior to undertaking any infrastructure installation.
 - b) Appropriate easements shall be granted to Council free of charge for wastewater drainage purposes over new infrastructure. For new developments such easements shall be a minimum width of 3 metres for a single wastewater drainage service and a minimum width of 4 metres where there is a requirement to install a stormwater and wastewater drain. *The width of easements may be reduced where agreed to by Council's Director Infrastructure Services.*
- For existing developments the same easement widths may generally be required as for new developments. However, dispensation may be permitted where existing structures encroach within the desired width of easements.
- c) All work shall be carried out by an appropriately qualified and licensed tradesperson in the construction of any extension and/or new connections to the existing Community Waste Management System.
 - d) Where any infrastructure works are carried out outside the boundaries of the development site and those works are intended to be handed over to Council, the developer will be required to enter into an Infrastructure Agreement. The Agreement must include, among other things, the quality and standard of works, defects liability period, etc.
 - e) Contractors operating within Council road reserves must obtain a statement of attainment issued under the 'Transport SA Workzone Traffic Management Training' prior to commencing work.

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- f) The applicant will notify Council's Environmental Health Officer and/or delegate at least 24 hours prior to the commencement of works to provide Council with the opportunity to undertake an inspection of the site.
- g) The applicant will provide Council with "as constructed" drawings of works undertaken in a form approved by Council (Certificate of Compliance) within 30 days of installation. The "as constructed" drawings shall demonstrate that the location of the existing and new wastewater drainage and stormwater infrastructure is positioned within the existing and/or proposed easements.
- h) The applicant shall be responsible for the maintenance of all works and guarantee the works against all defects for a period of 12 months after the "as constructed" drawings have been submitted to and approved by Council and shall make good, at the applicant's own expense, any omission or defect in the work or materials and all loss or damage to the works occasioned by such omission or defect. If any such defects are not corrected by the applicant, the Council may, after giving 7 days written notice to the applicant, engage others to correct the same and the cost thereof shall be payable by the applicant to the Council.
- i) At the conclusion of the final defects liability period and when the works and any remedial works have been finally and satisfactorily executed and the applicant has fulfilled all other obligations pertaining to the works, the applicant shall make application to Council to obtain final acceptance and handover of the infrastructure and associated works.
- j) Council, at its discretion, may require the applicant to comply with other requirements specific to the site (ie the reconstruction of formed and/or sealed road to the reasonable satisfaction of Council).

Calculation of Fee Payable

Fee charged as per Council's *Register of Fees and Charges* unless an alternative arrangement to charge a *separate rate* is in place.

5.1.2 Augmentation Fee

Application of Augmentation Fee

a) *General:*

The fees apply to all developments that generate additional demand on the CWMS Main. An applicant/developer shall pay contributions towards the capital cost of the provision of waste water infrastructure to meet the demand placed on the network by the development.

Such developments include the following:

- (i) Land division that result in an increase in the number of allotments. Fees apply only to the additional allotments created.

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- (ii) Residential development where more than one dwelling on an existing allotment is proposed. The fees will apply to the number of dwellings exceeding one dwelling unit.
- (iii) Intensification of existing development where it is considered that the intensification will result in an increase in the volume of Wastewater entering the CWMS Main.

b) *Internal wastewater infrastructure:*

The augmentation fee does not cover any internal wastewater infrastructure required to connect to the CWMS Main. Such costs shall be for the account of the developer.

c) *External wastewater infrastructure:*

Where additional external works are required to enable the proposed development to connect to the CWMS Main, such works shall be at the cost of the developer and will require the developer to enter into an Infrastructure Agreement with Council. If such works are required to serve other lands in addition to the land that is the subject of the development proposal Council will negotiate appropriate augmentation credits. Should Council not be in a position to allow any credits or to make a financial contribution to enable the development to connect to the CWMS Main, such development may be refused.

Implementation of Augmentation Fee

Augmentation fees will be charged as a condition of approval of a development application where applicable in accordance with this Policy. The fees will be payable as follows:

- a) If the charge applies to land division - before Section 51 Clearance is issued.
- b) If the charge applies to building work - before the building is occupied.
- c) If the charge applies to a change of use - before the change of use occurs. The change of use is deemed to take effect when the development is occupied.

Calculation of Fee Payable

The *Code for Establishing and Applying Property Units as a Factor for the Imposition of Annual Service Charges for Community Wastewater Management Systems* (the "Code") was developed by the Local Government Association and published on 20 April 2006. The Code defines what is referred to as a "Property Unit" and establishes that a single residential dwelling comprises the basis of a single Property Unit (PU).

For the purposes of this Policy the value of a PU is equivalent to the *Augmentation Charge* reflected in Council's *Register of Fees and Charges*. This means that the connection of a single residential dwelling to the CWMS Main will have an

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Augmentation Charge of 1 x PU which is the same as the *Augmentation Charge* in the *Register of Fees and Charges*.

The Augmentation Fees payable for various land uses in terms of this Policy are calculated on the same basis on which service rates or service charges are calculated in the Code and are reflected in **Appendix 1** to this Policy.

5.1.3 CWMS Service Charge

Application of CWMS Service Charge

The annual CWMS Service Charge will apply to all land located in the area that can connect to the CWMS, whether the land is developed or vacant.

Implementation of CWMS Service Charge

The CWMS Service Charge is payable as reflected on the Rates Notices of the individual properties.

Calculation of CWMS Service Charge Payable

The fee charged shall be calculated based on the *Code for Establishing and Applying Property Units as a Factor for the Imposition of Annual Service Charges for Community Wastewater Management Systems* (the "Code") that was developed by the Local Government Association and published on 20 April 2006.

5.2 Compulsory Connection Period

In accordance with *Regulation 9 of the South Australian Public Health (Wastewater) Regulations 2013*, where the CWMS network is operational and available for premises to connect to the system, owners of those premises can be forced to connect to the system. All landowners are encouraged to connect to the system but it is acknowledged that it may be financially tough for some owners to incur the cost over the short term.

This Policy does not set a period within which properties have to be connected once the CWMS is available, although some properties may be ordered to connect due to environmental concerns. This concession applies to the owners at the time when the CWMS becomes operational. When a property is sold the new owner will have to connect to the CWMS and has to provide Council with a Certificate of Compliance within 6 months after the transfer of the premises to the new owner.

However, those properties with a working *Aerobic Wastewater Treatment System* will not be forced to connect if:

- The system complies with DHA's rules and regulations; **and**
- The system has been serviced regularly by a contractor (every 3 months) and Council receives a copy of the service; **and**
- The system & irrigation has been installed according to the Council approved plans; **and**
- The system operates in a safe manner not creating any health issues and to Council's satisfaction.

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6. **Delegation**

This policy will be implemented by the Chief Executive Officer and managed in accordance with Council's scheme of delegations.

7. **Adoption and Review**

The Policy will be reviewed as required and a report provided to Council for consideration and adoption. The Policy review process will be undertaken on the following basis:

- Has the implementation of the Policy achieved its Aim and satisfied the implementation of the identified Council Corporate Objectives?
- Has the implementation of the Policy been easy to manage and administer without requiring considerable or additional resources of Council to be used?

8. **Availability of Policy**

This Policy will be available for inspection without charge at the Council's Principal Office during normal business hours, and on Council's website.

A copy of this Policy may be obtained on payment of a nominated fee from Councils' principal office or may be down loaded from Councils' website.

Signed _____

Mayor

Date

Signed _____

Chief Executive Officer

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APPENDIX 1

CALCULATION OF AUGMENTATION FEES

| Use | Fees Payable |
|---|---|
| Caravan parks | <p>$[DSO \text{ p.a.} \times 0.7]/365 \times \text{PU}^*$ where:</p> <p>DSO p.a. = Daily site occupancies per annum - i.e. the total number of overnight camping sites, caravan sites, cabins, etc in a 12-month period</p> <p>0.7 = 30% discount recognising the reduced water usage per site in caravan parks compared to other accommodation (e.g. hotels and motels)</p> <p>MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> <p><i>Note: For other uses such as a manager's residence, permanently occupied sites (to be calculated as single residential dwelling) the PU for each use is calculated individually and the sum total charged</i></p> |
| Churches | 1 x PU* |
| Commercial development | <p>$\text{FTE}/6 \times \text{PU}^*$ where:</p> <p>FTE = total number of full time equivalent employees not living on the site MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> <p><i>Note: For multiple commercial premises or occupancies per building the PU for each commercial premise is calculated individually and the sum total charged</i></p> |
| Halls, change rooms, community centres, sporting facilities or similar occupancies (not including commercial premises or accommodation, bar or restaurant facilities) | <p>a) 1 x PU* where the average daily attendance is no more than 50 persons; and</p> <p>b) a further additional half PU for each additional 25 persons or part thereof</p> |
| Hospital, nursing or rest homes or similar occupancies | <p>$(\text{FTE} + \text{BEDS})/6 \times \text{PU}^*$ where:</p> <p>FTE = total number of full time equivalent employees not living on the site</p> <p>BEDS = number of accommodation beds</p> <p>MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> |

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| Use | Fees Payable |
|--|--|
| Hotel, motel, residential clubs or similar occupancies** | <p>$[FTE + (BEDS \times 0.7)]/6 \times PU^*$ where:</p> <p>FTE = total number of full time equivalent employees not living on the site BEDS = number of accommodation beds 0.7 = occupancy rate assumed by the Code</p> <p>MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> |
| Industrial (General) | <p>$FTE/6 \times PU^*$ where:</p> <p>FTE = total number of full time equivalent employees not living on the site MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> <p>Note: For multiple commercial premises the PU for each commercial premise is calculated individually and the sum total charged</p> |
| Industrial (Laundromats, hairdressers and other water-using businesses not mentioned elsewhere in this Policy) | <p>$(MACHINES \times CYCLES \times LITRES)/500 \times PU^*$ where</p> <p>MACHINES = number of washing machines on premises CYCLES = average number of washing cycles per machine per day LITRES = number of litres used per cycle</p> <p>MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> |
| Industrial (Trade Wastes) | <p>Trade Wastes are generally not permitted into a CWMS.</p> <p>Where consideration is being given to accepting Trades Wastes into a CWMS Council must seek the advice from the LGA of South Australia and the Department of Health on the following matters:</p> <ol style="list-style-type: none"> whether the Trade Waste should be admitted to the CWMS; what pre-treatment, if any, should be given to the Trade Waste before it is admitted to the CWMS; and the appropriate number of PU's* to be charged. |
| Land Division | 1.0 x PU* for each additional allotment |

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| Use | Fees Payable |
|---|---|
| Premises with a public bar or restaurant | <p>PU* determined as per use (hotel, club, etc) PLUS</p> <p>a) 1 x PU* where the average daily attendance is no more than 50 persons; and</p> <p>b) a further additional half PU for each additional 25 persons or part thereof</p> <p>MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> |
| Residential dwelling (comprises a single household occupancy whether a flat, unit, semi-detached, row cottage or separate dwelling) | <p>1.0 x PU* for each unit MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> |
| Schools | <p>$[(\text{Number of students} + \text{Staff}) \times 0.125] / 6 \times \text{PU}$</p> <p>MINUS</p> <p>Credit for equivalent augmentation charge paid at time when allotment was created if applicable</p> |
| <p>*PU = Augmentation Charge as per Council's Register of Fees and Charges</p> <p>** No additional PU is charged where a dwelling is converted to a Bed & Breakfast (whether the conversion is in part or the whole dwelling) and the conversion (new use) does not meet the definition of a <i>motel</i> and no separate rateable portion (separate tenancy) is created.</p> <p>Notes:</p> <p>(i) The PU must first be determined and the result multiplied by the Augmentation Charge.</p> <p>(ii) Where a calculation produces a fraction of a PU, it shall be rounded up to the next full or half PU, provided that the minimum service charge to be applied to any property is one PU.</p> <p>(iii) When a calculation requires estimation of the number of employees at a location, business owners and others who spend a substantial portion of time on the subject premises are to be considered as employees for the purposes of these calculations.</p> <p>(iv) Council's original CWMS Policy was adopted on 1 December 2010 after which date the Augmentation Fees were charged on new allotments being created. Credit for equivalent augmentation charge paid will apply only to those existing allotments created after 1 December 2010.</p> | |

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