

## 1. INTRODUCTION

Barunga West Council is the principal provider of wastewater management systems for its township communities with access to schemes. It delivers and maintains the Community Wastewater Management Scheme (CWMS) and provides direction on how ratepayers and developers shall make contribution towards the following.

- 1.1 The cost of maintenance and capital renewal of the existing Community Wastewater Management System (CWMS) infrastructure.
- 1.2 The finance and upgrading of existing infrastructure where required because of new development and community growth.
- 1.3 The construction of new CWMS infrastructure required because of new development.

The *Water Industry Act 2012* requires councils that operate a Wastewater Management Scheme to develop a customer charter that fulfils the requirements of the *Water Retail Code*. This policy fulfils that requirement.

The *Water Retail Code-Minor and Intermediate Retailers*, developed by the Essential Services Commission of SA (ESCOSA), contains a detailed description of the landowner's rights and Council's accountabilities in providing sewerage services can be found at ([www.escosa.sa.gov.au](http://www.escosa.sa.gov.au))

## 2. PURPOSE OF THIS POLICY

To provide Council's CWMS' customers with a clear understanding of the standards of service they can expect from Council, and their rights and responsibilities including a framework that guides the provision of consistent infrastructure and services and ensures the allocation of costs for CWMS servicing is transparent and equitable for all stakeholders.

## 3. THE CWMS SCHEMES

Council currently operates two CWMS schemes, one at Port Broughton and the other at Bute. Council will operate a third scheme from 2024; a full sewage system for the Fisherman Bay township.

## 4. RESPONSIBILITIES

### 4.1 Service Provision

The Council is responsible for the provision of the service from the point the wastewater system connects to the CWMS or Sewer connection (either at the property boundary or at the connection inspection point). The indoor plumbing, maintenance of the septic tank and pipe work leading up to the CWMS connection point is the responsibility of the property owner.

### 4.2 Sewage Removal Council will:

- 4.2.1 Remove sewage and wastewater from the property in accordance with health and environmental regulatory requirements. In the case of a STED system this will include de-sludging (pumping out) the septic tanks connected to the system in accordance with SA Health's *On-site Wastewater Systems Code 2013*.
- 4.2.2 Mitigate and minimize the frequency and duration of interruptions or limitations to the sewerage service.
- 4.2.3 Provide information on any planned interruptions to the sewerage service at least four business days prior to Council or Council's contractor undertaking planned maintenance.
- 4.2.4 Provide an emergency contact number on Council's website to call in the event of an emergency or interruption to the supply of the sewerage service.

### The Landowner will:

- 4.2.5 Report any spills, leaks, or incursions to Council as soon as possible by calling the emergency contact number displayed on the Council website.
- 4.2.6 Not discharge restricted wastes, pollutants or unauthorized trade waste or wastewater into Council's sewerage infrastructure.

Where the scheme is not in place or where connection is not possible then the Customer will:

- 4.2.7 Manage waste from the property in accordance with health and environmental regulatory requirements.

## 4.3 Fees and Charges

The fees and charges covered by this policy are as follows.

### 4.3.1 **Connection Fee**

This fee applies when a property connects to CWMS. When an existing CWMS connection service is available, and at the discretion of Council, Council will receive the connection application and fee as outlined in this policy, prior to Council approving the installation of any new wastewater control system that will be connected to the existing CWMS in accordance with Council's Fees and Charges.

### 4.3.2 **Augmentation Charge**

This fee is payable by the applicant/developer where additional wastewater is generated for disposal into the CWMS Main. The charge can be considered as a monetary contribution to fund an expansion to accommodate the increased amount of wastewater generated by the new development and/or to fund an extension to the scheme.

### 4.3.3 **CWMS Service Fee**

This fee is applicable to all land located in the area that can connect to CWMS, whether the land is developed or vacant and is charged on a quarterly basis.

This fee covers all operational and maintenance costs (including depreciation) plus creates a fund for capital replacement.

Council's aim is to set the fee at a rate that funds a sustainable CWMS.

These fees and charges are reviewed and set annually as part of Council's Annual Budget and in line with Council's CWMS Pricing Policy Statement and are declared in Council's Register of Fees and Charges.

## 4.4 Connection Fee

A CWMS Connection Fee applies to any property that is to be connected to the CWMS. This fee can be considered as buying the right to connect to the main system, which has been funded by other CWMS users (sometimes supplemented by grants).

All Fisherman Bay property owners connecting to the Fisherman Bay sewer system will be required to pay the Connection Fee to connect to the system that accesses the Port Broughton Wastewater Treatment Plant.

Where an applicant/owner wishes to or is required by Council to connect to the CWMS, a wastewater connection application for approval is to be lodged with Council (unless other arrangements are agreed at the discretion of Council). At the discretion of Council, any Connection Fee applicable will be required to be paid prior to the granting of the approval.

The Connection Fee, declared in Council's *Register of Fees and Charges*, will apply as follows unless an alternative arrangement to charge a separate rate is in place.

4.4.1 Where the allotment falls in an area that is serviced by a CWMS Main or Drain that is operated and managed by Council the Connection Fee is charged.

4.4.2 Where the allotment cannot be connected to a CWMS Main or Drain no Connection Fee is charged.

4.4.3 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 by Council.

The Connection Fee covers the right to connect to the system but does not cover any costs to physically install the connection.

4.4.4 All costs for the physical connection of the allotment to the CWMS will be for the account of the applicant/owner. This includes the cost of installing, maintaining and operating property pumps and connection to the system via a pump.

4.4.5 Where more than one connection is required (for example, where multiple units are developed on one site and separate connections are requested) the Connection Fee will apply to each connection point.

4.4.6 No Connection Fee will be charged to vacant land until an application is made to develop the allotment.

Where CWMS connection points 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 below 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.

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.

#### **4.5 Augmentation Charge**

An Augmentation Charge applies to all developments that generate additional demand on the CWMS. An applicant/developer shall pay contributions towards the capital cost of the provision of wastewater infrastructure to meet the demand placed on the network and treatment facilities by the development.

Such developments include the following.

- 4.5.1 Land divisions that result in an increase in the number of allotments. Fees apply only to the additional allotments created.
- 4.5.2 Residential developments where more than one dwelling on an existing allotment is proposed. The charge will apply to the number of dwellings exceeding one dwelling unit.
- 4.5.3 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.

An Augmentation Charge will be paid as a condition of approval of a development application where applicable in accordance with this policy. The charge will be payable as follows.

- 4.5.4 If the charge applies to land division - before *Section 138* (of the *Planning, Development and Infrastructure Act*) Clearance is issued.
- 4.5.5 If the charge applies to building work - before the building is occupied.

- 4.5.6 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.

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

Where additional external works are required to enable the proposed development to connect to the CWMS, such works shall be at the cost of the developer and will require the developer to enter into an Infrastructure Agreement with Council.

- 4.5.7 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.
- 4.5.8 Should Council not be able to allow any credits or to make a financial contribution to enable the development to connect to the CWMS, such development may be refused.

The Augmentation Charge will 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"), which 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 Augmentation Charge of 1 x PU which is the same as the Augmentation Charge in the *Register of Fees and Charges*.

All applications and works for a new CWMS Connection Points and CWMS line extensions and/or modifications will be subject to several requirements as detailed in Annexure 1 of this policy.

#### 4.6 CWMS Service fee

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

The fee is set at a rate that covers all operational and maintenance costs (including depreciation) plus creates a fund for capital replacement.

The CWMS Service Fee is payable as shown on the Rates Notices of the individual properties.

The fee 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*.

#### 4.7 Compulsory Connection

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 can be required to connect to the system, but it is acknowledged that it may be financially difficult for some owners to incur the cost over the short term. In this regard, owners may be eligible for hardship assistance as set out *Council's Hardship Policy for Residential Customers (February 2020)*.

When a property is sold, the new owner is required to apply to connect to the CWMS and must provide Council with a "Certificate of Compliance" within 6 months after the transfer of the premises to the new owner.

Properties with a working *Aerobic Wastewater Treatment System* will not be forced to connect if all the following apply.

4.7.1 The system complies with Department of Health and Wellbeing's (DHW's) rules and regulations.

4.7.2 The system has been serviced regularly by a contractor (every 3 months) and Council receives a copy of the service.



- 4.7.3 The system and irrigation have been installed according to the Council approved plans.
- 4.7.4 The system operates in a safe manner not creating any health issues and to Council's satisfaction.

## 5. 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 Barunga West Council.

**CWMS** means Community Wastewater Management System; a system for the collection and management of wastewater generated in a town, regional area, or other community, including a STED scheme and the Fisherman Bay vacuum sewer system, but does not include SA Water sewerage infrastructure.

**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 Service Fee** means an annual service fee imposed by the Council pursuant to Section 155 of the Local Government Act 1999 to recover the costs of providing and maintaining the CWMS in a sustainable manner.

**Effluent** means the treated liquid leaving a septic tank or being collected by a wastewater collection system.

**Sewage** means the solids/sludge collected in the septic tank or being collected by a wastewater collection system.



**Sewerage** means the infrastructure that conveys effluent into Council's CWMS system.

**STED** means a community-based septic tank effluent drainage scheme (it does not apply to individual properties that manage their wastewater on site).

**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.

## 6. LEGISLATION and OTHER DOCUMENTS

- Rating & Rebate Policy
- Hardship Policy for Residential Customers
- Complaints Handling Policy
- CWMS Pricing Policy Statement
- Application for Connection to Council's CWMS System
- Local Government Act, 1999
- Water Industry Act 2012
- SA Public Health Act (2011) and associated Regulations
- SA Public Health (Wastewater) Regulations 2013
- Environment Protection Act 1993
- Code for Establishing and Applying Property Units as a Factor for the Imposition of Annual Service Charges for Community Wastewater Management Systems

## 7. AVAILABILITY & GRIEVANCES

This policy is available for inspection at the Council office at 11 Bay Street, Port Broughton during ordinary business hours.

It is also available for inspection, download or printing, free of charge, from Council's website [www.barungawest.sa.gov.au](http://www.barungawest.sa.gov.au).

Any grievances in relation to this policy or its application in accordance with Council's Complaints Policy, should be forwarded in writing addressed to the Chief Executive Officer, Barunga West Council, PO Box 3, Port Broughton SA 5522.

## 8. DELEGATIONS

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

## 9. REVIEW

This Barunga West Policy shall be reviewed by the Barunga West Council within 4 years of the issued date.

Date	Revision Number	Description of Change
11/05/2021	01	Adopted by Council
10/10/2023	02	Revised and adopted by Council

Signed .....Signed .....

*Mayor*

*Chief Executive Officer*

Date: .....

## ANNEXURE 1

### REQUIREMENTS FOR APPLICATIONS FOR NEW CWMS CONNECTION POINTS, LINE EXTENSIONS AND/OR MODIFICATIONS

1. The applicant is responsible to obtain all development approvals, including the approval of the Department for Health and Wellbeing (DHW) if required.
2. The applicant will provide Council and DHW with construction drawings in accordance with Council and DHW specifications. These drawings shall be provided to Council and DHW (the Wastewater Section) for review and approved prior to undertaking any infrastructure installation.
3. If pump stations are required, these should be of a standard acceptable to Council.
4. Appropriate easements shall be granted to Council free of charge for wastewater drainage purposes over new infrastructure.
5. 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.
6. The width of easements may be reduced where agreed to by Council's Manager, Assets and Infrastructure.
7. For existing developments, the same easement widths may generally be required as for new developments. However, dispensation may be granted where existing structures encroach within the desired width of easements.
8. 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 CWMS.
9. 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 shall include, not exclusively, a commitment to quality and standard of work and a defects liability.
10. 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.
11. 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.

12. 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.
13. 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 seven 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.
14. 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.
15. 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).