

Community Wastewater Management System (CWMS) Infrastructure Management Policy



Record number	D20/88684
Responsible Manager	Manager Civil and Water Operations
Other key internal stakeholders	Director of Assets and Environment Director of Organisational Services and Excellence Manager of Finance and Rating Services Water Resource Specialist
Last reviewed	9 February 2021
Adoption reference	Council
Resolution number	734
Previous review dates	22/10/19, 21/10/20
Legal requirement	Under section 37(3) of the <i>Water Industry Act 2012</i> , a water industry entity must adopt a customer hardship policy published by the Minister under this section; or with the approval of the Commission, adopt such a policy with modifications.
Due date next review	2022

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1 Background

The Community Wastewater Management System (CWMS) Infrastructure Management Policy was adopted by Council 22 October 2019. Council Policies are typically reviewed every three years and the normal review date of this Policy would have been 2023. However, due to sensitivities on matters related to CWMS, the review date of the Policy was brought forward to October 2020, which would have given the opportunity for amendments to be made where required.

The most significant development on matters relating to CWMS is the recent announcement from the State Government to commit \$65 million to SA Water Corporation for the purpose of converting the CWMS scheme to sewer standards. On 28 May 2020, the Minister of Environment and Water directed SA Water Corporation to invest into Council's CWMS scheme to convert the system to sewer standard with a view of transitioning Council's CWMS customers to SA Water. Council has welcomed the State Government funding for this undertaking and have committed to assisting SA Water Corporation with this undertaking.

Council has been notified by SA Water Corporation on 30 July 2020 that it is in the preliminary stages of investigation that will inform required upgrades and timing to ensure a safe and reliable sewer service which will take several months to complete. SA Water Corporation has informed Council that the investigation should be completed in March 2021. Council staff have been working closely with SA Water Corporation to provide them with the information necessary to complete the investigation.

Council have a number of concerns in regards to the proposed undertaking to convert the CWMS system to sewer standards and proposed divestment of assets to SA Water Corporation. The concerns stem from the lack of clarity in the funding arrangement and the sewer conversion and customer transition strategy, which should be clarified in March 2021 when SA Water complete their due diligence investigation and develop a strategy. Some of the main concerns of Council are as follows –

1. Uncertainty if the committed funds are adequate to complete the sewer conversion of the whole system. Options that would need to be considered if funding was insufficient.
2. Uncertainty if the committed funds can be used for upgrading on-property plumbing owned by property owners (includes septic tanks and all wastewater drainage pipes on the property upstream of the Council connection point) to sewer standard, which is necessary as part of the sewer conversion process.
3. Uncertainty over the response from community members in relation to the on-property work that will likely have an impact on their private property.
4. Timeframes of delivering the project and divestment strategy that Council will need to adopt that will minimise any impacts to the wider local community.

The Essential Services Commission of South Australia (ESCOSA) have stated that Council will need to maintain the system until the time of handover and prices should be based on that requirement. Council are responsible for ensuring that the system is operational and maintained in accordance to Council's CWMS Asset Management Plan and the requirements of the Office of Technical Regulator (OTR). The OTR requires Council to comply with the Safety, Reliability, Technical Maintenance Management Plan (SRMTMP) and the Infrastructure Standards of the OTR.

These concerns listed above relating to the sewer conversion project and divestment of the CWMS scheme can potentially have a significant impact on Council's customers. There has been insufficient new information that would warrant changes to this Policy with the acceptance of Capital upgrades and renewals which will be addressed in Section (3.2) of this Policy.

2 PURPOSE

The City of Tea Tree Gully is committed to the sustainable management of Community Wastewater Management System (CWMS) services. The purpose of this policy is to establish a set of guiding principles for the management of Council's CWMS assets. The policy provides transparency in the way Council manages CWMS infrastructure and provides clear direction to Council staff, the criteria used in prioritising operational and maintenance activities, capital renewals and upgrades, sewer conversions and divestment of CWMS assets.

This policy sets out the guiding principles applied to the management of CWMS infrastructure in the following areas.

1. Operation and maintenance of CWMS infrastructure.
2. Upgrade and renewal of CWMS infrastructure
3. Sewer conversion for CWMS customers with SA Water connection points.
4. Decommissioning of septic tanks.
5. Development in CWMS serviced areas
6. Management of CWMS easements
7. Payment plans

3 POLICY

Council is committed to ensuring the responsible and sustainable management of CWMS infrastructure that ensures continued and resilient service delivery for our community into the future. The CWMS Asset Management Plan (AMP) sets out the projected operating and maintenance and capital expense for the period 2018-2019 to 2054-2055. The Community Wastewater Management System Asset Management Plan was adopted by Council in July 2018. The CWMS AMP demonstrates Council's commitment to implement best practice asset management to ensure that the CWMS customers will continue to have reliable and affordable wastewater services into the future.

The CWMS AMP takes into consideration the following guiding principles in the management of CWMS infrastructure:

1. The requirement that the CWMS asset management plan is aligned to Council's Strategic Plans.
2. The integration of the CWMS Asset Management Plan and Council's financial planning.
3. Sets out the long-term management of CWMS infrastructure -
 - a. Consideration of the future demand on the system with the aim of meeting the service levels required by the community, current and future.
 - b. Managing current demand.
 - c. The consideration of current and future system capacity and risk of asset failing in long-term asset management planning.
 - d. Informed decision making processes that take into consideration alternative means of service provision, full life cycle costing, performance measurement and monitoring

- that reflect the long lived nature of the infrastructure.
- e. Confident decision making that is based on up to date high quality information.
 4. Managing and communicating risk to key stakeholders.
 5. Sustainable management of assets to provide benefits of the service to future generations taking into consideration intergenerational equity by ensuring existing users pay an equitable share for asset consumption and not leaving the cost to be borne by future generations.
 6. Transparent assumptions and decision-making process.
 7. Decision making guided by the long-term sustainability of the Council and service delivery.
 8. Network design that -
 - a. Improves development potential of properties.
 - b. Reduces the risk of infrastructure damage.
 - c. Converts the existing CWMS properties to sewer.

The following documents sets out the level of service provided by Council.

1. [Recycled Water and Sewage Services Customer Service Charter](#)
2. Community wastewater management system (CWMS) asset management plan
3. Office of Technical Regulator (OTR) – Safety, Reliability, Maintenance, Technical Management Plan (SRMTMP)

3.1 CWMS Operation and Maintenance

The CWMS AMP sets out the operation and maintenance activities required to maintain CWMS infrastructure with the aim of minimising service disruptions, extend asset useful lives and improve asset maturity to make increasingly informed asset management decisions. Policies relating to operational and maintenance activities are consistent with the OTR’s SRMTMP and Council’s Recycled Water and CWMS Customer Service Charter are described in the following table.

Table 1 Policy relating to Operation and maintenance CWMS infrastructure

Policy	Policy Description
1. Condition assessment of infrastructure, which includes CCTV inspections of drains and inspections of structures.	<ul style="list-style-type: none"> • Council will undertake Closed Circuit Television (CCTV) condition assessment of at least 1km of CWMS conduits each year. • Assets greater than a condition rating of 3 (condition assessment based on Water Services Australia Code of Practice WSA 05) are assessed for rehabilitation or capital renewal and upgrade. • Always investigating rehabilitation options before renewal, using a cost benefit analysis based on full life cycle cost to determine the preferred solution. • Assets that have been identified for rehabilitation will be assessed with other assets in the rehabilitation program and prioritised based on asset hierarchy, risk from asset failing (environmental and public health impacts) and risk of asset failing.

Policy	Policy Description
	<ul style="list-style-type: none"> Assets that have been identified for renewal or upgrade will be assessed with other assets in the capital works program and prioritised based on asset hierarchy, risk from asset failing (environmental and public health) capacity and risk of asset failing.
<p>2. Infiltration/inflows (I/I) analysis, which includes flow monitoring of CWMS mains and network assessment.</p>	<ul style="list-style-type: none"> Council will undertake flow monitoring and (I/I) analysis of portions of the CWMS network that are at greater risk every 5 years or earlier as required by Council's trade waste agreement with SA Water. I/I analysis will be used to condition assess CWMS catchments and identify and reduce illegal stormwater connections. Flow monitoring data will be used to calibrate hydraulic models for CWMS to manage development and system demand. Council will provide SA Water with hydraulic models of portions of the CWMS network that discharge into SA Water to assist SA Water in planning for future demand. Council will provide flow monitoring data to SA Water based on requirements set out in Council's trade waste agreement with SA Water.
<p>3. Survey of drainage system.</p>	<p>Council will continue to undertake surveys of all CWMS underground infrastructure to</p> <ul style="list-style-type: none"> Verify the geospatial location of CWMS assets. Surveyed information publican be obtained through dial before you dig (DBYD) services to protect assets from third party damage. Acquire data necessary for network planning and design.
<p>4. Scheduled maintenance of drains to prevent and remove blockages.</p>	<ul style="list-style-type: none"> Council will implement a preventative maintenance program with the aim of reducing system blockages and service disruptions. Preventative maintenance plans takes into consideration adverse environmental impact and protection of public health in the operation and maintenance of CWMS infrastructure.
<p>5. Cleaning of septic tanks every four years.</p>	<ul style="list-style-type: none"> Septic tanks, sanitary drainage and associated pipes and fittings upstream of the Council connection point are the property of the property owner and do not form part of the CWMS network. Council will manage the septic tank cleaning schedule and manage

Policy	Policy Description
	<p>the septic tank cleaning contract to ensure that each septic tank serviced by the CWMS network are cleaned once every four years in accordance to</p> <ol style="list-style-type: none"> 1. SA Health onsite wastewater management system code of practice; and 2. Design criteria set out by SA Health. <ul style="list-style-type: none"> • The intent of Council septic tank cleaning program is to reduce the solids loading entering the CWMS system that can potentially reduce the asset life and also lead to system blockages. To meet this intent, septic tanks will be cleaned by Council once every four years. • Customers may choose to undertake septic tank cleaning on their own. However, this will not negate the necessity for Council’s septic tank cleaning contractor to return to a property once every four years at the appointed time to clean a septic tank. Therefore, the annual CWMS service charge will not change as a result of customers cleaning their own septic tanks. Council have a transparent procurement process to ensure that the work undertaken to Council’s standards while obtaining competitive pricing for the service. • The cost of cleaning septic tanks is paid for by CWMS customers through the annual CWMS service charge. The annual CWMS service charge accounts for one septic tank clean every four years. The cost of any additional cleaning of septic tanks should be paid for by the customer.
<p>6. Compliance inspections including disconnection of illegal stormwater connections.</p>	<ul style="list-style-type: none"> • Stormwater shall not be discharged into the CWMS system because the system is not designed to transport stormwater. Stormwater infiltration increases the risk of environmental harm, public health risk and damage to infrastructure. • Council will undertake compliance inspections of CWMS customers to remove illegal stormwater connections into the CWMS system. Council acknowledges that the property owner may not be aware of the illegal stormwater connection. Council will

Policy	Policy Description
	<p>issue enforcement notices to ensure compliance with provision 50 of the Water Industry Act 2012. A period of 4 weeks will be given to the property owner to comply with the requirements of the enforcement notice.</p>
<p>7. Rehabilitation of drains and structures.</p>	<ul style="list-style-type: none"> • Council will plan the rehabilitation and renewal of all CWMS structures greater than a condition rating of 3 (condition assessment based on Water Services Australia Code of Practice WSA 05). • Always investigating rehabilitation options before renewal, using a cost benefit analysis based on full life cycle cost to determine the preferred solution. • Assets that have been identified for rehabilitation will be assessed with other assets in the rehabilitation program and prioritised based on asset hierarchy and risk of asset failing. • Assets that have been identified for renewal or upgrade will be assessed with other assets in the capital works program and prioritised based on asset hierarchy, capacity and risk of asset failing.
<p>8. Management of liquid trade waste customers.</p>	<ul style="list-style-type: none"> • Pursuant to Clause 50 of the Water Industry Act 2012, CWMS customers will need to submit a liquid trade waste application to Council for assessment if the customer plans to undertake a commercial activity in premises connected to the CWMS network. • Council will implement a trade waste management plan to manage trade waste discharges (commercial customers) connected to Council's CWMS network. The trade waste management plan sets out the controls required to ensure trade waste customers comply with the requirements of Council's trade waste agreement with SA Water. • The intent of the management of liquid Trade waste is to provide an appropriate level of protection such that operational problems in the CWMS network arising from trade waste discharges is reduced. • Commercial customers includes any business operating out of a premises connected to the

Policy	Policy Description
	<p>CWMS network. This includes CWMS customers operating a home business.</p> <ul style="list-style-type: none"> Trade waste customers will be assessed based on the nature of activity undertaken on the premises and the risk to the CWMS network. The assessment will prescribed minimum requirement of control and conditions to ensure compliance with the trade waste agreement with Council. <p>Refer to</p> <ul style="list-style-type: none"> Table 3 for additional information regarding this policy.
9. Water quality monitoring of CWMS effluent.	<ul style="list-style-type: none"> Council will undertake water quality monitoring of the CWMS network in compliance with the requirements of Council’s trade waste agreement with SA Water. Council will take steps to ensure that wastewater quality is maintained at standards acceptable to SA Water.

3.2 CWMS Upgrade and Renewal

Maintenance is important component of asset management to achieve asset useful life and to ensure that assets continue to perform at acceptable levels throughout their life. Rehabilitation of assets is an important activity of asset maintenance where defects are addressed to prevent further damage to the asset and maintain functionality and performance of asset. Rehabilitation is not always a suitable option, which is often due to site constraints whereby a new alignment is required or in situations where the asset has defects which would provide greater benefit to renew the asset instead of repair.

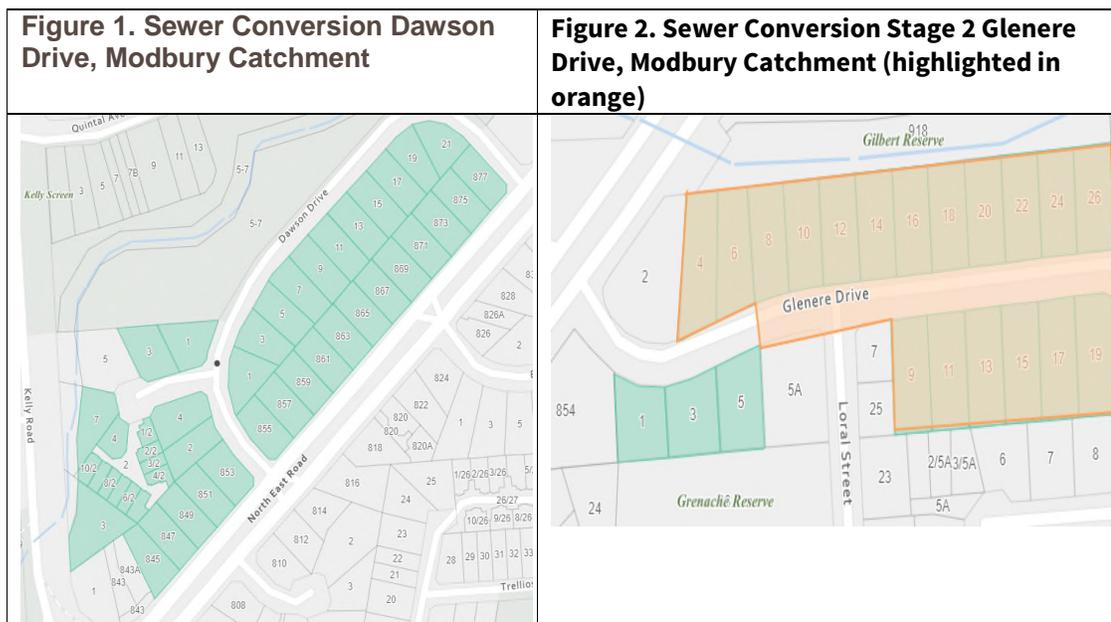
Council staff use a risk-based approach to prioritise condition assessments of CWMS infrastructure. Assets that have been condition assessed and found to have defects which are greater than a condition rating of “3” based on the WSA 05 Code will be prioritised and scheduled into the rehabilitation program. Prioritisation is based on the condition of the asset and the risk rating of the asset (refer to Table 1, item 7).

In response to the recent announcement from the State Government of their \$65 million commitment and direction to SA Water to upgrade Council’s CWMS assets to sewer standard, Council had resolved (Resolution 491, 492 and 493) at the Council meeting held 7 July 2020 to –

- 3.2.1 Temporarily suspend any new capital upgrades with the exception of capital works detailed in Clauses 3.2.3, 3.2.4 and 3.2.5;
- 3.2.2 Continue to renew, maintain and repair assets to ensure that the CWMS system is operational and maintained in accordance to the requirements of the OTR’s SRMTMP;
- 3.2.3 Continue with the detailed design work for the sewer conversion of Dawson Drive, Modbury Catchment;

- 3.2.4 Continue with the detailed design work for the sewer conversion of Beltana, Alawa and Iliad, Modbury Heights Catchment;
- 3.2.5 Continue with the detailed design work for the sewer conversion of Elizabeth Street, Coulls Road, Steventon Road, Banksia Park Catchments.
- 3.2.6 The temporary suspension will be in place until a strategy between Council and SA Water is developed or Council resolved otherwise.
- 3.2.7 Sewer Conversion Pilot Trials -
Council and SA Water have agreed to undertake sewer conversion pilot trials of two CWMS catchment areas which are -
 1. Sewer Conversion Stage 2 Glenere Drive, Modbury Catchment (refer to **Error! Reference source not found.**)
 2. Sewer Conversion Dawson Drive, Modbury Catchment (refer to **Error! Reference source not found.**)

Council is supporting SA Water who will deliver these projects upon completion of their investigation in March 2021.



3.3 Collaboration with SA Water

SA Water has been directed by the Minister of Environment and Water to invest into Council CWMS network by upgrading the infrastructure to sewer standards with a view to transition the customers across to SA Water. The direction given by the Minister of Environment and Water to SA Water is consistent with Council’s CWMS Infrastructure Management Policy, which is a long term strategy to convert the CWMS system to sewer standards and consideration of divestment of CWMS infrastructure in some areas.

To assist SA Water in the completion of their investigation, development of a strategy and the delivery of this project, Council will undertake the following activities in collaboration with SA Water -

1. Provide SA Water with technical information regarding the CWMS network, which includes the following –
 - a. Flow monitoring data of CWMS mains
 - b. Hydraulic models of the network which have been developed by Council
 - c. Condition assessment data and reports that have been undertaken by Council
 - d. GIS information of the network
 - e. CWMS asset register
 - f. Survey data of CWMS infrastructure that have been undertaken by Council
 - g. Field reports and asset performance data
 - h. Where available, provide sanitary drainage diagrams (on-property drainage diagrams to SA Water).
2. Provide support to SA Water in the engagement of Council’s CWMS customers, such as provision of facilities to undertake information sessions.
3. Provide support to SA Water who may require access to private property to undertake assessments and investigations.

3.4 Sewer Conversion for CWMS Customers with existing SA Water Connection Points

There are a number of CWMS customers in the City of Tea Tree Gully who in addition to CWMS annual service charges are also required to pay SA Water sewer access charges because the properties have access to an SA Water sewer connection point. Although the properties have SA Water connection points, they are not connected to the SA Water sewer network. In the circumstance where Council CWMS network passes properties where they have transferred to SA Water, no service charge will be applied. As of 30 June 2019, there are 158 CWMS customers with existing SA Water connection points. Council will use its best endeavours to proactively encourage these customers to transfer to SA Water. Transitioning customers will be given reasonable notice of no less than 2 years to connect to SA Water sewer, after which point Council may decommission its CWMS main servicing the property.

The following are some factors that have discouraged property owners from transitioning to SA Water:

1. Cost associated with compliance of sanitary drainage system to current standards.
2. Cost of extending their drainage pipes to the SA Water connection point.
3. Cost of decommissioning septic tanks.
4. Damage to flower beds, sheds, pergolas, garden and reinstatement.
5. New owners have moved in and unaware there is an option or might be unsure of the process to transition.

The policy shown in

Table 2 describes how Council will be assisting these CWMS customers in the transition to SA Water.

Table 2 Policy for CWMS customers with SA Water connections.

Policy	Policy Description
Conversion from CWMS to sewer for CWMS customers with an existing SA Water connection point.	<ol style="list-style-type: none"> 1. CWMS customers with existing SA Water sewer connection points will be transitioned to SA Water sewer. 2. The CWMS infrastructure currently servicing these affected properties will be decommissioned when all the CWMS customers have been transitioned to SA Water.
Funding assistance for the transition from Councils CWMS to SA Water sewer.	<ol style="list-style-type: none"> 1. Council will provide payment plans for current customers with existing SA Water connection points. The duration of the payment plan and schedule of payments will be specific to each property due to the difference in the scope of capital works required for each catchment. The payment plan will include all cost associated with the transition to SA Water.

3.5 Decommissioning of Septic Tanks

It is a requirement under the SA Health Act that existing septic tanks that are disconnected should be decommissioned. Council’s requirements for decommissioning septic tanks that are no longer in use are as follows:

1. All the waste material from the septic tank should be removed and disposed of by an EPA approved waste transporter and EPA approved waste facility.
2. The septic tank should be crushed on site and backfilled ensuring that the lid and base of the tank are broken. Poly tanks should be removed and disposed of at an EPA approved disposal site.
3. Application of lime on the site and backfilled with appropriate material.

Property owners who have converted from CWMS to sewer must decommission their septic tanks. Property owners who decommission septic tanks in accordance to Council’s requirements are eligible for financial assistance in the form of payment plans. Although removing the septic tank from the ground is an acceptable method of decommissioning septic tanks, Council will provide payment plans for the removal of septic tanks up to an amount of \$600 per septic tank.

3.6 Development of properties in CWMS Serviced Areas

Consistent with Resolution (493) and (494) of Council Meeting held 7 July 2020, Council will continue to assess new land divisions in accordance to the requirements set out in this Policy and the Development Act 1993. The following table sets out the guiding principles for assessing new developments in CWMS serviced areas.

Table 3 Policy relating to development of properties in CWMS serviced areas.

Policy	Policy Description
New Connections	<ol style="list-style-type: none"> 1. Pursuant to Clause 8 of the Economic Regulation of Minor and Intermediate Retailers of Water and Sewerage, the cost of any new connections to the

Policy	Policy Description
	<p>CWMS network will be paid for by the applicant. The connection point will be contributed to Council and Council will operate, maintain and renew the asset.</p> <ol style="list-style-type: none"> 2. All connection applications to Council will be required to pay an application fee as stated in Council's fees and charges. The cost of the new connection will be provided to the applicant for consideration. 3. Each application will be assessed and approval will be provided for applications if the additional connection does not place any part of the system at an unacceptable risk. For example, if a portion of the system is at capacity, no further development will be permitted in the area until an upgrade of the system is undertaken. 4. Applications will be assessed taking into consideration the following: <ul style="list-style-type: none"> • System capacity and upgrade requirements • Distance of connection from the main • Site profile and topography • Requirements for traffic management • Complexity of construction • Feasibility of connection • Material of construction of the main and condition assessment of the main providing the connection point. 5. Developers will pay developer charges for each new equivalent tenement added to the CWMS scheme. The intent of the developer charge is to promote an equitable system that will ensure that existing CWMS customers who have made financial contributions to the scheme over the years are not financially disadvantaged from new developments which put additional demand on the CWMS system. Developer charge must be paid for by the applicant for each new equivalent tenement added to the system. The cost of the developer charge can be found in Council's Fees and Charges Register.
Extension of CWMS mains	<ol style="list-style-type: none"> 1. Pursuant to Clause 8 of the Economic Regulation of Minor and Intermediate Retailers of Water and Sewerage, the applicant must cover the cost of extending the network to meet the new connection point. 2. Council will arrange design and construction of extensions of the CWMS mains to meet Water Services Australia Code of Practice WSA 02 and SA Water standards. Work will be undertaken in accordance with

Policy	Policy Description
	<p>Council’s Procurement Policy through an open and transparent process.</p> <p>3. Council will superintend all work associated with the extension of the CWMS main.</p>
Upgrade of CWMS mains	<p>1. An upgrade to Councils existing CWMS network may be required to provide an applicant with a connection point. The applicant should pay for the system upgrade if there are no other CWMS customers benefiting from the upgrade.</p> <p>2. There may be capital contribution from Council to cover the cost of a portion of the upgrade if there were developer charges paid to Council in the past for the portion of network requiring upgrade. For example, a developer is required to upgrade a CWMS main to service the proposed development because the current CWMS main servicing the street is not able to safely transport the wastewater from the proposed development. Council has in the past obtained developer charges associated with the same asset to a value of \$20,000. Council will contribute a maximum of \$20,000 to upgrade the asset.</p>
Modification of an existing connection	<p>1. CWMS customers may decide to undertake the following modification to their existing connection.</p> <ul style="list-style-type: none"> • Installation of a swimming pool, spa or pond/water feature • Installation of a new pump to an existing swimming pool, spa or pond/water feature • Starting up a business from home • Starting up a new business from an existing commercial property. <p>2. Pursuant to Clause 50 of the Water Industry Act 2012, CWMS customers will need to submit an application to Council for assessment if they are planning to undertake any of the above activities.</p> <p>3. Applications will be assessed taking into consideration the following:</p> <ul style="list-style-type: none"> • System capacity and upgrade requirements • Distance of connection from the main • Site profile and topography • Feasibility of connection • Material of construction of the main and condition assessment of the main providing the connection point. <p>4. Council have a trade waste agreement with SA Water because CWMS wastewater is discharged into the SA Water sewer network. CWMS customers who are either operating as a commercial premises or have a home</p>

Policy	Policy Description
	<p>business must enter into a trade waste agreement with Council. Commercial premises and home based business will comply with Council’s risk-based approach to manage trade waste discharges into the CWMS network. Appropriate pre-treatment devices must be in place to prevent damage to the network and ensure that Council does not breach SA Water discharge limits.</p>
Disconnections	<ol style="list-style-type: none"> 1. CWMS Customers may apply to disconnect from Council’s CWMS scheme. The request must be made by the owner of the property. 2. A disconnected property will not be able to discharge wastewater into the CWMS scheme. 3. Council will not permit a disconnection of a property unless there is an alternate SA Health approved method of wastewater disposal. For example, connection to SA Water sewer scheme. 4. Council may give notice to existing customers of the intent to decommission a CWMS main because an alternate service through SA Water is available. The customer will be given reasonable notice of no less than 2 years to connect to the new SA Water service, after which Council may decommission its CWMS main servicing the property. 5. Council will not charge disconnected properties the CWMS annual service charge if the properties are connected to the SA Water sewer scheme. 6. CWMS customers will have to pay a disconnection fee. The disconnection fee covers the cost of decommissioning the connection point. The disconnection fee is shown in the Fees and Charges register.
Realignment of CWMS mains	<ol style="list-style-type: none"> 1. The location of existing CWMS mains can potentially reduce the development potential of the parcel land. Applicants may in writing request for the CWMS main to be relocated to a different location. 2. The application will be assessed based on the following criteria <ul style="list-style-type: none"> • Feasibility of the realignment • Feasibility of the construction work without service disruptions. • Application will not be approved if it has an adverse impact on existing customers or increases the risk of damage to the infrastructure. • Benefit to the network.

Policy	Policy Description
	<ol style="list-style-type: none"> 3. Council will assess the application and design an alternate route. Council will superintend all work associated with the realignment. 4. The applicant will pay for all cost associated with the design and construction of the work.

3.7 Management of CWMS Easements

An easement is an interest in land. Specifically, an easement is a contract between parties to give an entity (the grantee) the right to use another’s land (the grantor) for a particular purpose. The effect of an easement is to partially restrict a landowner’s use of the land, which is the subject of the easement.

Some common mechanisms for creating new easements include:

1. Land division where the land is divided and new services such as water, sewer, electricity, stormwater drainage are required to service the newly created sub-division.
2. Re-alignment of essential service and other infrastructure, such as water, sewer, electricity and stormwater infrastructure.

Short Form Easements is defined in Schedule 6 of the Real Property Act 1886 and gives the grantee limited rights to the land (refer to Definitions). Additional conditions cannot be imposed in relation to how land over a Short Form Easement can be further developed. This means that the grantee cannot legally prevent the construction of a building, or the carrying out of earthworks (fill and/or excavation) with a Short Form easement. Such work can obstruct the entity’s access to the infrastructure for maintenance purpose

A large portion of CWMS assets are not registered with the Lands and Title Office and therefore do not appear on the land title. CWMS infrastructure is protected under Part 6 Division 1 of the Water Industry Act 2012 and are regarded as statutory easements.

Table 4 Policy for the management of CWMS easements

Policy	Policy Description
Creating of new easements	<ol style="list-style-type: none"> 1. All newly created CWMS easements will be Long Form Easements and will have limitations placed on the following: <ul style="list-style-type: none"> • The alteration of ground levels within the easements. • The design and nature of buildings permitted to be constructed within the easement; • Any other conditions as deemed appropriate by the Council Delegate. 2. New CWMS easements should as far as practicable be located in a location where they minimise the impact on the development of the land. The intent of this policy is to limit the occurrence of severing a parcel of land preventing development of the land.

Policy	Policy Description
	<ol style="list-style-type: none"> 3. New CWMS easements created through the land division process will not receive compensation for the new easement on the affected land. This is because the easement is often required to provide wastewater service to the new connection point servicing the development. 4. An easement may be so close to the property boundary that the easement overlaps into the adjacent property. New CWMS easements should only impact one parcel of land and not cross over the boundary of the parcel of land. 5. New CWMS easements created through the land division process will not receive compensation for the new easement on the affected land. 6. The width of an easement is a minimum of one and a half metres (1.5m) horizontal distance either side of the centre line of the drainage pipe. Therefore the minimum width of an easement shall be three metres (3m). The length of the CWMS easement will over the same length of the CWMS infrastructure.
Easement negotiation, compensation and settlement	<ol style="list-style-type: none"> 1. There may be private landowners in the City of Tea Tree Gully who have CWMS infrastructure on their land, which are unregistered with the Lands Title Office as easements. The CWMS infrastructure is protected under Part 6 Division 1 of the Water Industry Act 2012 and are regarded as statutory easements. Council will not retrospectively compensate these landowners with CWMS infrastructure on their land. 2. CWMS easements will be acquired before the installation of new CWMS infrastructure on the affected land. The delegation register designates the staff with authority pursuant to Clause 24(2)(b) and 25 of Schedule 1A of the Act to acquire easements or other appropriate interest over the relevant land by agreement with the owner or in accordance with the Land Acquisition Act 1969.
Encroachment of Easements	<ol style="list-style-type: none"> 1. The purpose of the encroachment policy is to protect Council's CWMS infrastructure from damage. 2. An encroachment is any change in the land, land use or may be a physical intrusion of a structure, or item into, over or under the land subject to Council CWMS infrastructure. Clause 49 of the Water Industry Act 2012 sets out the legislation regarding the encroachment of assets owned by the water industry entity to protect infrastructure, equipment and services. 3. Council will provide a set of encroachment guidelines <i>"Propose Encroachment over Community Wastewater"</i>

Policy	Policy Description
	<p><i>Management System Infrastructure Information Sheet</i>” to assist developers, CWMS customers, builders and other stakeholders.</p> <p>4. The delegation register designates the staff with authority pursuant to Section 49(1) of the Water Industry Act to consent to a person to encroach on CWMS easements. Consent should not be given if the risk controls proposed do not adequately satisfy engineering and work health and safety requirements.</p>

3.8 Payment plans

Council will offer payment plans for CWMS customers in the following situations:

1. Sewer conversion for CWMS customers with SA Water connection points.
2. When Council instigates an upgrade to sewer standard.

Where a payment plan is offered to a CWMS customer, Council will inform the customer on an agreement being reached, of:

- a. The duration of the plan
- b. The amount of each instalment payable under the plan, the frequency of instalments and the date by which each instalment must be paid
- c. If the customer is in arrears, the number of instalments to pay the arrears, and
- d. If the customer is to pay in advance, the basis on which instalments are calculated.

Council will continue to regard community members on payment plan as CWMS customers and are eligible for Councils Community Wastewater Management System and Recycled Water Customer Hardship Policy.

Where a hardship customer is seeking assistance in accordance with this Policy, but has failed to fulfil their obligations under an existing hardship arrangement, Council will require them to sign up for Centrepay or direct debit deductions.

3.9 General provisions

Council will ensure residential customers have equitable access to this Policy, and that this Policy is applied consistently. A copy of the documentation will be available at no charge to customers. Council will ensure appropriate training of employees administering this Policy to ensure that the policy is undertaken consistently. Council will also make a copy of this Policy available to a customer upon request as soon as practicable following a request to do so.

3.10 Complaints handling

Council’s General Complaints Policy detailing Council’s customer complaints and dispute resolution process is available at Council’s website www.teatreegully.sa.gov.au. Council will also make a copy of this policy available to a residential customer, upon request.

4 DEFINITIONS

For the purposes of this Policy the following definitions apply:

AMP

Asset management plan. It is a comprehensive process to ensure that delivery of services from the infrastructure is provided in a sustainable manner.

Asset Hierarchy

Asset hierarchy is the terminology used to describe the importance/criticality of an asset. Asset hierarchy in accordance to the CWMS AMP is dependent on the number of CWMS connections reliant on the asset. The greater the number of CWMS connections related to an asset, the greater the importance of the asset. Disruptions of assets with a high level of importance will affect a greater number of customers and also result in greater financial impact to Council.

CEO

Refers to the Chief Executive Officer (including their delegate) of the City of Tea Tree Gully

Commercial Customers

Commercial customers are any CWMS customer discharging non-domestic waste into the CWMS network.

Condition assessment

Condition assessment is used to determine the functionality and structural integrity of a structure. Condition assessment of CWMS infrastructure will be in accordance to the Water Services Australia Code of Practice (WSA 06). Condition rating of asset range from 1 to 5 (good to poor respectively). In general, assets with a condition rating of 3 and less do not require rehabilitation and do not appreciably increase the risk of damage to under downstream or upstream assets. Assets with a condition rating of 4 require intervention to prevent asset failure or damage to other associated assets. Assets with a condition rating of 5 require immediate intervention because either the asset has failed or the asset is close to failure.

Connection Point

The connection point is the point at which the sanitary drain from a property connects into the Council main. The connection point is owned, operated and maintained by Council.

Conversion

Conversion in this document specifically refers to the conversion of all mains and sanitary drainage from CWMS to sewer standard.

Customer

As defined in the Water Industry Act 2012 means a person who owns land in relation to which a retail service is provided and includes:

- Where the context requires, a person seeking the provision of a retail service, and
- In prescribed circumstances, a person supplied with retail services as a consumer or user of those services (without limiting the application of this definition to owners of land) and
- A person of a class declared by the regulations to be customers.

CWMS

Refers to Community wastewater management system. This system is an alternative service to SA Water mains sewer. The infrastructure is owned and managed by Council.

Developer Charge

Developer charges are upfront charges to recover part of the infrastructure cost incurred in servicing new developments or additions and changes to existing developments

Easement

The right to use a portion of land for a specific purpose. An easement generally provides for the provision of a service.

Equivalent Tenement (ET)

Equivalent tenement (ET) is a measure of the load a property places on the CWMS system. For example, 1 ET is the CWMS discharge from an average single residential house under dry weather flow.

Fees and Charges Register

A register that contains Councils fees and charges.

Land division

Land Division has the same meaning as the term “Division” as defined within Section 4 of the Development Act 1993. Division of an allotment means:

- The division, subdivision or re-subdivision of the allotment (including community plan under the Community Titles Act 1996 and by strata plan under the Strata Titles Act 1988); or
- The alteration of the boundaries of an allotment; or
- The conferral or exercise of a present right to occupy part only of an allotment under a lease or licence, or an agreement for a lease or licence, the term of which a right or option of renewal or extension exist so that the lease, licence or agreement may operate by virtue of renewal or extension for a total period exceeding six years or such longer period as may be prescribed; or
- The grant or acceptance of a lease or licence, or the making of an agreement for a lease or licence, of a class prescribed by regulation.

Liquid trade waste

Liquid trade waste is any wastewater that is discharged from commercial activity into Council’s CWMS network. This includes business that operate from home.

Long Form easements

Unlike the Short Form Easement, the specific description of the Long Form Easement is not found in the Real Property Act 1886. The description for a Long Term Easement and its conditions for this easement are set out in the full documentation creating the easement and can be varied depending on the circumstances and the reasons for the easement.

Maintenance

To maintain infrastructure to ensure that assets are serviceable through their useful lives.

Renewal

The like for like replacement of an asset.

Septic Tanks

Septic tanks provide pre-treatment of wastewater and intercept solids, preventing the solids from entering into CWMS drains. Septic tanks are not part of Council's CWMS network and are owned by property owners connected to the CWMS scheme.

Service easement

Under section 223LG of the Real Property Act 1886, a service easement means an easement in favour of:

- A water industry entity for sewage or water supply purposes
- A council or the crown for drainage purpose; or
- An electricity entity for electricity supply purposes.

Sewage

As defined in the Water Industry Act 2012 includes any form of waste that may be appropriately removed or dealt with through the use of a sewerage service.

Sewage services

As defined in the Water Industry Act 2012 means:

- A service constituted by the collection, storage, treatment or conveyance of sewage through the use of a reticulated system, or
- Any other service, or any service of a class, brought within the ambit of this definition by the regulations.

Short Form easements

Section 89A of the Real Property Act 1886 provides for a short form description to be used on a plan and title. Where used, the short form wording incorporates the corresponding long form description of that easement as set out in the Schedule 6 of the Real Property Act. Schedule 6 of the Real Property Act 1886 gives rights to the grantee to "enter the land, break surface of, dig, open up and use the land for the purpose of laying down, fixing up, repairing, relaying or examining." Additional conditions cannot be imposed in relation to how land over a Short Form Easement can be further developed. This means that the grantee cannot legally prevent the construction of a building, or the carrying out of earthworks (fill and/or excavation) with a Short Form easement. Such work can obstruct the entity's access to the infrastructure of maintenance purpose.

Upgrade

To replace an asset with a new asset that performs the same general tasks but at a higher level. Eg.

1. Increasing the capacity of a drain to accommodate for more flow through the pipe.
2. Changing the material of construction to a stronger material that can withstand greater stresses.
3. Conversion from CWMS to sewer.

Water industry entity (WIE)

Council is a water industry entity (WIE) under the WI Act. Council holds a licence under Part 4 of the WI Act to provide retail services. Council variously answers to the Minister for Environment and Water, the Essential Services Commission of South Australia, and the Technical Regulator (each of which are invested with different aspects of governmental authority under the WI Act)

5 LEGISLATIVE FRAMEWORK

The following legislation applies to this Policy:

- a. Water Industry Act 2012
- b. South Australia Water Industry Regulations 2012
- c. Essential Services Commission Act 2002
- d. Economic Regulation of Minor and Intermediate Retailers of Water and Sewerage Services

5.1 Other references

Council’s documents including:

- a. Community Wastewater Management System Asset Management Plan
- b. City of Tea Tree Gully’s Delegation Register
- c. Fees and Charges Register
- d. Customer Service Charter for Recycled Water & Sewage (CWMS) Services
- e. Late Payment and Sale of Land for Non-payment of Council Rates Policy
- f. General Complaints Policy
- g. Internal Review of Council Decisions Policy
- h. Easements Management Policy
- i. Community Wastewater Management System and Recycled Water Customer Hardship Policy
- j. Encroachment over Community Wastewater Management System Infrastructure Information Sheet

External documents including:

- a. Water Retail Code – Minor and Intermediate Retailers
- b. Water Retail Code – minor and intermediate retailers WRX-MIR/01 – Explanatory memorandum

6 STRATEGIC PLAN/POLICY

6.1 Strategic Plan

The following strategic objectives in Council’s Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
Environment	
<i>A community that is protected from public and environmental health risks</i>	<ul style="list-style-type: none"> • Well maintained wastewater infrastructure that meets the changing needs of the community.

Economy	
<i>Modbury Precinct is revitalised as the city's key activity</i>	<ul style="list-style-type: none"> • The provision of wastewater infrastructure that is consistent with the Modbury Activation Policy. • The provision and maintenance of wastewater infrastructure that is reliable and does not impede growth in the City.
<i>A population profile that supports a growing economy</i>	
<i>A local economy that is resilient and thrives, where businesses are supported to grow and prosper, provide local jobs and sustain our community and visitors and utilize technology to improve the livability of our city</i>	
Places	
Leadership	
<i>Customer service provides a positive experience for people and is based on honesty and transparency</i>	<ul style="list-style-type: none"> • The Policy sets out Council's responsibilities and service standards that for part of the asset management plan. • The Policy sets out the commitment to convert the CWMS scheme to sewer standard. • The Policy sets out the assessment criteria for approving new connections for land divisions. • The Policy sets out the principles of decision making process for repairs and maintenance of CWMS infrastructure.
<i>Planning considers current and future community needs</i>	
<i>Delivery of services is sustainable and adaptable</i>	
<i>Decision making is informed, based on evidence and is consistent</i>	

6.1 Organisation Plan

Our Strategic Plan is supported by an Organisation Plan that focuses on five key themes of organisational excellence. The theme most relevant to this report is: Customers and community relations.

7 POLICY IMPLEMENTATION

This Policy will be implemented by the Chief Executive Officer or relevant portfolio director and managed in accordance with Council's scheme of delegations.

8 ACCESSIBILITY

This Policy and Council's Fees and Charges Register are available to be downloaded free of charge from Council's website: www.cttg.sa.gov.au

Hard copies, for a fee, can be provided in accordance with Council's Fees and Charges Register at Council's Civic Centre at 571 Montague Road, Modbury SA 5092.