

**DEVELOPMENT SERVICING PLAN  
FOR  
MID WESTERN REGIONAL COUNCIL  
SEWERAGE**



**ADOPTED: 20 / 08 /2008  
EFFECTIVE: 21 / 08 /2008**

**August 2008**

**This is a development servicing plan which has been prepared in accordance with Section 64 of the Local Government Act, 1993, and Section 306 of the Water Management Act, 2000.**

## **DISCLAIMER**

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# MID WESTERN REGIONAL COUNCIL

## DEVELOPMENT SERVICING PLAN (DSP) - SEWERAGE

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# **DEVELOPMENT SERVICING PLAN - SEWERAGE**

## **SUMMARY**

This Development Servicing Plan (DSP) covers sewerage developer charges (DC) for the Mid Western Regional Council.

This DSP has been prepared with consideration to *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (2002). These are the final relevant guidelines, managed by the Department of Water and Energy, Utilities (DWE).

This DSP aims to:

1. Allow Council to require an equitable monetary contribution for the provision of sewerage infrastructure to meet the loading generated by development.
2. Facilitate the future provision of sewerage services to the Mid Western Regional Council area which meets the required levels of service with regard to pump station capacity, collector main capacity and treated effluent quality.
3. Set out the schedule and programme of proposed works to meet increasing sewerage loads generated by development.
4. Detail the contribution charges and Mid Western Regional Council's payment policies.

To enable this, a future demand estimate of sewerage load for the Council has been undertaken. The demand estimate is the basis used for determining the infrastructure required to meet the need generated by future development.

Developer contributions are applicable for existing and proposed works which serve future development. Section 3 details the existing works and proposed works schedule for sewerage infrastructure to meet the expected loading.

The calculated DC, based on full cost recovery, is tabulated below.

## Mid Western Regional Council Sewerage Developer Charges

### Calculated Developer Charges

Location	Developer Charge / ET (\$05/06)
Mudgee	\$4,686
Gulgong	\$7,925
Rylstone, Kandos, Charbon	\$16,346
<b>Weighted Average</b>	<b>\$5,330</b>

### Developer Charges for Adoption by Council

The Council has approved a pricing strategy for sewerage where a weighted average charge will apply across all development zones and that charge will be set at 50% of the calculated weighted average Developer Charge as shown above. An adjustment to Council's sewerage charges will be made to offset the loss of revenue from developers.

The adjusted Developer Charge for sewerage is \$ 2,665 in \$ 05/06.

Since developer charges offset the cost of capital works, a Construction Cost Index adjustment of 20% has been used to convert \$ 05/06 to \$ 08/09 ( Based on annual indices provided by Department of Water and Energy for the NSW Reference Rates Manual).

### Developer Charges for 2008/09 will be \$3198 per ET

In making this decision certain cross subsidies have been deemed to be acceptable to the Community in promoting growth and welfare for the Mid Western Regional Council. The following table shows the impact of the two adjustments.

### DC Scenarios for Sewerage Services

DC Scenario	Sewer (\$1000, 2008/09)			
	Mudgee	Gulgong	RKC	Total
1. Total DC Collected	7,760	1,236	981	<b>9,977</b>
2. Revenue based on weighted average DC	8,826	831	320	<b>9,978</b>
3. Cross subsidy due to agglomeration (1-2)	-1,066	405	661	<b>-1</b>
4 Reduced revenue due to adopted strategy of 50% reduction in Weighted Average DC	4,413	416	160	<b>4,989</b>

Note

- i) Cross-subsidy due to agglomeration (item 3) will be between different development zones
- ii) Capital cost factor of 20% has been used to convert calculated DCs to \$'08/09 in the above table.

General Notes:

Developer charges calculations relating to this DSP will be reviewed after a period of five to six years, or when any significant changes occur in proposed works, growth projections or standards.

In accordance with the DWE guidelines, in the period between any reviews, developer charges will be revised on 1 July each year on the basis of movements in the Consumer Price Index (CPI) for Sydney, in the preceding 12 months to December, excluding the impact of GST.

There are a number of payment methods for DC and works-in-kind contributions are allowable subject to certain conditions.

The developer shall be responsible for the full cost of the design and construction of sewerage reticulation works within subdivisions.

# **1. Introduction**

## **1.1 Legislation**

Section 64 of the *Local Government Act 1993* enables a local government council to levy developer charges for water supply, sewerage and stormwater. This derives from a cross-reference in that Act to Section 306 of the *Water Management Act 2000*.

This DSP has been prepared in accordance with the *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (2002)*, managed by DWE, pursuant to Section 306 (3) of the *Water Management Act 2000*.

## **1.2 Purpose of the DSP**

The purpose of the DSP is to achieve the following objectives:

1. Allow Mid Western Regional Council to require an equitable monetary contribution for the provision of sewerage infrastructure to meet the loads generated by new development.
2. Facilitate the provision of sewerage services to the Mid Western Regional Council area which meets the required levels of service with regard to pump station capacity, collector main capacity and treated effluent quality.
3. Identify the existing relevant works and set out a schedule and programme of proposed works to meet increasing sewerage loads generated by development.
4. Detail the contribution rates and Mid Western Regional Council's payment policies.

The sewerage system for which Mid Western Regional Council seeks to levy DC includes collector mains, pump stations and treatment facilities. Reticulation is provided by developers as part of the subdivision/development works.

## **1.3 Land to Which the DSP Applies**

This DSP applies to all land in Mid Western Regional Council area that is within the sewerage benefit area which is to be connected to the sewerage system as a result of development. This includes connection of land with existing residences and/or non-residential buildings if sewerage DC have not been paid previously; and may be in addition to costs for shared, special extension of system outside the general sewerage benefit area. Maps of sewerage areas can be found in Appendix 3.

## **1.4 Calculation Guidelines**

This DSP has been prepared with consideration given to *Guidelines - Developer Charges for Water Supply, Sewerage and Stormwater, 2002*. These were the latest relevant guidelines from the DWE, at the time of DC calculation, and are based on recommendations of the Independent Pricing and Regulatory Tribunal (IPART)

## **1.5 Date From Which This DSP Comes Into Effect**

This DSP was adopted by Mid Western Regional Council on 20/08/2008 and came into effect on 21/08/2008.

Charges will be levied pursuant to this DSP, as a condition of development consent granted on or after the day this DSP came into effect.



## **1.6 Relationship Between The DSP and other Existing Policies or Plans**

A number of environmental planning instruments apply to the development of land to which this DSP relates. They include State Environmental Planning Policies.

A full listing of State Environmental Planning Policies applying to Mid Western Regional Council is attached to this DSP as Appendix No. 1. Various other Wentworth Shire Council Development Servicing Plans are also relevant, as listed in Appendix 2.

This DSP supersedes any other requirements related to sewerage DC for the area covered by this DSP. This DSP takes precedence over any of Mid Western Regional Council's codes or policies where there are any inconsistencies relating to sewerage developer charges. (The term "Developer Contributions" may formerly have been used to refer to Developer Charges.)

## **1.7 Assets Relevant to the DSP**

The purpose of the DSP is that new developments should pay for assets from which they benefit. Collection systems and treatment works are provided by Mid Western Regional Council and paid for through developer charges. Reticulation works are provided by the developer. Asset categories are defined as follows:

### **1.7.1 Collection Systems**

For the purposes of this DSP sewage collection systems comprise trunk mains, major pumping stations and rising mains.

### **1.7.2 Treatment Works**

The capacity of a treatment works can be expressed in terms of equivalent tenements. This assumes a domestic strength sewage with pollutant concentrations similar to that from residential areas.

For developments with domestic strength sewage, the number of additional equivalent tenements is directly related to volume of discharge.

For developments with high strength sewage, the number of additional equivalent tenements is related to the pollutant load.

### **1.7.2 Reticulation**

Reticulation generally consists of all the internal distribution pipes within the subdivision or which specifically serve that subdivision. In some instances, Mid Western Regional Council is the developer.

The developer shall be responsible for the full cost of the design and construction of sewerage reticulation works within subdivisions.

Plans of sewerage infrastructure are in Appendix 3.

## 2. Methodology

### 2.1 Calculation Method for Developer Charges

#### 2.1.1 General Methodology

In its most simplistic description, the calculation determines the equivalent cost of one brand new set of assets to serve development as if those assets could be constructed now. Practically, however, sewerage infrastructure consists of an on-going progression of old and new assets with complex interconnection. Sewerage assets may be constructed many years ahead of full capacity to reflect cost effective and practical staging of works.

Only collection system and treatment works have been taken into account in the DC calculation. The construction of any reticulation pipework required will be the responsibility of the developer.

The methodology used was developed with consideration given to the latest (final) guidelines, managed by DWE, *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (2002). The NPV of Annual Charges Method was used and this is based on the following general equation, as recommended by the Independent Pricing and Regulatory Tribunal (IPART).

***Developer charge = Capital charge – Reduction amount.***

The ***capital charge*** is the cost of beneficial assets plus a return on investment, which reflects the cost incurred by Council of providing the assets ahead of development.

The ***reduction amount*** is the present value of those capital works costs included in the total capital charge which may be deemed to be already included in annual charges.

The calculated DC is based on full cost recovery.

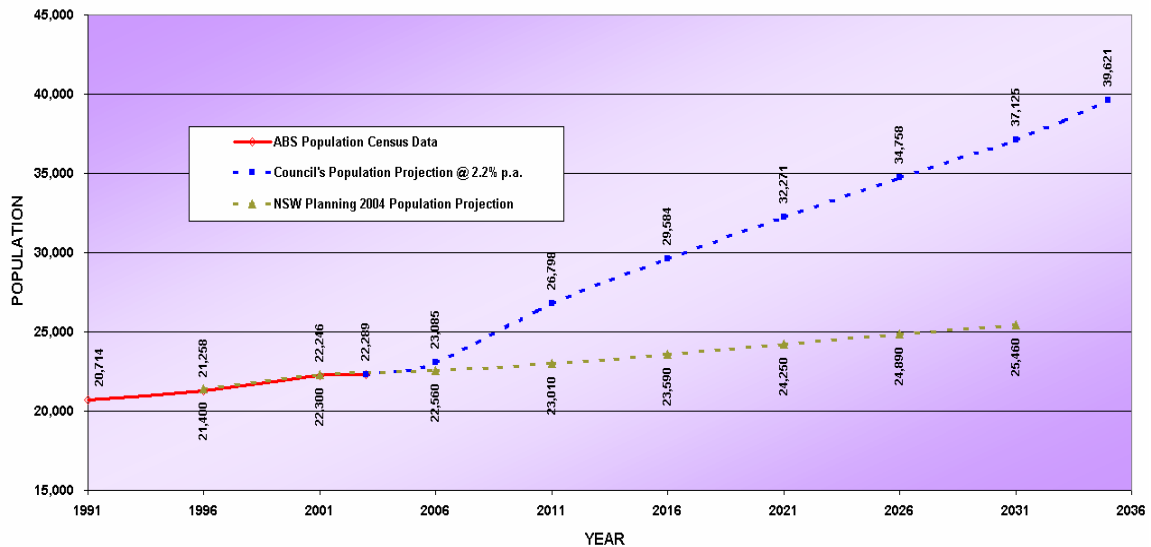
#### 2.1.2 Background Report/ Detailed Methodology

The methodology and calculation is described in more detail in the DSP background document, *Water Supply Developer Charges Calculation, 2007*, prepared by the Department of Commerce. Appendix C of that document describes the methodology in more detail.

### 2.2 Tenement and Demand Estimates

Most types of development will increase the demand on the sewerage system. Sewerage assets may directly or indirectly benefit a development by allowing increased loading to be serviced. Growth of equivalent tenements (ET) is based on population growth as shown in the table and graph over.

## Mid Western Regional Council Population Projections



For residential subdivisions, the increased demand is directly related to the number of additional tenements created.

For medium density development each dwelling unit is considered to increase demand by two thirds (2/3) of a tenement. Therefore charges may be multiplied by 0.67 in the case of town houses less than 3 bedrooms, cluster housing, villa units, medium density, dual occupancy and 1 bedroom flats.

The increased demands generated by other types of development (including non-residential) need to be assessed in terms of additional equivalent tenements. The number of additional equivalent tenements is calculated in accordance with the Public Works Department's *Manual of Practice: Sewer Design* (1984), now managed by DWE and/or historical data for similar developments respectively.

Planned development of the sewerage system is based on these long-term growth projections.

DCs pay for the provision of system capacity to suit new development. New development may be served by a combination of existing and/or new works.

### 2.3 Works Covered by This DSP

The existing and proposed works covered by this DSP are itemised in Section 3. All Mid Western Regional Council's collection systems and treatment works, subject to DC Guidelines, are shown on these tables.

### 2.4 Cost Estimates

"Current replacement" cost estimates of the existing and proposed works are based on unit rates for construction published in the *NSW Reference Rates for Valuation of Existing Water Supply, Sewerage and Stormwater Assets* by NSW Department of Land and Water Conservation, managed by DWE. These cost estimates are shown in Section 3.

### **3. Works Included and Cost Estimates**

Both existing and proposed works which are relevant for inclusion in this DSP are itemised in the document *Mid Western Regional Council Sewerage Developer Charges Calculation* (2007) by the Department of Commerce.

### **4. Levels of Service and Design Parameters for Sewerage**

#### **4.1 Levels of Service**

System design and operation are based on providing the following Levels of Service to Mid Western Regional Council:

## Sewerage Levels of Service

DESCRIPTION	UNIT	LEVEL OF SERVICE	
		Current	Target (2012)
<b>Availability of Service</b> – Extent of area serviced	% Designated Service area	100% Urban areas of Mudgee, Gulgong, Rylstone and Kandos	100% of Urban areas of Mudgee, Gulgong, Rylstone, Kandos, Clandull and Charbon
<b>System Failures</b> <b>Category One:</b> – Failure due to rainfall and deficient capacity (overflows)	No./year	10	4
<b>Category Two:</b> – Failures due to pump or other breakdown including power failure	No./ year	6 due to maintenance 12 due to power failure	6 due to maintenance 12 due to power failure (standby pumps provided)
<b>Category Three:</b> – Failures due to main blockages and collapses	No./ year	300	250
<b>Response Times for System Failures</b> (Defined as the maximum time to have staff on site to commence rectification after notification)			
<b>Priority One:</b> (Major spill, significant environmental or health impact, or affecting large number of consumers ie a major main)			
– During working hours:	Hours	0.5	0.5
– During after hours:	Hours	1	1
<b>Priority Two:</b> (Moderate spill, some environmental or health impact, or affecting small number of consumers ie other mains)			
– During working hours:	Hours	1	1
– During after hours:	Hours	1	1

DESCRIPTION	UNIT	LEVEL OF SERVICE	
		Current	Target (2012)
<b>Priority Three:</b> (Minor spill, little environmental or health impact, or affecting a couple of consumers)	Working Day	1	1
<b>Response Times for Complaints</b>			
<i>General Complaints and Inquiries:</i>			
- Written complaints	Working days	20	10
- Personal/Oral complaints	Working days	1	1
<i>Note: Times apply for 95% of occasions</i>			
<i>Odour Complaints:</i>			
- Treatment works (outside designated buffer zone)	No. /year	2	0
- Pumping Stations	No. /year	0	0
- Reticulation system	No./year	0	0
<b>Effluent Discharge and Sludge Management</b>			
Failure to meet licence limits and statutory requirements (100 percentile)	No. of samples/ year	0	0
<b>Discharge Licence Conditions</b>			
Discharge Site		River and Land	River and Land
Effluent Reuse	%	5	100
Quantity	ML/year	60	1200
Biochemical Oxygen Demand	mg/L		
Total Suspended Solids	mg/L		
Total Nitrogen	mg/L		
Oil and Grease	mg/L		
Total Phosphorus	mg/L		
Faecal coliforms	No./100mL (geometric mean)		

Note: The Levels of Service are the targets, which Council aims to meet; they are not intended as a formal customer contract.

## **4.2 Design Parameters**

Investigation and design of sewerage system components is based on the *Manual of Practice: Sewer Design* (1984) and the *Manual of Practice: Sewerage Pumping Station Design* (1986). These manuals were prepared by NSW Public Works and are now managed by DWE.

Technical reports relating to the system components in the DSP are included in Section 6, References

## 5. Developer Charges

### 5.1 Reticulation

Mid Western Regional Council does not charge a monetary charge for the construction of reticulation pipework as developers are responsible for the provision of these works. These may be handed over to Mid Western Regional Council upon completion of the development.

### 5.2 Collection Systems and Treatment Works

The calculated DC, for collection systems and treatment works is tabulated below. This is based on full cost recovery.

#### *Calculated Sewerage Developer Charge*

Location	Developer Charge / ET (\$05/06)
Mudgee	\$4,686
Gulgong	\$7,925
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The adjusted Developer Charge for sewerage is \$ 2,665 in \$ 05/06.

Since developer charges offset the cost of capital works, a Construction Cost Index adjustment of 20% has been used to convert \$ 05/06 to \$ 08/09 ( Based on annual indices provided by Department of Water and Energy for the NSW Reference Rates Manual).

#### **Developer Charges for 2008/09 will be \$3198 per ET.**

In making this decision certain cross subsidies have been deemed to be acceptable to the Community in promoting growth and welfare for the Mid Western Regional Council. The following table shows the impact of the two adjustments.



## DC Scenarios for Sewerage Services

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4. Reduced revenue due to adopted strategy of 50% reduction in Weighted Average DC	4,413	416	160	<b>4,989</b>

### Note

- i) Cross-subsidy due to agglomeration (item 3) will be between different development zones
- ii) Capital cost factor of 20% has been used to convert calculated DCs to \$'08/09 in the above table.

Details of the derivation of the calculated DC is included in the background document to the DSP, *Sewerage Developer Charges Calculation 2007*, prepared by the Department of Commerce.

## 5.3 Payment of Developer Charges

### 5.3.1 Timing of Payments

Subject to clauses 5.3.2 and 5.3.3 the timing for payments of developer charges is as follows:

For complying development Following the issuing of a complying development certificate and prior to the commencement of work (whether or not the certificate is issued by Council or an accredited certifier).

For other development Prior to the release of the Construction Certificate or the issuing of a Notice of Commencement of Work should the proposed development not involve construction.

For subdivision Prior to the release of the Linen Plan.

### 5.3.2 Method of Payment

Developer charges must be made in the form of monetary payments to Mid Western Regional Council. Development consents requiring the payment of a DC will contain a condition specifying the amount payable in monetary terms at the time the consent is issued. A note will be attached to the consent condition which will advise that the DC will be at the rate which applies at the time of payment. That is the rate may increase, through indexation or replacement of this DSP with a new one, from the time the condition appears on the notice of development consent until the time the DC is actually paid to Council.

The deferral of payment of contributions is only permissible subject to formal resolution by Council prior to this occurring. Any request should provide detailed reasons and should agreement be granted, deferral will be subject to the following requirements:

- The applicant is to arrange for a Bank Guarantee to be prepared to the value of contributions payable as agreed to by Council (this is to include indexation where applicable),
- The Bank Guarantee is to be made in favour of Council,
- Council is to be the custodian of the original Bank Guarantee, and
- The maximum time frame granted for deferment is (6) months. Should the contributions not be paid by this time, Council will exercise its right under the agreement to call in the Bank Guarantee without notice. Should the approved deferment overlap into the following financial year, then the contribution(s) payable will be subject to indexation.

Council does not permit the payment of contributions in instalments, rather opting for the preparation of a Bank Guarantee in lieu of payment of contributions.

### 5.3.3 Works in Kind Contributions

Upon written request, Council will consider an offer by the applicant to make a contribution by way of “works in kind” provided that:

- (a) The proposed work satisfies the demands for the kind of public amenities and facilities for which the contribution is sought,
- (b) The proposed work will not prejudice the timing or the manner of the provision of the amenity or facility for which the contribution was required,
- (c) The value of the work is at least equal to the value of the contribution assessed in accordance with this plan and that this value is adequately documented,
- (d) Agreement has been reached as to the standard of work to be undertaken, and
- (e) Where the difference of the value of the work in kind is less than the contribution assessed in accordance with this plan, the balance shall be made by way of monetary contribution.

As part of the Council’s decision making process, a request would only be considered provided the applicant was agreeable to all of the following stipulations:

- An agreement between the applicant and Council on the cost of the works (and value of the work in kind) which is to be determined by reference to satisfactory plans, breakdown of costs, review of audited statements and accounts or similar submitted by the applicant. There would be no indexing of the value of the work in kind or credits so granted.
- The number of credits for a particular type of contribution will be determined by dividing the agreed value of the proposed work by the rate applying to that contribution at the time of the agreement. The credits so agreed will be

progressively reduced as the development proceeds. The agreed works schedule may specify those works that may be considered as works in kind.

- An agreed 12 month Defects Liability Period for the cost of the agreed work.
- An agreed standard of workmanship.
- An agreed timetable for the inspection of the works.
- An agreed program for the completion of works.

Please note that Council will not acknowledge any costs incurred associated with the agreement of Works in Kind as part of above itemised statement.

The decision to accept settlement of a contribution by way of a work in kind is at the sole discretion of Council and will require a Council resolution prior to implementation.

It is Council's preference that for broad acre release areas that Council accepts works in kind and that these are to be fully constructed prior to the release of the Linen Plan or at such time as identified in a "written agreement" between Council and the developer.

Should works in kind that have been agreed to by Council be later withdrawn by the applicant for any reason, then the applicant will be liable for the payment of contributions in accordance with the conditions of development consent or complying development certificate plus any indexations that may have occurred since the approval date.

#### **5.4 Staged Subdivision/Development**

In the event of a staged subdivision or development, Mid Western Regional Council will accept the staged payment of developer charges as specified above, ie prior to the release of the linen plan for each stage of subdivision and prior to the release of any building approval for a particular stage of a development.

Deferred payment of DC other than in accordance with Mid Western Regional Council's requirements for Staged Subdivision and Development, is not permitted by Mid Western Regional Council.

#### **5.5 DC Waiver**

Mid Western Regional Council may waive DC ordinarily attributable to subdivision and development, where the proponent demonstrates to Mid Western Regional Council's satisfaction that it is a non-profit and charitable organisation, which by virtue of carrying out such development, is considered by the Mid Western Regional Council to be making a significant and positive contribution to the community.

#### **5.6 Reviewing and Revising of Developer Charges**

Developer charges calculations relating to this DSP will be reviewed after a period of five to six years, or when any significant changes occur in proposed works, growth projections or standards.

In the period between any reviews, developer charges will be revised on 1 July each year on the basis of movements in the Consumer Price Index (CPI) for Sydney, in the preceding 12 months to December, excluding the impact of GST.

## **6. References**

- (1) NSW Public Works, *Manual of Practice: Sewer Design* (1984).
- (2) NSW Public Works, *Manual of Practice: Sewerage Pumping Station Design* (1986)
- (3) NSW Public Works, *Water Supply and Sewerage Management Guidelines* (1991).
- (4) Department of Land and Water Conservation, *Guidelines - Developer Charges for Water Supply, Sewerage and Stormwater* (2002)
- (5) Department of Commerce, Mid Western Regional Council *Water Supply and Sewerage Developer Charges Calculation* (2007).

## **APPENDIX NO. 1**

### **STATE ENVIRONMENTAL PLANNING POLICIES APPLYING TO MID WESTERN REGIONAL COUNCIL SEWERAGE**

State Environmental Planning Policies applicable to the Mid Western Regional Council's sewerage at the time of preparation of this DSP are as follows;

SEPP1

If applicable during the life of this DSP, any further relevant SEPP's should be listed in this appendix

## **APPENDIX NO. 2**

### **OTHER RELEVANT DSPS**

Section 64 Water Supply

### APPENDIX NO. 3

#### DEVELOPMENT CATEGORIES AND CORRESPONDING APPLICABLE CHARGES

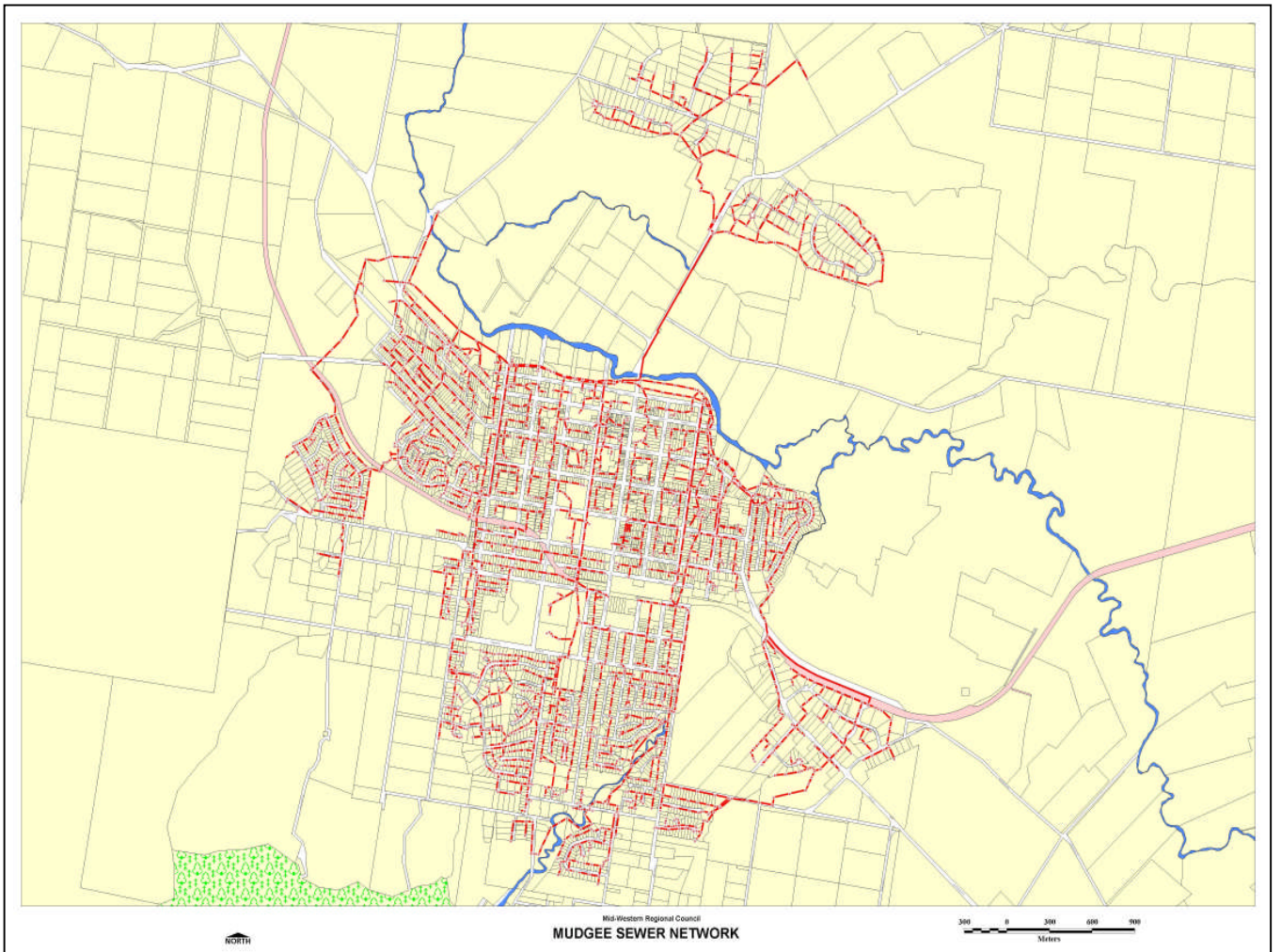
Category	Description	ET/Unit	Sewerage Headworks
<i>Residential</i>	Residential allotment (small) <650m <sup>2</sup>	0.750	\$ 2,399
	Residential allotment (medium) 650m <sup>2</sup> - 1200m <sup>2</sup>	1.000	\$ 3,198
	Residential allotment (large) >1200m <sup>2</sup>	1.050	\$ 3,358
	Flat/Unit/Villa (small) <70m <sup>2</sup>	0.500	\$ 1,599
	Flat/Unit/Villa (medium) 70m <sup>2</sup> - 85m <sup>2</sup>	0.667	\$ 2,133
	Flat/Unit/Villa (Large) >85m <sup>2</sup>	1.000	\$ 3,198
<i>Commercial</i>	Vacant Lot - future use unknown	1.000	\$ 3,198
	Commercial/Office Buildings (per 100m <sup>2</sup> floor area)	0.100	\$ 320
	Motel (per bed)	0.125	\$ 400
	Caravan Park (per van & camp site)	0.400	\$ 1,279
	Hotels and Clubs (per 100m <sup>2</sup> floor area)	1.000	\$ 3,198
	Restaurant (per 100m <sup>2</sup> floor area)	0.800	\$ 2,558
<i>Industrial</i>	Vacant Lot - future use unknown	1.000	\$ 3,198
	Development assessed in accordance with DWE Guidelines	-	-
<i>Other</i>	Hospitals (per bed)	1.000	\$ 3,198
	Nursing Home (per bed)	0.125	\$ 400
	Day School (per student)	0.040	\$ 128
	Places of Worship	-	nil
	Other not addressed above assessed in accordance with DWE Guidelines	-	-

**APPENDIX NO. 4**

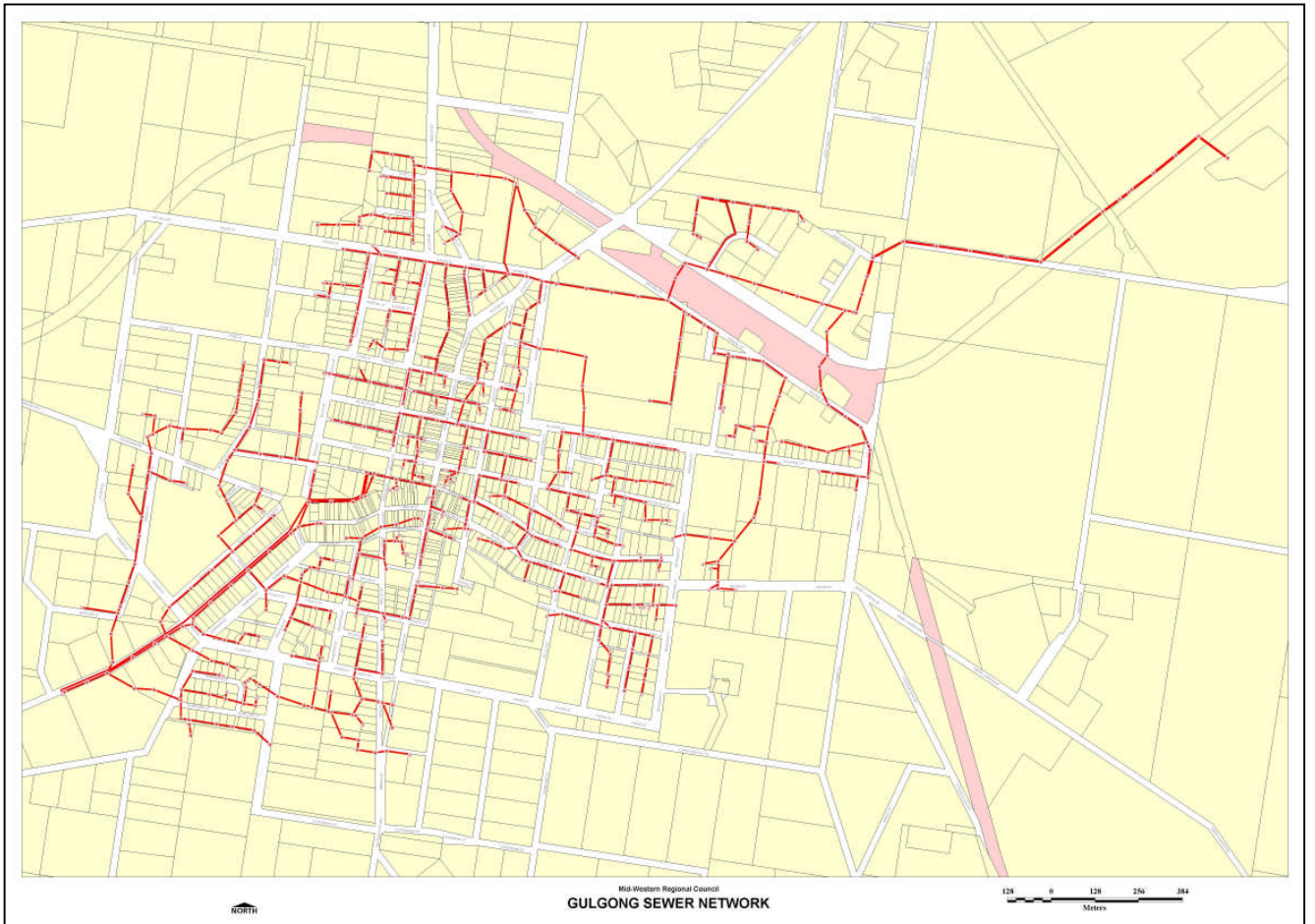
**PLANS OF SEWERAGE SCHEMES**



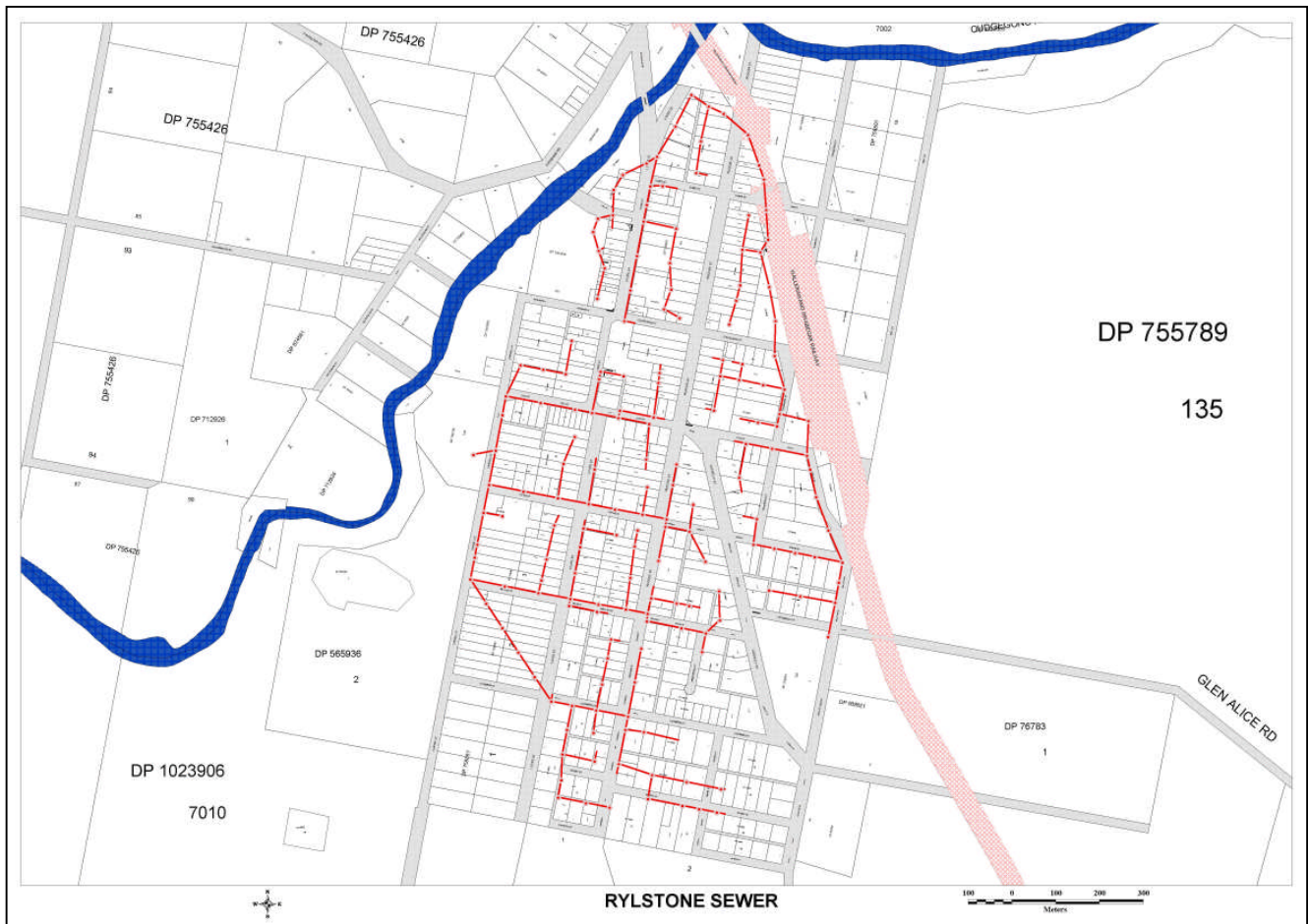
**FIGURE 1 – MAP OF MUDGEE SEWERAGE SERVICE AREA**



**FIGURE 2 – MAP OF GULGONG SEWERAGE SERVICE AREA**



**FIGURE 3 – MAP OF RYLSTONE SEWERAGE SERVICE AREA**



**FIGURE 4 – MAP OF KANDOS SEWERAGE SERVICE AREA**

