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SPECIAL SUPPLEMENT

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Council of the City of Sydney declares with the approval of Her Excellency the Governor, that the interest of the Sydney Harbour Foreshore Authority in the land described in the Schedule below, excluding mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of creating a park, open space for public recreation or for community facilities and any purpose ancillary to those uses.

Dated at Sydney this 29th day of June 2005.

PETER SEAMER,
General Manager

SCHEDULE

Lot 118, DP 872490, Parish of St Andrew, County of Cumberland.

Interest

Registered Proprietor

Determination No 1, 2005

Section 11(1)

Independent Pricing and Regulatory Tribunal Act 1992

Gosford City Council

**Independent Pricing and Regulatory Tribunal
of New South Wales**

Reference No 05/126

1. Background

- (a) Section 11 of the *Independent Pricing and Regulatory Tribunal Act 1992* permits the Tribunal to conduct investigations and make reports to the Minister on the determination of the pricing for a government monopoly service supplied by a government agency specified in Schedule 1 of the IPART Act.
- (b) Gosford City Council (**Council**) (as a water supply authority under the *Water Management Act 2000*) is listed as a government agency for the purposes of Schedule 1 of the IPART Act. The services of the Council declared as monopoly services (**Monopoly Services**) under the *Independent Pricing and Regulatory Tribunal (Water, Sewerage and Drainage Services) Order 1997* are:
- (1) water supply services;
 - (2) sewerage services;
 - (3) stormwater drainage services;
 - (4) trade waste services;
 - (5) services supplied in connection with the provision or upgrading of water supply and sewerage facilities for new developments and, if required, drainage facilities for such developments;
 - (6) ancillary and miscellaneous customer services for which no alternative supply exists and which relate to the supply of services of a kind referred to in paragraphs (1) to (5);
 - (7) other water supply, sewerage and drainage services for which no alternative supply exists.

Accordingly, the Tribunal may determine the prices for the Council's Monopoly Services.

- (c) In investigating and reporting on the pricing of the Council's Monopoly Services, the Tribunal has had regard to a broad range of matters, including the criteria set out in section 15(1) of the IPART Act.
- (d) In accordance with section 13A of the IPART Act, the Tribunal has fixed the maximum price or set a methodology for fixing the maximum price for the Council's Monopoly Services.
- (e) Under section 18(2) of the IPART Act, the Council may not fix a price below that determined by the Tribunal without the approval of the Treasurer.

2. Application of this determination

- (a) This determination fixes the maximum prices (or sets a methodology for fixing the maximum prices) that the Council may charge for the Monopoly Services.
- (b) This determination commences on the later of 1 July 2005 and the date that it is published in the NSW Government Gazette (**Commencement Date**).
- (c) The maximum prices in this determination apply from the Commencement Date to 30 June 2006. The maximum prices in this determination prevailing at 30 June 2006 continue to apply beyond 30 June 2006 until this determination is replaced.

3. Replacement of Determination No. 1 of 2003

Determination No. 1 of 2003 is replaced by this determination from the Commencement Date. The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under that determination prior to its replacement.

4 Monitoring

The Tribunal may monitor the performance of the Council for the purposes of:

- (a) establishing and reporting on the level of compliance by the Council with this determination; and
- (b) preparing a periodic review of pricing policies in respect of the Monopoly Services supplied by the Council.

5. Schedules

Schedules 1-5 (inclusive) and the Tables in those Schedules set out the maximum prices that the Council may charge for the Monopoly Services specified in the Schedules.

6 Definitions and Interpretation

Definitions and interpretation provisions used in this determination are set out in Schedule 6.

Schedule 1

Water Supply Services

1. Application

This Schedule sets the maximum prices that the Council may charge for the Monopoly Services under paragraph (a) of the Order (water supply services).

2. Categories for pricing purposes

Prices for water supply services have been determined for 3 categories:

- (a) a Metered Property;
- (b) a Vacant Land; and
- (c) an Unmetered Property.

2.1 Charges for water supply services to Metered Properties

The maximum price that may be levied by the Council for the provision of water supply services to a Metered Residential Property or a Metered Non Residential Property (each connected to the Water Supply System) is the sum of the following:

- (a) the water service charge in Table 1, corresponding to the Meter size; and
- (b) the water usage charge in Table 2, per kL of water used.

2.2. Charges for water supply services to Vacant Land

The maximum price that may be levied by the Council for the provision of water supply services to Vacant Land (whether there is a Meter on that Vacant Land or not) which is not connected to the Water Supply System but is reasonably available for connection to the Water Supply System is the water service charge in Table 3.

2.3. Charges for water supply services to Unmetered Properties

The maximum price that may be levied by the Council for the provision of water supply services to an Unmetered Property which is connected or reasonably available for connection to the Water Supply System is:

- (a) the water service charge in Table 1 (with that Unmetered Property taken to have a Meter size of 20mm); and
- (b) the water usage charge in Table 2 of that Unmetered Property equals the average water consumption of all the Properties located on the same street as that Unmetered Property.

3. Levying water supply service charges on Multi Premises

3.1 Multi Premises (other than a Retirement Village)

For a Multi Premises (other than a Retirement Village):

- (a) which is connected to the Water Supply System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council for the provision of water supply services to a Property (other than a Property falling within paragraph (f) of the definition of 'Property') within that Multi Premises is the sum of the following:

- (c) the water service charge in Table 1 (with that Property taken to have a Meter size of 20mm); and
- (d) the water usage charge in Table 2, as if the water used by that Property was equal to:
 - total quantity of water used by that Multi Premises
 - divided by:
 - the number of Properties within that Multi Premises.

3.2 Retirement Village

For a Retirement Village:

- (a) which is connected to the Water Supply System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price for each Common Water Meter that may be levied by the Council on the owner of that Retirement Village for the provision of water supply services to that Retirement Village is the sum of the following:

- (c) the water service charge in Table 1, corresponding to the Meter size; and
- (d) the water usage charge in Table 2, per kL of water used.

Tables 1, 2 and 3

Table 1 Water service charges for a Metered Residential Property or a Metered Non Residential Property

Basis of charge Meter size	Maximum charge 2005/06 \$
20mm	80.82
25mm	126.28
32mm	206.90
40mm	323.28
50mm	505.13
65mm	853.66
80mm	1293.12
100mm	2020.50
150mm	4546.13
200mm	8082.00
For Meter sizes not specified above, the following formula applies	$(\text{Meter size})^2 \times 80.82/400$

Table 2 Water usage charge for a Metered Residential Property or a Metered Non Residential Property

Basis of charge	Maximum charge 2005/06 \$/kL
Per kilolitre of water used	0.925

Table 3 Water service charge for a Vacant Land

Basis of charge	Maximum charge 2005/06 \$
Water service supply	80.82

Schedule 2

Sewerage services

1. Application

This Schedule sets the maximum prices that the Council may charge for the Monopoly Services under paragraph (b) of the Order (sewerage services).

2. Categories for pricing purposes

Prices for sewerage services have been determined for 4 categories:

- (a) Residential Properties;
- (b) Non Residential Properties;
- (c) Vacant Land; and
- (d) Unmetered Properties.

2.1. Charges for sewerage services to Residential Properties connected to the Sewerage System

The maximum price that may be levied by the Council for sewerage services to a Residential Property connected to the Sewerage System is the residential sewerage service charge in Table 4.

2.2. Charges for sewerage services to Non Residential Properties connected to the Sewerage System

The maximum price that may be levied by the Council for sewerage services to a Non Residential Property connected to the Sewerage System is the higher of:

- (a) the minimum non residential sewerage service charge in Table 5; and
- (b) the sum of:
 - (i) the non residential sewerage service charge in Table 6; and
 - (ii) the non residential sewerage usage charge in Table 7.

2.3 Charges for sewerage services to Vacant Land

The maximum price that may be levied by the Council for sewerage services to Vacant Land not connected to the Sewerage System but is reasonably available for connection to the Sewerage System is the sewerage service charge in Table 8.

2.4 Charges for sewerage services to Unmetered Property

The maximum price that may be levied by the Council for sewerage services to an Unmetered Property which is connected or reasonably available for connection to the Sewerage System is the sewerage service charge in Table 4 (if the Unmetered Property is a Residential Property) and the sewerage service charge in Table 5 (if the Unmetered Property is a Non Residential Property).

3. Levying sewerage service charges on Multi Premises

3.1 Multi Premises (other than a Retirement Village)

- (a) For a Multi Premises (other than a Retirement Village):
- (i) which is connected to the Sewerage System; and
 - (ii) which has a Common Water Meter or multiple Common Water Meters; and
 - (iii) where the majority of the Properties (other than a Property falling within paragraph (f) of the definition of 'Property') in that Multi Premises are Residential Properties,

the maximum price that may be levied by the Council for the provision of sewerage services to a Property (other than a Property falling within paragraph (f) of the definition of 'Property') within that Multi Premises is the residential sewerage service charge in Table 4 (with that Property taken to have a Meter size of 20mm).

- (b) For a Multi Premises (other than a Retirement Village):
- (i) which is connected to the Sewerage System;
 - (ii) which has a Common Water Meter or multiple Common Water Meters; and
 - (iii) where the majority of the Properties (other than a Property falling within paragraph (f) of the definition of 'Property') in that Multi Premises are Non Residential Properties,

the maximum price that may be levied by the Council for the provision of sewerage services to a Property (other than a Property falling within paragraph (f) of the definition of 'Property') within that Multi Premises is the higher of:

- (iv) the minimum non residential sewerage service charge in Table 5; and
- (v) the sum of:
 - (i) the non residential sewerage service charge in Table 6 (with that Property taken to have a Meter size of 20mm); and
 - (ii) the non residential sewerage usage charge in Table 7.

3.2 Retirement Village

For a Retirement Village:

- (a) which is connected to the Sewerage System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price for each Common Water Meter that may be levied by the Council on the owner of that Retirement Village for the provision of sewerage services to that Retirement Village is the greater of:

- (c) the minimum non residential sewerage service charge in Table 5; and
- (d) the sum of:
 - (i) the non residential sewerage service charge in Table 6; and
 - (ii) the non residential sewerage usage charge in Table 7.

Tables 4, 5, 6, 7 and 8

Table 4 Residential sewerage service charge

Charge	Maximum charge 2005/06 \$
Sewerage service	363.99

Table 5 Minimum Non Residential sewerage service charge

Charge	Charge 2005/06 \$
Minimum sewerage service charge	363.99

Table 6 Non Residential sewerage service charge

Basis of charge Meter size	Maximum charge 2005/06 (\$)
20mm	271.92
25mm	424.88
32mm	696.12
40mm	1087.68
50mm	1699.50
65mm	2872.16
80mm	4350.72
100mm	6798.00
150mm	15295.50
200mm	27192.00
For Meter sizes not specified above, the following formula applies	$(\text{Meter size})^2 \times 271.92/400$

Table 7 Non Residential sewerage usage charge

Basis of charge	Maximum charge 2005/06 (\$ x df%)
Per kilolitres of water used	0.78 x df%

*Note - a Discharge Factor is applied to the charge based on the volume of water discharged into the Sewerage System.

Table 8 Sewerage service charge for Vacant Land

Basis of charge	Maximum charge 2005/06 \$
Vacant Land	272.99

Schedule 3

Trade Waste Services

1. Application

This Schedule sets the maximum prices that the Council may charge for the Monopoly Services under paragraph (d) of the Order (Trade Waste Services).

2. Categories for pricing purposes

Prices for trade waste services have been determined for 3 categories:

- (a) Category 1 Trade Waste Discharge;
- (b) Category 2 Trade Waste Discharge; and
- (c) Category 3 Trade Waste Discharge.

2.1 Category 1 Trade Waste Discharge

The maximum price for Category 1 Trade Waste Discharge that may be levied by the Council is represented by the following formula:

$$TW1 = A + I$$

Where:

TW1 = maximum price for Category 1 Trade Waste Discharge

A = Trade waste agreement fee (\$)

I = Liquid trade waste re-inspection fee (\$) (if applicable)

each as set out in Table 9.

2.2. Category 2 Trade Waste Discharge

The maximum price for Category 2 Trade Waste Discharge that may be levied by the Council is represented by the following formula:

$$TW2 = A + I + [(C \times TWDF) \times UC_{tw}]$$

Where:

TW2 = maximum price for Category 2 Trade Waste Discharge

A = Trade waste agreement fee (\$)

I = Liquid trade waste re-inspection fee (\$) (if applicable)

UC_{tw} = Trade waste usage charge (\$/kL),

each as set out in Table 9.

C = Customer annual water consumption (kL)

TWDF= Trade Waste Discharge Factor (%)

2.3 Category 3 Trade Waste Discharge

The maximum price for Category 3 Trade Waste Discharge that may be levied by the Council is the higher of the price as calculated by applying the formula in clause 2.2 above and the price as represented by the following formula:

$$\text{TW3} = \text{A} + \text{I} + \text{EMC}$$

Where:

TW3 = maximum price for Category 3 Trade Waste Discharge

A = Trade waste agreement fee (\$)

I = Liquid trade waste re - inspection fee (\$) (if applicable)

each as set out in Table 9.

EMC = Total excess mass charge (\$) as set out in Table 10.

Tables 9 & 10

Table 9 Trade waste charges

No.	Charge	Charges 2005/06
1	Trade waste usage charge	\$1.30/kL
2	Septic/Portaloos/Mobile Cleaning Charge	\$11.00/kL
3	Other liquid wastes transported by disposal contractors	\$1.20/kL
4	Trade waste agreement fee	\$66.63
5	Liquid trade waste re-inspection fee	\$112.35
6	Charge for lack of pre-treatment facility	\$11.00/kL

Table 10 Excess mass charges

1	Pollutant	Excess Mass Charges (\$/kg) 2005/06
	Aluminium (Al)	\$0.54
	Ammonia (as N)	\$1.60
	Arsenic (As)	\$54.00
	Barium (Ba)	\$27.00
	Biological Oxygen Demand (BOD ₅)	\$1.30
	Boron (B)	\$0.54
	Bromine (Br ₂)	\$11.00
	Cadmium (Cd)	\$250.00
	Chlorinated Hydrocarbons	\$27.00
	Chlorinated Phenolics	\$1,100.00
	Chloride	No Charge
	Chlorine (Cl ₂)	\$1.10
	Chromium (Cr) (Total)#	\$18.00
	Cobalt (Co)	\$11.00
	Copper (Cu)	\$11.00
	Cyanide	\$54.00
	Flouride (F)	\$2.70
	Formaldehyde	\$1.10
	Grease	\$6.68
	Herbicides/Weedicides/Fungicides	\$540.00
	Iron (Fe)	\$1.10
	Lead (Pb)	\$27.00
	Lithium (Li)	\$5.40
	Methylene Blue Active Substances (MBAS)	\$0.54
	Manganese (Mn)	\$5.40
	Mercury (Hg)	\$1,800.00
	Molybdenum (Mo)	\$0.54
	Nickel (Ni)	\$18.00
	Nitrogen (N) (Total Kjeldahl Nitrogen)	\$0.14
	Pentachlorophenol	\$1,100.00
	Pesticides – General	\$540.00
	Pesticides – Organochlorine	\$540.00
	Pesticides – Organophosphate	\$540.00
	PCB	\$540.00
	Petroleum Hydrocarbons (non-flammable)	\$1.80
	pH>10, or pH<7	\$0.54
	Phenolic Compounds (excluding chlorinated)	\$5.40
	Phosphorus (Total)	\$1.10

1	Pollutant	Excess Mass Charges (\$/kg) 2005/06
	Polynuclear Aromatic Hydrocarbons (PAH)	\$11.00
	Selenium (Se)	\$38.00
	Silver (Ag)	\$11.00
	Sulphate (SO ₄)	\$0.11
	Sulphide (S)	\$1.10
	Sulphite (SO ₃)	\$1.10
	Suspended Solids (SS or NFR)	\$1.30
	Temperature	No Charge
	Tin (Sn)	\$5.40
	Total Dissolved Solids	\$0.04
	Zinc (Zn)	\$11.00

Schedule 4

Ancillary and miscellaneous customer services

1. Application

- 1.1 This Schedule sets the maximum prices that the Council may charge for services under paragraph (f) of the Order (ancillary and miscellaneous customer services for which no alternative supply exists).

2. Ancillary and miscellaneous charges

- 2.1 The maximum charges that may be levied by the Council for the ancillary and miscellaneous services in column 2 of Table 11 are the ancillary and miscellaneous services charges in column 3 of Table 11, corresponding to the relevant ancillary and miscellaneous service.
- 2.2 A reference in Table 11 to "NA" means that the Council does not provide the relevant service.

Table 11 Charges for ancillary and miscellaneous services

No.	Ancillary and miscellaneous services	1 July 2005 to 30 June 2006
1	Conveyancing Certificate <i>(Statement of Outstanding Charges)</i>	
	a) Over the Counter	\$25.00
	b) Electronic	NA
2	Property Sewerage Diagram-up to and including A4 size- (where available) <i>(Diagram showing the location of the house-service line, building and sewer for a property)</i>	
	a) Certified	\$25.00
	b) Uncertified	
	i. Over the Counter	\$20.00
	ii. Electronic	NA
3	Service Location Diagram <i>(Location of sewer and/or Water Mains in relation to a property's boundaries)</i>	
	a) Over the Counter	\$15.00
	b) Electronic	NA
4	Special Meter Reading Statement	\$53.00
5	Billing Record Search Statement – up to and including 5 years.	\$17.05
6	Building over or Adjacent to Sewer Advice <i>(Statement of Approval Status for existing Building Over or Adjacent to a Sewer)</i>	\$0.00
7	Water Reconnection	
	a) During business hours	\$50.00
	b) Outside business hours	\$100.00
8	Workshop Test of Water Meter <i>(Removal of the meter by an accredited organisation at the customer's request to determine the accuracy of the water meter.</i> <i>(A separate charge relating to transportation costs and the full mechanical test which involves dismantling and inspection of meter components will also be payable)</i>	
	20mm	\$134.00
	25mm	\$134.00
	32mm	\$134.00
	40mm	\$134.00
	50mm	\$134.00
	80mm	\$134.00
	100mm	NA
	150mm	NA
9	Water main disconnection	
	a) Application for Disconnection-(all sizes)	\$38.00
	b) Physical Disconnection	NA

No.	Ancillary and miscellaneous services	1 July 2005 to 30 June 2006
10	Application for Water Service Connection-(up to and including 25mm) <i>(This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical connection)</i>	\$38.00
11	Application for Water Service Connection-(32-65mm) <i>(This covers administration and system capacity analysis as required. There will be a separate charge payable to the utility if they also perform the physical connection)</i>	\$38.00
12	Application for Water Service Connection-(80mm or greater) <i>(This covers administration and system capacity analysis as required. There will be a separate charge payable to the utility if they also perform the physical connection)</i>	\$38.00
13	Application to assess a Water main Adjustment <i>(Moving a fitting and/or adjusting a section of water main up to and including 25 metres in length)</i> <i>This covers preliminary advice as to the feasibility of the project and will result in either:</i>	
	1. A rejection of the project in which cases the fee covers the associated investigation costs	\$270.00
	Or	
	2. Conditional approval in which case the fee covers the administrative costs associated with the investigation and record amendment.	\$270.00
14	Standpipe Hire Security Bond (25mm) Security Bond (63mm)	\$596.00 (deposit) \$596.00 (deposit)
15	Standpipe Hire < 50mm ≥ 50mm	\$80.82 \$505.13
16	Standpipe Water Usage Fee - (\$ per kL)	\$0.925
17	Backflow Prevention Device Application and Registration Fee <i>(This fee is for initial registration of the backflow device)</i>	\$60.00
18	Backflow Prevention Application Device Annual Administration Fee <i>(This fee is for the maintenance of records including logging of inspection reports)</i>	\$25.00
19	Major Works Inspections Fee. <i>(This fee is for the inspection, for the purposes of approval of water and sewer mains, constructed by others, that are longer than 25 metres and/or greater than 2 metres in depth)</i> Water Mains (\$ per metre) Sewer Mains (\$per Metre) Reinspection	\$8.00 \$9.00 \$108
20	Statement of Available Pressure and Flow <i>(This fee covers all levels whether modelling is required or not)</i>	\$110.00

No.	Description	2005/06	
		Fixed	Hourly
21	Cancellation Fee – Water and Sewerage Applications <i>A fee charged to cancel an application for services and process a refund of water and sewer application fees.</i>	\$50.00	NA
22	Sales of Building Over Sewer and Water Guidelines <i>A fee for undertaking a technical review of guidelines to ensure that current standards are applied when a proposal to build over or near council sewer and water mains is lodged.</i>	\$10.10	NA
23	Section 307 Certificate <i>A fee for preparation of a Section 307 Certificate which states whether a development complies with the Water Management Act 2000.</i>		
	Dual Occupancies	\$87.00	NA
	Commercial Buildings, Factories, Torrens Subdivision of Dual Occupancy	\$130.00	NA
	Boundary Realign with Conditions	\$212.00	NA
	Subdivisions, developments involving mains extensions	\$631.00	NA
	Development without Requirement Fee	\$51.00	NA
24	Inspection of Concrete Encasement and Additional Junction Cut-ins <i>A fee charged by Council to inspect a developer's works to determine whether works are in accordance with Council standards.</i>		
	Inspection of concrete encasement	\$140.00	NA
	Additional inspection (due to non compliance)	\$48.00	NA
	Inspection of concrete encasement greater than 10m	\$140 + \$14/m for each m > 10m	NA
25	Sale of Specification for Construction of Water and Sewerage Works by Private Contractors <i>Contractors carrying out private works are required to purchase Council's "Specifications for Construction of Water and Sewerage Works by Private Contractors"</i>	\$78.00	NA
26	Private Developers Plan Resubmission <i>A fee for Council review and approval of a developer's request for changes to a previously approved water or sewer plan.</i>	NA	\$58 first hr \$30 each hr after
27	Approval of Developers Sewer Pump Station Rising Main Design <i>A fee for Council review and approval of a private developer's proposal for provision of sewer; pump stations/rising mains. This fee covers assessment of:</i> <i>i) suitability for integration within the existing sewerage system.</i> <i>ii) proposed works conform to both industry and Council standards.</i>	\$220.00	NA

No.	Description	2005/06	
		Fixed	Hourly
28	Approval of Private Internal Residential Sewer Pump Station Rising Main Design <i>A fee for Council review of a property owner's proposal for provision of minor internal sewer; pump stations/rising mains. This fee covers assessment of:</i> <i>iii) suitability for integration within the existing sewerage system.</i> <i>iv) proposed works conform to both industry and Council standards.</i>	\$85.00	NA
29	Approval of Extension of Sewer/Water Mains to Properties Outside Service Areas <i>A fee for Council review and approval of a property owner's application for extension of sewer/water mains to properties outside service areas.</i>	\$120.00	NA
30	Sale of Sewer Plan Books <i>A fee for purchase of Council hardcopy set of sewer reticulation plans.</i>		
	A3 sheet in cardboard folder	NA	
	A3 sheet in plastic pockets (3 folders)	NA	
	Annual charge for monthly updating service	NA	
	CD	\$65.00	
31	Trade Waste Approvals <i>A fee for Council inspection of a commercial or industrial development prior to approval for discharging into Council's sewers being granted.</i>	\$160.00	
32	Sewer Connection fees <i>A fee for Council inspection of developments requiring connection to, or alteration to existing connection to Council's sewer to ensure protection of Council's sewerage system.</i>		
	New sewer connection	\$170.00	
	Plus each additional WC	\$65.00	
	Alterations	\$122.00	
	Units/Villas (1 WC each flat or unit)	\$140.00	
	Plus for each additional WC	\$65.00	
	Caravan Connection Fee	\$82.00	
	Sewer Re-Inspection Fee	\$94.00	
33	Location of Water and Sewer Mains <i>Private developers/contractors request the on-site indication of the alignment, and often depth, of water and sewer mains and services.</i> <i>This service will be charged on the basis of actual costs incurred by Council. Applicants should contact Council for an estimate of actual cost. A minimum charge of \$175.00 will apply.</i>		
			No maximum charge set
34	Water Service Connection Fee - (20-25mm meter) <i>For meters greater than 25mm charges will be levied on the actual cost of the work involved</i>	\$300.00	

Schedule 5

Stormwater drainage services

1. Application

This Schedule sets the maximum prices that the Council may charge for services under paragraph (c) of the Order (stormwater drainage services).

2. Charges for stormwater drainage services to Residential Properties, Non Residential Properties, Vacant Land or Unmetered Properties

The maximum charge that may be levied by the Council for stormwater drainage services to a Residential Property, a Non Residential Property, a Vacant Land or an Unmetered Property is the stormwater drainage levy in Table 12.

Table 12 Stormwater drainage levy for Residential Properties, Non Residential Properties, Vacant Land and Unmetered Properties

Basis of Charge	Maximum charge 2005/06 \$
Drainage Levy	42.00

Schedule 6

Definitions and Interpretation

1. Definitions

In this determination:

Category 1 Trade Waste Discharge means:

- (a) an activity deemed by Council as requiring nil or minimal pre-treatment equipment and whose effluent is well defined and/or is a relatively benign nature;
- (b) such activity is being conducted on a Non Residential Property; and
- (c) the trade waste from such activity is being discharged into the Sewerage System.

Category 2 Trade Waste Discharge means:

- (a) an activity deemed by Council as requiring a prescribed type of liquid trade waste pre-treatment equipment and whose effluent is well characterised;
- (b) such activity is being conducted on a Non Residential Property; and
- (c) the trade waste from such activity is being discharged into Sewerage System.

Category 3 Trade Waste Discharge means:

- (a) an activity deemed by Council as an industrial nature and/or which results in large volumes of liquid trade waste;
- (b) such activity is being conducted on a Non Residential Property; and
- (c) the trade waste from such activity is being discharged into Sewerage System.

Common Water Meter means a Meter which is connected or available for connection to a Multi Premises, where the Meter measures the water usage to that Multi Premises but not to each relevant Property located on or within that Multi Premises.

Community Development Lot has the meaning given to that term under the *Community Land Development Act 1989*.

Company Title Building means a building owned by a company where the issued shares of the company entitle the legal owner to exclusive occupation of a specified dwelling within that building.

Company Title Dwelling means a dwelling within a Company Title Building.

Council means the Council as defined in clause 1(b) of section 1 (**Background**) of this determination.

df% or **Discharge Factor** means, in relation to a Property, the percentage of water supplied to that Property which the Council assesses or deems to be discharged into the Sewerage System.

GST means the Goods and Services Tax as defined in *A New Tax System (Goods and Services Tax) Act 1999*.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act 1992*.

kL means kilolitre or one thousand litres.

Local Government Act means the *Local Government Act, 1993 (NSW)*.

Meter means an apparatus for the measurement of water.

Metered Non Residential Property means a Non Residential Property that is serviced by a Meter.

Metered Property means a Metered Residential Property or a Metered Non-Residential Property.

Metered Residential Property means a Residential Property that is serviced by a Meter.

Monopoly Services means the Monopoly Services as defined in clause 1(b) of section 1 (**Background**) of this determination.

Multi Premises means land where there are two or more Properties (other than Properties which fall within paragraph (f) of the definition of 'Property') located on it, excluding land where there are hotels, motels, guest houses or backpacker hostels, each as defined in the Local Government Act, located on it.

Non Residential Property means a Property that is not a Residential Property or a Vacant Land or an Unmetered Property.

Order means the *Independent Pricing and Regulatory Tribunal (Water, Sewerage and Drainage Services) Order 1997* made on 5 February 1997 and published in Government Gazette No. 18 on 14 February 1997.

Property includes:

- (a) a Strata Title Lot;
- (b) a Company Title Dwelling;
- (c) a Community Development Lot;
- (d) a Retirement Village Unit;
- (e) a part of a building lawfully occupied or available for occupation (other than a building to which paragraphs (a) to (d) inclusive apply); or
- (f) land.

Rateable Land has the meaning given to that term under the Local Government Act.

Residential Property means a Property where:

- (a) in the case of that Property being Rateable Land, that Property is categorised as:
 - (i) residential under section 516 of the Local Government Act; or
 - (ii) farmland under section 515 of the Local Government Act and such farmland is connected to the Water Supply System and the Sewerage System; or
- (b) in the case of that Property not being Rateable Land, the dominant use of that Property is residential applying the classifications in section 516 of the Local Government Act.

Retirement Village has the meaning given to that term under the *Retirement Villages Act, 1999*.

Retirement Village Unit means a unit located within a Retirement Village.

Sewerage System means the sewerage system owned and operated by the Council.

Strata Title Lot means a lot as defined under the *Strata Schemes (Freehold Development) Act 1973*.

Trade Waste Discharge Factor means the percentage of trade waste which the Council assesses or deems to be discharged into the Sewerage System.

Tribunal means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

Unmetered Property means land which does not have a Meter located on it.

Vacant Land means land which has no capital improvements on it.

Water Supply System means the water supply system owned and operated by the Council.

2. Interpretation

2.1 General provisions

In this determination:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule, annexure, clause or table to this determination;
- (c) words importing the singular include the plural and vice versa;
- (d) a reference to a law or statute includes all amendments or replacements of that law or statute.

2.2 Explanatory Notes

Explanatory notes do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.

2.3 Prices exclusive of GST

Prices or charges specified in this determination do not include GST.

2.4 Billing cycle of Council

For the avoidance of doubt nothing in this determination affects when the Council may issue a bill to a customer for prices or charges under this determination.

Determination No 4, 2005

**Section 11(1)
Independent Pricing and Regulatory Tribunal Act 1992**

Sydney Catchment Authority

**Independent Pricing and Regulatory Tribunal Act
of New South Wales**

Reference No 05/127

1 Definitions and Interpretation

1.1 Definitions

Expressions used in this Determination that are defined in the Appendix, have the meanings set out in the **Appendix**.

1.2 Interpretation

- 1.2.1 If there is any inconsistency between this Determination of the Tribunal and a previous determination of the Tribunal, this Determination will prevail to the extent of the inconsistency.
- 1.2.2 In the interpretation of this Determination a construction that would promote the purpose or object underlying the IPART Act (whether or not that purpose or object is expressly stated in the IPART Act) is to be preferred to a construction that would not promote that purpose or object.
- 1.2.3 In the event of any uncertainty, the notes in this Determination may be used for interpretation purposes.
- 1.2.4 The singular includes the plural and vice versa.

2 Application of this Determination

- 2.1 The following services supplied by the Authority have been declared government monopoly services under the IPART Act:
- (a) water supply services,
 - (b) ancillary and miscellaneous services for which no alternative supply exists and which relate to the supply of those water services.

[Note: The Government monopoly services were declared by the Independent Pricing and Regulatory Tribunal (Water Supply Services) Order 2000, made on 8 February 2000 and published in Gazette No. 22 dated 11 February 2000 at page 816.]

- 2.2 This Determination is made by the Tribunal under the IPART Act.
- 2.3 This Determination applies to the services covered by paragraph 2.1.
- 2.4 The maximum prices listed or calculated in this Determination apply to the Authority from the later of 1 July 2005 and the date that it is published in the NSW Government Gazette to 30 September 2005, unless otherwise indicated. The maximum prices in this determination prevailing at 30 September 2005 continue to apply beyond 30 September 2005 until this determination is replaced.

3 Water supply services to Sydney Water Corporation

The total charge for water supplied by the Authority to the Corporation for the period from 1 July 2005 to 30 September 2005 consists of a Fixed Availability Charge plus a Volumetric Charge as set out in paragraphs 3.1 and 3.2 respectively.

3.1 Fixed Availability Charge

The maximum Fixed Availability Charge that may be levied by the Authority for water supplied by it to the Corporation is set out in Table 1.

**Table 1 Fixed Availability Charges to Sydney Water Corporation -
1 July 2005 to 30 September 2005**

Charge	1 July 2005 to 30 September 2005
Fixed Availability Charge (per calendar month)	\$5.366 million

Note: For example, the Fixed Availability Charge to the Corporation for the month of July 2005 is \$5.366 million.

3.2 Volumetric Charge

The maximum Volumetric Charge (per megalitre) that may be levied by the Authority for water supplied by it to the Corporation is set out in Table 2.

**Table 2 Volumetric Charges to Sydney Water Corporation –
1 July 2005 to 30 September 2005**

Charge	1 July 2005 to 30 September 2005
Volumetric Charge (per megalitre)	\$116.25

Note: For example, the Volumetric Charge to the Corporation for the month July 2005 (on the assumption that the Corporation acquires 40,000 megalitres) is \$4,650,000. That is, $\$116.25 \times 40,000 = \$4,650,000$.

4 Water supply services to Wingecarribee Shire Council

The maximum Volumetric Charge (per megalitre) that may be levied by the Authority for water supplied by it to Wingecarribee Shire Council for the period 1 July 2005 to 30 September 2005 is set out in Table 3.

Table 3 Volumetric charges for Wingecarribee Shire Council – 1 July 2005 to 30 September 2005

Charge	1 July 2005 to 30 September 2005
Volumetric Charge (per megalitre)	\$105.08

5 Water supply services to Shoalhaven City Council

5.1 Supply to Kangaroo Valley

The maximum Volumetric Charge (per megalitre) that may be levied by the Authority for water supplied by it to Shoalhaven City Council for use in Kangaroo Valley for the period 1 July 2005 to 30 September 2005 is set out in Table 4.

Table 4 Volumetric charges for Kangaroo Valley – 1 July 2005 to 30 September 2005

Charge	1 July 2005 to 30 September 2005
Volumetric Charge (per megalitre)	\$105.08

5.2 Tallowa Dam releases to Shoalhaven City Council

The maximum Volumetric Charge (per megalitre) that may be levied by the Authority for Tallowa Dam releases to Shoalhaven City Council for the period 1 July 2005 to 30 September 2005 during times of Drought is set out in Table 5.

Table 5 Volumetric Charges for Tallowa Dam releases to Shoalhaven City Council in times of Drought – 1 July 2005 to 30 September 2005

Charge	1 July 2005 to 30 September 2005
Volumetric Charge (per megalitre)	\$105.08

6 Raw water

The total charge for Raw water supplied by the Authority to a Customer for the period from 1 July 2005 to 30 September 2005 consists of a Volumetric Charge as set out in Table 6.

Table 6 Volumetric Charges for Raw Water – 1 July 2005 to 30 September 2005

Charge	1 July 2005 to 30 September 2005
Volumetric Charge (per kilolitre)	\$0.44

7 Unfiltered water

The total charge for Unfiltered water supplied by the Authority to a Customer for the period from 1 July 2005 to 30 September 2005 consists of a Fixed Availability Charge plus a Volumetric Charge as set out in paragraphs 7.1 and 7.2 respectively.

7.1 Fixed Availability Charge for Unfiltered Water

7.1.1 The maximum Fixed Availability Charge for Unfiltered Water that may be levied by the Authority on a Customer is:

- (a) for the period 1 July 2005 to 30 September 2005 – 25 per cent of the Fixed Availability Charge corresponding to the relevant Service Connection in Table 7; and
- (b) if this determination continues beyond 30 September 2005 – 25 per cent of the Fixed Availability Charge corresponding to the relevant Service Connection in Table 7 for each consecutive period of 3 months after 30 September 2005.

**Table 7 Fixed Availability Charges for Unfiltered Water –
1 July 2005 to 30 September 2005**

Service connection (nominal diameter)	Service charge \$
20mm	75.00
25mm	117.20
30mm	168.75
32mm	192.00
40mm	300.00
50mm	468.75
80mm	1200.00
100mm	1875.00
150mm	4218.75
200mm	7500.00
>200mm	$(\text{nominal diameter})^2 \times 75/400$

7.2 Volumetric Charge for Unfiltered Water

The maximum Volumetric Charge for Unfiltered Water that may be levied by the Authority on a Customer for the period 1 July 2005 to 30 September 2005 is set out in Table 8.

Table 8 Volumetric Charges for Unfiltered Water – 1 July 2005 to 30 September 2005

Charge	1 July 2005 to 30 September 2005
Unfiltered Water Volumetric Charge (per kilolitre)	\$0.754

Appendix

1 Defined Terms

In this Determination:

Authority means the Sydney Catchment Authority constituted under the *Sydney Water Catchment Management Act, 1998*.

Corporation means the Sydney Water Corporation constituted under the *Sydney Water Corporation Act, 1994*.

Customer means a person to whom the Authority supplies water, other than the Corporation, water supply authorities, prescribed local councils or prescribed county councils as described in section 16 of the *Sydney Water Catchment Management Act, 1998*.

Tallowa Dam releases describes the circumstance where the Shoalhaven City Council requests the Authority to release from Tallowa Dam water in excess of that which would usually be released by the Authority so as to enable the Shoalhaven City Council to provide water to towns within its local government area in times of water shortage.

Fixed Availability Charge means a fixed charge imposed by the Authority for water supplied by the Authority to a person, irrespective of the amount of water consumed by the person.

GST means the Goods and Services Tax as defined in *A New Tax System (Goods and Services Tax) Act, 1999*.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act, 1992*.

Kangaroo Valley means the township of Kangaroo Valley within the local government area of the Shoalhaven City Council.

Raw Water is water that has not been managed in any way.

Shoalhaven City Council means the Shoalhaven City Council as constituted under the *Local Government Act, 1993 (NSW)*.

Tribunal means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

Unfiltered Water means raw water that has been managed for quality whether by chemical treatment or otherwise but not treated at a water filtration plant.

Volumetric Charge means a charge imposed by the Authority for water supplied by the Authority to a person where the charge is based on the amount of water consumed by the person.

Wingecarribee Shire Council means the Wingecarribee Shire Council as constituted under the *Local Government Act, 1993 (NSW)*.

2 Prices exclusive of GST

Prices or charges specified in this Determination do not include GST.

Determination No 2, 2005

Section 11(1)

Independent Pricing and Regulatory Tribunal Act 1992

Wyong Shire Council

**Independent Pricing and Regulatory Tribunal
of New South Wales**

Reference No 05/219

1. Background

- (a) Section 11 of the *Independent Pricing and Regulatory Tribunal Act 1992*, permits the Tribunal to conduct investigations and make reports to the Minister on the determination of the pricing for a government monopoly service supplied by a government agency specified in Schedule 1 of the IPART Act.
- (b) Wyong Shire Council (**Council**) (as a water supply authority constituted under the *Water Management Act 2000*) is listed as a government agency for the purposes of Schedule 1 of the IPART Act. The services of the Council declared as monopoly services (**Monopoly Services**) under the *Independent Pricing and Regulatory Tribunal (Water, Sewerage and Drainage Services) Order 1997* are:
- (1) water supply services;
 - (2) sewerage services;
 - (3) stormwater drainage services;
 - (4) trade waste services;
 - (5) services supplied in connection with the provision or upgrading of water supply and sewerage facilities for new developments and, if required, drainage facilities for such developments;
 - (6) ancillary and miscellaneous customer services for which no alternative supply exists and which relate to the supply of services of a kind referred to in paragraphs (1) to (5);
 - (7) other water supply, sewerage and drainage services for which no alternative supply exists.

Accordingly, the Tribunal may determine the prices for the Council's Monopoly Services.

- (c) In investigating and reporting on the pricing of the Council's Monopoly Services, the Tribunal has had regard to a broad range of matters, including the criteria set out in section 15(1) of the IPART Act.
- (d) In accordance with section 13A of the IPART Act, the Tribunal has fixed the maximum price for the Council's Monopoly Services or has established a methodology for fixing the maximum price.
- (e) Under section 18(2) of the IPART Act, the Council may not fix a price below that determined by the Tribunal without the approval of the Treasurer.

2. Application of this determination

- (a) This determination fixes the maximum prices (or sets a methodology for fixing the maximum prices) that the Council may charge for the Monopoly Services.
- (b) This determination commences on the later of 1 July 2005 and the date that it is published in the NSW Government Gazette (**Commencement Date**).
- (c) The maximum prices in this determination apply from the Commencement Date to 30 June 2006. The maximum prices in this determination prevailing at 30 June 2006 continue to apply beyond 30 June 2006 until this determination is replaced.

3. Replacement of Determination No. 2 of 2003

Determination No. 2 of 2003 is replaced by this determination from the Commencement Date. The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under that determination prior to its replacement.

4 Monitoring

The Tribunal may monitor the performance of the Council for the purposes of:

- (a) establishing and reporting on the level of compliance by the Council with this determination; and
- (b) preparing a periodic review of pricing policies in respect of the Monopoly Services supplied by the Council.

5. Schedules

Schedules 1-4 (inclusive) and the Tables in those Schedules set out the maximum prices that the Council may charge for the Monopoly Services specified in the Schedules.

6. Definitions and Interpretation

Definitions and interpretation provisions used in this determination are set out in Schedule 5.

Schedule 1

Water Supply Services

1. Application

This Schedule sets the maximum prices that the Council may charge for the Monopoly Services under paragraph (a) of the Order (water supply services).

2. Categories for pricing purposes

Prices for water supply services have been determined for 2 categories:

- (a) a Metered Property; and
- (b) a Vacant Land.

2.1 Charges for water supply services to Metered Properties

The maximum price that may be levied by the Council for the provision of water supply services to a Metered Residential Property or a Metered Non Residential Property (each connected to the Water Supply System) is the sum of the following:

- (a) the water service charge in Table 1, corresponding to the Meter size; and
- (b) the water usage charge in Table 2, per kL of water used.

2.2. Charges for water supply services to Vacant Land

The maximum price that may be levied by the Council for the provision of water supply services to Vacant Land which is not connected to the Water Supply System but is reasonably available for connection to the Water Supply System is the water service charge in Table 3.

3. Levying water supply charges on Multi Premises

3.1 Strata Title Lot

For a Strata Title Lot within a Multi Premises where that Multi Premises:

- (a) is connected to the Water Supply System; and
- (b) has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council on that Strata Title Lot for the provision of water supply services to that Strata Title Lot is the sum of the following:

- (c) the water service charge in Table 1 (with that Strata Title Lot taken to have a Meter size of 20mm); and
- (d) the water usage charge in Table 2, as if the water used by that Strata Title Lot was equal to:

total quantity of water used by that Multi Premises
divided by:
the total Unit Entitlement of that Multi Premises

multiplied by:
the Unit Entitlement of that Strata Title Lot.

3.2 Company Title Dwelling

For a Multi Premises:

- (a) which is connected to the Water Supply System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council for the provision of water supply services to:

- (c) a Company Title Dwelling within that Multi Premises is the water service charge in Table 1 (with that Company Title Dwelling taken to have a Meter size of 20mm); and
- (d) the owner of the Company Title Building (within which the Company Title Dwelling in clause 3.2(c) is situated) is the water usage charge in Table 2, per kL of water used.

3.3 Community Development Lot

For a Community Development Lot within a Multi Premises where that Multi Premises:

- (a) is connected to the Water Supply System; and
- (b) has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council on that Community Development Lot for the provision of water supply services to that Community Development Lot is the sum of the following:

- (c) the water service charge equal to:
 - the water service charge in Table 1, corresponding to the Meter size
 - divided by:
 - the total Unit Entitlement of that Multi Premises
 - multiplied by:
 - the Unit Entitlement of that Community Development Lot; and
- (d) the water usage charge in Table 2, as if the water used by that Community Development Lot was equal to:
 - total quantity of water used by that Multi Premises
 - divided by:
 - the total Unit Entitlement of that Multi Premises
 - multiplied by:
 - the Unit Entitlement of that Community Development Lot.

3.4 Retirement Village (which is not an Exempt Property)

For a Retirement Village (which is not an Exempt Property) and:

- (a) which is connected to the Water Supply System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price for each Common Water Meter that may be levied by the Council on the owner of that Retirement Village for the provision of water supply services to that Retirement Village is the sum of the following:

- (c) the water service charge in Table 1, corresponding to the Meter size; and
- (d) the water usage charge in Table 2, per kL of water used.

3.5 Multi Premises (which is not a Strata Title Building, a Company Title Building, a Community Parcel or a Retirement Village)

For a Multi Premises (which is not a Strata Title Building, a Company Title Building, a Community Parcel or a Retirement Village) and:

- (a) which is connected to the Water Supply System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price for each Common Water Meter that may be levied by the Council on the owner of that Multi Premises for the provision of water supply services to that Multi Premises is the sum of the following:

- (c) the water service charge in Table 1, corresponding to the Meter size; and
- (d) the water usage charge in Table 2, per kL of water used.

Tables 1, 2 and 3

Table 1 Water service charges for a Metered Residential Property or a Metered Non Residential Property

Basis of charge (Meter size)	Maximum charge 2005/06 (\$)
20mm	92.25
25mm	144.14
40mm	369.00
50mm	576.56
80mm	1476.00
100mm	2306.25
150mm	5189.06
200mm	9225.00
For Meter sizes not specified above the following formula applies	$(\text{Meter size})^2 \times 92.25/400$

Table 2 Water usage charges for a Metered Residential Property or a Metered Non Residential Property

Basis of charge	Maximum charge 2005/06 (\$)/kL
Per kilolitre of water used	0.925

Table 3 Water service charge for a Vacant Land

Charge	Maximum charge 2005/06 (\$)
Water service supply	92.25

Schedule 2

Sewerage Services

1. Application

This Schedule sets the maximum prices that the Council may charge for the Monopoly Services under paragraph (b) of the Order (sewerage services).

2. Categories for pricing purposes

Prices for sewerage services have been determined for 4 categories:

- (a) a Residential Property (other than Vacant Land and Exempt Land);
- (b) a Non Residential Property (other than Vacant Land and Exempt Land);
- (c) Vacant Land; and
- (d) Exempt Land.

2.1 Charges for sewerage services to a Residential Property connected to the Sewerage System

The maximum price that may be levied by the Council for sewerage services to a Residential Property (other than Vacant Land or Exempt Land) connected to the Sewerage System is the sewerage service charge in Table 4.

2.2 Charges for sewerage services to a Residential Property not connected to the Sewerage System

The maximum price that may be levied by the Council for sewerage services to a Residential Property (other than Vacant Land or Exempt Land) not connected to the Sewerage System is the residential effluent and sludge removal charge in Table 5.

2.3 Charges for sewerage services to a Non Residential Property connected to the Sewerage System

The maximum price that may be levied by the Council for sewerage services to a Non Residential Property (other than Vacant Land or Exempt Land) connected to the Sewerage System is the greater of:

- (a) the non residential minimum sewerage service charge in Table 6; and
- (b) the sum of:
 - (i) the non residential sewerage service charge in Table 7; and
 - (ii) the non residential sewerage usage charge in Table 8.

2.4 Charges for sewerage services to a Non Residential Property not connected to the Sewerage System

The maximum prices that may be levied by Council for sewerage services to a Non Residential Property (other than Vacant Land or Exempt Land) that is not connected to the Sewerage System are the non residential effluent and sludge removal charge in Table 9.

3. Charges for sewerage services to a Vacant Land

The maximum price that may be levied by the Council for sewerage services on Vacant Land which is not connected to the Sewerage System but is reasonably available for connection to the Sewerage System is the sewerage service charge in Table 10.

4. Charges for sewerage services to an Exempt Land

The maximum price that may be levied by the Council for sewerage services on Exempt Land is the sewerage service charge in Table 11.

5. Levying charges for sewerage services on Multi Premises

5.1 Strata Title Lot (which is a Residential Property)

For a Strata Title Lot (which is a Residential Property) within a Multi Premises where that Multi Premises:

- (a) is connected to the Sewerage System; and
- (b) has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council on that Strata Title Lot for the provision of sewerage services to that Strata Title Lot is the sewerage service charge in Table 4.

5.2 Strata Title Lot (which is a Non Residential Property)

For a Strata Title Lot (which is a Non Residential Property) within a Multi Premises where that Multi Premises:

- (a) is connected to the Sewerage System; and
- (b) has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council on that Strata Title Lot for the provision of sewerage services to that Strata Title Lot is equal to:

the greater of:

- (i) the non residential minimum sewerage service charge in Table 6; and
- (ii) the sum of:

- (1) the non residential sewerage service charge in Table 7; and
- (2) the non residential sewerage usage charge in Table 8,

divided by:

the total Unit Entitlement of that Multi Premises

multiplied by:

the Unit Entitlement of that Strata Title Lot.

5.3 Company Title Dwelling

For a Company Title Dwelling within a Multi Premises where that Multi Premises:

- (a) is connected to the Sewerage System; and
- (b) has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council on that Company Title Dwelling for the provision of sewerage services to that Company Title Dwelling is the sewerage service charge in Table 4.

5.4 Community Development Lot

For a Community Development Lot within a Multi Premises where that Multi Premises:

- (a) is connected to the Sewerage System; and
- (b) has a Common Water Meter or multiple Common Water Meters,

the maximum price that may be levied by the Council on that Community Development Lot for the provision of sewerage services to that Community Development Lot is equal to:

the non residential sewerage service charge in Table 7, corresponding to the Meter size

divided by:

the total Unit Entitlement of that Multi Premises

multiplied by:

the Unit Entitlement of that Community Development Lot.

5.5 Retirement Village (which is not an Exempt Property)

For a Retirement Village (which is not an Exempt Property) and:

- (a) which is connected to the Sewerage System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price for each Common Water Meter that may be levied by the Council on the owner of that Retirement Village for the provision of sewerage services to that Retirement Village is the greater of:

- (c) the non residential minimum sewerage service charge in Table 6; and
- (d) the sum of:
 - (i) the non residential sewerage service charge in Table 7; and
 - (ii) the non residential sewerage usage charge in Table 8.

5.6 Multi Premises (which is not a Strata Title Building, a Company Title Building, a Community Parcel or a Retirement Village)

For a Multi Premises (which is not a Strata Title Building, a Company Title Building, a Community Parcel or a Retirement Village) and:

- (a) which is connected to the Sewerage System; and
- (b) which has a Common Water Meter or multiple Common Water Meters,

the maximum price for each Common Water Meter that may be levied by the Council on the owner of that Multi Premises for the provision of sewerage services to that Multi Premises is the greater of:

- (c) the non residential minimum sewerage service charge in Table 6; and
- (d) the sum of:
 - (i) the non residential sewerage service charge in Table 7; and
 - (ii) the non residential sewerage usage charge in Table 8.

Tables 4, 5, 6, 7, 8, 9, 10 and 11

Table 4 Sewerage service charge for a Residential Property

Type of service	Maximum charge 2005/06 (\$)
Sewerage service	367.87

Table 5 Residential effluent and sludge removal charges

Type of service	Maximum charge 2005/06 (\$)
Fortnightly effluent removal and disposal service (per year)	846.85
Additional requested effluent removal and disposal service (per visit)	32.77
Sludge removal and disposal services:	
Septic tanks with a capacity up to 2750 litres (per service)	237.57
Septic tanks exceeding 2750 litres or AWTS with one tank (per service)	308.22
AWTS with more than one tank (per system)	459.78
Chemical Closet Fortnightly service (per year)	1220.55
Each requested weekly special service	23.78

Table 6 Non Residential minimum sewerage service charge

Charge	Charge 2005/06 (\$)
Minimum sewerage service charge	367.87

Table 7 Non Residential sewerage service charges

Basis of charge (Meter size)	Maximum charge 2005/06 (\$)
20mm	132.53 x df%
25mm	207.08 x df%
40mm	530.12 x df%
50mm	828.31 x df%
80mm	2,120.48 x df%
100mm	3,313.25 x df%
150mm	7,454.81 x df%
200mm	13,253.00 x df%

For Meter sizes not specified
above the following formula
applies $(\text{Meter size})^2 \times 132.53/400 \times \text{df}\%$

Note: A Discharge Factor is applied to the charge based on the volume of water discharged into Council Sewerage System.

Table 8 Non Residential sewerage usage charge

Basis of charge	Maximum charge 2005/06 (\$/kL)
Per kilolitre of water used	0.66 xdf%

Note: A Discharge Factor is applied to the charge based on the volume of water discharged into Council Sewerage System.

Table 9 Non Residential effluent and sludge removal charges

Basis of charge Type of service	Maximum charge 2005/06 (\$)
Commercial effluent removal and disposal service (\$/ kL)	10.86
Sludge removal and disposal services:	
Septic tanks with a capacity up to 2750 litres (\$ per service)	237.57
Septic tanks exceeding 2750 litres or AWTS with one tank (\$ per service)	308.22
AWTS with more than one tank (\$ per system)	459.78
Chemical Closet Fortnightly service (\$ per year)	1,220.55
Each requested weekly special service (\$ per service)	23.78

Table 10 Sewerage service charge for Vacant Land

Charge	Maximum charge 2005/06 (\$)
Sewerage service supply	275.90

Table 11 Charges for sewerage services to Exempt Land

Basis of charge	Maximum charge 2005/06 (\$)
Per water closet	51.90
Per cistern servicing a urinal	18.38

Schedule 3

Trade waste services

1. Application

This Schedule sets the maximum prices that the Council may charge for the Monopoly Services under paragraph (d) of the Order (Trade Waste Services).

2. Categories for pricing purposes

Prices for trade waste services have been determined for 2 categories:

- (a) a Property by reference to a Category A Trade Waste Discharge; and
- (b) a Property by reference to a Category B Trade Waste Discharge.

2.1 Category A Trade Waste Discharge

The maximum price that may be levied by the Council against a property by reference to a Category A Trade Waste Discharge is the sum of the following:

- (a) the Category A trade waste usage charge in Table 12;
- (b) the Category A annual licence fee in Table 13; and
- (c) the trade waste re-inspection fee in Table 13.

2.2 Category B Trade Waste Discharge

The maximum price that may be levied by the Council against a property by reference to a Category B Trade Waste Discharge is the sum of the following:

- (a) the Category B trade waste sewerage usage charge in Table 12;
- (b) the Category B annual licence fee in Table 13; and
- (c) the trade waste re-inspection fee in Table 13.

Tables 12 and 13

Table 12 Trade waste usage charges

Basis of charge	Parameter	Maximum charge 2005/06 (\$)
Category A Trade Waste Discharge		
	Volume	0.39/kL
	Biological Oxygen Demand	0.66/kg
	Suspended Solids	0.54/kg
	Oil and grease	1.33/kg
Category B Trade Waste Discharge		
	Volume	0.66/kL
	Excess Biological Oxygen Demand	0.66/kg
	Excess Suspended Solids	0.54/kg
	Excess Oil and grease	1.33/kg

Table 13 Trade waste annual licence/ re-inspection fees

Basis of charge	Maximum charge 2005/06 (\$)
Category A Annual Licence Fee	302.08
Category B Annual Licence Fee	41.98
Trade waste re-inspection fee	41.98

Schedule 4

Ancillary and miscellaneous customer services

1. Application

This Schedule sets the maximum prices that the Council may charge for ancillary and miscellaneous customer services for which no alternative supply exists.

2. Ancillary and miscellaneous charges

2.1 The maximum charges that may be levied by the Council for the ancillary and miscellaneous services in column 2 of Table 14 are the charges in column 3 of Table 14, corresponding to the relevant ancillary and miscellaneous service.

2.2 A reference in Table 14 to "NA" means that the Council does not provide the relevant service.

Table 14 Charges for ancillary and miscellaneous services

No.	Ancillary and miscellaneous services	Maximum charge 2005/06
1	Conveyancing Certificate <i>Statement of outstanding Charges</i> a) Over the Counter b) Electronic	\$15.00 NA
2	Property Sewerage Diagram-up to and including A4 size- (where available) <i>(Diagram showing the location of the house-service line, building and sewer for a property)</i> a) Certified b) Uncertified i. Over the Counter ii. Electronic	\$15.00 \$15.00 NA
3	Service Location Diagram <i>(Location of sewer and/or Water Mains in relation to a property's boundaries)</i> a) Over the Counter b) Electronic	\$15.00 NA
4	Special Meter Reading Statement	\$46.00
5	Billing Record Search Statement – up to and including 5 years.	\$15.00
6	Building over or Adjacent to Sewer Advice <i>(Statement of Approval Status for existing Building Over or Adjacent to a Sewer)</i>	NA
7	Water Reconnection a) During business hours b) Outside business hours	\$31.00 \$128.00
8	Workshop Test of Water Meter <i>(Removal and full mechanical test of the meter by an accredited organisation at the customer's request to determine the accuracy of the water meter. This involves dismantling and inspection of meter components)</i> 20mm 25mm 32mm 40mm 50mm 60mm 80mm 100mm 150mm	\$154.00 \$154.00 \$154.00 \$154.00 \$154.00 \$154.00 \$154.00 NA NA
9	Application for disconnection – all sizes	\$26.00

No.	Ancillary and miscellaneous services	Maximum charge 2005/06
10	Application for Water Service Connection-(up to and including 25mm) <i>(This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical connection)</i>	\$26.00
11	Application for Water Service Connection-(32-65mm) <i>(This covers administration and system capacity analysis as required. There will be a separate charge payable to the utility if they also perform the physical connection)</i>	\$26.00
12	Application for Water Service Connection-(80mm or greater) <i>(This covers administration and system capacity analysis as required. There will be a separate charge payable to the utility if they also perform the physical connection)</i>	\$26.00
13	Application to assess a Water main Adjustment <i>(Moving a fitting and/or adjusting a section of water main up to and including 25 metres in length)</i> <i>This covers preliminary advice as to the feasibility of the project and will result in either:</i> 1. A rejection of the project in which cases the fee covers the associated investigation costs Or 2. Conditional approval in which case the fee covers the administrative costs associated with the investigation and record amendment.	NA NA
14	Standpipe Hire Security Bond (25mm) Security Bond (63mm)	\$317.00 \$610.00
15	Standpipe Hire Annual Fee Quarterly Fee Monthly Fee	See Note 1 ¹ See Note 1 ² See Note 1 ³
16	Standpipe Water Usage Fee	\$0.925/kL
17	Backflow Prevention Device Application and Registration Fee <i>(This fee is for initial registration of the backflow device)</i>	\$53.00
18	Backflow Prevention Application Device Annual Administration Fee <i>(This fee is for the maintenance of records including logging of inspection reports)</i>	nil
19	Major Works Inspections Fee. <i>(This fee is for the inspection, for the purposes of approval of water and sewer mains, constructed by others, that are longer than 25 metres and/or greater than 2 metres in depth)</i> Water Mains (\$ per metre) Gravity Sewer Mains (\$per Metre) Rising Sewer Mains (\$per Metre)	\$4.60 \$6.15 \$4.60

¹ Note 1: As per water availability charge based on meter size (pro rata for part of year).

² Note 1: As per water availability charge based on meter size (pro rata for part of year).

³ Note 1: As per water availability charge based on meter size (pro rata for part of year).

No.	Ancillary and miscellaneous services	Maximum charge 2005/06
20	Statement of Available Pressure and Flow <i>(This fee covers all levels whether modelling is required or not)</i>	\$112.00
21	Underground Plant Locations <i>Provision of uncertified plan showing location of underground mains:</i> Council assists in on-site physical locations: Council undertakes on-site physical locations	\$61.50/hr for 1st hr or part thereof then \$15 per 15 mins or part thereof thereafter \$102.50/hr for 1st hr or part thereof then \$25.50 per 15 mins or part thereof thereafter
22	Plumbing and Drainage Inspection <i>Maximum of 2 inspections</i> Residential single dwelling, villas & units Alterations, Caravan & Mobile Homes Commercial and industrial Additional Inspections	\$124.00/unit \$62.50/permit \$124 + \$36/wc \$46.00/inspection
23	Billings Record Search - Further Back than 5 Years	\$15 for first 15 min or part thereof, \$10 for 15 min or part thereof, thereafter
24	Relocate Existing Stop Valve or Hydrant <i>Price exclusive of plant hire charges, material costs and traffic control where applicable</i>	\$102.50 per hr for first hr or part thereof then \$25.50 per 15 mins or part thereof, thereafter
25	Provision of Water Services <i>Application for water service connection fee is also applicable.</i> Meter Only (20mm): Short service - 20mm: Long service - 20mm: Short service - 25mm: Long service - 25mm: Short service - 40mm: Long service - 40mm: Short service - 50mm: Long service - 50mm: Larger services – provision of live main connection only. <i>Price exclusive of plant hire charges, material costs and traffic control where applicable</i>	\$88.00 \$534.00 \$534.00 \$648.00 \$648.00 \$1,218.00 \$1,619.00 \$1,738.00 \$2,143.00 \$102.50 per hr for first hr or part thereof, \$25.50 per 15 min or part thereof, thereafter
26	Water Sample Analysis <i>For testing of standard water quality parameters (Private supplies)</i>	\$62.50
27	Raise / Lower / Adjust Existing Service No more than 2 metres from existing location 20mm service only - no materials: (Larger services >20mm – based on quote by Council)	\$103.00
28	Relocate Existing Services Short - 20mm:	\$260.00

No.	Ancillary and miscellaneous services	Maximum charge 2005/06
	Long - 20mm: (Larger services >20mm – based on quote by Council)	\$405.00 -
29	Alteration from Dual Service to Single Service 20mm service only:	 \$311.00
30	Sewerage Drainage Arrestor Approval: Annual Inspection:	 \$84.00 \$25.50
31	Sewerage Junction Cut-in (150mm) <i>No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer</i>	 \$230.00
32	Sewerage Junction Cut-in (150mm) with sideline less than 3m <i>No excavation, no concrete encasement removal, junction outside property. Excavation provided by customer</i>	 \$240.91
33	Sewerage Junction Cut-in (225mm) <i>No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer</i>	 \$538.18
34	Sewerage Junction Cut-in (225mm) with sideline less than 3m <i>No excavation, no concrete encasement removal, junction outside property. Excavation provided by customer</i>	 \$568.18
35	Sewerage Junction Cut-in Greater than 225mm or where excavation or removal of concrete encasement required by Council	\$102.50 per hr for first hr, \$25.50 per 15 mins thereafter
36	Sewer Main Encasement with Concrete Encasement inspection fee when construction is not by Council (By quote when construction by Council)	 \$77.73
37	Sewer Advance Scheme - Administration Charge	\$203.00
38	Raise & Lower Sewer Manholes Raise or lower manhole greater than 300mm (Price listed is for manhole adjustment inspection fee. Charges for actual physical adjustment is by quote)/	 \$85.50

Schedule 5

Definitions and Interpretation

1. Definitions

In this determination:

AWTS means the Aerated Wastewater Treatment System to treat sewage and liquid waste in a septic tank system.

Category A Trade Waste Discharge means high strength or high volume waste (so classified under the Council's Trade Waste Policy) to be discharged from a Non Residential Property into the Sewerage System which has the potential to have an adverse impact on the Sewerage System.

Category B Trade Waste Discharge means waste (so classified under the Council's Trade Waste Policy) to be discharged from a Non Residential Property into the Sewerage System which has the potential to have an adverse impact on the Sewerage System.

Common Water Meter means a Meter which is connected or available for connection to Multi Premises, where the Meter measures the water usage to that Multi Premises but not to each relevant Property located on or within that Multi Premises.

Community Development Lot has the meaning given to that term under the *Community Land Development Act 1989*.

Community Parcel has the meaning given to that term under the *Community Land Development Act 1989*.

Company Title Building means a building owned by a company where the issued shares of the company entitle the legal owner to exclusive occupation of a specified dwelling within that building.

Company Title Dwelling means a dwelling within a Company Title Building.

Council means the Council as defined in clause 1(b) of section 1 (**Background**) of this determination.

df% or Discharge Factor means, in relation to a Property, the percentage of water supplied to that Property which the Council assesses or deems to be discharged into the Sewerage System.

Exempt Land means land described in Schedule 4 of the *Water Management Act 2000*.

GST means the Goods and Services Tax as defined in *A New Tax System (Goods and Services Tax) Act 1999*.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act 1992*.

kL means kilolitre or one thousand litres.

Local Government Act means the *Local Government Act, 1993 (NSW)*.

Meter means an apparatus for the measurement of water.

Metered Non Residential Property means a Non Residential Property that is serviced by a Meter.

Metered Property means a Metered Residential Property or a Metered Non Residential Property.

Metered Residential Property means a Residential Property that is serviced by a Meter.

Monopoly Services means the Monopoly Services as defined in clause 1(b) of section 1 (**Background**) of this determination.

Multi Premises means land where there are two or more Properties (other than Properties which fall within paragraph (f) of the definition of 'Property') located on it, excluding land where there are hotels, motels, guest houses or backpacker hostels, each as defined in the Local Government Act, located on it.

Non Residential Property means a Property that is not a Residential Property or Vacant Land.

Order means *Independent Pricing and Regulatory Tribunal (Water, Sewerage and Drainage Services) Order 1997* made on 5 February 1997 and published in the Government Gazette No.18 on 14 February 1997.

Property includes:

- (a) a Strata Title Lot;
- (b) a Company Title Dwelling;
- (c) a Community Development Lot;
- (d) a Retirement Village Unit;
- (e) a part of a building lawfully occupied or available for occupation (other than a building to which paragraphs (a) to (d) inclusive apply); or
- (f) land.

Rateable Land has the meaning given to that term under the Local Government Act.

Residential Property means a Property where:

- (a) in the case of that Property being Rateable Land, that Property is categorised as:
 - (i) residential under section 516 of the Local Government Act; or
 - (ii) farmland under section 515 of the Local Government Act; or
- (b) in the case of that Property not being Rateable Land, the dominant use of that Property is residential applying the classifications in section 516 of the Local Government Act.

Retirement Village has the meaning given to that term under the *Retirement Villages Act, 1999*.

Retirement Village Unit means a unit located within a Retirement Village.

Sewerage System means the sewerage system owned and operated by the Council.

Strata Title Building means a building that is subject to a strata scheme under the *Strata Schemes (Freehold Development) Act 1973*.

Strata Title Lot means a lot as defined under the *Strata Schemes (Freehold Development) Act 1973*.

Trade Waste Policy means the Council's Trade Waste Policy as described in Council's *Submission to the Independent Pricing and Regulatory Tribunal: Proposed Price Path from July 2005*.

Tribunal means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

Unit Entitlement when applied to a Strata Title Lot, has the meaning given to that term under the *Strata Schemes (Freehold Development) Act 1973* and when used in relation to a Community Development Lot, has the meaning derived under the *Community Land Development Act 1989*.

Vacant Land means land with no capital improvements on it.

Water Supply System means the water supply system owned and operated by the Council.

2. Interpretation

2.1 General provisions

In this determination:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule, annexure, clause or table to this determination;
- (c) words importing the singular include the plural and vice versa;
- (d) a reference to a law or statute includes all amendments or replacements of that law or statute.

2.2 Explanatory Notes

Explanatory notes do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.

2.3 Prices exclusive of GST

Prices or charges specified in this determination do not include GST.

2.4 Billing cycle of Council

For the avoidance of doubt nothing in this determination affects when the Council may issue a bill to a customer for prices or charges under this determination.