

**Prepared for presentation to Jamaica Mortgage Bank
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OVERVIEW

Development Approval Process
Legal Basis for NWCs Involvement in the Development Approval Process
Processing Subdivision Applications at NWC
Issues Considered in Processing Applications
Some Issues
New Developments in Law
Post Approval Issues

LEGAL BASIS

NWC Act

One main function is to, within the limit of its resources,
Provide & improve water supply services throughout the island (section 4(1)(d))
Acquire property considered expedient to carry out its functions
Allow NWC to acquire infrastructure constructed by others (e.g. Developers)
For KSA NWC has the power to approve water & sewerage applications

Local Improvement Act

Section 5 mandates that subdivision applications be submitted to the Parish
Councils The application must have specification regarding sewers & water pipes
among other things
Councils refer issues relating to water & sewerage to NWC for review &
recommendations
Requirements for submitting development applications
Design of infrastructure, including water supply & sewerage
Specification for water pipes, sewers, etc.

Section 8

Processing subdivision applications by Parish Council
Refusal of applications
Imposition of conditions of approval

Kingston Improvement Act

Similar to the provisions of the Local Improvement Act
Specific to Kingston & St. Andrew

PROCESSING SUBDIVISION APPLICATIONS AT NWC

In accordance with requirements of sections 5 of Local Improvement Act & NWC
Act, plans specifications, etc to be submitted

Drawings (at least 4 sets)

Layout development

Water /sewer network

Location Map

Endorsement of hydrant locations by Fire Department

Digital copy of the plan

PROCESSING SUBDIVISION APPLICATIONS AT NWC

Engineering Report Required for

All developments over 30 lots

Where complex supply system to be provided (pumping, storage tanks, pressure zoning, etc)

Includes

Details design of supply system

Information on hydraulic evaluation of proposed system

Specification

WATER

Development located in close vicinity to an existing water supply system

Development located at some distance from NWC water supply system (but supply source adequate)

Development located at some distance from NWC water supply system (but supply source INADEQUATE)

2. Development at location some distance from existing water supply system (supply source ADEQUATE)

Developer determines off-site infrastructure requirement

Developer design infrastructure to convey water from nearest point of NWC water supply system to the development

Developer include proposal to provide water with application (includes engineering report)

3. Development located at some distance from NWC water supply system (but supply source INADEQUATE)

Supply sources for nearest NWC water supply system inadequate to meet additional demand of development

Nearest NWC water supply system very far from development

Developer may identify suitable source to supply development

Relate with WRA

Source must have capacity to meet water requirement of the development provide

Quality must meet MOH standard

Developer include proposal to provide water with application (includes engineering report)

ISSUES CONSIDERED IN PROCESSING APPLICATIONS

SEWERAGE

Where possible for discharge to NWC sewerage – NWC stipulates conditions

Where new sewerage & sewage treatment plant constructed and developer intends for NWC to take it over

Consideration for minimum flows in sewers & to plant

Effluent discharge from plant must be shown to meet NEPA's standard

Post Approval Issues

Developer must give NWC at least 7 days notice in writing of intention to commence work

NWC to be allowed to monitor works for water supply system

Testing (pressure testing, disinfection) at developers

Completion Certificate

Take-over by NWC

SOME ISSUES

1. LEGAL

Creation of the OUR

OUR sets quality standards
Service level for existing customers
NWC's consideration of new customers versus existing ones
Monitor quality of water & effluent discharged from wastewater treatment plants
Metering
OUR determines tariff
OUR grants licenses for sewerage & water treatment

Amendments to NWC Act

Feb 2004 amendments to synchronize with OUR Act
Water & Sewerage Services Act
Being drafted & discussed
Removes regulating powers from NWC
Will better harmonize relationships among stakeholders in the sector, including regulators (NEPA, OUR, etc), developers

WRA grants abstraction licence for water
NEPA grants permit for sewage treatment
OUR grants licence for operating water utilities
NWC competes in the sector

2. SERVICE LOTS

Cost to maintain and secure systems for which NWC does not generate sufficient revenue
Slow and unpredictable build-out
Stagnant water in water mains
Water theft
Stealing of hydrants, valves etc
Septicity in sewers
Options being considered
Developer operate & maintain systems until optimum build-out
Developer deposit an amount to cover cost to maintain & secure system for a stipulated period (say 5 years)
Customers obtain discount on connection charges based on time that service contract is made with NWC.

3. IMPACT CHARGES

Financing new water supply/sewerage infrastructure
Connection Fee (to each developer)
Share in capital cost for water supply/sewerage infrastructure