

UPPER LACHLAN SHIRE COUNCIL  
ON-SITE SEWAGE MANAGEMENT STRATEGY

JANUARY 2008

# EXECUTIVE SUMMARY

There has been increasing community concern that on-site sewage management systems (septic tanks) have failed to satisfy the expectations of unsewered areas within New South Wales. There is also growing evidence that many such systems are failing to meet basic environmental and public health requirements

To reduce the cumulative impacts of such systems and enable public health and environmental protection guidelines to be met, land use and strategic planning for future residential and industrial development needs to draw on the principles of ecologically sustainable development, total catchment management, water cycle management and the protection of public health

This on-site sewage management system strategy is intended to provide Council and the community with a means of assessing and regulating the installation and operation of sewage management systems taking into consideration the economic issues involved in reticulation of water, sewer or common effluent drainage and the connection of individual or a group of properties to such a system and the ongoing maintenance and management of Council assets

Legislative changes in the Local Government (Approvals) Amendment (Sewage Management) Regulation 1998 required the owners and occupiers of land to obtain the approval of Council to operate an on-site sewage management system.

This strategy sets out Council's response to the current legislation and the objectives of the strategy. The broad objective is to ensure that there is a system in place to provide oversight and control of onsite sewage management systems within Council's area.

The goals of the strategy are

- Reduction of public health risks. Protection of sensitive land and land uses from degradation from poorly designed and managed on-site sewage systems.
- Protection of surface and ground waters from poorly located, designed and managed onsite sewage systems.
- Encouraging the sustainable re-use of resources and the minimisation of water consumption with respect to onsite sewage management.
- Ensuring that an acceptable level of community and residential amenity is maintained and not impacted upon by poorly located, designed and operated on-site sewage management facilities.
- Education of system owners and users about their systems and the need to maintain and care for such systems.
- Implementation of a least cost method of supervision of on-site sewage management systems.
- Provision and creation of links between Council's strategic planning process and this strategy

The legislative reforms were implemented in response to surveys which indicated on-site sewage management systems were failing to meet environmental and health protection standards

This strategy will respond to actions identified in Council's Environmental Management Plan and be the subject of annual review and reporting through Council's State of Environment Report.

A monitoring program will be established to ensure the efficiency of this strategy. This will include inspections of systems, assessing the integration of the strategy with Council's other strategic planning processes and assessing the effectiveness of the strategy against its objective and goals.

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# **1. INTRODUCTION**

## **1.1 Background**

On-site sewage management systems (OSMS) also known as septic tanks are used by approximately 250,000 households throughout NSW. There have been increasing concerns that these systems are failing to adequately treat and dispose of wastewater leading to pollution of waters and unhealthy conditions and environmental concerns.

A public inquiry into the management of sewage and sewage by-products in the NSW Coastal zone indicated failure rates of on-site sewage management systems as high as ninety per cent, posing potentially serious public health risks through contamination of neighbouring land and water.

As a result of these concerns on 6 March 1998 the State Government gazetted The Local Government (Approval) Amendment (Sewage Management) Regulation 1998. This regulation was superseded by the Local Government (Approvals) Regulation 1999 and more recently by the Local Government (General) Regulation 2005. These Regulations prescribe the operation of sewage management as an activity for the purpose of Council approval under section 68 of the Local Government Act 1993. The issuing of Approvals to Operate allows Councils to carry out ongoing monitoring of existing systems and to charge fees for the regulatory services provided.

Accompanying this regulation is The Environmental and Health Protection Guidelines "On-site Sewage Management for Single Households" and Australian/New Zealand Standard 1547:2000. These guidelines and standard have been issued to assist councils to regulate the installation and use of on-site sewage management systems. They also outline a prescribed set of performance standards that must be considered when approving the installation of new systems and when approving the operation and maintenance of existing systems.

Within the Upper Lachlan Shire Council there are approximately 3,000 on-site sewage management systems. These systems range from conventional septic systems to secondary treatment systems such as aerated wastewater treatment systems. The number is increasing as more development occurs in the rural and semi-rural areas. With the local environment stressed and sensitive to further pollution, careful control and improved regulation of such systems is essential.

This on-site sewage management strategy has been prepared by the Upper Lachlan Shire Council and is proposed to be implemented during 2008 with the assistance of the Sydney Catchment Authority, initially within the SCA area of operations and across the whole Council area in accordance with available resources.

## **1.2 STATUS**

The draft Strategy was adopted by the Upper Lachlan Shire Council on TBA with its commencement date being 1 January 2007. A review of this Strategy is to be undertaken once during each term of Council

## **1.3 SCOPE**

The Regulation, Guideline and Standard provide a framework for implementation of ecologically and socially sustainable OSMS practices. It is intended that this be achieved, as far as possible, by a process of community and user education and by implementation of appropriate operating requirements in a manner which is sensitive to local circumstances.

Strategic management of existing OSMS and attention to addressing sewage management issues in newly subdivided areas has been acknowledged as an important task for Council.

This strategy applies to all fixed on-site sewage management systems in the Upper Lachlan Shire Council area that do not directly discharge to a Council sewer main and are not specifically regulated under a pollution control licence by the Environment Protection Authority. The systems covered by this Strategy include a wide range of public, commercial and domestic sewage management facilities.

An OSMS comprises a sewage management facility and where applicable a related effluent application area (land application area).

The Regulation defines a “sewage management facility” as:

- a human waste storage facility; and
- a waste treatment device intended to process sewage,

and includes a drain connected to such a facility or device.

The Regulation defines a “related effluent application area” as the area of land:

- where it is intended to dispose of the effluent and any by-products of sewage from the facility, or,
- to which the effluent and by-products are intended to be applied.

For the purpose of this Strategy an “on-site sewage management system” includes but is not limited to the following:

- septic tank and absorption trench,
- septic tank and evapo-transpiration area,
- aerated wastewater treatment system,
- wet composting toilet with sand filter and/or wetland reed bed with sub-surface application system,
- waterless composting toilet and greywater treatment system,
- greywater treatment systems,
- septic tank with sand filter and/or constructed wetland/reed bed with sub-surface application system,
- septic tank and amended soil mound system,
- septic tank and pump-out well,
- cesspit, and
- any other system that stores, treats and/or disposes of sewage and/or wastewater on-site.

Under the Regulation, to “operate a system of sewage management” means to hold or process, or re-use or otherwise dispose of, sewage or by-products of sewage (whether or not the sewage is generated on the premises on which the system of sewage management is operated) and includes the use of artificial wetlands, transpiration mounds, trenches, vegetation and the like in related effluent application areas, and holding or processing sewage that is to be subsequently discharged into a public sewer

## **1.4 PURPOSE**

This strategy outlines the framework

- To manage and regulate the impact of on-site sewage management systems in the Upper Lachlan Shire Council area and to ensure community accountability.
- To assist Council in the prioritising of resources for efficient regulation and monitoring of on-site sewage management in the area.
- To coordinate data collection, system approval, monitoring and environmental assessment.

## **2. OBJECTIVES**

The Upper Lachlan Shire Council On-site Sewage Management Strategy is intended to provide a framework to allow Council to regulate and manage the installation, operation and maintenance of all on-site sewage management systems with consideration of:

- the physical characteristics of the site,
- protection of surface waters,
- protection of ground water,
- protection of land and natural vegetation,
- protection of public health and the prevention of any public health risk,
- maintaining and enhancing community amenity,
- encouraging conservation and reuse of water, and
- the principles of ecologically sustainable development.

### **3. GOALS**

Council's goal is to work together with the community, developers and service agents to ensure well managed and efficiently performing on-site sewage systems, through correct installation, regular monitoring and education.

To achieve Council's goal the following actions will be taken:

- Householders will be encouraged and assisted to develop and implement a site specific sewage management plan.
- Council will build and maintain a data base of all existing on-site sewage systems.
- Through consultation, Council will specify the qualifications for third party certification of maintenance work, servicing and performance monitoring.
- Council's development standards will be reviewed and approval criteria for subdivisions and residential building will ensure that provision is made for the most appropriate, sustainable, on-site sewage management or reticulated effluent disposal when residential development occurs in non-sewered areas to ensure that the impact of such devices on the environment is minimised.
- Council will ensure that all land application areas comply with environmental and health protection standards and Council's operating requirements.
- Regular monitoring by Council of high risk systems, and continual monitoring of other risk categories.

#### **3.1 SUSTAINABILITY**

The Local Government Act 1993 has been amended to include principles of ecological sustainable development. These principles impact directly on any consideration of an onsite sewage management system. The principles are detailed in the Dictionary of the Act but are, in essence, as follows:

- Conservation of biological diversity and ecological integrity – “that this should be a fundamental consideration”.
- Improved valuation, pricing and incentive mechanisms – “that environmental factors should be included in the valuation of assets and services, such as:
  - polluters pay – waste generators should bear the cost of containment.
  - consumers of goods and services should pay prices based on full life cycle of providing the goods and services.
  - environmental goals should be pursued in the most cost-effective way, such as the use of economic incentives and market mechanisms”.
- Inter-generational equity – “the present generation should ensure that the environment is maintained or enhanced for the benefit of future generations”.
- The Precautionary Principle – “that if there are threats of serious environmental damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent degradation”.



## 4. LEGISLATION & GUIDELINES

This section contains an outline of the relevant Acts, Regulation and accompanying Guidelines and standards, all of which must be considered by Council in the management of new and existing on-site sewage management systems.

### 4.1 LOCAL GOVERNMENT ACT 1993 / LOCAL GOVERNMENT (GENERAL) REGULATION 2005

The Local Government Act 1993 and The Local Government (General) Regulation 2005 set out specific requirements for on-site sewage management approvals including matters for Council consideration, performance standards and circumstance where prior Council approval is not required. Division 4 of the Regulation incorporates the requirements for approval to operate an on-site sewage management system.

The sewage management regulations operate in terms of the local government approval system established under Chapter 7 of the Local Government Act, 1993.

The primary effect of the regulation and related reforms is that:

- the operation of a system of sewage management (as defined) is a prescribed activity for the purpose of Council approval under section 68 of the Act;
- Council must develop a strategy for on-site sewage management in its area;
- Council must consider applications for approval to operate a system of sewage management from relevant landowners, including some Government Authorities, determine the least cost approach to performance assurance and implement appropriate supervision;
- Council may charge application, renewal and inspection fees to recover the cost of supervising facilities which are subject to an operating approval;
- Council must not approve the installation of a commercially distributed sewage management facility of a type specified in Local Government (General) Regulation 2005, clause 40 unless plans are provided and a certificate of accreditation issued by NSW Health is in force;
- Council must apply prescribed performance standards when determining applications for approval to install or operate sewage management facilities, and
- Council must consider directions or guidelines issued by the Director General of the Department of Local Government in relation to the prescribed performance standards when determining applications for approval.

**Requirements of the Local Government Act 1993 may be enforced through the following action:**

➤ **Section 124 Order 5**

Council may order the owner or occupier or manager or licensed contractor:

*To take such action as is necessary to bring into compliance with relevant standards or requirements where:*

*Failure to comply with relevant standards or requirements set or made by or under this Act or under the Local Government Act 1919.*

➤ **Section 124 Order 11**

Council may order the owner or occupier:

*To do or to refrain from doing such things as are specified in the order to prevent environmental damage, to repair environmental damage or to prevent further environmental damage where:*

*Work carried out on land has caused or is likely to cause environmental damage, being damage to the physical environment that is caused by: (a) drainage, or (b) drainage works, or (c) obstructing a natural watercourse.*

➤ **Section 124 Order 15**

Council may order any person apparently engaged in promoting, conducting or carrying out the activity:

*Not to conduct, or to cease conducting, an activity on premises where:*

*The activity constitutes or is likely to constitute:*

*(a) a life threatening hazard, or*

*(b) a threat to public health or public safety and is not regulated or controlled under any other Act by a public authority.*

➤ **Section 124 Order 21**

Council may order the owner or occupier:

*To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition where:*

*The land or premises are not in a safe or healthy condition.*

➤ **Section 124 Order 22**

Council may order the owner or occupier:

*To store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order, provided that it is not inconsistent with regulation s made under the Protection of the Environment Operations Act 1997 (POEO Act) where:*

*Waste is present or generated on the land or premises and is not being dealt with satisfactorily, and is not regulated or controlled by, or subject to, a licence or notice granted or issued under the POEO Act.*

➤ **Section 124 Order 24**

Council may order the owner or occupier:

*To connect premises with a sewerage system by a specified date where:*

*The premises are situated within 75 metres of a sewer of the Council.*

➤ **Section 124 Order 25**

Council may order the owner or occupier:

*Not to use or permit the use of a human waste storage facility on premises after a specified date where:*

*It is necessary for the purpose of protecting public health.*

➤ **Section 124 Order 30**

Council may order the person entitled to act on the approval or person acting otherwise than in compliance with the approval:

*To comply with an approval where:*

*The approval is not being complied with.*

- **Penalty Infringement Notice Section 626(3) LGA**  
Operate sewage management system without approval.
- **Penalty Infringement Notice Section 627(3) LGA**  
Operate sewage management system otherwise than as approved.
- **Penalty Infringement Notice Section 628(2) LGA**
  - a) Not comply order – waste water connection/sewerage connection.
  - b) Not comply order – human waste storage facility.
- **Penalty Infringement Notice section 628(3) LGA**  
Fail to comply with order to comply with approval (land).

## **4.2 PROTECTION OF THE ENVIRONMENT OPERATIONS (POEO) ACT 1997**

A major objective of the POEO Act 1997 is to reduce risks to human health and prevent the degradation of the environment. Local councils and other local authorities are the appropriate regulatory authority for non-scheduled activities in its area.

Requirements of the POEO Act 1997 may be enforced through the following action:

### ➤ **Part 4.2 Clean Up Notices**

(a) direct an occupier of premises at or from which the authority reasonably suspects that a pollution incident has occurred or is occurring,

(b) direct a person who is reasonably suspected by the authority of causing or having caused a pollution incident,

to take such clean-up action as is specified in the notice and within such period as is specified in the notice.

A Clean Up direction may be given orally to a person but ceases to have effect on the expiration of 72 hours from the time it was given unless confirmed by the regulatory authority who gave the direction orally by a written clean-up notice given to the person.

### ➤ **Part 4.3 Prevention Notices**

Where Council reasonably suspects that an activity has been or is being carried on in an environmentally unsatisfactory manner at any premises or by any person (otherwise than at premises), Council may:

(a) direct the occupier of the premises,

(b) direct the person carrying on the activity (whether or not at premises),

to take such action, as is specified in the notice and within such period (if any) as is specified in the notice, to ensure that the activity is carried on in future in an environmentally satisfactory manner.

- **Penalty Infringement Notice Section 91 POEO**  
Fail to comply with clean-up notice
- **Penalty Infringement Notice Section 94 POEO**  
Fail to pay clean-up notice fee
- **Penalty Infringement Notice Section 97 POEO**  
Fail to comply with prevention notice

- **Penalty Infringement Notice Section 100 POEO**  
Fail to pay prevention notice fee
- **Penalty Infringement Notice Section 120 POEO**  
Pollute waters
- **Penalty Infringement Notice Section 211(2) POEO**  
Provide false/misleading information

### **4.3 ENVIRONMENTAL & HEALTH PROTECTION GUIDELINES**

Environment and Health Protection Guidelines: On-site Sewage Management for Single Households (“the guidelines”) have been issued to assist Councils regulate the installation and use of on-site sewage management systems. The guidelines address the regulatory framework, the development of local sewage management strategies, administration and operational issues, site assessment principles and principles for selection and operation of on-site sewage management systems.

The Guidelines and Standard were prescribed by the Director General of Local Government and in accordance with Clause 29 and 43 of the Local Government (General) Regulation 2005 they are a matter for consideration by Council in relation to applications:

- a) for approval to install, construct or alter a relevant waste treatment device or human waste storage facility, and
- b) for approval to operate a system of sewage management.

### **4.4 AUSTRALIAN STANDARDS**

#### **AS/NZS 1547:2000**

The standard AS/NZS 1547:2000 is used to provide technical guidance in the design, operation and maintenance of systems.

The Standard is designed to:

- (a) Include performance statements necessary to define outcomes and to accommodate new technologies.
- (b) Provide the basic performance provisions for septic tanks (AS/NZS 1546.1-1998) and introduce performance requirements to cover all types of wastewater-treatment units and land-application systems.
- (c) Set out the administrative and managerial responsibilities, and the education and training needed to ensure that on-site domestic-wastewater systems could be effective long-term options.
- (d) Give guidance on operation and maintenance of on-site domestic-wastewater systems.
- (e) Give guidance for on-site evaluation.
- (f) Give guidance on soil assessment.
- (g) Provide options for on-site domestic wastewater-treatment and land-application systems.
- (h) Give guidance on design, construction and installation.

#### **AS/NZS 1546.1:1998 – On-site Domestic Wastewater Treatment Units Part 1: Septic Tanks**

This standard identifies performance requirements and performance criteria for septic tanks, specifies technical means of compliance and provides test specifications that enable septic tanks to be manufactured to comply with the Standard.

### **AS/NZS 1546.2:1998 – On-site Domestic Wastewater Treatment Units**

#### **Part 2: Waterless composting toilets**

This standard covers the requirements of waterless composting toilets which are intended primarily as stand-alone units for residential use but may be suitable for non-residential applications.

### **AS/NZS 1546.3 1998 – On-site Domestic Wastewater Treatment Units**

#### **Part 3: Aerated wastewater treatment systems**

This Standard sets out performance requirements, design requirements, means of compliance, installation requirements, requirements for operations and maintenance and specification for testing aerated wastewater treatment systems and associated fittings.

## **4.5 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

A number of planning instruments, under the Environmental Planning and Assessment Act 1979, are relevant to the operation and installation of on-site sewage management systems in the Upper Lachlan Shire Council Local Government Area.

These include:

1. Mulwaree Local Environmental Plan 1995
2. Crookwell Local Environmental Plan 1994
3. Gunning Local Environmental Plan 1997

## **4.6 NSW DEPARTMENT OF HEALTH - SYSTEM ACCREDITATION**

NSW Health is responsible for accrediting human waste treatment or storage devices that are intended to receive domestic wastewater or human waste. Accreditation is mandatory for commercially manufactured units and for commercially distributed standard designs of the types specified in the regulations. The facilities that must be subject to a certificate of accreditation are specified in clause 40 of the Local Government (General) Regulation 2005.

The accreditation system provides a centralised assessment and testing procedure. A certificate of accreditation might include specific requirements for the installation, operation, and maintenance of the tested system. Such conditions become part of the Councils approval.

NSW Health accreditation is not required for prototype facilities installed for testing for systems designed and constructed by owner/occupiers for their own premises and for one off designs prepared for a particular premises. Council will assess such applications on a case by case basis.

The following accreditation guidelines have been prepared for most sewage management facilities by NSW Health Department.

- Septic Tank and Collection Well Accreditation Guidelines December 2001- (includes septic tanks, collection wells, septic closets, greywater tanks, CED pretreatment tanks and sewage ejection pump stations).
- Sewage Management Facility, Sewage Treatment Accreditation Guidelines (incorporating AWTs and Sand Filters), May 2005
- Interpretation Document to AWTs Guideline, December 1998
- Waterless Composting Toilet Accreditation Guideline, May 2005
- Draft Chemical Closet Accreditation Guideline May 1999
- Greywater Reuse in Single Domestic Premises – April 2000
- Domestic Greywater Treatment Systems Accreditation Guidelines – February 2005

## **5. PERFORMANCE OBJECTIVES**

The performance objectives are outlined in the guidelines and have been formulated to ensure that on-site sewage management for single households is appropriate and will not affect public health or the environment. When considering using any on-site sewage management system, particular attention should be paid to the cumulative effects of multiple systems operating within a catchment, and within the wider environment.

On-site sewage management systems should meet the following environmental and health performance objectives over the long term.

### **(i) Prevention of public health risk**

Effluent from primary treatment (ie septic tank) shall only be disposed of through soil absorption, evapotranspiration, discharge to reticulated sewage system or removal from the site by a registered contractor;

Contact with effluent from aerated systems shall be minimised or eliminated;

There shall be no contact with effluent from any other type of system;

Treated effluent shall not be used on edible crops or recreational lawn areas;

Surface irrigation shall only occur with disinfected effluent from an aerated system.

### **(ii) Protection of lands**

Onsite disposal of effluent shall minimise

- Soil structure degradation;
- Salination;
- Waterlogging;
- Chemical contamination, and
- Soil erosion.

### **(iii) Protection of surface waters and groundwaters**

- An appropriate OSMS must be chosen for the site to ensure effluent does not enter surface waters or contaminate ground water.
- Effluent disposal areas must be located no less than 100 metres from a watercourse and 40 metres from a dam or other water body if within its catchment;
- The disposal area must be monitored and managed so that effluent does not escape to the surface or position where the effluent may be washed into a water course in a minor rain event;
- Adequate consideration must be given to managing effluent during wet weather.

### **(iv) Protection of community amenity**

- An OSMS shall not cause a nuisance to others and particular attention must be given to any noise and odours generated;
- Disease vectors and other pests such as mosquitoes must be controlled;
- The siting and operation of an OSMS must not impact on the aesthetics of an area.

### **(v) Conservation and reuse of resources**

- The resources in wastewater such as the water and nutrients should be put to the best use possible within the bounds posed by other performance objectives;
- Water conservation must be included in any OSMS management plan.

## **6. LOCATION & EXISTING CONDITIONS**

The Upper Lachlan Shire Council is geographically located across the Great Dividing Range at the headwaters of the Wollondilly River and the Lachlan River in the Southern Tablelands of NSW with the primary population centre being Crookwell.

The Upper Lachlan Shire Council area covers approximately 7,500 square kilometres and population centres of Crookwell, Taralga and Gunning serve as the service centres for this large regional area.

The 2006 census comprises the last official population figures available for the Upper Lachlan Shire Council with a population as 7053.

The Upper Lachlan Shire Council area is a place of natural beauty with a diverse environment encompassing large catchments as well as populated residential and rural communities. In particular, this strategy is relevant to the rural villages of Bigga, Binda, Breadalbane, Collector, Dalton, Tuena and Grabben Gullen as well as rural residential development.

The Upper Lachlan Shire Council area is home to a variety of plants and animals, and the water supply for Crookwell, Taralga, Gunning and Dalton is sourced from both surface water and groundwater supplies, thus it is important these resources are maintained in terms of both water conservation and water quality.

Local Government has an essential role in environmental protection by being directly involved in producing strategies for sustainable development. The implementation of the on-site sewage management strategy is a major part of the process to protect public health and the environment. There are approximately 3000 on-site systems that are to be covered by the on-site sewage management strategy.

The number of on-site sewage management systems is increasing as more development occurs in the rural and semi-rural areas. With the local environment stressed and sensitive to further pollution, careful control and improved regulation of such systems is essential to protect the health of the environment and the community.

Map



## **7. OPERATIONAL STRATEGY**

This section of the Strategy sets out the processes for the issuing of Approvals to Operate and the classification and inspection of on-site sewage management systems.

The operational strategy provides an effective and self-funding approvals and monitoring plan for on-site sewage management in the Upper Lachlan LGA. The approach taken is based on the principles of protection and enhancement of public health and the environment through the cooperative management of on-site systems.

An essential component of the program is the consultation with owners to establish and improve Council's records of the individual systems, to encourage upgrading where appropriate and to provide information relating to the operation and maintenance of the various OSMS systems.

### **7.1 APPROVAL TO OPERATE**

The Local Government (General) Regulation 2005 requires that an owner of an on site sewage management system seek Approval to Operate the sewage management system in addition to any approval required for the installation of the system. As such, all system owners are required to be included on Council's register of approvals.

The approval process establishes an accountability relationship between the property owner and the Council. This will enable Council to ensure that householders and property owners are aware of the maintenance and operating requirements of their system.

#### **7.1.1 Existing Systems in the Sydney Catchment Area**

To implement the approvals process:

- All owner/operators of existing On-site Sewage Management Systems will be required under the regulations to lodge an Application for an Approval to Operate with Council by the 30 June 2008.
- Applications forms for this Approval will be sent to all known owners of on-site sewage management systems along with an outline of initial fees, householder and Council obligations under the legislation.
- Council will establish a register of all systems in the Council's LGA.

To continue the approvals process it is proposed:

- New application forms will be sent to all known owners of on-site sewage management systems along with information regarding Council's inspection program and fee structure.
- Once an application is received by Council, applicants are entitled to continue to operate the system until the application is finally determined, at which time notice of the determination will be issued. The approval may be modified following an inspection by Council.
- A desktop audit of the applications received will be completed to assist in developing the inspection program based on potential or actual risk to public health and the environment.
- Once inspected, an Approval to Operate an On-Site Sewage Management System will be issued with relevant conditions attached. These conditions outline standard operating requirements and procedures for the style of system in use on individual properties and the owners' responsibilities with the operation of that system. The term of the approval is one year with inspections undertaken in from one to five years based on the risk category and operational status of the system.

- Approval conditions may be modified if necessary (under Section 109 of the Local Government Act 1993). If the conditions on the existing approval are to be modified as a result of inspection, a new Approval will be issued.
- Approvals will be renewed annually. An application to renew the approval is not required. In order to assist Councils to minimise the cost of levying and collecting the annual fee periodically, the Local Government Act 1993 provides that an application is deemed to have been made on payment of the due fee (s.107A). Consequently this fee can be collected by listing it on the annual rates notice provided that the fee item and the funds when collected are separately specified and accounted for.
- Following receipt of the annual fee
  - Where the system has been assessed and an Approval to Operate issued, approval is deemed to have been granted for the relevant rated year.
  - Where the system has not yet been inspected, interim approval is deemed to have been granted for the relevant rated year or until assessed and determined by Council.

### **7.1.2 Existing Systems for the Remaining Shire**

To implement the approvals process:

- All owner/operators of existing On-site Sewage Management Systems will be required under the regulations to lodge an Application for an Approval to Operate with Council by the 30 June 2009.
- Applications forms for this Approval will be sent to all known owners of on-site sewage management systems along with an outline of initial fees, householder and Council obligations under the legislation.
- Council will establish a register of all systems in the Council's LGA.

To continue the approvals process it is proposed:

- New application forms will be sent to all known owners of on-site sewage management systems along with information regarding Council's inspection program and fee structure.
- Once an application is received by Council, applicants are entitled to continue to operate the system until the application is finally determined, at which time notice of the determination will be issued. The approval may be modified following an inspection by Council.
- A desktop audit of the applications received will be completed to assist in developing the inspection program based on potential or actual risk to public health and the environment.
- Once inspected, an Approval to Operate an On-Site Sewage Management System will be issued with relevant conditions attached. These conditions outline standard operating requirements and procedures for the style of system in use on individual properties and the owners' responsibilities with the operation of that system. The term of the approval is one year with inspections undertaken in from one to five years based on the risk category and operational status of the system.
- Approval conditions may be modified if necessary (under Section 109 of the Local Government Act 1993). If the conditions on the existing approval are to be modified as a result of inspection, a new Approval will be issued.
- Approvals will be renewed annually. An application to renew the approval is not required. In order to assist Councils to minimise the cost of levying and collecting the annual fee periodically, the Local Government Act 1993 provides that an application is deemed to have

been made on payment of the due fee (s.107A). Consequently this fee can be collected by listing it on the annual rates notice provided that the fee item and the funds when collected are separately specified and accounted for.

- Following receipt of the annual fee
  - Where the system has been assessed and an Approval to Operate issued, approval is deemed to have been granted for the relevant rated year.
  - Where the system has not yet been inspected, interim approval is deemed to have been granted for the relevant rated year or until assessed and determined by Council.

### **7.1.3 Renewal of Approval with Transfer of Title**

Council is currently notified of transfer of ownership by The Land Titles Office and the rate records are updated weekly. Notification will be sent to the Planning and Environment section on a regular basis. New owners will be forwarded an Application for Approval to Operate an On-site Sewage Management System, general approval conditions pertaining to the system located on the property and The Easy Septic Guide.

The regulation provides that a person who purchases land on which any sewage management facilities are installed, may continue to operate such a system, without the approval so required, for a period of three months from the date on which the property is transferred. It is further provided that, if a person who purchases (or otherwise acquires) land on which an on-site sewage management system is installed, applies for an approval within two months of the transfer of title, they may continue to operate the system until such time as the application is finally determined by Council.

### **7.1.4 New Systems**

Construction or alteration of a waste treatment device or a human waste storage facility currently requires approval in accordance with the Local Government Act 1993 (Item 5 of Part C of the Table to Section 68). All new systems also require an Approval to Operate in accordance with the amendments to this Act.

Before Council grants the initial Approval to Operate for new on-site sewage management systems

- Applicants must submit an Application to Install an On-site Sewage Management System accompanied by:
  - ◀ Site plan indicating buffer distances from the dwelling, boundaries, swimming pool, paths, groundwater bores and waterways, primary and reserve disposal area and stormwater diversion drains.
  - ◀ Specifications of the system
  - ◀ Operation and maintenance requirements including any maintenance agreement
  - ◀ Site assessment
  - ◀ Details of number of persons to reside on the premises and other factors relevant to the capacity of the system..
  - ◀ Any additional information required by Council to enable assessment in accordance with the Environmental and Health Protection Guidelines and AS/NZS 1547:2000.
- Each application will be assessed by the determining Council Officer in accordance with AS/NZS 1547:2000. Council must consider the Environmental and Health Protection Guidelines and performance objectives contained in these Guidelines.
- The processing of Applications for Approval to Install an On-site Sewage Management System will be carried out by Council's Environmental Health & Building Surveyors.
- The system must be installed in accordance with the Notice of Determination issued and required inspections must be undertaken by Council's Environmental Health & Building Surveyors.

- Where the system has not yet been inspected, interim approval is deemed to have been granted for the relevant rated year or until assessed and determined by Council
- An Application for Approval to Operate may be included with the application for the approval to install and must be submitted prior to commissioning the system.
- Council's Officers will issue the Approval to Operate after the final inspection provided that the specifications and any conditions on the installation have been met.
- The Approval to Operate fee must be paid prior to the issue of the certificate.
- New systems should be inspected according to risk classification.
- Any new system shall not be used until Council has given the applicant approval notice in writing. (See flow diagram for "New Systems in the Appendix 1")

### **7.1.5 Greywater Treatment/Diversion Systems**

Greywater Treatment Systems (GTS) and Greywater Diversion Systems (GDS) both require Approval to Operate from Council whether installed in sewered or unsewered areas.

A Greywater Treatment Systems is a system or device that collects, treats and disinfects greywater for reuse for toilet and urinal flushing or laundry use, and / or for use in surface and sub-surface irrigation in dedicated non-trafficable areas.

A Greywater Diversion Devices is a device that collects and directs untreated greywater to a sub-surface irrigation area or to the sewer. This system does not allow storage or treatment, apart from a coarse screen filter, which may remove lint, hair and coarse particles.

The installation of GTS require Council approval under Section 68, Local Government Act as they store and treat wastewater. GDS also require installation approval where alterations are required to plumbing or drainage. Applications to install must be accompanied by the same information as required for the installation of an on-site sewage management system. Council must be satisfied that the site is suitable for the disposal of greywater. Approval to Operate will only be issued where the installation and operation complies with the objectives of this strategy, therefore Council must be consulted prior to installation and approval obtained.

## **7.2 MONITORING PROGRAM**

Council is required to implement a monitoring program of existing systems and ensure these systems meet the environmental and health performance objectives set out in this strategy and in the Environmental and Health Protection Guidelines over the long term. This program involves monitoring service documentation and on-site inspections.

At present there are approximately 3000 on-site sewage management systems in the Upper Lachlan LGA. To carry out effective and ongoing inspections of this number of systems Council officers classify all systems into risk categories. Inspections are then carried out at an interval appropriate to the individual systems risk assessment and operational status.

### **7.2.1 Risk Categories & Frequency**

Inspection priorities are assigned to areas and individual systems using:

- known areas of concern,
- information contained in the Applications for Approval to Operate,
- GIS overlays of waterways, sensitive areas, soil types, flood characteristics and groundwater information related to cadastral details,
- block size information contained in Council's property system,
- information gained from previous audits / inspections in the Upper Lachlan Shire Council Area.

To assign a risk category to any property without a field assessment of individual systems may impose unnecessary regulation of that system. Therefore properties are assessed through desktop analysis and then inspection. Inspected systems are placed into one of three levels of risk categories ranked in terms of the installations likely impact on the particular issues set out in the

objectives of this strategy. Subsequent inspections will then be carried out based on as the following:

High Risk: Inspected every one or two years.

Medium Risk: Inspected every two to four years.

Low Risk: Inspected once every five or more years

### **7.2.2 Indicative Risk Criteria**

Set out below are ranges of indicative criteria, which will be used by Council staff when making risk assessment of installations. With particular installations there may be other issues, which may also be taken into account as part of the risk assessment process.

#### **High Risk Indicative Criteria**

High risk indicative criteria for an installation include the following matters where the installation is:

- Within Village, Urban zoned and Rural-residential (<2Ha) zoned areas, or
- Used for high density occupations >10 persons, including schools, caravan parks, etc. or
- In an area with high groundwater table (i.e. within 2.0m of the surface), or
- <100m from a watercourse/lake/water body, or
- <40m from a dam, or
- Within flood-prone areas (i.e. disposal within the defined 1:20 flood level, treatment system within the defined 1:100 flood level)
- On land with a slope of >15%, or
- On any premises with a reticulated water supply, or
- Located in sandy soils or where a rock layer is within 0.5 meters of the surface, or
- Serving an industrial property, or
- A system defined as a pit, humus closet or wet composting toilet, or
- < 50m from a well or bore, or
- Within 20m of a property boundary, or
- On properties utilising trench disposal where heavy clay soils are present, or
- In the last three years has not operated in accordance with;
  - the performance objectives of this strategy;
  - any requirements of the manufacturer of any of the system's components;
  - any conditions of accreditation imposed by the Director General of the Department of Health in respect of plans and designs for the sewage management facility;

-any conditions imposed by Council on any approval to install a system of sewage management. (In this respect it should be noted that Council is the authority for making the necessary determinations regarding the above issues).

### **Medium Risk Indicative Criteria**

Medium risk indicative criteria for an installation include the following matters where the installation is:

- Within rural-residential zone (2-40ha), or
- An aerated waste water treatment system, or
- >100 but <200m from a watercourse/lake/water body, or
- Within 100m of another system, or
- Serving a commercial property not defined elsewhere, or
- A system defined as a chemical closet or a dual system, or
- >50m but < 100m from a well or bore, or
- >20m but < 50m of a property boundary, or
- A system with a capacity of < 2400 litres, serving a building(s) with >5 persons, or
- located on a slope of between 5% - 15%, or
- disposal is located within an area prone to flooding in a 1 in 100 year flood, or
- an effluent removal by tanker system, or
- pump to sewer systems that are not maintained by Council.

**NB.** It should be noted that failure to comply with the performance criteria or any conditions of either the Department of Health or Council means that the classification of a system may be changed to high risk

### **Low Risk Indicative Criteria**

Low risk indicative criteria for an installation include the following matters where the system is:

- Within a rural zone (>40ha), or
- >200m from a watercourse/lake/water body, or
- A single system on property or >100m from a system on an adjoining property, or
- >100m from a well or bore, or
- >50 from a property boundary, or
- located on a slope less than 5%, or
- pump to sewer systems that are maintained by Council.



**NB.** It should be noted that failure to comply with the performance criteria or any conditions of either the Department of Health or Council means that the classification of a system may be changed to medium or high risk.

### **Exempt Indicative Criteria**

Approval to Operate is not required for any system operated by National Parks as stated in Department of Local Government Circular 99/59. Where the occupier is a lessee, approval to operate is required. It is National Parks policy to register all systems so that they comply with the requirements of the legislation and they do not object to Council undertaking inspections. Therefore systems that are owned and operated by National Parks are included on Council's register but cannot be charged the annual approval fee.

Approval to Install is not required from Council where the installation is on land owned by the National Parks. This approval must be obtained from the Department of Environment and Conservation.

Under the Protection of the Environment Operations Act 1997, Council is the appropriate regulatory authority for systems on Crown Land, operated by a lessee. An activity carried on by a State or Public authority, such as public facilities in a National Park, is regulated by the EPA.

### **7.2.3 Review Of, And Changes To Categories Or Risk**

When an installation has been assessed and allocated to a category of risk by a member of Council's staff, any owner who believes that such allocation is not appropriate may apply to Council to have the risk assessment reviewed. Such a review may or may not involve the carrying out of a site inspection of the installation and may involve the payment of a fee to Council.

Council may decrease the risk category or inspection frequency where continued satisfactory operation of the system is shown. Similarly the risk category or inspection frequency may be increased where it is revealed that more frequent monitoring is required.

## **7.3 INSPECTION PROCESS**

Council is inspecting all systems in the LGA as part of a staged process. Those systems located within the areas outside the SCA are a priority and will be inspected initially. Properties within lower risk categories, particularly large rural properties will not be inspected for some time unless requested or due to a complaint. Properties will be inspected to the schedule outlined above and individual systems assessed on performance standards as stated in the EH&P Guidelines. An audit sheet similar to Appendix 4 is completed at each inspection and filed in property files for future reference.

If changes are made to conditions as a result of the inspection, owners are issued with a new Approval to Operate with these conditions attached. Property owners will not be charged an inspection fee for the initial stage of the inspection program to facilitate the programs implementation. Reinspections will be charged where Council's requests have not been complied with. These will be invoiced through Council's debtors system in line with scheduled fees and charges as set in Council's Revenue Policy.

### **7.3.1 Reduced Inspection Programs**

The risk category of the on-site management system determines the inspection frequency, however, a reduced inspection frequency can be introduced for systems that establish a lower risk than determined by the risk category. To reduce the inspection program an owner or operator needs to establish a high operational performance of the on-site sewage management system. Consequently, inspections for individual systems are reduced to a lower risk category when a high performance and reduced risk is established.

Alternatively, Council officers may increase the inspection program of any installation if the risks are not appropriately addressed. Owners and/or operators will be notified of any alterations to the inspection program.

### **7.3.2 Notification of Inspection**

Property owners will be given notification by mail of Council's intention to inspect their sewage management systems. Notification will specify a broad time period during which the inspections are to be carried out and request that access be provided and where necessary arranged with Council. Property owners wishing to be present at the time of the inspection will be given the opportunity to arrange a mutually convenient time for the inspection to take place.

### **7.3.3 Monitoring of Pumpout Systems**

There are a few systems in the Upper Lachlan LGA where effluent is removed from on-site holding tanks on a regular basis by road tanker. Council currently does not receive any documentation of the pumpout services carried out by private contractors. It is proposed to develop a partnership with contractors to supply documentation to Council allowing the information to be recorded on Council's register. Volumes and frequency of services for individual systems should be monitored regularly to ensure that a satisfactory service is being maintained.

Pumpout systems are inspected as a low risk installation unless other parameters of risk classification make individual systems medium risk. This inspection takes particular note of the service history, tank soundness, potential for stormwater entry into the system, greywater disposal, sludge levels in the primary tank and water economy.

The Council does not support an increase in pumpout on-site sewage management systems due to the high probability of the systems not being operated correctly and ongoing monitoring requirements. Therefore pump-out systems are generally only approved on existing small lots where options for on-site disposal are severely limited.

### **7.3.4 Monitoring of Pump to Sewer Systems**

Pump to sewer installations are where effluent is temporarily stored in pumpwells and regularly pumped to Upper Lachlan Shire Council sewer mains. These systems are generally regarded as low risk systems unless environmental factors or high volumes increase this risk. The inspection of these systems should pay particular attention to the potential for stormwater inundation, electrical switchgear, timer settings, pump size and sludge levels in the primary tank.

These systems are required to be included on the on-site sewage management register although are exempt from annual approval fees as sewer rates are payable. Inspection fees are applicable. Where the system is owned and maintained by Upper Lachlan Shire Council, separate inspections are generally not required. Systems that are owned by the property owner will be subject to inspection according to the determined risk category.

### **7.3.5 Monitoring of Aerated Wastewater Treatment Systems**

These systems generally dispose of effluent through subsurface drip or above ground irrigation after on-site treatment by aeration and disinfection. As a condition of certification by NSW Health Department and Council's installation approval these systems are serviced quarterly by recognised service providers.

Review of service reports and Council inspections in a number of areas have shown that AWTs, despite receiving this quarterly service, are often not performing to their installation approval specifications (particularly in relation to disposal field irrigation).

Inspections of AWTs systems will include an overview of the operation of the system, including sludge levels, aeration and disinfectant. Particular attention will be directed to the operation of the disposal area. The inspection is not a service and no changes to the system operation will be made.



Once individual systems reach the required standard Council will undertake regular inspections at a decreased frequency and monitor the existing service documentation.

### **7.3.6 Monitoring of Transpiration and Absorption Areas**

This is the most common method of disposal in the Upper Lachlan Shire Council Area. These systems involve the subsurface disposal of primary treated effluent by

- (i) absorption trenches through percolation into the soil, or
- (ii) transpiration beds, by evaporation and transpiration of moisture into the atmosphere and into the soil by partial percolation.

Effluent from these systems undergoes only primary treatment and the inspection must ensure that this effluent is not exposed on the surface and that there is little potential for contamination of ground and surface water with this effluent. The diversion of stormwater, desludging of primary tanks, water economy and disposal field maintenance are areas that also must be assessed during any site inspections.

### **7.3.7 Monitoring of Other Types of Systems**

Other systems may include composting systems, chemical closets and other secondary treatment systems or disposal areas such as wet composting systems, reed beds, sand filters, mounds and biological filtration systems. These systems are inspected and monitored to ensure they conform with installation specifications and with consideration of the performance standards as set out in the Guidelines and this Strategy.

### **7.3.8 Monitoring of Major Commercial Systems**

These systems treat in excess of 2000 litres of effluent per day and have been therefore classified as major commercial systems requiring comprehensive annual inspection to ensure compliance with approval and operating requirements. A Management Plan for these systems will be requested by Council to give owners, operators and Council an understanding of the operational and maintenance requirements. Other minor commercial systems will be included with the domestic systems inspection process.

### **7.3.9 Upgrading Failing Systems**

Inspections are required to ensure that on-site sewage management systems are installed and operated in accordance with the conditions specified in any Council approval. Beyond system design and installation, those approval conditions relate primarily to the performance standards specified in the Guidelines and this Strategy.

System failure is deemed to have occurred when a system fails to achieve prescribed performance standards and conditions of approval that may result in adverse impacts on public health or the environment.

Where a system failure is identified, Council may take one or more of the following actions in accordance with the Penalty Procedure in section 7.4 below.

- Provide advice and educational material to the system owner and/or operator as to the best practice in operating and maintaining the sewage management system. This may include advice on the use of water saving devices, stormwater diversion, desludging etc (this will be Council's preferred course of action)
- Council also has available the ability to require action or works to be carried out through section 124 of the Local Government Act 1993 where it may issue Orders as outlined in section 4.1.

- Where pollution is likely to occur alternative action may be taken in accordance with the Protection of the Environment Operations Act 1997 including Clean-up Notice or Prevention Notice.

There are a number of social considerations which may be relevant in the on-site sewage management issue, including:

- The financial implication for property owners who may be required to carry out substantial system upgrading works or complete system replacement. The introduction of “pumpout” arrangements as an alternative to on-site disposal also has substantial financial implications for property owners.
- The financial impact of requiring improved sewage management outcomes would be significant for some property owners.
- The significant ramifications that may arise to property owners if their allotment is considered to be of insufficient size to achieve sustainable on-site effluent disposal.

The above issues require consideration when decisions are made, particularly for existing sewage management facilities.

In some circumstances, where there is a serious threat to the environment or public health, it may be necessary for Council to consider undertaking the work required and recovering the cost through a property debt.

### **7.3.10 Complaints about Failing Systems**

A member of the community who has a problem with the operation of an on-site sewage management system is entitled to approach Council about the problem. Council will investigate complaints relating to systems failures irrespective of the priority area. The inspection may replace the next scheduled inspection for any system that is the subject of a complaint. Changes may also be made to the risk categorisation of systems as a result of any investigation.

## **7.4 OWNER’S AND OPERATOR’S RESPONSIBILITY**

It is the responsibility of the owner or occupier of the premises to ensure that on-site systems are designed, installed and managed so that environmental nuisance/damage does not occur and there is no risk to public health from the operation of the system.

Owners must ensure that other occupiers of the premises are also aware of the systems operation and maintenance requirements. If a system is defective and cannot be corrected by the proper operation and maintenance, householders should report this to Council so that immediate action can be taken to address the problem.

### **Duty To Notify Pollution Incidents**

The PROTECTION OF THE ENVIRONMENT OPERATIONS ACT (POEO ACT) 1997 requires the appropriate regulatory authority, for the purposes of this strategy Council, to be notified of pollution incidents.

## **7.5 PENALTY PROCEDURE**

Council’s enforcement powers should only be utilised when other approaches have failed. Council’s procedures are outlined below and are aimed at giving the property owner/occupier every opportunity to comply with Council’s requests prior to enforcement proceedings being instigated.

### **7.5.1 Operating Without Prior Council Approval**

- Existing or new on-site sewage management systems that are found to be operating without operational approval.
- Property owner will be sent appropriate information advising that they must gain approval to operate the system and requested to submit an application form and fee.
- If an application has not been submitted within 2 months, another letter and form will be sent, warning that a Penalty Infringement Notice (P.I.N.) will be issued if an application is not received within 14 days.
- P.I.N. issued after 14 days if application has not been submitted.
- Process repeated after 2 months from issue of P.I.N.

### **Annual Approval Fees Outstanding**

- As these fees are issued on the rate notice and allocated first, non-payment of the fee will be minimal.
- Where annual approval fees remain outstanding in relation to an Approval to Operate, approval will be deemed to have not been obtained. A letter stating this will be sent, in conjunction with the overdue rates notice, requesting payment of all outstanding fees or a payment agreement to be entered into.
- If payment has not been made within 2 months, another letter will be sent warning that a P.I.N. will be issued if outstanding fees are not paid within 14 days.
- A P.I.N. will be issued if fees or agreement are not received within 14 days.
- Process repeated after 2 months from issue of P.I.N.

### **7.5.2 Operating Otherwise Than In Accordance With Terms Of Approval**

#### **Inspection / Other Fees Outstanding**

- Recovery proceedings will commence when the fees outstanding are greater than \$200.
- A letter will be sent with an invoice stating that payment of fees is a condition of approval and a P.I.N. will be issued if fees are not received within 14 days. A debtor agreement may also be entered into in cases of financial hardship
- A P.I.N. will be issued if fees or agreement are not received within 14 days.
- Process repeated after 2 months from issue of P.I.N.

#### **Other Minor Works Required To Comply With Council Requirements**

- Where works required are minor and do not pose a risk to public health or the environment, following Council's inspection a Conditional Approval to Operate will be issued. The Approval will state the additional conditions that must be met and the next inspection will be due in one to three years depending on the work required and risk category. The approval will state that a PIN may be issued if conditions are not met.

- An inspection will be undertaken when due. If work remains outstanding owners will be advised that the work must be completed within thirty (30) days or a P.I.N. will be issued.
- A PIN will be issued if work not complete within 30 days.

### **7.5.3 Local Government Act 1993 Orders / POEO Act 1997 Notices**

#### **Vacant Dwellings / Sheds with inadequate systems**

- Where a structure is being used for habitable purposes and does not have adequate wastewater treatment and disposal, and the structure is vacant at time of inspection, an Order 22, Section 124 Local Government Act 1993 will be issued. The order will prohibit occupation until a Council approved system is installed to treat and dispose of wastewater. The issue of this Order constitutes an outstanding notice on the property and therefore prospective purchasers will be notified of the requirement.
- Failure to comply with the order will result in a P.I.N.
- Council will be notified where the development may not be approved.

#### **Occupied Dwellings/Sheds with inadequate or failed systems**

- Following Council's inspection, the property owner will be issued with a letter requesting specified work to be completed or where required an upgrade of the system is required, requiring an application to install/alter an on-site sewage management system to be submitted within 60 days.
- If work is not completed or an application has not been received within 2 months an Order under Section 124 Local Government Act will be issued. The order will require work to be completed or an application to be submitted and specify a time period for the work to be completed or system to be installed. A Prevention Notice under POEO Act may also be issued depending on the risks.
- If the Order/Notice is not complied with, the relevant P.I.N. will be issued and another order/notice issued.
- If fees associated with a notice are not paid, a letter will be sent with an invoice requesting payment within 14 days. A debtor agreement will also be offered in case of financial hardship.
- Failure to pay the Notice fee or enter into a debtor agreement will result in the issue of a P.I.N. for failure to pay fee.

### **7.5.4 POEO Act 1997 - Penalty Infringement Notices**

#### **Pollution Incidents**

Where pollution is found to be occurring, on-the-spot PIN will be issued immediately unless it is obvious that the owner/occupier could not have been aware of the occurrence.

Examples of pollution incidents that will be immediately fined are:

- Syphoning or pumping septic tanks or collection wells to areas that are likely to pollute a watercourse.
- Wastewater of any type directly discharging to a drain or waterway.

## 7.6 SUBDIVISIONS / DEVELOPMENT ISSUES

A goal of this Strategy is to review Council development standards and approval criteria for subdivision, development and building to ensure that appropriate provision is made for on-site sewage management when residential development occurs in non-sewered areas

Consideration must be given to:

- The effect of the development on existing on-site sewage management systems and disposal areas.
- The suitability of the site for effluent disposal from the development.

Council does not support an increase in pumpout on-site sewage management systems due to the high probability of the systems not being operated correctly, and the difficulty in regulating this. Therefore any development proposal must not allow an increase in pumpout systems. In the case of subdivisions, each lot must be capable of sustaining on-site disposal of effluent. A condition to this effect may be required on an 88B for the subdivision.

## 7.7 ACCREDITATION

There are two distinct aspects to Accreditation:

- (i) NSW Health issues certificates of accreditation to manufacturers of sewage management systems. Accreditation is mandatory and validates quality assurance and compliance with provisions of AS/NZS 1546.1.

The Local Government (General) Regulation 2000, Division 4, Subdivision 5 specifies the type of sewage management facilities requiring a Certificate of Accreditation. Such accreditation may include specific requirements for the installation, operation and maintenance and these requirements become part of the Council Approval.

- (ii) Accreditation of AWTS Service Agents is required to ensure property owners receive the correct level of service. A register of Council accredited service agents will be developed. The aim is to ensure that AWTS are serviced correctly by competent contractors with no risk to public health or the environment.

Minimum requirements for accreditation include:

- Relevant servicing experience whilst employed by an AWTS service contractor.
- Attendance at a recognised AWTS training course -Current recognised courses are "Aerated Wastewater Treatment System Maintenance Procedures" conducted by Australian Water Technologies Training Services, "AWTS Servicing and Maintenance Training Course" and "On-site Wastewater Management Training Course" conducted by Centre for Environmental Training.
- Ability to provide 24 hour emergency breakdown service.
- Access to spare parts, pumps, blowers and chlorine supplies

These minimum requirements will be used as the basis for accreditation and acceptance of local service contractors operating in the Upper Lachlan LGA. A guideline has been developed for accreditation (see Appendix 7). Existing contractors will be given accreditation which will be reviewed every 3 years.

## **8. RECORDS, REPORTING, REVIEW & EDUCATION**

### **8.1 COUNCIL RECORDS**

Council will ensure that all applications received are recorded in the register and that details of the determination of those applications are also entered in the register. Such a register will include details of the applicant, the property concerned, the type of installation, the date of application, the determination of the application, the date of issue of any approval or refusal, any site inspections, maintenance records and any other relevant details. This register will be kept in electronic format and applications, audit sheets, special conditions attached to approvals and correspondence will be filed on Council property files.

All service documentation related to AWTs quarterly maintenance is required to be forwarded to Council and will be recorded on the register prior to being placed on Council's property files.

Council will also maintain a record of effluent pumpout volumes and frequencies to allow periodic desktop analysis of volumes from individual properties. These figures are proposed to be provided by Waste Transport Contractors and maintained in electronic format. These records will be recorded in the register prior to being placed on Council's property files.

### **8.2 REPORTING**

Council's Annual State of the Environment Report will include details of the results of the on-site sewage management inspection program, and details regarding particular patterns of system failure related to either location criteria or system type.

### **8.3 REVIEW & EVALUATION OF THIS STRATEGY**

This strategy will be the subject of ongoing review. A major review should take place when all properties have been inspected and all systems are on the database and operating with a current Approval. Any substantial changes proposed as a result of these reviews will be considered by Council. Ultimately it is expected that the review process will occur every four years in the twelve-month period after each general Council election.

### **8.4 EDUCATION AND PROVISION OF INFORMATION**

Council recognises its responsibility to provide appropriate information to owners. This will be through a program of inspections and public education programs which will include informal education of owners onsite and distribution of information and fact sheets. It will also involve the education of service contractors, plumbers, builders and developers to ensure a consistent approach in inspection and certification.

Householders need to have a full knowledge of:

- system operation and maintenance requirements.
- their responsibilities under the regulations.
- system selection and design of effluent application areas.
- the health risks involved if systems fail.
- emergency numbers if the system fails.
- waste and water use minimisation principles and techniques.

- managing the environmental impacts of wastewater.
- where to get further information.

Council will provide "The Easy Septic Guide" to all new property owners and to all applicants of an Approval to Operate. A fact sheet has been developed outlining the requirements for Approval to Operate. Further information, is available at website at <http://www.dlg.nsw.gov.au/Files/Information/ssguide.pdf#xml=http://www.dlg.nsw.gov.au/Scripts/dtSearch/dtisapi6.dll?cmd=getpdfhits&DocId=1368&Index=c%3a%5cdtsearch%5cuserdata%5cAllDocuments&HitCount=4&hits=92d+92e+23dd+23de+&.pdf>



## 9. PROPOSED FEES, BUDGET CONSIDERATIONS

This section contains the fees and charging system. This schedule has been designed to provide Council and users of on-site sewage systems with a cost-effective, user pays monitoring program that is revenue neutral to Council and provides an efficient mechanism to ensure the long term environmental and public health objectives of this strategy.

The fees to be levied on the owners of premises with on-site systems, are in three parts and levied under s608 of the Local Government Act 1993. These are debts on the owner/occupier rather than on the land.

All on-site sewage management fees are not subject to pensioner rebates or interest.

### 9.1 TABLE OF FEES AND CHARGES

| Service/Activity  | 2007/08 | Description  |
|---|---------|--|
| Application for Approval to Operate OSMS                  | \$30    | Payable at time of application to install a new system. Also payable for existing systems that are not registered after register is updated. |
| Application for Renewal of Approval to Operate OSMS       | \$30    | Payable by owners annually, levied on rates notice.  |
| OSMS Operation Inspection                                 | Nil     | No charge for inspections during program implementation.   |
| OSMS Operational Re-Inspections                           | \$75    | Payable for subsequent follow up inspections when required to ensure compliance with Council's requests                                      |
| Application to Install/Alter where lodged with DA *       | \$163   | Payable on submission of application   |
| Application to Install/Alter where lodged separate to DA* | \$253   | Payable on submission of application   |

Current fees and charges are available in Council's Revenue Policy.

#### 9.1.2 Application for Renewal of Approval to Operate Fee

The Application for Renewal of Approval to Operate fee is levied on all owners of on-site systems in the Upper Lachlan LGA. The fee covers costs involved in the running of the On-site Sewage Management Program. The fee covers the cost of activities such as:

- to build and maintain a database of all existing on site sewage systems.
- to determine the structures and facilities needed to support on site sewage management systems.
- to map and maintain details of soil and site conditions and suitability for on site sewage management systems.
- to provide a training program for operators of on site sewage management systems.
- to consult with householders and commercial operators on the development and implementation of a strategy to eliminate illegal discharges from pump-out systems.



- develop, implement, and regularly review an on site sewage management strategy.
- review the on site sewage management strategy for areas of low risk where inspections are not required.
- assess the impact of sewage pollution on sensitive catchments, including monitoring and assessment of pollution risks and the implementation of management programs.
- implement sustainable on-site sewage management practices through a range of local government functions including: land use/settlement planning and development controls; the supervision of on-site sewage facilities, and environmental monitoring, reporting and management services.
- undertake ongoing householder and commercial operator education on issues on individual a community wide basis including.
- the statutory responsibilities of owners or operators of on-site sewage management systems.
- the health and environment risks associated with system use.
- specific issues related to the system installed.
- to assist householders and owners of commercial premises in the development of a site specific sewage management plans for each premises using an on-site sewage management system.

These activities are ongoing to protect the environment and public health. The funding of these activities should be obtained from the annual approval from those owners and occupiers receiving the direct benefit. Therefore all premises with on-site sewage management systems should contribute to the program. These costs include work by clerical staff, monitoring of service documentation and pumpout figures, environmental auditing, complaint investigations and the provision of educational and system management advice.

### **9.1.3 Inspection Fees**

A re-inspection fee will be invoiced where more than one follow-up inspection is required to ensure compliance with Council's requests. This ensures that the costs of repeated follow-up inspections are being met by the owners of effected properties and are not being subsidised by those that have complied.

### **9.1.4 Application to Install / Alter and Associated Inspection Fees**

Fees related to Applications to Install, Applications to Alter Existing Systems and the associated inspections are charged by Council's Environment & Planning Department. Assessment of these applications will be carried out by Council's Environmental Health and Building Surveyors.

## 10 GLOSSARY OF TERMS

**Aerated Wastewater Treatment System (AWTS)** – Aerated wastewater treatment systems treat all household wastewater and have several treatment compartments. The first is like a septic tank, but in the second compartment air is mixed with wastewater to assist bacteria to break down solids. A third compartment allows settling of more solids and a final chlorination contact chamber allows disinfection.

**Blackwater**- human excreta and water grossly contaminated with human excreta (although not strictly water based, human excreta entering waterless composting toilets is considered as 'blackwater').

**Catchment** – an area of land with natural features such as hills or mountains, from which all run-off water flows into a creek, river, lake or ocean.

**Composting Toilets** – composting toilets collect and treat toilet waste only. Water from the shower, sink and washing machine needs to be treated separately. The compost produced by a composting toilet has special requirements but is usually buried on site.

**Completion Certificate** – formal notification from council indicating that a sewage management facility has been installed substantially in accordance with a relevant development approval, and is able to be commissioned.

**Council** – for the purposes of this strategy refers to the Upper Lachlan Shire Council.

**DCP** – Development Control Plan within the meaning of the Environmental Planning and Assessment Act.

**Desludging** – Withdrawing of sludge, biosolids, scum and liquid from a septic tank.

**Ecological Sustainable Development** – Development that improves the quality of life, both now and for the future, in a way that maintains the ecological processes on which life depends.

**Effluent** – wastewater discharging from a sewage management facility.

**Effluent Application Area** – an area of land specifically designated for the application of effluent either by subsurface absorption or by surface irrigation.

**Evapotranspiration** – process by which soil moisture is subject to processes of evaporation from the sun and wind and is transpired to the atmosphere via trees and plants.

**Greywater (or sullage)** – domestic effluent, excluding toilet waste.

**Ground Water** – all naturally occurring underground waters.

**Guidelines** – Environment and Health Protection Guidelines – On-site Sewage Management for Single Households.

**Human Excreta** – human faeces and urine.

**LGA** – Local Government Area.

**On-site Sewage Management System (OSMS)** – any facility that stores, treats and/or disposes of sewage and wastewater on-site.

**Operational Constraints** – those site or systems characteristics which place limits on the quality and quantity of wastewater that can be effectively treated by a sewage management facility within a given period of time.

**Pump-out System** – a septic system where all accumulated wastewater is removed from site by a purpose built road tanker.

**Reticulated Sewer** – centralised sewerage system, consisting of a wastewater transport network, pumping stations, and treatment facilities designed to services multiple users concurrently.

**Regulation** – Local Government (General) Regulation 2005.

**Run-off** – The part of precipitation of irrigated effluent that becomes surface flow because it is not immediately absorbed into or detained by the soil.

**Septic Tank** – conventional septic tank systems treat both greywater and blackwater, but they provide only limited treatment through the settling of solids and the flotation of fats and greases. Bacteria in the tank break down the solids over a period of time. Wastewater that has been treated in a septic tank can only be applied to land through a covered soil absorption system as the effluent is still too contaminated for above ground irrigation.

**Sewage** – human wastewater and matter which usually passes through the reticulated sewer or an on-site sewage management system..

**Sewage Management** – Any activity carried out for the purpose of holding, processing, reusing, or otherwise disposing of sewage or by-products of sewage.

**Total Catchment Management** – Total Catchment Management is the coordinated and sustainable use and management of land, water, vegetation and other natural resources on a catchment basis so as to balance resource utilisation and conservation.

**Wastewater** – Blackwater and/or Greywater.

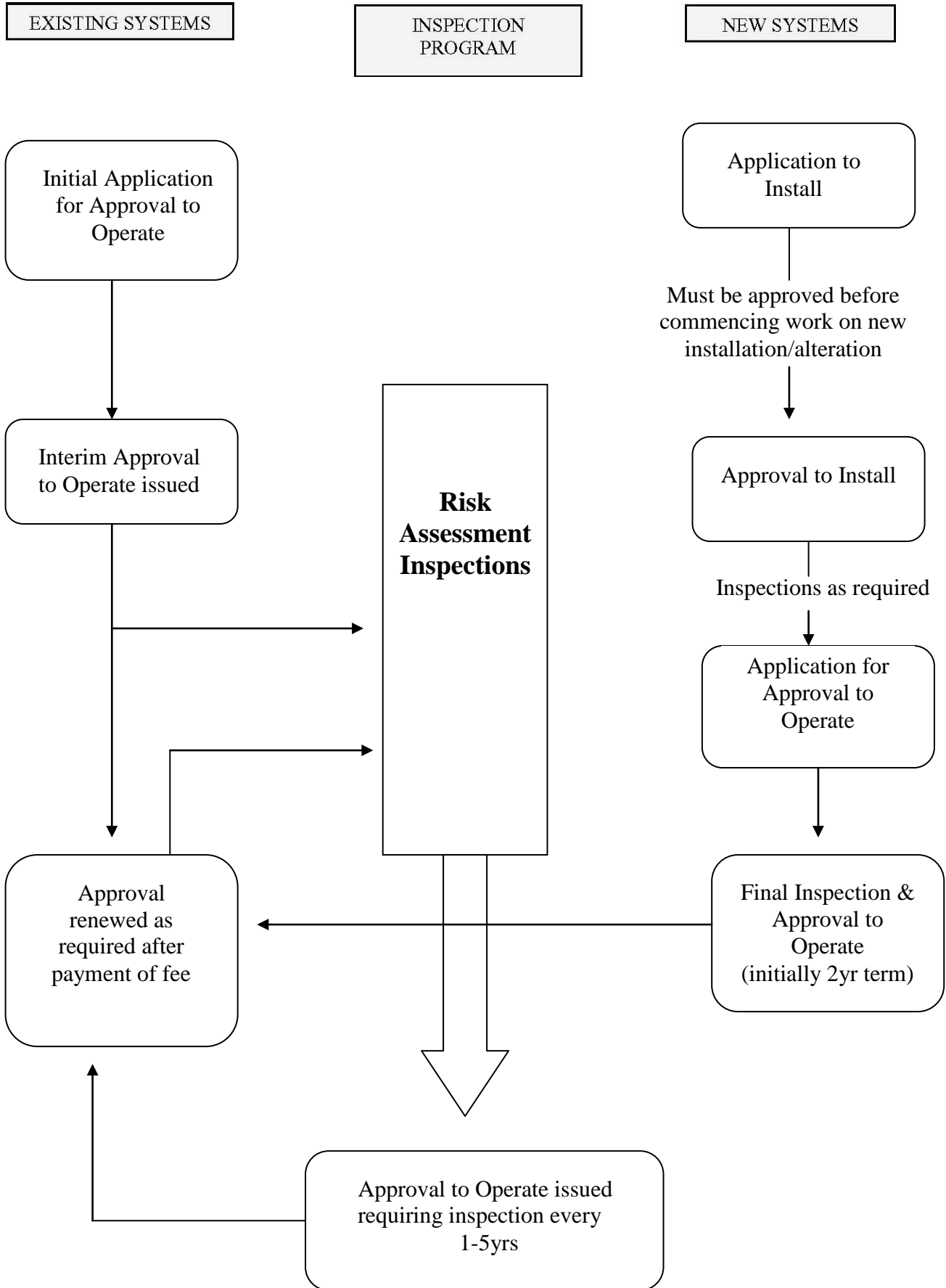
# APPENDIX

## APPENDIX 1 - TABLE OF BUFFER ZONES FROM ENVIRONMENTAL HEALTH & BUILDING GUIDELINES

### BUFFER DIMENSIONS FOR EFFLUENT DISPOSAL AREAS

| FEATURE                      | BUFFER DISTANCE (m) |           |         |           |                       |           |                   |           |
|------------------------------|---------------------|-----------|---------|-----------|-----------------------|-----------|-------------------|-----------|
|                              | DRIP / TRICKLE      |           | SPRAY   |           | SUBSURFACE IRRIGATION |           | ABSORPTION SYSTEM |           |
|                              | Upslope             | Downslope | Upslope | Downslope | Upslope               | Downslope | Upslope           | Downslope |
| Dwelling                     | 6                   | 3         | 15      | 15        | 6                     | 3         | 6                 | 3         |
| Driveway                     | 6                   | 3         | 6       | 3         | 6                     | 3         | 6                 | 3         |
| Path                         | 6                   | 3         | 3       | 3         | 6                     | 3         | 6                 | 3         |
| Pool                         | 6                   | 3         | 6       | 6         | 6                     | 3         | 6                 | 3         |
| Permanent Water              | 100                 | 100       | 100     | 100       | 100                   | 100       | 100               | 100       |
| Intermittent Water, Dam Site | 40                  | 40        | 40      | 40        | 40                    | 40        | 40                | 40        |
| Property Boundary            | 6                   | 3         | 6       | 3         | 6                     | 3         | 12                | 6         |
| Domestic Groundwater Well    | 250                 | 250       | 250     | 250       | 250                   | 250       | 250               | 250       |

## APPENDIX 2 – FLOWCHART FOR APPROVALS AND INSPECTION PROCESS



**APPENDIX 3 – APPROVAL TO OPERATE**

# Upper Lachlan Shire Council



**ALL CORRESPONDENCE TO BE ADDRESSED TO THE GENERAL MANAGER**

PO Box 10 or 44 Spring Street, Crookwell NSW 2583

Tel: (02) 4830 1000, Fax: 02 4832 2066,

Website: [www.crookwell.nsw.gov.au](http://www.crookwell.nsw.gov.au), E-mail: [council@crookwell.nsw.gov.au](mailto:council@crookwell.nsw.gov.au)

ABN No: 81011241552

## **Approval to Operate a On-site Sewage Management Facility**

**Issued under the Local Government Act, 1993 – Section 68 Part F Item 10.**

To:

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**Approval granted to \_\_\_\_\_ owner/occupier of the property (subject to the attached conditions of the approval.)**

**Registration Number:**

**Subject Land:**

### **DURATION OF APPROVAL**

**Commencement:**

**Expiry:**

**Risk Category:**

**Inspected by:**

**Next Inspection Due:**

### **DESCRIPTION OF ON-SITE SEWAGE MANAGEMENT SYSTEM APPROVED**

**Type of System:**

**Service Provider:**

**Conditions of Approval** (see below and over)

**This Approval is only valid subject to the following Conditions:**

1. The attached General Conditions being met.
2. All fees for annual renewal & inspections being paid.

This approval relates to the on-site sewage management system only and is not an approval for the erection, use or habitation of any associated structures for which a separate approval is required from Council.

This approval is renewed on the same terms upon payment of the annual renewal fee. A modification of this approval may be issued following an inspection by Council.

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**Senior Environmental Health & Building Surveyor**

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**Dated**

## **APPENDIX 4 – GENERAL CONDITIONS FOR AERATED WASTEWATER TREATMENT SYSTEMS, BIOLOGICAL FILTER SYSTEMS AND TREATMENT PLANTS**

### **GENERAL CONDITIONS FOR AERATED WASTEWATER TREATMENT SYSTEMS, BIOLOGICAL FILTER SYSTEMS AND TREATMENT PLANTS**

The conditions set out in this approval apply to all owner/operators of on-site sewage management systems in the Upper Lachlan Shire Council Local Government Area. These may be varied after inspection by Council Officers to include site specific conditions for the improved operation and maintenance of individual systems.

#### **CONDITONS:**

1. No spray irrigation is allowed unless the effluent quality is in accordance with the specifications of the NSW Health Department for effluent from that system.
2. Discharge or run-off into stormwater easements or other drainage channels is strictly prohibited.
3. Soaker hoses, common garden sprinklers and standard water hoses and fittings are not to be used to irrigate from the approved system.
4. The disposal area to receive effluent from the aerated septic tank is to comply with Council's requirements and the design detailed in the approved plans prior to the connection of the irrigation system to the treatment system.
5. Sprinklers with a throw of not more than 2 metres shall be used and shall produce droplets (instead of a fine mist) to minimise the risk of aerosol dispersion and wind drift of effluent. A plume height shall not be more than 400mm above the finished surface of the irrigation area. The irrigation pipes and sprinklers are to be installed in accordance with the plan approved by Council.
6. Spray irrigation equipment connected to the distribution lines shall be fixed.
7. All irrigation pipework and fittings shall comply with all parts of the Australian Standard 1477 or Australian Standard 2698.2.
8. There shall be no cross connection between any irrigation pipework and a potable water supply.
9. Along the boundary of the surface irrigation area there shall be at least two (2) warning signs clearly visible to inform the occupants of the premises that recycled water is used for irrigation. These signs shall comply with AS1319 and have:
  - a) Lettering visible at three (3) metres
  - b) Wording, "Reclaimed Effluent Not For Drinking Avoid Contact"
  - c) 20mm high series C lettering in black or white
  - d) A green background
10. The owner/occupier shall enter into an annual service contract, requiring quarterly servicing (or as per system accreditation), with the manufacturer, distributor or other person authorised by Council to service the approved system.
11. Recreational lawn areas of domestic premises shall not be used for spray irrigation of effluent.
12. The owner/occupier shall maintain the irrigation area in regard to adequate cover elimination of weeds, maintenance of plants and shrubs.
13. Effluent and sludge removal must be carried out by a Council approved effluent removal contractor and disposed at an Upper Lachlan Shire Council sewage disposal point.
14. Owners must submit an application to Council before carrying out work on their on-site wastewater management system and associated pipework that alters the design and operational characteristics of the system from that which was originally approved. Licensed tradesmen must carry out all such work.
15. Tanks should be maintained and inspected to ensure excessive sludge levels do not decrease the efficiency of septic treatment and disposal. Licensed tradesmen must carry out all such work.
16. Council must be notified of any failure of on-site sewage management systems that may result in pollution occurring or pose a risk to public and environmental health.
17. A new application for approval to operate an on-site sewage management system must be submitted to Council by new owners of the property within two months of transfer of title.
18. Users of on-site sewage management systems must ensure the efficient treatment and disposal of waste by not placing in the system any substance that the system is not designed to handle or that may decrease the efficiency of the treatment or disposal process.
19. Owners of on-site sewage management systems must install and maintain all equipment considered necessary by Council Officers for the safe and efficient, storage, treatment, disposal, removal and transfer of wastewater and effluent.
20. All stormwater and seepage must be prevented from entering the septic tanks and be diverted where at higher levels away from on-site disposal areas.
21. Tanks and disposal fields should comply with recommended buffer zones from boundaries, waterways, dwellings, pathways, pools, dams, driveways and paths and groundwater bores.



22. A system of sewage management must be operated in a manner that achieves the following performance standards:
  - The prevention of the spread of disease by micro-organism;
  - The prevention of the spread of foul odours;
  - The prevention of contaminated water;
  - The prevention of the degradation of soil and vegetation;
  - The discouragement of insects and vermin;
  - Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned;
  - The minimisation of any adverse impacts on the amenity of the premises and surrounding lands;
  - If appropriate, provision for the re-use of resources (including nutrients, organic matter and water)
23. A system of sewage management must be operated:
  - a) In accordance with the relevant operating specifications and procedures; and
  - b) So as to allow the removal of any treated sewage (and any by-product of any sewage) in a safe and sanitary manner.
24. The sewage system must be maintained in a sanitary condition and must be operated in accordance with the relevant requirements of the Regulation.
25. The system must not discharge into any watercourse or onto any land other than its related effluent application area.
26. The system must be installed and operated in accordance with any conditions of accreditation issued by the Department of Health.
27. The person operating the system of sewage management must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Regulation and of the conditions of approval whenever Council reasonably requires a person to do so.
28. Council may carry out inspection at a frequency accorded to the assessed risk of the system, to determine compliance with the approval and fees may be charged for these inspections. These fees are specified in Council's Management Plan for the period in which the inspection is carried out.

#### **RIGHT OF REVIEW AND APPEAL**

The applicant may request the council to review the determination. Such request must be made within twenty-eight (28) days of the above date of determination. The Council will review the determination and give notice to you as soon as practicable thereafter (see Local Government Act 1993, s.100)

If you are dissatisfied with Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, but if you do so the appeal must be made within twelve (12) months (see Local Government Act 1993, s.176)

Your attention is also directed to the provisions of s. 197 of the Local Government Act, which provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so. See the detailed provisions of that section.

#### **EXPLANATION OF TERMS**

##### **RISK CATEGORY (HIGH, MEDIUM, LOW)**

The risk category reflects the risk of the system in relation to the site where it is installed. The risk category may be increased due to proximity to water, size of the allotment, soil type, groundwater, slope, water supply and use.

##### **EXPIRY (1-5YEARS)**

The expiry date indicates the frequency of Council's inspections. The expiry is based on the risk category, system type and operational condition of the system. The frequency of inspections may be reduced on your next assessment by ensuring the system is operating efficiently and is well maintained.

## **APPENDIX 5 – GENERAL CONDITIONS FOR PUMPOUT SEPTIC SYSTEMS**

### GENERAL CONDITIONS FOR PUMPOUT SEPTIC SYSTEMS

The conditions set out in this approval apply to all owner/operators of on-site sewage management systems in the Upper Lachlan Shire Council Local Government Area. These may be varied after inspection by Council Officers to include site specific conditions for the improved operation and maintenance of individual systems.

#### **PUMPOUT (Effluent removal by tanker)**

1. The septic tank effluent holding well is to be emptied of effluent at such frequencies that will permit safe and health operating conditions as approved by Council.
2. The contents of the septic tank and effluent holding well are not permitted to overflow or be disposed of via any other method than removal to an Upper Lachlan Shire Council sewage disposal point by a Council approved effluent removal contractor.
3. Owners must submit an application to Council before carrying out work on their on-site wastewater management system and associated pipework that alters the design and operational characteristics of the system from that which was originally approved. Licensed tradesmen must carry out all such work.
4. Tanks should be maintained and inspected to ensure excessive sludge levels do not decrease the efficiency of septic treatment and disposal. Council recommends that tanks with an average family loading be desludged every five years.
5. Council must be notified of any failure of on-site sewage management systems that may result in pollution occurring or pose a risk to the public and environment.
6. A new application for approval to operate an on-site sewage management system must be submitted to Council by new owners of the property within two months of transfer of title.
7. Users of on-site sewage management systems must install and maintain all equipment considered necessary by Council Officers for the safe and efficient, storage, treatment, disposal, removal and transfer of wastewater and effluent.
8. All stormwater and seepage must be prevented from entering the septic tanks and holding wells.
9. A system of sewage management must be operated in a manner that achieves the following performance standards:
  - a. The prevention of the spread of disease by micro-organism;
  - b. The prevention of the spread of foul odours;
  - c. The prevention of contaminated water;
  - d. The prevention of the degradation of soil and vegetation;
  - e. The discouragement of insects and vermin;
  - f. Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned;
  - g. The minimisation of any adverse impacts on the amenity of the premises and surrounding lands;
  - h. If appropriate, provision for the re-use of resources (including nutrients, organic matter and water)
10. A system of sewage management must be operated:
  - a. In accordance with the relevant operating specifications and procedures; and
  - b. So as to allow the removal of any treated sewage (and any by-product of any sewage) in a safe and sanitary manner.
11. The sewage system must be maintained in a sanitary condition and must be operated in accordance with the relevant requirements of the Regulation.
12. The system must not discharge into any watercourse or onto any land other than its related effluent application area.
13. The system must be installed and operated in accordance with any conditions of accreditation issued by the Department of Health.
14. The person operating the system of sewage management must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Regulation and of the conditions of approval whenever Council reasonably requires a person to do so.
15. Council may carry out inspection at a frequency accorded to the assessed risk of the system, to determine compliance with the approval and fees may be charged for these inspections. These fees are specified in Councils Management Plan for the period in which the inspection is carried out.

#### **RIGHT OF REVIEW AND APPEAL**

The applicant may request the council to review the determination. Such request must be made within twenty-eight (28) days of the above date of determination. The Council will review the determination and give notice to you as soon as practicable thereafter (see Local Government Act 1993, s.100)

If you are dissatisfied with Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, but if you do so the appeal must be made within twelve (12) months (see Local Government Act 1993, s.176)

Your attention is also directed to the provisions of s. 197 of the Local Government Act, which provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so. See the detailed provisions of that section.

## **EXPLANATION OF TERMS**

### **RISK CATEGORY (HIGH, MEDIUM, LOW)**

The risk category reflects the risk of the system in relation to the site where it is installed. The risk category may be increased due to proximity to water, size of the allotment, soil type, groundwater, slope, water supply and use.

### **EXPIRY (1-5YEARS)**

The expiry date indicates the frequency of Council's inspections. The expiry is based on the risk category, system type and operational condition of the system. The frequency of inspections may be reduced on your next assessment by ensuring the system is operating efficiently and is well maintained.

## **APPENDIX 6 – GENERAL CONDITIONS FOR ON-SITE DISPOSAL, REED BEDS, AMENDED SOIL MOUNDS AND SAND FILTERS**

### GENERAL CONDITIONS FOR ON-SITE DISPOSAL, REED BEDS, AMENDED SOIL MOUNDS AND SAND FILTERS

The conditions set out in this approval apply to all owner/operators of on-site sewage management systems in the Upper Lachlan Shire Council Local Government Area. These may be varied after inspection by Council Officers to include site specific conditions for the improved operation and maintenance of individual systems.

#### **CONDITIONS:**

1. Owners must submit an application to Council before carrying out work on their on-site wastewater management system and associated pipework that alters the design and operational characteristics of the system from that which was originally approved. Licensed tradesmen must carry out all such work.
2. Tanks should be maintained and inspected to ensure excessive sludge levels do not decrease the efficiency of septic treatment and disposal. Council recommends that tanks with an average family loading be desludged every five years.
3. Effluent and sludge removal must be carried out by a Council approved effluent removal contractor and disposed at an Upper Lachlan Shire Council sewage disposal point.
4. Council must be notified of any failure of on-site sewage management systems that may result in pollution occurring or pose a risk to the public and environment.
5. A new application for approval to operate an on-site sewage management system must be submitted to Council by new owners of the property within two months of transfer of title.
6. Users of on-site sewage management systems must ensure the efficient treatment and disposal of waste by not placing in the system any substances that the system is not designed to handle or that may decrease the efficiency of the treatment or disposal process.
7. The disposal area must comply with Council requirements. Effluent must not be disposed above the ground surface.
8. The owner/occupier shall maintain any land disposal area in regard to adequate cover, elimination of weeds, maintenance of plants and shrubs.
9. Owners of on-site sewage management systems must install and maintain all equipment considered necessary by Council officers for the safe and efficient, storage, treatment, disposal, removal and transfer of wastewater and effluent.
10. All stormwater and seepage must be prevented from entering the septic tanks and be diverted where at higher levels away from on-site disposal areas.
11. Tanks and disposal fields should comply with recommended buffer zones from boundaries, waterways, dwellings, pathways, pools, dams, driveways and paths and groundwater bores.
12. A system of sewage management must be operated in a manner that achieves the following performance standards:
  - a. The prevention of the spread of disease by micro-organism;
  - b. The prevention of the spread of foul odours;
  - c. The prevention of contaminated water;
  - d. The prevention of the degradation of soil and vegetation;
  - e. The discouragement of insects and vermin;
  - f. Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned;
  - g. The minimisation of any adverse impacts on the amenity of the premises and surrounding lands;
  - h. If appropriate, provision for the re-use of resources (including nutrients, organic matter and water)
13. The sewage system must be maintained in a sanitary condition and must be operated in accordance with the relevant requirements of the Regulation.
14. A system of sewage management must be operated:
  - a. In accordance with the relevant operating specifications and procedures; and
  - b. So as to allow the removal of any treated sewage (and any by-product of any sewage) in a safe and sanitary manner.
15. The system must not discharge into any watercourse or onto any land other than its related effluent application area.
16. The system must be installed and operated in accordance with any conditions of accreditation issued by the Department of Health.
17. The person operating the system of sewage management must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Regulation and of the conditions of approval whenever Council reasonably requires a person to do so.
18. Council may carry out inspection at a frequency accorded to the assessed risk of the system, to determine compliance with the approval and fees may be charged for these inspections. These fees are specified in Councils Management Plan for the period in which the inspection is carried out.

### **RIGHT OF REVIEW AND APPEAL**

The applicant may request the council to review the determination. Such request must be made within twenty-eight (28) days of the above date of determination. The Council will review the determination and give notice to you as soon as practicable thereafter (see Local Government Act 1993, s.100)

If you are dissatisfied with Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, but if you do so the appeal must be made within twelve (12) months (see Local Government Act 1993, s.176)

Your attention is also directed to the provisions of s. 197 of the Local Government Act, which provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so. See the detailed provisions of that section.

### **EXPLANATION OF TERMS**

#### **RISK CATEGORY (HIGH, MEDIUM, LOW)**

The risk category reflects the risk of the system in relation to the site where it is installed. The risk category may be increased due to proximity to water, size of the allotment, soil type, groundwater, slope, water supply and use.

#### **EXPIRY (1-5YEARS)**

The expiry date indicates the frequency of Council's inspections. The expiry is based on the risk category, system type and operational condition of the system. The frequency of inspections may be reduced on your next assessment by ensuring the system is operating efficiently and is well maintained.

## **APPENDIX 7 – GENERAL CONDITIONS FOR CHEMICAL TOILETS, COMPOSTING TOILETS, SANITARY PANS AND PIT TOILETS**

### **GENERAL CONDITIONS FOR CHEMICAL TOILETS, COMPOSTING TOILETS, SANITARY PANS AND PIT TOILETS**

The conditions set out in this approval apply to all owner/operators of on-site sewage management systems in the Upper Lachlan Shire Council Local Government Area. These may be varied after inspection by Council Officers to include site specific conditions for the improved operation and maintenance of individual systems.

#### **CONDITIONS:**

1. Owners must submit an application to Council before carrying out work on their on-site wastewater management system and associated pipework that alters the design and operational characteristics of the system from that which was originally approved. Licensed tradesmen must carry out all such work.
2. Council must be notified of any failure of on-site sewage management systems that may result in pollution occurring or pose a risk to the public and environment.
3. A new application for approval to operate an on-site sewage management system must be submitted to Council by new owners of the property within two months of transfer of title.
4. Users of on-site sewage management systems must ensure the efficient treatment and disposal of waste by not placing in the system any substances that the system is not designed to handle or that may decrease the efficiency of the treatment or disposal process.
5. The owner/occupier shall maintain any land disposal area in regard to adequate cover, elimination of weeds, maintenance of plants and shrubs.
6. Owners of on-site sewage management systems must install and maintain all equipment considered necessary by Council officers for the safe and efficient, storage, treatment, disposal, removal and transfer of wastewater and effluent.
7. All stormwater and seepage must be prevented from entering the septic tanks and be diverted where at higher levels away from on-site disposal areas.
8. Tanks and disposal fields should comply with recommended buffer zones from boundaries, waterways, dwellings, pathways, pools, dams, driveways and paths and groundwater bores.
9. A system of sewage management must be operated in a manner that achieves the following performance standards:
  - The prevention of the spread of disease by micro-organism;
  - The prevention of the spread of foul odours;
  - The prevention of contaminated water;
  - The prevention of the degradation of soil and vegetation;
  - The discouragement of insects and vermin;
  - Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned;
  - The minimisation of any adverse impacts on the amenity of the premises and surrounding lands;
  - If appropriate, provision for the re-use of resources (including nutrients, organic matter and water)
10. The sewage system must be maintained in a sanitary condition and must be operated in accordance with the relevant requirements of the Regulation.
11. A system of sewage management must be operated:
  - a. In accordance with the relevant operating specifications and procedures; and
  - b. So as to allow the removal of any treated sewage (and any by-product of any sewage) in a safe and sanitary manner.
12. The system must not discharge into any watercourse or onto any land other than its related effluent application area.
13. The system must be installed and operated in accordance with any conditions of accreditation issued by the Department of Health.
14. The person operating the system of sewage management must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Regulation and of the conditions of approval whenever Council reasonably requires a person to do so.
15. Council may carry out inspection at a frequency accorded to the assessed risk of the system, to determine compliance with the approval and fees may be charged for these inspections. These fees are specified in Councils Management Plan for the period in which the inspection is carried out.

### **RIGHT OF REVIEW AND APPEAL**

The applicant may request the council to review the determination. Such request must be made within twenty-eight (28) days of the above date of determination. The Council will review the determination and give notice to you as soon as practicable thereafter (see Local Government Act 1993, s.100)

If you are dissatisfied with Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, but if you do so the appeal must be made within twelve (12) months (see Local Government Act 1993, s.176)

Your attention is also directed to the provisions of s. 197 of the Local Government Act, which provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so. See the detailed provisions of that section.

### **EXPLANATION OF TERMS**

#### **RISK CATEGORY (HIGH, MEDIUM, LOW)**

The risk category reflects the risk of the system in relation to the site where it is installed. The risk category may be increased due to proximity to water, size of the allotment, soil type, groundwater, slope, water supply and use.

#### **EXPIRY (1-5YEARS)**

The expiry date indicates the frequency of Council's inspections. The expiry is based on the risk category, system type and operational condition of the system. The frequency of inspections may be reduced on your next assessment by ensuring the system is operating efficiently and is well maintained.

## APPENDIX 8 – GENERAL CONDITIONS FOR WET COMPOSTING SYSTEMS

### GENERAL CONDITIONS FOR WET COMPOSTING SYSTEMS

The conditions set out in this approval apply to all owner/operators of on-site sewage management systems in the Upper Lachlan Shire Council Local Government Area. These may be varied after inspection by Council Officers to include site specific conditions for the improved operation and maintenance of individual systems.

#### CONDITIONS:

1. Owners must submit an application to Council before carrying out work on their on-site wastewater management system and associated pipework that alters the design and operational characteristics of the system from that which was originally approved. Licensed tradesmen must carry out all such work.
2. A qualified service agent shall maintain the system annually, checking all mechanical, electrical and functioning parts including:
  - All pumps
  - The alarm system
  - The treatment system
  - The effluent disposal areaThe service agent must forward a copy of the service report to Council.
3. Effluent and sludge removal must be carried out by a Council approved effluent removal contractor and disposed at an Upper Lachlan Shire Council sewage disposal point.
4. The disposal area must comply with Council requirements. Effluent must not be disposed above the ground surface.
5. Council must be notified of any failure of on-site sewage management systems that may result in pollution occurring or pose a risk to the public and environment.
6. A new application for approval to operate an on-site sewage management system must be submitted to Council by new owners of the property within two months of transfer of title.
7. Users of on-site sewage management systems must ensure the efficient treatment and disposal of waste by not placing in the system any substances that the system is not designed to handle or that may decrease the efficiency of the treatment or disposal process.
8. The owner/occupier shall maintain any land disposal area in regard to adequate cover, elimination of weeds, maintenance of plants and shrubs.
9. Owners of on-site sewage management systems must install and maintain all equipment considered necessary by Council officers for the safe and efficient, storage, treatment, disposal, removal and transfer of wastewater and effluent.
10. All stormwater and seepage must be prevented from entering the septic tanks and be diverted where at higher levels away from on-site disposal areas.
11. Tanks and disposal fields should comply with recommended buffer zones from boundaries, waterways, dwellings, pathways, pools, dams, driveways and paths and groundwater bores.
12. A system of sewage management must be operated in a manner that achieves the following performance standards:
  - The prevention of the spread of disease by micro-organism;
  - The prevention of the spread of foul odours;
  - The prevention of contaminated water;
  - The prevention of the degradation of soil and vegetation;
  - The discouragement of insects and vermin;
  - Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned;
  - The minimisation of any adverse impacts on the amenity of the premises and surrounding lands;
  - If appropriate, provision for the re-use of resources (including nutrients, organic matter and water)
13. The sewage system must be maintained in a sanitary condition and must be operated in accordance with the relevant requirements of the Regulation.
14. A system of sewage management must be operated:
  - a. In accordance with the relevant operating specifications and procedures; and
  - b. So as to allow the removal of any treated sewage (and any by-product of any sewage) in a safe and sanitary manner.
15. The system must not discharge into any watercourse or onto any land other than its related effluent application area.
16. The system must be installed and operated in accordance with any conditions of accreditation issued by the Department of Health.
17. The person operating the system of sewage management must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Regulation and of the conditions of approval whenever Council reasonably requires a person to do so.



18. Council may carry out inspection at a frequency accorded to the assessed risk of the system, to determine compliance with the approval and fees may be charged for these inspections. These fees are specified in Councils Management Plan for the period in which the inspection is carried out.

#### **RIGHT OF REVIEW AND APPEAL**

The applicant may request the council to review the determination. Such request must be made within twenty-eight (28) days of the above date of determination. The Council will review the determination and give notice to you as soon as practicable thereafter (see Local Government Act 1993, s.100)

If you are dissatisfied with Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, but if you do so the appeal must be made within twelve (12) months (see Local Government Act 1993, s.176)

Your attention is also directed to the provisions of s. 197 of the Local Government Act, which provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so. See the detailed provisions of that section.

#### **EXPLANATION OF TERMS**

##### **RISK CATEGORY (HIGH, MEDIUM, LOW)**

The risk category reflects the risk of the system in relation to the site where it is installed. The risk category may be increased due to proximity to water, size of the allotment, soil type, groundwater, slope, water supply and use.

##### **EXPIRY (1-5YEARS)**

The expiry date indicates the frequency of Council's inspections. The expiry is based on the risk category, system type and operational condition of the system. The frequency of inspections may be reduced on your next assessment by ensuring the system is operating efficiently and is well maintained.

**APPENDIX 9 – INSPECTION SHEET**

# Upper Lachlan Shire Council



## Application to Operate an On-site Sewage Management System

*(Local Government Act, 1993 Section 68 Part C Item 6)*

**EP6**

**Administration Centre, 44 Spring Street, Crookwell**

**Telephone (02) 4830 1000 \* Fax (02) 48301045 \* Post: PO Box 10, Crookwell 2583**

|                                 |                     |
|---------------------------------|---------------------|
| <i>Application Fee:</i> \$30.00 | <i>Receipt No.:</i> |
|---------------------------------|---------------------|

**DESCRIPTION OF LAND TO WHICH APPLICATION RELATES**

|            |             |           |
|------------|-------------|-----------|
| Street No: | Street:     | Locality: |
| Lot(s):    | Section:    | DP:       |
| Parish:    | Dimensions: | Area:     |

**OWNERSHIP AND APPLICANT DETAILS**

|                                  |                  |
|----------------------------------|------------------|
| Owners Name:                     | Phone:<br>(Work) |
| Postal Address:<br><br>Postcode: | (Home)           |

**Owners Declaration**

I/We, the undersigned are the owner(s) of the property described in this application and consent to its lodgement. I/We hereby permit a duly authorised officer of the Upper Lachlan Shire Council to enter the land or premises to carry out inspections as required for the administration of the Act(s), Regulations or Planning Instruments.

**All owners must sign.**

Signature of Owner(s) \_\_\_\_\_

Date \_\_\_\_\_

|                                  |                  |
|----------------------------------|------------------|
| Applicants Name:                 | Phone:<br>(Work) |
| Postal Address:<br><br>Postcode: | (Home)           |

Signature of Applicant(s)(Company Seal) \_\_\_\_\_

Date: \_\_\_\_\_

**DEVELOPMENT APPLICATION NUMBER FOR THE DWELLING:** \_\_\_\_\_

**TYPE OF SYSTEM**

- \* Septic Tank with - Absorption trench  
Transpiration Area  
Pump Out
- Aerated Waste Treatment System (AWTS)
- Wet Composting Toilet
- Cesspit (Pit Toilet)
- Waterless Composting Toilet
- Greywater Treatment Device
- Collection Well
- Other

Please specify \_\_\_\_\_

Size of the Tank: \_\_\_\_\_ (Litres)

Type of Tank (manufacturers details) \_\_\_\_\_

What is the size of the property? \_\_\_\_\_ sqm/ha

Number of people in the dwelling \_\_\_\_\_ Number of Bedrooms \_\_\_\_\_

Is the dwelling connected to reticulated water supply?  Yes  No

Where is the irrigation area or absorption area?

Lawn \_\_\_\_\_ Permanent landscaped area \_\_\_\_\_ Garden \_\_\_\_\_

Other (Please Specify) \_\_\_\_\_

What is the size of the absorption trenches? \_\_\_\_\_

How far is the on-site sewage management system from a:

Dam \_\_\_\_\_ m Road \_\_\_\_\_ m Property Boundary \_\_\_\_\_ m

River \_\_\_\_\_ m Well \_\_\_\_\_ m Creek \_\_\_\_\_ m

Major Gully System \_\_\_\_\_ m Bore \_\_\_\_\_ m

Other sensitive environments (Please Specify) \_\_\_\_\_

On what type of soil is your on-site management system located

Sand  Loam  Clay

Sandy Loam  Alluvial  Gravel

Is the disposal site subject to local or river flooding? \_\_\_\_\_

**LOCATION DIAGRAM** (Showing the site boundaries, dwellings, location of the tank and absorption area)

