

On Site Sewage Management Systems (OSSMS) Policy

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Environmental Health Officer
Section/Service Unit	Development, Building and Compliance
Next Review Date	Four years from adoption

Version Control

Ref	Date	Description	Resolution Number
0.1	26-05-2020	Presented to Council for Adoption.	121/2020
		Presented to Council to facilitate public exhibition process.	

Purpose

Effective management of domestic sewage and wastewater where there is no direct discharge to reticulated sewer is an important consideration for the public health of Cootamundra-Gundagai Regional Council residents and the environment in which they reside. It requires the active involvement of both the Council and landholders.

Scope

This Policy will apply to any On-site Sewage Management Systems (OSSMS), Domestic Greywater Treatment System (DGTS) and Greywater Diversion Devices (GDD) that hold, process, or re-use or otherwise dispose of sewage or by-products of sewage and are not specifically regulated under a pollution control licence issued by the Environment Protection Authority.

The systems covered by this Policy will include a wide range of public, commercial and domestic sewage management facilities.

The following wastewater treatment devices are all classed as OSSMS:

- Septic tank and absorption trenches.
- Septic tank and evapo-transpiration areas.
- Aerated wastewater treatment systems.
- Septic tank to pump out.
- Dry composting toilets and grey water treatment systems.
- Wet composting toilets and subsurface application systems.
- Septic tank and constructed wetlands.
- Septic tank and soil mound systems.
- Package treatment plants.
- Any other system that stores, treats and/or disposes of sewage and wastewater on-site.

Objectives

This Policy and related Procedures has been developed to guide Cootamundra-Gundagai Regional Council to assess and regulate the design, installation, operation and maintenance of new and existing on-site sewage management systems.

The objectives of the On-site Sewage Management Policy are to:

- Guide landholders towards sustainable on-site management of domestic sewage and wastewater;
- Protect and enhance public health and the environment;
- Enable efficient regulation and monitoring of on-site sewage management systems; and
- Maintain compliance to Legislation and Regulation in NSW.

Application requirements for new installations or modifications to existing systems

All systems must be designed in accordance with AS/NZ 1547:2012 *On Site Domestic Wastewater Management*, AS/NZ 1546.1 and the Environment & Health Protection Guidelines *On Site Sewage Management for Single Households (Jan 998)* ('Silver Book').

The On Site Sewage Management System to be installed or constructed must be accredited by the NSW Department of Health.

1. Subdivision and Rezoning

A Land Capability Assessment and System Design Report will be required for all applications on land areas less than 1ha, or when the land is impacted by environmental constraints (biodiversity, flood impacted, proximity to watercourses).

The Land Capability Assessment and System Design Report for on site effluent disposal, is to be prepared in accordance with AS/NZ 1546.1, by a geotechnical engineer, soil geologist, soil scientist or other suitably qualified and competent person, experienced in on-site effluent disposal.

The scale of information contained in a land capability assessment may vary, depending on the size and nature of the proposed development. The land capability assessment is a document written in a report format and contains sufficient details for Council to make an informed decision about the proposal.

The Report shall provide the following:

- A site assessment of the subject property and soil capabilities with regard to its suitability for the disposal of effluent on each of the proposed allotments that make up the subdivision. Hydraulic loading, wet weather storage, water and nutrient balance shall be included in the calculations. Calculations are to be included in the report.
- Soil test results in accordance with *The Environment and Protection Guidelines 1998 - On-Site Sewage Management for Single Households* and AS/NZS 1547:2012 for each allotment from the registered NATA laboratory used to test the soil.
- Assessment of cumulative environmental impacts for multi lot subdivisions.
- Mitigation measures where moderate or major limitations are identified within the soil parameters, or to address environmental or site constraints.
- Recommended system methodology including recommended disposal envelopes, bunding or diversion earthworks.
- A contoured Site Plan, drawn to scale, identifying:
 - location of proposed disposal fields;

- location and distances from all boundaries;
- location of any structures and environmentally sensitive areas i.e. trees and permanent/intermittent watercourses, and groundwater bores, located on any land located within 100m of the OSSMS;
- flood height data (if flood impacted); and
- landscaped mitigation requirements.

2. Install or Alter

Applications to install a new OSSMS or alter an existing OSSMS in the Cootamundra-Gundagai Regional Council shall be on Council's prescribed form and accompanied by the fee identified in Council's fees and charges. Applications are to be accompanied by the following information:

- Site plan (drawn to scale) clearly identifying the location of the OSSMS and Effluent Management Area displaying:
 - Distances from all neighbouring boundaries, permanent and intermittent watercourses, waterbodies and domestic groundwater bores and wells;
 - Distances from dwellings and outbuildings (including pools and domestic water tanks); and
 - Any landscaping design required for surface irrigation fields.
- Manufacturers specification and NSW Health Accreditation certificate;
- Calculations for the disposal area sizing; and
- Site and Soil Assessment Report (GEOTEC) **
 The report is to be prepared by an experienced and appropriately qualified wastewater consultant and in accordance with AS/NZS 1547:2012. The Report will include a Land Capability Assessment and the proposed system design – including (but not limited to) system type, location, size, EMA and any mitigation measures.

****NOTE:** A Land Capability Assessment and System Design Report will be required for all applications on land areas less than 1ha, or when the land is impacted by environmental constraints (biodiversity, flood impacted, proximity to watercourses).

Approval to operate an On Site Sewage Management System

Section 68 of the Local Government Act requires that each OSSMS in use has an Approval to Operate. The Approval to Operate will only be issued, where the installation and operation complies with the requirements of Section 68 of the *Local Government Act 1993* and the objectives of the OSSMS Policy. The initial approval to operate shall only be issued after the final inspection and prior to commissioning the OSSMS.

An Approval to operate an OSSMS will be issued upon satisfactory inspection of each facility or where the service history indicates the system is regularly serviced and is in good working order. The schedule for renewal will be assessed and issued on the basis of risk and system functionality.

Change of Ownership - The Local Government Act states that the approval to operate is not transferable to new owners and must be renewed within a period of 3 months after the date on which the land is transferred or otherwise conveyed to another owner.

New Systems

An Approval to Operate an on-site sewage management application shall be applied for as part of a Final Occupancy Certificate (where applicable). The Approval and lapse date will be issued based on Risk Factors (Table 1).

Monitoring and Inspection Program

Council will implement a monitoring program of existing systems to ensure that these systems meet the environmental and health performance objectives set out in the Policy. The monitoring program will involve monitoring service documentation, and an inspection schedule based on risk factors and operational status.

Risk Factors

Initial Assessment

All OSSMS will initially be assessed based on a desktop audit of Risk Factors (Table 1). High Risk systems will be a priority and scheduled for inspection first. Following an inspection, the Approval renewal and inspection schedule will be based on Risk and System Functionality (Table 2).

Initial inspection Frequency based on Risk Factors only:

HIGH	every 1-3 years
MEDIUM	every 4-6 years
LOW & NEGLIGIBLE	every 7-10 years

Irrespective of risk rating, all systems will be inspected on receipt of any complaint.

Commercial systems

All commercially used properties operating an OSSMS will be classed as HIGH risk. The frequency of inspections will be based on assessments at the time of the first inspection.

Table 1: Risk Factors

RISK ASSESSMENT FACTORS	LEVEL OF RISK		
DOMESTIC			
Land area	<2Ha 4	2Ha - <4Ha 2	4-100Ha = 1 >100Ha = 0
Distance from water bodies	<40m to depression/gully/dam/intermittent water supply or <100m to permanent surface water 4	40-100m to depression/gully/dam/intermittent water supply or 100-150m to permanent surface water 2	>100m to depression/gully/dam/intermittent water supply or >150m to permanent surface water 0
Water supply	Access to reticulated supply 2		No Access to reticulated supply 0
Proximity to human activity (buildings/recreational lawn/property boundaries etc.)	<6m 2	6-12m 1	>12m 0
Slope	Steep >20% 3	Undulating / Sloping 10-20% 2	Flat <10% 1
Soil type	Non dispersive 3	Moderately dispersive 2	Highly Dispersive 1
Nearest bore	<250m 1		>250m 0

HIGH RISK (12-19)

All Commercial Properties (including farmstay and tourist accommodation), all pump out systems and all systems located in a flood affected area will be considered HIGH risk regardless of any mitigation measures.

MEDIUM RISK (7-12)

Aerated Wastewater Treatment Systems (AWTS) have inherent risks if not maintained and monitored regularly to ensure that the system is working, and that secondary disinfection is taking place. All AWTS systems will be considered a minimum of MEDIUM risk.

LOW RISK (4-7)

Risk categories may be reduced if mitigation works are undertaken/implemented to reduce risks to the environment i.e. audio and visual alarms on collection wells, maintenance of protection zones, or reduction in hydraulic loading

NEGLIGIBLE (0-3)

System Functionality

Following the first inspection, assessment of System Functionality and Risk Rating will determine subsequent Approval renewal and inspection schedule.

Table 2: Approval to Operate and Inspection Frequency

		RISK RATING			
		NEGLIGIBLE	LOW	MEDIUM	HIGH
SYSTEM FUNCTIONALITY	EXCELLENT	EXEMPT	EXEMPT	5-10 years	3 years
	SATISFACTORY	10 years EXEMPT	5-10 years	3-5 years	1-3 years
	BELOW AVERAGE	5 years	3 years	2-3 years	1 year
	POOR	1 year	1 year	Repairs then 1 year	Repair and reinspection

NOTE: Negligible and Low risk OSSMS that are found to be in excellent condition and operational status will be issued with a 10-year Approval to Operate and will be exempt from the inspection schedule.

Inspection and Compliance

Inspections will be undertaken in accordance with the relevant risk assessment and the Approval to Operate.

In the case of complaint investigation, Council may exercise relevant powers of entry to a property pursuant to the provisions of the Local Government Act and Regulation. Where warranted, Orders under the provisions of the Protection of the Environment Operations Act or Local Government Act and Regulation may be served as necessary.

Where rectification works are required, the owner will be advised on site and with follow up in writing of rectification works required. A timeframe for the completion of the required works will be provided.

If the owner is unable to complete any required works due to financial hardship, Council may exercise appropriate discretion and take account of factors such as capacity to pay, risks posed and timeframe given for compliance.

If an OSSMS, that is located within 75 metres of a sewer of Council, fails and requires replacement then Council may require connection of sanitary drainage to the sewer infrastructure, as necessary, under the provisions of the Local Government Act.

Where ongoing defective systems are detected, site specific management plans will be formulated with the owner/occupier to resolve relevant issues. Where these measures fail, Orders for compliance may be served on the owner or operator under the provisions of the Local Government Act and Regulation.

Where Council determines that the owner or occupier of a system has deliberately or willfully altered any part of the system that causes pollution of the environment, or there is an immediate threat to public health, Council may issue a clean-up notice under the provisions of the *Protection of the Environment Operations Act 1997*.

Where a Notice or Order has been issued and not complied with, Council may issue a Penalty Infringement Notice and instigate any further actions as deemed necessary or appropriate under the provisions of the Local Government Act and Regulation to prevent further environmental or public health risk

Fees and Charges

The fees and charges issued by Council for the approval to install, alter and operate OSSMS are issued to the owner of the property. Fees and charges relevant to OSSMS approvals and inspections are included in Council's Operational Plan – Schedule of Fees and Charges. All fees and charges are issued in accordance with section 608 of the Local Government Act 1993.

Legislative Framework (Relevant Legislative, Australian Standards, Code of Practice etc.)

Local Government Act 1993

Local Government (General) Regulation 2005

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

Protection of the Environment Operations Act 1997

This Policy must be read in conjunction with the most current additions or revisions of the following:

- NSW Department of Local Government 1998, *Environment and Health Protection Guidelines: On-Site Sewage Management for Single Households*.
- *Department of Energy, Utilities and Sustainability: NSW Guideline for Greywater Reuse in Sewered Single Household Residential Premises, 2007*
- AS/NZS 1547:2012 On-Site Domestic Wastewater Management
- AS/NZS 1546.1:2008 On-Site Domestic Wastewater Treatment Units – Septic Tanks
- AS/NZS 1546.2:2008 On-Site Domestic Wastewater Treatment Units – Waterless Composting Toilets
- AS/NZS 1546.3:2008 On-Site Domestic Wastewater Treatment Units – Aerated Wastewater Treatment Systems
- AS/NZS 3500 Plumbing and Drainage

Related CGRC Policies, Procedures and Forms

OSSMS Policy Implementation and Program Monitoring Procedure

Review Period

This document is to be reviewed every four (4) years to ensure that it remains relevant and meets legislative requirements.

Policy Statement

This policy outlines Council's commitment to domestic sewerage and wastewater management in unsewered areas and defines how the risks associated with On-Site Sewage Management Systems (OSSMS) are monitored and managed within the Cootamundra-Gundagai Regional Council Local Government Area (LGA).

The Policy and associated Procedures provide a management framework which allows Council to effectively regulate OSSMS and ensure that any public health and environmental risks are effectively reduced.

In implementing the OSSMS Policy, Council will endeavour to:

- Establish and maintain a current database of all OSSMS;
- Work with owners and operators of OSSMS to educate and raise awareness of their responsibilities and expectations for the operation and management of OSSMS;
- Ensure transparency, consistency and fairness in Council's functions in relation to OSSMS;
- Establish and undertake a risk-based inspection and monitoring program to ensure that systems comply with legislative requirements.