

**Supplementary
Submission**

No 29a

INQUIRY INTO MANAGEMENT OF DOMESTIC WASTEWATER

Organisation: Septic Tank Action Group

Name: Mr Malcolm Hunter

Position: Chairman

Date Received: 11/01/2012



Submission to the Inquiry into the Management of Domestic Wastewater

The Hunter, Central and Lower Mid North Coast Septic Tank Action Group (STAG) comprises of fifteen member Councils that regularly meets to discuss and share resources and issues relating to the management of on-site sewage management systems on a quarterly basis.

The Group has been active since amendments were made to the Local Government Act in 1998, under the Local Government on-site sewage management reforms, and has developed and implemented beneficial policy and procedures and training packages for member Councils.

The group welcomes the inquiry into the management of domestic wastewater, as it has been our belief that the management of on-site sewage management systems has not received the on-going support required from State Government agencies to ensure local Council's have the support and resources to adequately management on-site sewage management issues within Local Government.

However, we thank you for this opportunity to raise the following issues with you and look forward to discussing these matters in the near future. If you require any further information regarding this matter, please do not hesitate to contact me on (02) 6591 7386.

Yours Faithfully

Malcolm Hunter
Chairman STAG
Environmental Health Coordinator
Great Lakes Council
Breeze Parade
FORSTER NSW 2324



Issue: *Maintenance of OSMS*- It is the belief of group member Councils that the servicing of AWTS systems should be a process of accreditation. It is not acceptable that individual Council's be responsible for the assessment of the private contractors who engage in the servicing of these systems. Evidence shows that the depth, knowledge and understanding of servicing agents varies significantly throughout the Hunter, Central and Mid North Coast regions. There is significant variation between individual Council's in the assessment of adequate servicing agents. NSW Council's do not demonstrate consistency in the approval of these contractors who may operate in several different local government areas. What may be acceptable to one Council area may differ to another.

Solution: It is the group's belief that one State Government organisation be responsible for the accreditation of private contractors who intend on servicing AWTS. The responsibility should be held with the Department of Fair Trading or NSW Health (NSW Health are subsequently also responsible for the accreditation of individual AWTS models and types). This would allow private servicing contractors to adhere to more stringent professional standards, guarantee consistency and ensure that AWTS are serviced in accordance with NSW Health accreditation requirements.

Issue: *AWTS Servicing Reporting Requirements*- Individual servicing contractors are required to copy Council's in on servicing reports for specific operational systems. This type of reporting varies significantly between servicing contractors, as different makes and models of AWTS also vary significantly in their operation and maintenance requirements. This proves to be a timely and expensive process for Council's to record and maintain databases on servicing reports, as individual servicing reports need to be assessed and identified issued need to be recorded and responded to. Servicing reports vary significantly in all aspects of maintenance requirements and often do not comply with the maintenance requirements as stipulated in the NSW Health accreditation certificate for individual systems.

Solution: A state wide reporting system should be developed, similar to the NSW Department of Planning. NSW Planning are in the final stages of developing an electronic portal that allows owners, builders and developers to access Council's computer database that maintains relevant development records. A similar electronic reporting system should be developed by State Government to allow servicing contractors to integrate the submission of servicing reports to each Council's electronic management system. Once developed, such a reporting system would save Council's and private contractors considerable time and money in the service reporting submission and in the monitoring and recording of submitted reports.

The use of bar codes is a developing technology that has the potential to be incorporated into a similar electronic reporting system as outlined above. State Government should investigate how the use of bar codes could be included in the centralised reporting and servicing of AWTS.

Issue: *Responsibility of AWTS Installers*- Dependant on the type of system installed, the disposal area may or may not be within the field of expertise of the treatment tank installer. This on many occasions requires a land owner to organise their own disposal area installation and poses implications for the owner and Council in ensuring compliance with current OSMS guidelines, conditions of installation consent,

legislation, and in turn the occupation of the dwelling. It has been committee members experience that at the final installation inspection of OSMS, the discharge irrigation line from the treatment tank is left lying on the ground.

Solution: Division of Local Government to develop solution to this ongoing issue.

Issue: *Environmental Health Protection Guidelines for Single Households*- The current document was published in 1998 and has been in review for several years. These guidelines help provide Councils with direction and support in preparing and administering their On-site Sewage Management Strategy's and the review is long over-due.

Solution: Finalise the review of the 1998 guidelines and publish immediately.

Issue: *Accreditation of Enhanced Effluent Treatment Systems*- NSW Health has the responsibility of accrediting OSMS in accordance with the Local Government (General) Regulation 2005. Council may not approve the installation of an OSMS unless the Council is satisfied that the facility is accredited with NSW Health. This requirement must also be extended to other types of advanced treatment devices such as Sand Filters, Amended Media Filters and the like, as there is no standard design parameter for these types of systems.

Solution: NSW Health should also accredit any device that forms part of the OSMS, including methods of effluent disposal, in a similar way to the accreditation of the treatment tank. This will allow a consistent approach to how these advanced systems are installed and operated.

Issue: *OSMS Installed without Prior Consent*-Consent must be obtained from the Local Authority under s68 of the Local Government Act 1997, prior to the installation of any OSMS. If consent is not obtained prior to installation, then the only option available to Council is to require the removal of the system even if it would normally be approved.

Solution: That the Division of Local Government develop a clear and concise protocol guideline to give Councils a consistent approach in relation to this matter.

Issue: *Financial Hardship of Owners/operators of OSMS*-Financial hardship is of major concern to owners and operators of OSMS who may have to undertake expensive replacement costs to ensure that their OSMS complies with relevant local and state requirements. Council's run the risk of financing these works with no easy or clear process on how to re-coup associated work costs, other than property debt. Many Council's have growing lists of OSMS that have been identified as failing with lengthy delays to rectify the system, due to financial hardship, whilst risks to the public and the environment continue.

Solution: It is recommended that the Division of Local Government make available funding for individual Council's as an emergency fund to allow remediation of high risk systems that have been identified as failing (where financial hardship is demonstrated by owners/operators) so that these systems can be upgraded and/or

repaired in a timely manner, so that risks to the environment and public health are minimal.

Issue: *Information to Accompany an Application to Install and OSMS*- The Local Government (General) Regulation prescribes what information is to accompany and application to install an OSMS. Most Council's require a Geotechnical or Land Capability Assessment Report to be submitted to support an application. However, there is no accreditation or minimum qualification requirement for the submission of these reports, creating significant variation in such reports. One particular consultant will generally come up with something completely different to the next consultant in the assessment of the same allotment, leading to poorly designed and unsustainable OSMS installed.

Solution: The Local Government (General) Regulation should be more prescriptive in the level of reporting required to accompany an application to install and should require consultants to have a minimum prescribed qualification. This will ensure that all consultants that specialise in site assessments report on the same thing, using standard figures and calculations.

Issue: *Adequate Training in the Installation, Operation and Maintenance of OSMS for Council staff*.- Local Council officers often lack the experience, knowledge or technical expertise in being able to adequately assess the installation and performance requirements of the various types of commercial, industrial and domestic OSMS installed and operating in their local government areas.

Solution: The Division of Local Government should develop affordable and specific training aimed at Council staff who assess OSMS. This training should be run frequently at minimal costs to Council's and cover all relevant issues faced by Council in its regulatory role.

Issue: *Assessment of Large Scale OSMS*- Similar to that stated above, Council staff often lack the experience, knowledge and technical expertise in assessing installation and performance requirements of larger scale systems (many of which were previously regulated by the EPA). Council's mainly rely on AS1547:2000 for guidance on the installation and operation requirements of domestic systems. However, AS1547:2000 is designed for the installation and operation of domestic type systems. There are no single guidelines available for larger scale systems.

Solution: The installation, operation and maintenance of larger scale systems (ie > 10 ep/d) should be regulated by EPA, as they have more resources and technical ability than individual Councils. Furthermore, technical documents should be formulated that standardises the typical larger scale systems design, operation and maintenance requirements, similar to AS 1547:2000.

Issue: *Role of Water Authorities in Council areas with minor OSMS*- Some Council's are not the local water authority and experience difficulty in trying to work with local water authorities for assistance in getting smaller groups of properties with failing OSMS connected to sewer, even when the sewer may be in reasonably close proximity to these premises.

Solution: In local government areas where Council is not the local water authority and where OSMS are in significantly lower proportional numbers, it is our belief that the local water authority should also be responsible for the management of these systems, relieving Council's of this burden.



Ref: Inquiry Submission
DJT

06 January 2012

Mr Malcolm Hunter
Chairman STAG
Environmental Health Coordinator
Great Lakes Council

Dear Mr Hunter

**RE: COMMITTEE ON ENVIRONMENT AND REGULATION
INQUIRY INTO THE MANAGEMENT OF DOMESTIC WASTEWATER**

Reference is drawn to our most recent discussions undertaken by the Septic Tank Action Group on 30 November 2011.

As a member of the Septic Tank Action Group, Kempsey Shire Council supports the group submission made to the Committee on Environment and Regulation for the Inquiry into the Management of Domestic Wastewater.

Yours faithfully

Daniel Trotter
ENVIRONMENTAL OFFICER
SUSTAINABLE ENVIRONMENT