NSW Onsite Wastewater Management Guidelines, 2025

Training for Regulators and Designers

Strategic functions

Who is responsible for OWM?

- "Councils are the authority responsible for approval and regulation of the majority of OWMS in NSW, with the exception of accreditation of Sewage Management Facilities (SMF), which is managed by NSW Health, and OWMS classed as scheduled activities, which are regulated by the NSW Environment Protection Authority (EPA).
- The approval and regulation of OWMS on land owned by the state or federal governments is managed by the relevant department and Minister." (p14)

Sections 1 – 3 Let's get strategic!

- OLG has recommended that councils seek their own legal advice on the interpretation of legislation
- The Guidelines provide:
  - Section 1 – A summary of relevant legislation
  - Section 2 – Useful tools to update a council's OWM strategy (or policy, etc)
  - Section 3 – Explanation of some of the OWM operational strategies

Legislative responsibilities

- Local Government Act and LG (General) Regulation (OWM duties, functions and powers)
- Protection of the Environment Operations Act (pollution control and environmental protection licenses)
- Environmental Planning and Assessment Act (development and land use planning)

OWM, planning and development

- Table 1-1 provides the key stages for OWM in the planning process, from regional strategies to DAs
- Consideration of OWM at all stages of planning and development will reduce constraints later in the development process

Useful tools for OWM strategies

- A council's OWM strategy should provide a clear statement of a council's processes and expectations relating to OWM within the LGA
- Guidance on OWM and development, local approvals and regulatory processes
- Implementation and resourcing for OWM programs
- Provide owners and developers with guidance on their OWM responsibilities and details required to support an OWM application

Useful tools

- Applications – set out minimum standards for different development application types or constrained sites and non-domestic OWM
- Monitoring program – process, risk categories, inspection frequency, resourcing (staff, charges)
- Compliance and enforcement - tie OWM back into the council's existing policies or set out a policy
- Education for stakeholders – council staff, owners, operators, designers, installers

Operational Strategies

- Table 3-1 - Responsibilities for OWM
  - Planners, OWM team, developers, designers, installers, owners
- Process flow chart examples
  - Application process (Figure 3-1)
  - Installation inspection (Figure 3-2)
  - Monitoring program (Figure A8-1)

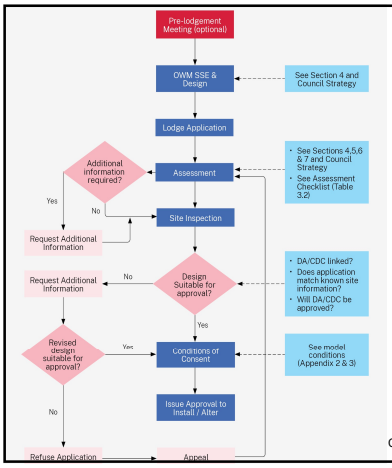

Figure 3-1 Application Process (Install / Alter)

Operational Strategies

- Application assessment checklist (Table 3-2)
  - Go through the handout of the checklist for the scenario
  - We will go through the site and soil evaluation, buffer assessment and system sizing steps in the following sessions

OWM treatment systems

- Accreditation of sewage management facilities
  - NSW Health – 10EP or <2,000L/day
  - Exceptions – LG Regulation (s.36 – performance standards) and sections 40-41 on accredited SMF and exemptions
  - AS1546.3:2017 certified – <5,000L/day
- AWTS servicing – Owner responsibility only
  - Control through conditions of approval

Operational monitoring program

- An operational monitoring program is a balance of public health and environmental benefit versus resourcing and charges = risk management
- Risk categories + inspection frequencies + other compliance inspections = number of annual inspections + required resourcing = OWM charges
- Risk categories can be used to zone inspections for efficiency, or they can be site specific
  - LEP zones, lot size, buffers, site constraints, development type or daily flows

Annual inspections

- Application inspections (2-3 per application)
- Operational inspections (risk rating v inspection frequency (1-10 years) = 10-100% of the systems inspected each year)
- Reinspections (application and operational) 1-50% failure rate, depending on situation
- Complaint investigation (time and resources)
- How many inspections can be completed and processed per year (prep, inspection, follow-up)?

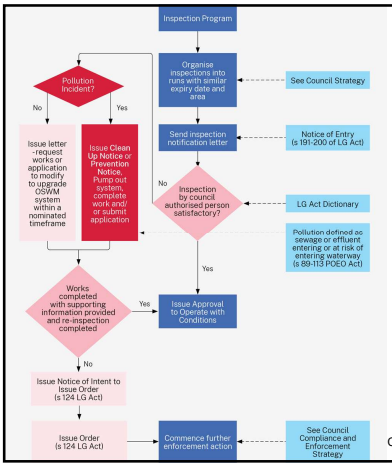

Figure A8-1 Monitoring Program Process

Compliance and enforcement

- "The most effective regulatory tool is the approach that gets compliance and reduces the incidences of re-offending, which depends on the issue, the offender and context. Use of regulatory discretion and alternative options can sometimes provide the best outcomes with the least amount of conflict."
- Use of non-statutory tools (education, advisory letters) and statutory tools (notices and orders)
- Use of enforceable approval conditions improves compliance outcomes

Going forwards – Procedures

- Development and use of procedures for the application and monitoring processes will simplify, standardise and make the process more equitable
- Procedures take the guesswork out of the process and what steps are to be followed
- Procedures can cover receipt of applications; assessment of applications; installation inspections; operational inspections; follow-up
- Update procedures regularly to keep them relevant