


NSW Onsite Wastewater Management Guidelines, 2025

Training for Regulators and Designers

Strategic functions

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Who is responsible for OWM?

- Councils are the authority responsible for approval and regulation of the majority of OWMS in NSW
- Exceptions
 - NSW Health – accreditation of Sewage Management Facilities (SMF) (NSW Health)
 - NSW Environment Protection Authority (EPA) – OWMS classed as scheduled activities
 - State or federal government owned land – relevant Department and Minister (Section 1)

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Sections 1 – 3 Regulating OSM

- The Guidelines provide:
 - Section 1 – A summary of relevant legislation
 - Section 2 – A summary of useful tools to update a council's OWM strategy (or policy, etc.)
 - Section 3 – Explanation of some of the OWM operational strategies
 - Appendix 8 – Model OWM Strategy
- OLG has recommended that councils seek their own legal advice on the interpretation of legislation

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Legislative responsibilities (S.1)

- Local Government Act and LG (General) Regulation (approvals, orders, entry to land, delegation of functions, staff conduct, financing, offences, enforcement)
- Protection of the Environment Operations Act (pollution control, notices and environmental protection licenses)
- Environmental Planning and Assessment Act (development and land use planning)

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OWM, planning and development (S.1.5)

- OWM becomes problematic when wastewater provision isn't incorporated into planning documents, and addressed adequately at each stage of development
- Planning documents could refer to the current OWM strategy, rather than duplicating information
- Table 1-1 provides the key stages for OWM in the planning process; from regional strategies to DA
- Sections 4.1 and 4.2 give detail on site and soil evaluation for each level

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OWM strategy tools

- Sections 2 and 3 and Appendix 8
- 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
- Resourcing and implementation for OWM program
- Provide guidance on OWM responsibilities and details required to support an OWM application

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OWM stakeholder responsibilities (S.3.2 Table 3-1)

- Council / regulator (planners, OWM team)
- Developers
- Owners and occupants
- Designers
- Installers
- Service providers, pump out contractors
- NSW Health, OLG, IPART

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OWM strategy tools - Approvals

- Approvals applications – Section 2 and 3.3.1
- Approvals process
- Set out minimum report details:
 - Development types (subdivision, single dwelling, alterations to existing dwellings)
 - Constrained sites (sensitive receptors, small lots)
 - Non-domestic OWM
- Link to council's planning and development documents

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Application assessment checklist

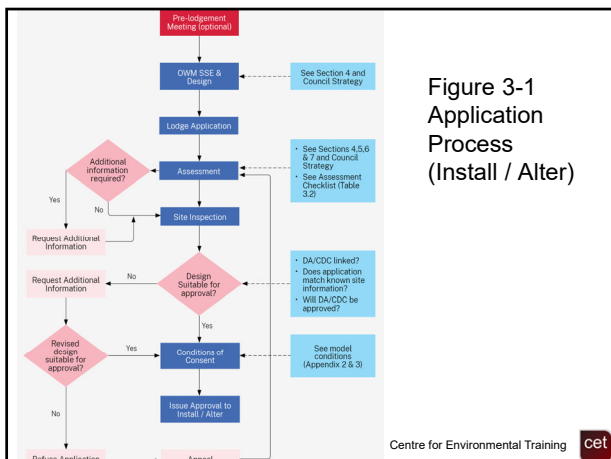
- Application assessment checklist (Table 3-2)
 - See example checklists (blank and scenario) in following the PowerPoint slides
- Go through the Application Assessment Checklist for the scenario
- In the following sessions, we will go through the site and soil evaluation, buffer assessment, and system sizing steps


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Process flow charts

- Example process flow charts are provided to standardise steps for common tasks:
 - Application (install / alter) (Figure 3-1)
 - Installation inspection (Figure 3-2)
 - Monitoring program (Figure A8-1)
- Flow charts can be developed for an OWM strategy, or included in staff procedures

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Accreditation of SMF (S.3.3.1)

- Accreditation of sewage management facilities
 - LG Regulation (s.40-41) for retail SMF
 - NSW Health – usually <10EP or avg <2,000L/day
 - Exemptions – non-domestic, large OWMS, testing model, premise specific design
 - Optional – AS1546.3:2017 certified <5,000L/day

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Performance of SMF

- Performance standards for all SMF (LG Reg s.36)
 - Components durable; expected service life; details of the installation, construction, access for maintenance, anchoring
- AWTs servicing – owner responsibility controlled through conditions of approval

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Operational monitoring program = risk management

- Section 2 and 3.3.2
- Operational monitoring program = balance of human health and environmental benefit versus resourcing and charges
- Risk categories x inspection frequencies + other compliance inspections = number of annual inspections + required resourcing = OWM charges

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Risk categories

- Risk categories can be used to:
 - Zone inspections for efficiency (increase overall number of inspections completed per year
 - Targeted - site specific risks
- Example categories – LEP zones, lot size, buffers, site constraints, development type, daily flows, compliance history

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Annual inspection numbers

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

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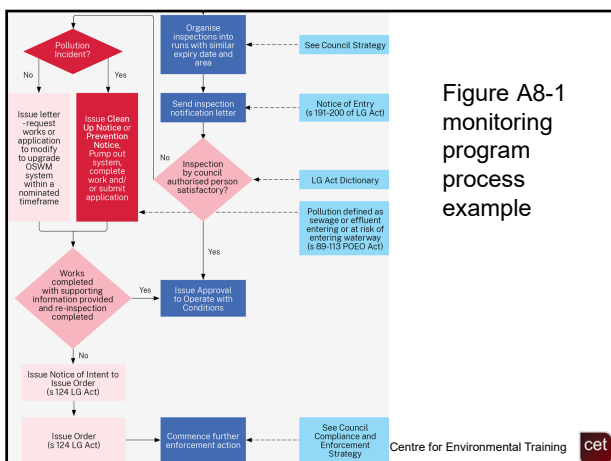


Figure A8-1 monitoring program process example

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Regulatory tools (S.3.3.1)

- “The most effective regulatory tool is the approach that gets compliance and reduces the incidences of re-offending
- Use of regulatory discretion and alternative options can sometimes provide the best outcomes with the least amount of conflict.” (Section 3.3.2, p.41)
- Non-statutory tools (education, advisory letters) and statutory tools (notices and orders)
- Enforceable approval conditions improve compliance outcomes

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Strategic functions

- Tie OWM Strategy compliance and enforcement back into the existing policies or set out a policy
- Powers of entry – exist under LG Act and POEO Act but require legal advice and discretion
- Notices and orders – LG Act and POEO Act
- Education for stakeholders – council staff, owners, operators, designers, installers
- Revenue policy – Effective OWM contributes to overall environmental management and reduces risks to public health

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Going forward

- Procedures – will simplify, standardise and make the application and monitoring processes more equitable
- Procedures take the guesswork out of the process and what steps are to be followed
- Review – OWM Strategy and procedures. Keep them relevant to the needs of council and the community

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