



**Water Supply, Sewerage  
(On-site and Reticulated),  
Stormwater and  
Trade Waste Policy**

## POLICY OBJECTIVE

The objectives of this policy are to:

- Identify the activities in relation to water supply, sewerage (on site and reticulated), stormwater and trade waste which require approval or are exempt under the NSW Local Government Act, 1993 and Regulations.
- Provide details of exempt activities and considerations for approvals.
- Advise of any local matters for consideration.

## LEGISLATIVE PROVISIONS

- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*
- *Protection of the Environment Operations Act 1997*
- *Water Management Act 2000*

### **Subordinate Legislation**

- Local Government (General) Regulation 2021
- State Environmental Planning Policy (Biodiversity and Conservation) Chapter 8, Sydney Drinking Water Catchment
- Goulburn Mulwaree Local Environmental Plan 2009

### **Development Control Plan**

- Goulburn Mulwaree Development Control Plan 2009

### **Goulburn Mulwaree Council Policies**

- Clearance and Easement Requirements for Structures Adjacent to Sewer and Stormwater Mains
- Cross Connection Control and Backflow Prevention
- Drinking Water Quality
- Liquid Trade Waste
- Private Pumping of Sewer
- Septic Tank Chemical Toilet and Pan Waste Disposal
- Sewer Pumping Stations Required by Developments
- Undetected Water Leakage
- Special Industrial Water Pricing
- Stormwater Drainage and Rainwater Collection Systems
- Water Metering and Connection
- Water Use
- Water Allowance (Medical Reasons)

## POLICY STATEMENT

The following activities in relation to water and sewer/ waste water or drainage require Council approval unless otherwise specified by Section 68 of the Local Government (LG) Act 1993 under Parts B and C, the Local Government (General) Regulation 2005 or this policy.

### **LG Act (Section 68) Part B: Water supply, sewerage and stormwater drainage work**

- Carry out water supply work.
- Draw water from a council water supply or a standpipe or sell water so drawn.
- Install, alter, disconnect or remove a meter connected to a service pipe.
- Carry out sewerage work.
- Carry out stormwater drainage work.
- Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer.

### **LG Act (Section 68) Part C Management of waste {in relation to water and wastewater}**

- Dispose of waste into a sewer of the council.
- Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.
- Operate a system of sewage management (within the meaning of section 68A).

## Part 1 – Exemptions

### 1.1 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility (C5 Activity)

*Local Government (General) Regulation 2021*

#### From Clause 48(e)-

The following activities may be carried out without the prior approval of the council subject to such conditions as are specified:

1. The installation, construction or alteration of a waste treatment device, if that installation, construction or alteration is done:
  - i. under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or
  - ii. in a vessel used for navigation, or
  - iii. in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport.

### 1.2 Operate a system of sewage management (within the meaning of section 68A) (C6 Activity)

*Local Government (General) Regulation 2021*

#### From Clause 48(f)-

The following activities may be carried out without the prior approval of the council subject to such conditions as are specified:

1. So much of the operation of a system of sewage management as is limited to an action carried out:
  - i. under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or
  - ii. in a vessel used for navigation, or
  - iii. in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport.

#### From Clause 47 -

1. Despite the other provisions of this Regulation (LG Regulation), a person who purchases (or otherwise acquires) land on which any sewage management facilities are installed or constructed may operate a system of sewage management without the approval required under section 68 of the Act for the period of 3 months after the date on which the land is transferred or otherwise conveyed to the person (whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land).

2. Further, if the person duly applies, within the period of 2 months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined.

### 1.3 Domestic grey water diversion device (C6 Activity)

*Local Government (General) Regulation 2021*

#### **From Clause 75A -**

Domestic greywater diversion may be carried out without the prior approval of the council if:

- (a) it is carried out in accordance with the Plumbing Code of Australia, and
- (b) a sewage management facility is not installed on the premises concerned, and
- (c) the following performance standards are achieved:
  - (i) the prevention of the spread of disease by micro-organisms,
  - (ii) the prevention of the spread of foul odours,
  - (iii) the prevention of contamination of water,
  - (iv) the prevention of degradation of soil and vegetation,
  - (v) the discouragement of insects and vermin,
  - (vi) 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 concerned and surrounding lands.

## Part 2 – Criteria considered when determining applications for activities that are not exempt

### 2.1 Standards for water supply, sewerage and stormwater drainage work

From •Local Government (General) Regulation 2021 Schedule 1 Part 2 (15 – 21)

#### 2.1.1 Compliance with Acts and Codes

- (1) Water supply work or sewerage work that is plumbing and drainage work within the meaning of the Plumbing and Drainage Act 2011 must comply with that Act and the regulations under that Act.
- (2) Any water supply work or sewerage work that is not plumbing and drainage work under that Act, and any stormwater drainage work, must comply with the Plumbing Code of Australia.

#### 2.1.2 Premises to be connected to water supply by an independent house service pipe

- (1) Unless the council authorises otherwise, premises must not be connected to a property service pipe linked to the council's water supply system except by an independent house service pipe.
- (2) An independent house service pipe connecting premises to the council's water supply system must have a stop-valve within the premises—
  - (a) at a place that is not more than 450 millimetres from the road alignment, or
  - (b) at some other place approved by the council.
- (3) An independent house service pipe must be laid to each allotment of land that is separately occupied, unless alternative arrangements have been made with the council.
- (4) If the council authorises the connection of 2 or more premises by means of a single house service pipe, there must (unless all the premises are occupied by one household or firm as a residence or place of business) be installed on each of those premises—
  - (a) a separate stop-valve that complies with subsection (2), and
  - (b) a separate water meter to measure the water supply to those premises.

#### 2.1.3 Chemical dispensing units not to be connected to water supply system

- (1) A connection must not be made between the council's water supply system, or a pipe or fitting supplied with water from that system, and any device or fitting designed to be used to dispense a chemical compound capable of contaminating the water supply, unless the device or fitting is of a type approved by the Secretary (NSW Department of Planning and Environment - DPE) or complies with AS 5200.000—2006.
- (2) The council's water supply system, or a pipe or fitting supplied with water from that system, must not be directly connected to a device or fitting designed to be used to dispense a chemical compound capable of contaminating the water supply, unless that device or fitting is of a type approved for such connection by the Secretary or complies with AS 5200.000—2006.

#### 2.1.4 Water meters

- (1) Water supply services must be provided through a water meter unless alternative arrangements have been approved by the council.
- (2) A water meter (other than a water meter hired from or provided by the council) to be installed on premises connected or to be connected to a water supply system must—
  - (a) be of a size and class approved by the council, and
  - (b) be fitted with stop-valves and such other fittings as may be specified by the council.

- (3) A water meter through which water supply services are provided to premises must be accessible to the council at any time.
- (4) If required by the council—
  - (a) such a water meter must be protected by being enclosed in a box constructed of metal, wood or other strong durable material, and
  - (b) such a box must be fitted with a lock and key of a type approved by the council.

### 2.1.5 Joint sewerage services prohibited

- (1) Any house drain on premises connected to a council's sewerage system must be kept separate from that of all other premises.
- (2) The only fittings and fixtures permitted to discharge into such a house drain are those located on the premises.
- (3) A house drain on premises that are to be connected to a council's sewerage system must be laid within the boundary of the premises until it—
  - (a) reaches that system or the boundary nearest that system, or
  - (b) emerges into a public place.

### 2.1.6 Materials for use in water supply, sewerage or stormwater drainage work

- (1) Materials used in carrying out water supply, sewerage or stormwater drainage work referred to in item 1, 4 or 5 of Part B of the Table to section 68 of the Act must be of a kind authorised for the purposes of the work—
  - (a) by the Secretary (NSW DPE), or
  - (b) under AS 5200.000—2006.
- (2) If an inconsistency arises under subsection (1), the authorisation of the Secretary prevails.
- (3) This section does not apply to water supply work or sewerage work that is plumbing and drainage work within the meaning of the Plumbing and Drainage Act 2011.

## 2.2 Matters for consideration when determining applications for water supply, sewerage and storm water drainage work (B5 Activity)

*Local Government (General) Regulation 2021*

### From Clause 15 -

- (1) This section applies to the following activities—
  - (a) carrying out water supply work,
  - (b) drawing water from the council water supply or a standpipe,
  - (c) installing, altering, disconnecting or removing a water meter connected to a service pipe,
  - (d) carrying out sewerage work,
  - (e) carrying out stormwater drainage work.
- (2) In determining an application for the purposes of section 68 of the Act for an approval to do any of the activities to which this clause applies, the council must have regard to the following considerations:

- (a) the protection and promotion of public health,
- (b) the protection of the environment,
- (c) the safety of its employees,
- (d) the safeguarding of its assets,
- (e) any other matter that it considers to be relevant in the circumstances.

Part 2 of Schedule 1 of the Local Government (General) Regulation 2021 specifies mandatory standards for storm water drainage work, including that such works must comply with the New South Wales Code of Practice – Plumbing and Drainage.

### **2.3 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility (C5 Activity)**

*Local Government (General) Regulation 2021*

#### **From Clause 29 -**

- (1) In determining an application for approval to install, construct or alter a sewage management facility, the council must take into consideration the matters specified in clause 29.
- (2) Environment and health protection matters

The council must consider whether the proposed sewage management facility (or the proposed sewage management facility as altered) and any related effluent application area will make appropriate provision for the following:

- (a) preventing the spread of disease by micro-organisms,
- (b) preventing the spread of foul odours,
- (c) preventing contamination of water,\*
- (d) preventing degradation of soil and vegetation,
- (e) discouraging 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 re-use of resources (including nutrients, organic matter and water),
- (h) the minimisation of any adverse impacts on the amenity of the land on which it is installed or constructed and other land in the vicinity of that land.

#### **3. Guidelines and directions**

The council must consider any matter specified in guidelines or directions issued by the Secretary (NSW DPE) in relation to the matters referred to in sub clause (2).



Council will also consider the availability of any reticulated sewage infrastructure when considering applications for on-site wastewater devices. Generally, applications for on-site wastewater devices will not be approved in areas where connection to an existing sewage network is available.

In areas where sewer services become available Council will require connection pursuant to Section 124 under the *Local Government Act 1993* specifically

*Order 23*

*To connect premises to the council's water supply by a specified date if the premises are within 225m of a water pipe of the council.*

*Order 24*

*To connect premises with a sewerage system by a specified date if the premises are within 75m of a sewer of the council.*

**Note: Marulan is currently transitioning from a common effluent drainage (CED) system to a wastewater treatment plant (WWTP) as there is limited capacity for additional connections to the existing CED. Until the new WWTP is commissioned further connections will not be approved unless to existing lots where capacity is limited to 1 equivalent tenement (e.g. one dwelling) per lot.**

***Furthermore, the majority of the Goulburn Mulwaree Local Government Area (LGA) is located within the Sydney Drinking Water Catchment and subject to the provisions of State Environmental Planning Policy (Biodiversity and Conservation) Chapter 8 – Sydney Drinking Water Catchments.***

## 2.4 Operate a system of sewage management (within the meaning of section 68A) (C6 Activity) Local Government (General) Regulation 2021

### From Clause 43 -

In determining an application for approval to operate a system of sewage management, the council must consider any matter specified in guidelines or directions issued by the Director-General in relation to the environment and health protection matters referred to in clause 29 (2).

### From Clause 44 -

(1) Any approval to operate a system of sewage management will require the operation to achieve the following performance standards:

- (a) the prevention of the spread of disease by micro-organisms,
- (b) the prevention of the spread of foul odours,
- (c) the prevention of contamination of water,
- (d) the prevention of 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).

(3) Failure to comply with sub clause (1) is not a breach of that performance standard if the failure was due to circumstances beyond the control of the person operating the system of sewage management (such as a fire, flood, storm, earthquake, explosion, accident, epidemic or warlike action).

(4) A system of sewage management will also be required to be operated:

- (a) in accordance with the relevant operating specifications and procedures (if any) for the sewage management facilities used for the purpose, 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.

(5) Guidelines and directions:

In areas where sewer services become available Council will require connection pursuant to Section 124 under the *Local Government Act 1993* specifically:

*Order 24*

*To connect premises with a sewerage system by a specified date if the premises are within 75m of a sewer of the council.*

**Note: Marulan is currently transitioning from a common effluent disposal (CED) system to a wastewater treatment plant (WWTP) as there is no further capacity for additional connections to the existing CED. Until the new WWTP is commissioned further connections will not be approved beyond 1 equivalent tenement per existing lot (i.e. one dwelling). When the new WWTP becomes operational, Council will require existing properties within the catchment of the WWTP to be connected to it. Therefore, any on site systems newly installed within the catchment for the WWTP (i.e. within the urban zones of Marulan such as residential, industrial or business) should be considered to be temporary.**

## Part 3: Application processes and other matters relating to approvals

### Water supply, sewerage and storm water drainage work

#### 3.1 Carry out sewerage work (B4 Activity)

Council requires the following information when assessing applications for stormwater drainage work:

- Applications are to be made on the NSW Planning Portal (<https://pp.planningportal.nsw.gov.au>).
- Completed application form – S68 Activities Approval Application
- A site plan showing the proposed development and point of connection to the sewer main, septic tank or effluent tank.
- A floor plan showing the location/s of plumbing fixtures that will be connected to the sewerage work.

#### 3.2 Carry out stormwater drainage work (B5 Activity)

Council requires the following information when assessing applications for stormwater drainage work:

- Applications are to be made on the NSW Planning Portal (<https://pp.planningportal.nsw.gov.au>).
- Completed application form – S68 Activities Approval Application (<https://www.goulburn.nsw.gov.au/Development/Forms-Property-Information#section-7>).
- A site plan showing the proposed development including the location of any proposed rain garden as well as stormwater drainage lines including the point of connection to the Council's stormwater network or on-site stormwater disposal system shall be provided.
- Details of any on-site stormwater disposal system including location, size and depth. Calculations demonstrating compliance with Council's *Stormwater Drainage and Rainwater Collections Policy* shall be provided.

#### 3.3 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility (C5 Activity)

Council requires the following information when assessing applications to install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility:

- Applications are to be made on the NSW Planning Portal (<https://pp.planningportal.nsw.gov.au>).
- Completed application form - S68 Activities Approval Application (<https://www.goulburn.nsw.gov.au/Development/Forms-Property-Information#section-7>).

- A report from a suitably qualified On-Site Wastewater Consultant shall be submitted that has been prepared in accordance with the Water NSW current recommended practice document “Designing and Installing On-Site Wastewater Systems”. The report is to include a Design Producer Statement to be completed by the designer stating that the design has been carried out in accordance with:
  - WaterNSW, 2018a ‘Developments in the Sydney Drinking Water Catchment – Water Quality Information Requirements’.
  - DLG, 1998 ‘Environment and Health Protection Guidelines: On-site Sewage Management for Single Households’
  - AS/NZS 1547:2012 ‘On-site domestic wastewater management’
- A System Design Report shall be submitted that clearly quantifies the design and provides clear details to the installer and illustrates the appropriate layout and configuration of the system.

### 3.4 Operate a system of sewage management (within the meaning of section 68A) (C6 Activity)

Approvals to Operate a system of sewage management are issued in accordance with a risk classification (low or high) and against set criteria for potential environmental and public health impacts.

There are four circumstances where an Approval to Operate an on-site sewage management facility can be applied for.

For each situation, Council requires the following information when assessing applications to operate a system of sewage management. Fees and charges and associated with the application process:

#### 1. Installation of a new or altered sewage management system

For systems that have been installed new as part of a development or altered due to rectification works for non-compliance:

- Completed application form – Application to Operate an On-site Sewage Management Facility (<https://www.goulburn.nsw.gov.au/Development/Forms-Property-Information#section-7> ).
- Approval to Operate issued after the final plumbing and draining inspection has been conducted as part of the DA process.

#### 2. Pre-purchase inspection

For properties that are being sold and require confirmation that the system (septic or AWTs) is compliant:

- Completed application form – Pre-Purchase On-site Sewage Management Facility Application (<https://www.goulburn.nsw.gov.au/Development/Forms-Property-Information#section-7> ).

- A copy of the most recent service report (within last 3 months) for aerated wastewater treatment systems.
- Council officers undertake inspection of system (septic systems only)
- A satisfactory operation letter is issued as result of Pre-purchase inspection application
- The Approval to Operate is issued to new owner upon submission of application form 'Pre-Purchase On-site Sewage Management Facility Application' where the 'change of owner' option is selected.

3. Renewal of Approval to Operate

For existing systems where the previous Approval to Operate period has lapsed:

- Completed application form – Application to Operate an On-site Sewage Management Facility (<https://www.goulburn.nsw.gov.au/Development/Forms-Property-Information#section-7> ).
- Council officers undertake inspection of system
- Approval to Operate issued if system deemed compliant during inspection

4. Approval to operate an aerated wastewater treatment system (AWTS)

- Completed application form – Approval to Operate an Aerated Wastewater Treatment System (AWTS) Application (<https://www.goulburn.nsw.gov.au/Development/Forms-Property-Information#section-7> ).
- A copy of the most recent service report (within last 3 months) for aerated wastewater treatment systems.
- Approval to Operate issued upon review of most recent service report where no issues have been identified.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	19 July 2022	2022/215	19 July 2022	19 July 2022
<b>All policies can be reviewed or revoked by resolution of Council at anytime.</b>				

**DIRECTORATE:** Planning and Environment

**BUSINESS UNIT:** Strategic Planning