

Environmental Health Referral Response - unsewered land

Application Number:	DA2024/0262
Proposed Development:	Demolition works and construction of a dwelling house, horse arena, stables and paddocks
Date:	02/08/2024
Responsible Officer	Anne-Marie Young
Land to be developed (Address):	Lot 6 DP 749791 , 113 Orchard Street WARRIEWOOD NSW 2102

Reasons for referral

This application seeks consent for development upon unsewered land.

And as such, Council's Environmental Health and Protection officers are required to consider the likely impacts.

Officer comments

Additional comments following submission of further information 02/08/2024

A review of the additional information satisfies the initial concerns raised by Environmental Health. Proposed conditions of consent address:

- installation of the wastewater system
- removal of the horse wash bay and no wastewater floor waste connection to stables
- decommissioning of existing septic tank
- approval to operate of the newly installed wastewater system prior to occupation.
- separating pool backwash from wastewater system

Environmental Health recommend further review from Bushland and Biodiversity regarding the proposed effluent management area (EMA) and its potential to impact the local bushland and biodiversity now that it is clearly defined in the martens report. Environmental Health are satisfied

Comments 14/05/2024

This application is seeking consent for construction of a new dwelling, horse arena, stables and paddocks at 113 Orchard Street, Warriewood. The proposed development will involve Demolition of existing dwelling and construction of new four bedroom dwelling, Construction of a new horse arena located in the eastern portion of the site, Construction of a horse stable for up to four horses with associated yards, wash bay and amenities and Construction of paddocks upslope (west) of the proposed stables.

A wastewater report has been prepared by Martens Consulting Engineers, reference P2108165JR05V01, dated February 2024.

The proposed wastewater system is to be constructed at the site to service a new four-bedroom dwelling and toilet for stable users only. The wastewater report states *'It is understood that horses are to be washed outside of the stables, and that stable bedding will be regularly changed and will absorb horse urine.'*

The report proposes *'To service the above elements, it is recommended that a new NSW DOH accredited aerated wastewater treatment system (AWTS) and onsite surface drip irrigation system be installed to manage wastewater from the proposed development.'*

Environmental Health has the following concerns that must be addressed by the applicant before we may offer our support to the proposal with conditions:

1. The SEE states that the martens report has confirmed that the site is able to connect to a new sewer connection? Does this mean to a sewer main which is the preferred option or the proposal listed in the Martens report of drip irrigation?
2. The martens wastewater report states all washing of horses will be done outside of the stables. Is this to occur in the wash bay? This hasn't been considered in the wastewater report. The Statement of Environmental Effects state the following: *Behind the horse area will be 4 stables with smaller fenced yards. Feed/tack rooms, wash bays.*
3. No details of the proposed wastewater system to be installed have been provided by the applicant. The certificate of accreditation is required up front if wastewater is to be determined as part of the DA. Alternatively Env Health can condition that a section 68 approval to install is required prior to CC.
4. The specific irrigation area has not been defined in the provided wastewater report which states that this will be confirmed through a section 68 approval. Env Health can condition that a section 68 approval to install is required prior to CC which will require a more defined location.
5. The proposed EMA location for the wastewater is in a very shaded area with rocky outcrops which does not promote in the efficiency and effectiveness of an EMA through solar exposure.
6. Comment is also required from Bushland and Biodiversity on the suitability of the proposed EMA given the amount of native vegetation located within the area.
7. There is no mention of the existing septic tank and trench in any report. Is this proposed to be removed?
8. The pool back wash will be required to be disposed of to a separate land application area than the wastewater. A Condition can be applied for this

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Environmental Health and Protection Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Specifications of wastewater system to be installed

The NSW Health certificate of accreditation of the Aerated wastewater treatment system (AWTS) to be installed, must be provided to the Principal Certifier and Council for its records prior to the release of the construction certificate.

Reason: To ensure the wastewater system to be installed is accredited for domestic use

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Wastewater system compliance

All recommendations and required works as contained within the Final report by Martens consulting engineers referenced as P2108165JR05V03 and dated July 2024 being implemented.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To ensure the wastewater disposal system is compliant and will not create a risk to public health.

Existing septic tank to be decommissioned

The existing septic tank is to be decommissioned in accordance with the requirements of NSW Health "Advisory Note 3 - Destruction, Removal or Reuse of Septic Tanks, Collection Wells, Aerated Wastewater Treatment Systems (AWTS) and other Sewage Management Facilities (SMF)".

Details confirming compliance with this requirement are to be supplied to the Principle Certifier.

Reason: To ensure removal of redundant systems and promote public health.

Pool backwash

Pool backwash must be managed through subsurface disposal that is separate from the wastewater system and wastewater land application areas.

Reason: To ensure the wastewater system has been installed and managed correctly to minimise the potential for harm.

Wastewater System

Prior to the issuing of an Occupation Certificate, a copy of a s68 (Local Government Act 1993) approval to operate the wastewater system, and the wastewater system must be activated and effectively operating to the satisfaction of the Principal Certifier.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To ensure the premises are maintained in an appropriate manner in perpetuity.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**No approval for horse wash bay or floor waste from stables**

This consent does not provide approval for any horse wash bay, floor wastes to stables or associated wastewater infrastructure that would collect and transport wastewater into the proposed wastewater system other than from the dwelling and toilet facilities located within the stable.

Reason: Proposed wastewater infrastructure does not adequately consider wastewater generated from horse washing or stables.