

# Memo

## Environment

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| <b>To:</b>                    | Matthew Edmonds , Development Assessment Manager                                                                                             |
| <b>From:</b>                  | Megan Surtees, Planner                                                                                                                       |
| <b>Date:</b>                  | 30 April 2020                                                                                                                                |
| <b>Application Number:</b>    | Mod2020/0093                                                                                                                                 |
| <b>Address:</b>               | Lot 17 DP 11785 , 70 Ingleside Road INGLESIDE NSW 2101                                                                                       |
| <b>Proposed Modification:</b> | Modification of Development Consent N0005/15 granted for additions and alterations to an existing dwelling and a detached secondary dwelling |

## Background

The abovementioned development consent was granted by Council on 29 May 2015 for alterations and additions to an existing dwelling and a detached secondary dwelling. The original consent required the applicant create a separate waste water system for the secondary dwelling. During the construction stage of the secondary dwelling it was determined that a separate waste water system was not necessary and the existing waste water system could be utilised. Reports prepared by Grant Austin (Environmental Engineer) and Taylex (waste water system supplier) were provided to the Principal Certifying Authority who then submitted those reports to Council, and the following notes were included in the Construction Certificate: *'2) Condition E4, 5, 8, 9, 10, 11, 12 and 13 Wastewater consultant to issue certification of system and verification that the above conditions do or not relate to the now existing approved system which is modified from the DA approved system'*. Subsequently, the Principal Certifying Authority granted the Final Occupation Certificate. Council is yet to granted approval for the modification of consent N0005/15.

## Details of Modification Application

Under Section 4.55(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. The Northern Beaches Community Participation Plan does not require the notification of Section 4.55(1) modification applications as they are considered to be of minimal environmental impact.

The application seeks to delete condition(s) No. **E. Matters to be satisfied prior to the issue of Occupation Certificate: 4, 5, 8, 9, 10, 11, 12 and 13**, which reads as follows:

### 4.

The installed domestic subsurface effluent distribution system shall be inspected and certified by an appropriately qualified and experienced wastewater consultant prior to backfilling with topsoil. Written confirmation shall be submitted to the Principal Certifying Authority by an appropriately qualified and practicing Wastewater Consultant following inspection of the installed domestic subsurface effluent distribution system certifying that the works have been completed in accordance with the following documents:

- Waste Water Management Report titled 'Report on investigation and assessment for the siting of a proposed effluent management system at 70 Ingleside Road, Ingleside',

Reference: 141108, prepared by Blue Mountains Geological and Environmental Services Pty Ltd, dated November 2014.

**5.**

Prior to release of the Occupation Certificate the applicant shall submit to the Principal Certifying Authority written documentation from an appropriately qualified and practising waste water consultant confirming that all works associated with the domestic on-site wastewater treatment system and land application area have been completed on site in accordance with the following documents:

- Waste Water Management Report titled 'Report on investigation and assessment for the siting of a proposed effluent management system at 70 Ingleside Road, Ingleside', Reference: 141108, prepared by Blue Mountains Geological and Environmental Services Pty Ltd, dated November 2014.

**8.**

Owners of sewage management systems are required to register their system with Council. You are required to submit to Council an application for 'approval to operate' an on-site sewage management system. The application form shall be accompanied with the appropriate registration fee, signed, and returned to Council prior to release of the Occupation Certificate.

**9.**

Within the effluent irrigation area of the aerated wastewater treatment system there must be at least two warning signs that comply with As1319 and have a green background, 20mm high capital lettering in black and white and the words Reclaimed Effluent Not For Drinking Avoid Contact.

**10.**

Prior to the release of the Occupation Certificate the Applicant shall submit to Principal Certifying Authority the following documentation associated with the on-site wastewater treatment system:

- a) Statement of warranty
- b) Statement of Service Life
- c) Quality of Assurance Certification
- d) A comprehensive installation manual
- e) A comprehensive service manual for use by service technicians which incorporates a detailed three year evaluation and maintenance schedule based on three monthly service intervals and three years de-sludging. The maintenance schedule shall specify the work to be carried out by a service contractor as part of the continuous maintenance.
- f) Household instruction operators Manual suitable for use by the domestic operator and shall include but not necessarily be limited to:
  - ii) an overview of the on-site wastewater system and intended use,
  - ii) warranty and service life, servicing requirements,
  - iii) trouble shooting and signs of failure,
  - iv) a list of toxic substances/loads to be avoid,
  - v) desludging requirements,
  - vi) safety information,
  - vii) spreading of hydraulic loads,
  - viii) alarm information and use restriction,
  - ix) manufacturers name and contact details,
  - x) a service sheet suitable for use by technicians

**11.**

The tank associated with the Wastewater System shall have the following information permanently and legibly marked on a non-corrosive metal plaque attached to the lid.

- a) The brand name of the system,
- b) The manufacturer's name or registered trademark,
- c) The month and year of manufacture.

**12.**

Prior to release of the Occupation Certificate, the applicant is to enter into a service agreement with an aerated waste water treatment system service provider. A copy of the service agreement is to be forwarded to the Principal Certifying Authority. The service agreement is to provide for:

- a) Quarterly testing of the system, as required by the Department of Public Health
- b) The keeping of an operator's manual, incorporating a service record.

A copy of the quarterly service sheet is to be forwarded to Council within 14 days of each service.

**13.**

All upsurface stormwater runoff is to be effectively diverted away from the land application area so that it only deals with treated effluent and direct rainfall. A shadow dish-drain or contour bank should be utilised.

**Consideration of error or mis-description**

Following the approval of N0005/15, the Applicant has requested to delete the abovementioned conditions from the consent as the existing waste water system on site can continue to operate and provide the necessary capacity to support the principle dwelling and secondary dwelling. Council's Environmental Health Officer has reviewed this application and accompanying documentation and has provided the following comments:

*An application has been made to amend conditions E4, 5, 8, 9, 10, 11, 12, and 13 - pertaining to on-site wastewater management, of consent N0005/15. Originally, the secondary dwelling was supposed to be connected to a separate wastewater treatment system to that of the primary dwelling. Furthermore, irrigation of the treated effluent was to be done sub-surface. Currently, both dwellings are connected to the same surface irrigation system - installed and operated in a way that does not comply with the consent N0005/15; in a practical sense, the applicants are seeking to amend approved consent conditions so that both dwellings are approved to be connected to a sub-surface system connected via the existing Taylex Tank.*

*In reviewing the submissions of N0005/15 and MOD2020/0093, we find the proposal for a sub-surface irrigation area of 480m<sup>2</sup> via a 2000L Taylex Tank to be acceptable. Nothing that the land application area calculation was not recorded in either of the wastewater reports but discussed directly with the applicant and made using information provided in those reports. It is based on a total of 10 people using tank water - not town water supply as was used for tank capacity calculations in 141108A.*

*Environmental Health can recommended approval in part, but not to all of the requests - as follows:*

*E4 – to be amended to reflect updated information.*

*E5 – to be amended to reflect updated information.*

*E8 – condition to remain as it applies to standard approval and inspection process.*

*E9 – condition to remain as standard.*

*E10 – to remain as it has already been completed.*

*E11 – can be removed as it has minor significance to the overall operation of the system.*

*E12 – to remain as it is a standard clause.*

*E13 – can be amended, but the original intent to remain.*

*N.B. If the property is ever subdivided - effectively separating the dwellings, each Lot must have a stand-alone wastewater treatment system.*

## **Conclusion**

It is considered that the modification is minor in nature and consistent with the provisions of section 4.55(1) of the EPA Act 1979 and is therefore recommended for approval.

## **Recommendation**

THAT Council as the consent authority approve Modification Application No. Mod2020/0093 for Modification of Development Consent N0005/15 granted for additions and alterations to an existing dwelling and a detached secondary dwelling on land at Lot 17 DP 11785,70 Ingleside Road, INGLESIDE, as follows:

### **A. Amend Condition E4. Installation of wastewater treatment system to read as follows:**

A sub-surface irrigation system including effluent from both dwellings and covering a land application area of 480 metres squared is to be installed according to *AS/NZS 350 (Set):2003 Plumbing and Drainage Set* and *AS/NZS 1547:2012: On-site domestic wastewater management* by a licensed plumber and/or a licensed irrigation contractor. The design must meet or exceed the standard demonstrated in *FIGURE M1* in *AS/NZS 1547:2012*.

Reason: To replace a redundant clause and install adequate wastewater treatment on-site.

### **B. Amend Condition E5. Certification of wastewater treatment system installation to read as follows:**

Certification from a suitably qualified and experienced installer that the system has been installed according to AS 1547:2012 is to be provided to Council and/or the PCA within thirty (30) days of operation.

Reason: To ensure adequate waste water treatment on-site.

### **C. Delete Condition E11. to read as follows:**

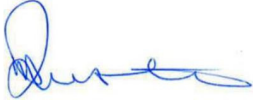
DELETE

### **D. Amend Condition E13. Diversion of surface waters away from the wastewater disposal area to read as follows:**

Storm water runoff is to be effectively diverted away from the land application area so that it only deals with treated effluent and direct rainfall.

In signing this report, I declare that I do not have a Conflict of Interest.

**Signed**



**Megan Surtees, Planner**

The application is determined on 29/04/2020, under the delegated authority of:



**Matthew Edmonds, Manager Development Assessments**