

Submission Report

Review of Public Submissions to the Draft Blue Mountains Sewage Strategy

**Prepared by Blue Mountains City Council –
May 2008**

Blue Mountains Sewage Strategy – Submission Report

A. General Comments

DESCRIPTION

The Blue Mountains Sewage Strategy represents the next 10 years of progressing towards the resolution of long-term sewage issues in the Blue Mountains. It is a response by Council for the need to find sustainable solutions to the historic deficiencies in sewerage infrastructure.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
4	
<i>Format:</i>	
Individual	1
Public Authority	2
Community Organisation	1

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	0
Support / No Refinements	2
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	0
Comment	5
Total Comments	7

COMMENTS RAISED – by public authorities

Comment – No Refinements

5 comment

- The Department of Environment and Climate Change commends Council on the preparation of the Strategy.
- The Department of Environment and Climate Change supports Council's goal of minimising the impact of sewage on the environment in the Blue Mountains and encourages Council to pursue the strategic goals outlined in the strategy.
- The Department of Environment and Climate Change requires Sydney Water to maintain and improve the effluent quality of effluent discharged from local sewerage treatment plants. This activity is supported by environment protection licences.
- Department of Environment and Climate Change also recognises the challenges for Council in providing sewerage services to areas in the Blue Mountains and lots not covered in existing government programs.
- Overall, the Sydney Catchment Authority considers the Blue Mountains Sewage Strategy well-thought out and providing a significant step towards minimising the impact of sewage to achieve better catchment health and water quality for the Blue Mountains catchments. It is consistent with the objectives of the draft Regional Plan 'Sustaining the Catchments', and provides a sound platform for actions towards achieving these goals.

COMMENTS RAISED – by community organisations and general public

Support – No Refinements Requested

1 comment

- The community organisation agrees that unserviced properties with existing dwellings cause a disproportionate amount of water pollution and weed infestation. The draft Strategy notes that these impacts can significantly reduce the community and environmental benefits flowing from expenditure on bush regeneration, sewerage reticulation, stormwater overflow minimisation programs and the sewage waste transfer scheme.

Blue Mountains Sewage Strategy – Submission Report

A. General Comments

- Individual submitter would like to support Council's initiatives to increase the number of properties connected to the reticulated sewage system and to limit and/or reduce the number of properties that rely on the use of sewage pump-out systems.

DISCUSSION

The Blue Mountains Sewage Strategy aims to resolve historic deficiencies in sewage disposal based on a combination of actions aimed at achieving sustainable long terms solutions. The Strategy is needed to reinforce Council's position regarding sewerage infrastructure and set targeted actions to work towards a resolution to wastewater disposal needs on residential lots currently excluded from the State Government Priority Sewerage Program.

The support for the Strategy is noted.

RECOMMENDATION

- A.1 That the comments made above be noted.
- A.2 That no changes be made to the draft Blue Mountains Sewage Strategy as exhibited in response to the comments.

Blue Mountains Sewage Strategy – Submission Report
B. Profile of Services in the Blue Mountains
On-site wastewater disposal systems

DESCRIPTION

The chapter titled “Profile of services in the Blue Mountains” describes the methods in which households dispose of wastewater in the Blue Mountains. Generally wastewater is disposed via reticulated sewer, on-site wastewater systems or on-site pump out systems. This section of the Submission Report focuses on comments received in relation to on-site wastewater systems.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
2	
<i>Format:</i>	
Individual	0
Public Authority	1
Community Organisation	1

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	2
Support / No Refinements	1
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	0
Comment	2
Total Comments	5

COMMENTS RAISED – by public authorities

Comment – No Refinements **2 comment**

- Sydney Catchment Authority notes that throughout the strategy the focus of effluent quality for land disposal is on nutrients and salts - the risks of pathogens should also be considered. Moreover, the wastewater quality of the contemporary household should be considered ie. prescription and non-prescription drugs (antibiotics, hormones, steroids) and a range of household chemicals (detergents, shampoos, creams, non-ionic surfactants, deodorisers, bleaches, solvents etc). The full impact of these is not yet known on the receiving environment, however a number of trace organic wastewater contaminants are known to disrupt the endocrine system in some aquatic organisms.
- Sydney Catchment Authority notes that with the increasing trend toward greater water efficiency and/or reuse by households, this may increase the concentration of contaminants - salts and nutrients - in wastewater due to reduce water volume.

Support – Refinements Requested **2 comment**

- The Sydney Catchment Authority considers that a complete and detailed inventory of licensed and unlicensed on-site sewage systems is necessary to assist in the successful implementation of the Blue Mountains Sewage Strategy and Action Plan. Inventory would include (but not limited to) identifying the nature of the system, the location of the disposal field, size, performance and risk-assessment.
- Government agency suggests Council adopt a risk-based approach to the licensing and management of on-site wastewater systems, integrated with Council inspections. For example:
 - annual inspections for high-risk on-site systems
 - 3 yearly inspections for medium-risk on-site systems
 - 5 yearly inspections for low-risk on-site systems

COMMENTS RAISED – by community organisations and general public

Support – No Refinements **1 comment**

Blue Mountains Sewage Strategy – Submission Report
B. Profile of Services in the Blue Mountains
On-site wastewater disposal systems

- Regarding inspections of on-site sewage systems, the number of inspections in 2003/04 was "not reported" the submitter requests that this is reported for the period 2005/06.

DISCUSSION

On-site wastewater disposal systems treat wastewater to a certain standard and apply it to a dedicated area of land within the property boundary. The comment raised by the Sydney Catchment Authority in relation to the potential wastewater risks from pathogens and other household chemicals is acknowledged. These risks should be highlighted in the Strategy alongside threats from on-site systems.

The Council currently has in place an inventory (database) of all licensed or registered on-site systems in the Blue Mountains local government area. Although the inventory captures data related to the type of system, location and size it does not record any type of risk assessment. The inventory is linked to Council's geographical information system (GIS) which allows for the information to be plotted spatially. The maps in Appendix 1 of the Strategy provide an example of how Council is able to plot this information spatially.

One comment above recommends the introduction of a risk based inspection systems whereby high risk systems are inspected annually whilst, medium to low risk on-site systems are inspected every three to five years. It is understood that Council has in place a similar approach whereby inspections and corrective actions are undertaken on systems that have failed in the past. This inspection regime continues until the system is sufficiently upgraded and the need for inspections is reduced.

Table 2 details the number of on-site disposal systems in operation in the Blue Mountains. It is understood that at the time of preparing the Strategy the latest information available was used to compile this table. The Strategy should reflect the most up to date information on this topic, as follows:

Number of registered on-site sewage systems

	Type of System	1999–2000	2000–2001	2001–2002	2002–2003	2003–2004	2004–2005
Number of registered on-site sewage systems	Aerated wastewater treatment systems	315	415	420	482	460	483
	Septic tank and absorption trenches	1,433	1,940	2,200	2,200	2,200	2,200
	Pump-out	784	836	800	708	800	670
	Alternative technologies	40	37	47	47	40	46
	TOTAL	2,572	3,228	3,467	3,437	3,500	3,399

RECOMMENDATION

- B.1 That the following text regarding the environmental risk of pathogens and other household chemicals from wastewater disposal systems be inserted into Section 2.5.1:

“Wastewater quality can vary substantially from household to household dependant upon the contents to the system (i.e. what is flushed down the drain or toilet) ranging from prescription and non-prescription drugs (antibiotics, hormones, steroids) and a range of household chemicals (detergents, shampoos, creams, non-ionic surfactants, deodorisers, bleaches, solvents etc). The full impact of these is not yet known on the receiving environment, however a number of trace organic wastewater contaminants are known to disrupt the endocrine system in some aquatic organisms.”

On-site wastewater disposal systems

Of the above contaminants pathogenic organisms from poorly treated wastewater are considered to be of most concern to water resources. Pathogens are organisms that are capable of causing disease. In untreated or poorly treated wastewater, the key potential pathogens include bacteria, viruses, protozoans.”

- B.2 That the following action be inserted into the Action Plan:
“4.3.2 Investigate the potential to adopt a risk based approach to on-site sewage inspections”
- B.3 That Table 2 titled *Number of registered on-site sewage systems in the Blue Mountains* is updated to reflect the latest data available.

Blue Mountains Sewage Strategy – Submission Report
C. Profile of Services in the Blue Mountains
Reticulated Sewer

DESCRIPTION

The chapter titled “Profile of services in the Blue Mountains” describes the methods in which households dispose of wastewater in the Blue Mountains. Generally wastewater is disposed via reticulated sewer, on-site wastewater systems or on-site pump out systems. This section of the Submission Report focuses on comments received in relation to reticulated sewer.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
1	
<i>Format:</i>	
Individual	0
Public Authority	1
Community Organisation	0

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	2
Support / No Refinements	0
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	0
Comment	0
Total Comments	2

COMMENTS RAISED – by public authorities

Support in Part – Refinements Requested **2 comment**

- Sydney Water requests that Chapter 2.1 should include a paragraph to explain that both the Blackheath and Mt Victoria treatment plants will be intercepted in 2009 as part of the Upper Blue Mountains Sewerage Scheme and that a reference to this scheme is included as well.
- Sydney Water is of the understanding that the “over 1,000 lots zoned under LEP 1991” which will remain unsewered after the current expansions in the sewer network, were previously zoned rural under LEP 4 and referred to as residential for council rating purposes only. The Upper Blue Mountains Sewerage Scheme will service lots contiguous with the serviced areas that are no greater than 4,000sqm. Based on this criterion many of the 1,000 lots would not be serviced under the Priority Sewerage Program Schemes.

DISCUSSION

The request to include information regarding the decommissioning of the Blackheath and Mt Victoria sewerage treatment plants is noted. However this information is already detailed in the Strategy under Section 2.1.1 titled Upper Blue Mountains Sewerage Scheme.

The government agency who made the comments in regard to the remaining unsewered lots wrongly assumes that the outstanding lots within the Blue Mountains which have not been identified for connection to reticulated sewer were previously all zoned rural under Local Environmental Plan 4 (LEP 4) and later rezoned as residential under Local Environmental Plan 1991 (LEP 1991). This assumption is incorrect and is based on a misunderstanding of land use zone titles used in the LEPs and the related mechanisms. Zone names vary widely. It is the location, character, residential capacity of the land and the size of the lots that determines the requirement for reticulated sewer, not the zone name. As a result of this approach, past expansions to the reticulated sewerage network have excluded small residential lots which historically have had dwelling potential and were located adjacent to existing villages, but were zoned Bushland Conservation or Residential Bushland Conservation under LEP 1991.

Blue Mountains City Council has responsibly managed residential development potential and has sought to appropriately impose restrictions on residential development in unserved areas, since at least the late 1970's. Further it is unrealistic to assume that lots zoned under LEP 4, and zoned Residential Bushland Conservation under LEP 1991, with 4,000sqm or more in are have the capacity to dispose of effluent on-site. The highly constrained nature of developable land in the Blue Mountains such as slope, watercourses, significant vegetation and shallow soils leads to the majority of the lots having large portions of land area as *Development Excluded Land*. As a result the land available for effluent disposal is significantly reduced and even lots 4,000sqm in size or greater maybe unsuitable for on site disposal.

The potential to erect a dwelling on lots within the unsewered areas (i.e. the "over 1,000 lots zoned under LEP 1991") has been capped at the 1980 level unless the developer can provide sewer reticulation for new residential subdivisions. The apparent reliance of Sydney Water upon an LEP zone name is erroneous and invalid in terms of the problems targeted by the Strategy.

Discussions with Sydney Water aimed at conveying the history of lots available for residential purposes and achieving a common understanding may assist in clarifying the relationship between LEP 4 and LEP 1991. It is essential to gain a shared understanding on expectations and the management response to this issue as part of any strategy to agree and implement an expanded program for sewerage services and infrastructure to be subsidised by the State Government. It is recommended that amendments be made to the Strategy to provide further background to the historic changes in zoning in the Blue Mountains.

RECOMMENDATION

- C.1 That the following text detailing the history of the zoning of rural lots under LEP 4.be inserted into Chapter 4 "Challenges and Opportunities":

It is Council's position that Sydney Water has in fact planned the expansion of reticulated sewer in the Blue Mountains on the wrong assumption that some residential lots zoned under LEP 1991 were in fact "rural" lots and therefore capable of on site effluent disposal. This assumption is based on a misunderstanding of land use zone titles and the related mechanisms. It is the location, character, residential capacity of the land and the size of the lots that determines the requirement for reticulated sewer, not the zone name. As a result of this approach, past expansions to the reticulated sewerage network have excluded small residential lots which historically have had dwelling potential and were located adjacent to existing villages, but were zoned Bushland Conservation or Residential Bushland Conservation under LEP 1991.

Further it is unrealistic to assume, as Sydney Water has in the past, that rural zoned lots of 4,000sqm have the capacity to dispose of effluent on-site. The highly constrained nature of developable land in the Blue Mountains such as slope, watercourses, significant vegetation and shallow soils leads to the majority of the lots having large portions of land area as Development Excluded Land. As a result the land available for effluent disposal is significantly reduced.

Blue Mountains City Council has responsibly managed residential development potential and has sought to appropriately impose restrictions on residential development in unserved areas, since at least the late 1970's. The potential to erect a dwelling on lots within the sewer backlog area (i.e. the over "1,000 lots zoned under LEP 1991") has been capped at the 1980 level unless the developer can provide reticulation for new residential subdivisions. In addition, Council has repeatedly identified the problem of the remaining unsewered residential lots through its 1998 submission to State Government and in the 2001 Blue Mountains Sewage Strategy. The apparent reliance of Sydney Water upon an LEP zone name to determine what properties will be connected to sewer is inappropriate and ignores the problems targeted by this Strategy."

Blue Mountains Sewage Strategy – Submission Report
D. Profile of Services in the Blue Mountains
Greywater disposal systems

DESCRIPTION

The chapter titled “Profile of services in the Blue Mountains” describes the methods in which households dispose of wastewater in the Blue Mountains. Generally wastewater is disposed via reticulated sewer, on-site wastewater systems or on-site pump out systems. This section of the Submission Report focuses on comments received in relation to greywater disposal systems.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
2	
<i>Format:</i>	
Individual	0
Public Authority	1
Community Organisation	1

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	1
Support / No Refinements	0
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	0
Comment	1
Total Comments	2

COMMENTS RAISED – by public authorities

Comment – No Refinements **1 comment**

- The Sydney Catchment Authority comments that greywater has many of the characteristics of wastewater (elevated levels of nutrients, pathogens and domestic household chemicals), and suggests that greywater treatment and reuse should be treated as any other on-site wastewater disposal system. Any development proposal that involves ongoing land disposal of treated or diverted greywater should require an assessment of land suitability, the sizing of management areas and identification of buffers (to drainage depressions, watercourses, sensitive environments, property boundaries, dwellings etc.) for land disposal. Council should also consider preparing an information booklet on the nature, health status, do's and don'ts of greywater diversion or reuse and the potential impact on soil structure.

COMMENTS RAISED – by community organisations and general public

Support – Refinements Requested **1 comment**

- The community organisation notes that the Strategy contains excellent information on the impacts of sewage on groundwater (Section 2.5.1) however these concerns do not seem to be reflected elsewhere in the Strategy. Believe it is critical that this information be included in Section 2.4 because many residents and agencies do not seem to be aware of the impacts of releasing untreated greywater into the Blue Mountains hydrological environment. The organisation recommends that [the following words] be added to the Action Plan item 4.3:
 - Action 4.3.1
"Continue to develop and distribute educational materials on the proper care and management of on-site sewage systems, pump-out systems, [and greywater re-use.]"
 - Action 4.3.2
"Through Council's 'Mountains Living' course inform residents about the issues relating to environmental impacts of wastewater [and greywater.]"

DISCUSSION

The Strategy features a discussion on Greywater re-use systems in Chapter 2.4. This Chapter recognises the risk of greywater to local creeks and bushland and discusses the types of greywater treatment devices that are accredited for use by NSW Health. This Chapter however could be further strengthened by detailing additional information related to the potential environmental impacts associated with the use of greywater.

In relation to the distribution of educational material to residents regarding greywater re-use this is an initiative already being considered by Council and is further supported by Action 3.2.2 *“To prepare greywater re-use guidelines as part of the Better Living Development Control Plan.* However the development of educational materials regarding greywater and the incorporation of this information into the ‘Mountains Living’ course can be further strengthened through incorporation in the Action Plan.

RECOMMENDATION

D.1 That the following text is inserted into Chapter 2.4 regarding the environmental implications of using greywater:

“It should be noted however that greywater has many of the characteristics of wastewater (elevated levels of nutrients, pathogens and domestic household chemicals). Due to the shallow permeable soils in the Blue Mountains greywater treatment and reuse are to be treated similar to any other on-site wastewater disposal system.

D.2 That the following actions be amended to the following:

- Action 4.4.1 to:
“Continue to develop and distribute educational materials on the proper care and management of on-site sewage systems, pump-out systems, and greywater re-use.”
- Action 4.4.2 to:
“Through Council’s ‘Mountains Living’ course inform residents about the issues relating to environmental impacts of wastewater and greywater.”

DESCRIPTION

The chapter titled “Legislative and policy context” details the state and local planning policies and requirements regulating wastewater disposal services across the Blue Mountains.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
1	
<i>Format:</i>	
Individual	0
Public Authority	1
Community Organisation	0

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	0
Support / No Refinements	0
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	0
Comment	1
Total Comments	1

COMMENTS RAISED – by public authorities

Comment – Refinements Requested **1 comment**

- The Sydney Catchment Authority notes that in reference to Section 3.1.2 the Drinking Water Catchments Regional Environmental Plan No. 1 (REP) is no longer a draft and came into force on 1 January 2007 and has replaced State Environmental Planning Policy 58.

DISCUSSION

The commencement of the REP is noted. This Chapter is to be amended to reflect the most up to date legislative requirements.

RECOMMENDATION

- E.1 That Chapter 3.1.1 titled State Environmental Planning Policy 58 – Protecting Sydney’s Drinking Water Supply is deleted and the following inserted in its place:

3.1.1 Drinking Water Catchments Regional Environmental Plan No. 1

“The Drinking Water Catchments Regional Environmental Plan No 1 (REP) came into effect on 1 January 2007. The REP is the statutory instrument of Sustaining the Catchments – The Regional Plan for Sydney’s Drinking Water Catchments. Both documents aim to protect the health of drinking water catchments within the Hawkesbury-Nepean, Shoalhaven and Georges Rivers.

The Regional Plan includes an action plan to help government, business and the communities in the catchments to rectify any current impacts on water quality resulting from past and existing activities as well as managing potential threats from future development such as poor sewerage and stormwater management.

The prevention of impacts from new development is a component of the REP. All development that requires consent will be required to demonstrate a ‘neutral or beneficial effect on water quality’. The concurrence role of the Sydney Catchment Authority (SCA) is triggered using the neutral or beneficial effect test, such that the more risky developments will require a greater level of scrutiny.”

DESCRIPTION

The chapter titled “Challenges and Opportunities” introduces information critical in understanding the challenges and opportunities associated with sewerage and on-site effluent disposal in the City. The Chapter is split into two sections, the first related to planning issues and the second related to infrastructure and strategy issues. This section of the Submission Report focuses on comments received in relation to planning issues.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
1	
<i>Format:</i>	
Individual	0
Public Authority	1
Community Organisation	0

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	0
Support / No Refinements	0
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	0
Comment	2
Total Comments	2

COMMENTS RAISED – by public authorities

Comment – Refinements Requested **2 comments**

- The Sydney Catchment Authority recommends the use of their Development Assessment Module modelling tool for assessing land suitability for wastewater disposal.
- In relation to Section 4.1.3, Sydney Catchment Authority comments on the identification of suitable/unsuitable on-site effluent disposal systems include the following:
 1. Notes that in the mountainous areas, where soils are sandstone derived, highly shallow, highly permeable and low in phosphorus soils, with sandstone bedrock and steep slopes and combined with freezing conditions, dictate that only a few systems are suitable:
 - amended soil systems, and
 - aerated wastewater treatment system (or similar) with sub-surface irrigation
 2. Notes that a number of on-site systems are unsuitable and should not be permitted/discouraged in mountainous areas:
 - septic tanks with absorption trenches,
 - aerated wastewater treatment system with surface irrigation,
 - reed bed systems
 - sand mounds, and
 - pump-out systems
 Pump-out systems should only be allowed under exceptional circumstances due to abuse/poor performance.
 3. Notes that in non-mountainous areas, the appropriateness of on-site wastewater systems can be undertaken on a case by case basis.

DISCUSSION

The Development Assessment Module (DAM) has been developed by the Sydney Catchment Authority (SCA) as a tool for assessing land suitable for on-site wastewater disposal. It is understood that the DAM is used as part of the development assessment processes to ascertain whether an on-site system and its location in the context of the proposed development will have a neutral or beneficial effect on water quality. In accordance with the Regional Environmental Plan development consent cannot be granted if a neutral or beneficial effect on

water quality is not achieved. It would be beneficial for Council officers to use the DAM to undertake the assessment in-house thereby reducing the need to refer development proposals to the Sydney Catchment Authority.

The Sydney Catchment Authority makes further recommendations regarding the suitability of different types of on-site systems suited to the climatic conditions of the Blue Mountains. These details should be incorporated into Chapter 4.1.3 and any subsequent policy document that is developed relating to on-site wastewater systems.

RECOMMENDATION

- F.1 That any policy for on-site wastewater disposal being developed by Council acknowledges the limitations of the types of wastewater systems that are suitable to the climatic conditions across the City. The following challenge is to be inserted into Chapter 4.1.3:

“3) That any new policy for on-site wastewater disposal being developed by Council acknowledges the limitations of the types of wastewater systems that are suitable to the climatic and soil conditions across the City.”

DESCRIPTION

The chapter titled “Challenges and Opportunities” introduces information critical in understanding the challenges and opportunities associated with sewerage and on-site effluent disposal in the City. The Chapter is split into two sections, the first related to planning issues and the second related to infrastructure and strategy issues. This section of the Submission Report focuses on comments received in relation to infrastructure and strategy issues.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
3	
<i>Format:</i>	
Individual	0
Public Authority	2
Community Organisation	1

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	3
Support / No Refinements	0
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	0
Comment	1
Total Comments	4

COMMENTS RAISED – by public authorities

Support in Part – Refinements Requirements 2 comment

- SCA notes that there are approx 3500 registered on-site systems including 2200 septic tanks with absorption trenches that constitute 62% of total registered on-site effluent systems. A high percentage of these systems have been failing or have high risk of failure due to the presence of shallow soils and steep slopes therefore have ongoing impact on water quality. To this end, SCA believe that BMCC and SWC should give top priority to the early connection of dwellings that can be or will be serviced by a reticulated sewer system.
- The draft Strategy suggests providing financial incentives to encourage connection (Section 4.2.7). The SCA considers connection to a sewer should be compulsory where on-site wastewater systems have been shown to fail or have been rated as high-risk. While recognising that Council cannot arbitrarily mandate connection to sewer unless there is evidence of failure or unsustainability, they suggest inspections during wet weather when there is a high-risk of failure evidence. SCA considers that there may be opportunities for some financial offset (such as a partial rebate) to make this approach more palatable. SCA believes this approach would not only help to reduce wastewater pollution from failing systems but also help to partially recover monies invested in the construction of reticulated systems. The decision support model would need to be updated to reflect this proposal.

Comment – No Refinements 1 comment

- Sydney Water in accordance with IPART’s developer charge determination has only sought to recover the cost of infrastructure works that will benefit future development within the Blue Mountains through the draft developer charges. Only \$22 million of the total \$150 million UBMSS costs is required to service urban development and only this amount has been included in the draft developer charges. Remainder of the costs covered from customers across Sydney Water’s operations.

COMMENTS RAISED – by community organisations and general public

Support in part – Refinements Requested

1 comment

- In reference to Section 4.2.5, the community organisation believes that the Minister's response highlights the case for no development in unsewered areas, hence the organisation recommends a new Challenge be added to 4.2.5:
 - (Challenge 3) That BMCC lobby the State Government to provide funds to purchase lots outside the Priority Sewage Program Area that rely on pump-out as a long term option.
 - The organisation states that if there is no opportunity for connection to reticulated sewer and no satisfactory on-site disposal, development should not proceed (and consequently zoning changes made) because:
 - it may be less costly for the community and environment in the long term to buy back the land;
 - the cost of any buy back should not be borne by Council, contributions should be made from all State agencies making a saving;
 - there may be possibilities of future more appropriate technologies; and
 - a comprehensive costing of long term impacts of the misuse of pump out disposal has not been done.

DISCUSSION

In regards to the comment above relating to the early connection to sewer, Council has in place a program as part of the Environmental Levy to encourage the early connection of properties. As part of this program the Council is working in close consultation with Sydney Water to ensure that the most accurate and up to date information is used throughout the process. To date this program has been very successful. The program targets properties on pump out as a priority followed by properties with problematic on-site wastewater systems.

A program to encourage early connection to sewer through the use of financial incentives is supported by both Council and Sydney Water however past attempts to implement such a program has been unsuccessful, particularly in relation to the source of the financial incentive. Regardless both levels of government are continuing to work together to support and encourage early connection to the reticulated system. Sydney Water has extended its social program to cover the cost of sewerage system connections in genuine hardship cases while Council has developed a financial assistance package to upgrade failing on-site wastewater systems and where possible aid in the connection of properties to sewer. This partnership work is also reflected in Action 4.

Section 4.2.5 details the state government position surrounding the subsidised effluent pump-out scheme and vacant residential lots being the expectation that the number of lots on pump-out would decrease over time. The position of the state government to reduce the number of lots on the subsidised pump out scheme does not automatically highlight a case for no development, as suggested by the comment above. The challenge therefore is finding sustainable solutions both environmentally and financially to resolve the issue of lots outside of the current priority sewerage program. The proposal for 'BMCC to lobby the State Government to provide funds to purchase lots outside the Priority Sewage Program Area' is an action rather than a challenge, and is discussed in further detail in Section J of this document.

RECOMMENDATION

- G.1 That the comments made above be noted.
- G.2 That no changes be made to the Blue Mountains Sewage Strategy as exhibited in response to the comments.

Blue Mountains Sewage Strategy – Submission Report

H. Strategic Response

Outcomes Identified in the Strategy

DESCRIPTION

The chapter titled “Strategic Response” sets the strategic framework to the challenges and opportunities raised in Chapter 4 of the Strategy. The strategic response is made up of 1) Principles that underpin the Strategy; 2) Strategic Outcomes; 3) Decision Support Model; and 4) Action Plan. This section of the Submission Report focuses on comments received in relation to 2) Strategic outcomes identified in the strategy.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
3	
<i>Format:</i>	
Individual	1
Public Authority	0
Community Organisation	2

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	0
Support / No Refinements	0
Refinements Requested	0
Object / Refinements Requested	4
Object / No Refinements	3
Comment	0
Total Comments	7

COMMENTS RAISED – by community organisations and general public

Do Not Support – Refinements Requested

4 comments

- In reference to Outcome 3, Scenario 3, the extension of sewage pump-out to new development in areas that are not cost effective to sewer is not supported. Council should resist the tendency toward low density urban sprawl into these areas. Approval of development reliant on a commercial pump-out contractor is a formula for bad pollution and degradation of the World Heritage Area.
- The last paragraph on page 40 should be deleted from the strategy so that Scenario 3 operates to select an outcome from:
 - a) acquisition of high conservation land/alternative management other than residential
 - b) on-site treatment, or
 - c) lot consolidation options.
- The organisation has reservations about supporting Strategic Outcome 2. The organisation believes that using pump-out as a stop-gap measure to allow further un-serviced residential development to proceed is inappropriate. Invariably such a stop-gap arrangement will generate in a longer waiting list for sewage services. Recommends that residential development should wait until the reticulated sewerage services are available. Approval of new residential buildings in the affected areas should be contingent upon sewerage connection to the new reticulated service - this will avoid the 'bother of battling' new home owners to find another \$3000 to connect to sewer.
- Subsidised pump out systems are a poor solution and extension of this system is unwise, even as a stop-gap measure as it will be prone to financial policy changes. The organisation does not support Strategic Outcome 2, except for existing dwellings. All available subsidy funds should be directed toward the backlog of existing residential stock, and not to new development.

Blue Mountains Sewage Strategy – Submission Report

H. Strategic Response

Outcomes Identified in the Strategy

Do Not Support – No Refinements

3 comments

- The community organisation strongly objects to using pump-out as a 'last resort' option for new development. The organisation believes that no new development should be approved based on pump-out of partly treated domestic wastewater, unless there are clearly defined and funded short term plans for sewer connection.
- While the individual submitter appreciates efforts to address sewage pollution and accompanying weed infestation caused by unsewered properties, the Strategy is not supported. Concerned that the Strategy is advocating the State Government through Sydney Water to construct new sewer mains in order to reach 'remaining residential blocks that are constrained physically or do not currently have environmentally appropriate options for the disposal of effluent'. This will promote and result in further subdivision of properties resulting in greater development and impacts on the environment. There are also impacts from the construction of sewer mains through environmentally sensitive areas. Consequently, greater environmental problems will more than offset any apparent benefit gained from connection to sewer mains.
- The organisation notes that the Priority Sewerage Program and the proposed Blue Mountains II Priority Sewerage Program should only cater for existing residences. The proposal to extend the pump-out service to new development leads to the adoption of the more environmentally damaging aspects of Strategic Outcome 3, Scenario 2. This Scenario could force Strategy failure as the number of residences dependent on pump-out systems would expand instead of decline. If the planning instruments allow the unserviced residential development, there is an increased likelihood that the money will be insufficient to subsidise all the stop-gap pump-outs. As the waiting list for reticulation grows, so will the pollution and decline in environment. Moreover even if sufficient funds for subsidy are found, pollution will still increase due to the high levels of unauthorised discharge with these systems. For this reason, Outcome 3, Scenario 2 is opposed.

DISCUSSION

The opposition to the use of pump-out as a final option for wastewater disposal is noted. However it should be acknowledged that the issue of resolving historic deficiencies in reticulated sewer across the City is a very complex issue that will not be resolved through a small number of actions. The Council has, over the past years, explored many opportunities aimed at resolving some of this complexity however progress to date has been limited in a number of areas.

Due to the unfortunate situation whereby a large numbers of properties weren't identified for connection to sewer in the 1990's, due to the wrong assumptions that they were "rural" not residential and that rural properties with a land area of 4,000sqm could automatically dispose of effluent on-site, has resulted in over 1,000 properties being restricted from development due to inadequate sewerage infrastructure. As the amount of available vacant residential land continues to decline in the Blue Mountains, Council is being subject to increased pressure from the property owners to consider development on these remaining lots given their existing and long held zoning that permits development of a dwelling.

It should however be acknowledged that reticulated sewer cannot be provided to all outstanding lots in the Blue Mountains. Further the potential for Council to acquire all lots not connected to sewer is also unrealistic given the prior commitment to acquisitions of environmentally sensitive land identified under LEP 2005 and Council's limited funding in this regard. The Blue Mountains Sewage Strategy aims to address these historic deficiencies through a combination of targeted solutions outlined in the Decision Support Model. The Model, as exhibited, incorporates pump-out as one of a range of options for wastewater disposal only considered after all other opportunities are exhausted.

Blue Mountains Sewage Strategy – Submission Report

H. Strategic Response

Outcomes Identified in the Strategy

The Decision Support Model, as exhibited, is linked to a number of strategic actions that aim to accommodate a number of disposal options in an endeavour to minimise the number of potential lots that would require pump-out as a last resort. The actions include Action 3.1- to investigate and implement performance based controls for on-site effluent and Action 3.4 to prepare a high conservation value lands strategy. Each action is discussed in turn below.

Action 3.1 will encourage technological innovation in the area of on-site wastewater systems as new controls allow for a system to be installed on land area less than 4,000sqm where the set performance measures are able to be met.

Action 3.4 involves the preparation of a high conservation value lands strategy. This strategy aims to identify land of high conservation value across the Local Environmental Plan 1991 (LEP 1991) area, including vacant properties which are unsewered. The strategy includes the development of management strategies to ensure lands are appropriately conserved and the prioritisation of lands for acquisition across the LGA. Action 3.4.4 specifically requires Council to work with state and federal government to fund an acquisition program to acquire priority listed high conservation value lands to protect the World Heritage Areas.

In addition to the above actions, the Strategy initiates a process to identify and map vacant properties with no access to reticulated sewer that have the potential to be developed using on-site disposal systems through consolidation with adjoining lots. This Action provides Council with a clear opportunity to further reduce, if not eliminate the “pump-out as a last resort” option if opportunities to consolidate properties to enable on site effluent disposal were pursued through amendments to the minimum area provisions of the LEP. In this case the outcomes of Action 3.3.1 would be implemented through an amended Action 3.3.2 involving the relevant amendment to provisions and minimum area requirements as part of Councils comprehensive LEP preparation. Council, in accordance with the Standard Instrument (Local Environmental Plans) Order 2006 is required to prepare a comprehensive LEP for the entire LGA by 2011.

Consolidation provisions already exist in LEP 1991 however the minimum consolidation area does not directly link to the capacity of the land to dispose of effluent on-site. The capacity of the land to dispose of effluent on-site along with a consideration of land constraints and the identification of high conservation value lands will be the key driving factors of Action 3.3.1 and amended Action 3.3.2. Council will need to prioritise this work as part of its LEP resource commitments in order to ensure that the properties identified for consolidation along with the minimum area requirements is completed in consultation with the Department of Planning prior to the section 62 consultation with public authorities on the comprehensive LEP.

Together the performance based controls for on site systems, the preparation of a high conservation value lands strategy and the ability to seek consolidation of unsewered lots to enable on site disposal may resolve all the outstanding issues relating to wastewater disposal in the Blue Mountains, leading to an outcome where non-subsidised effluent pump-out is a disposal option which is rarely if ever used. This outcome will not be known until resources are dedicated to the completion of some of the key actions in the Strategy. However, Council believes removal of commercial pump-out as a last resort option would restrict Council’s decision-making options.

RECOMMENDATION

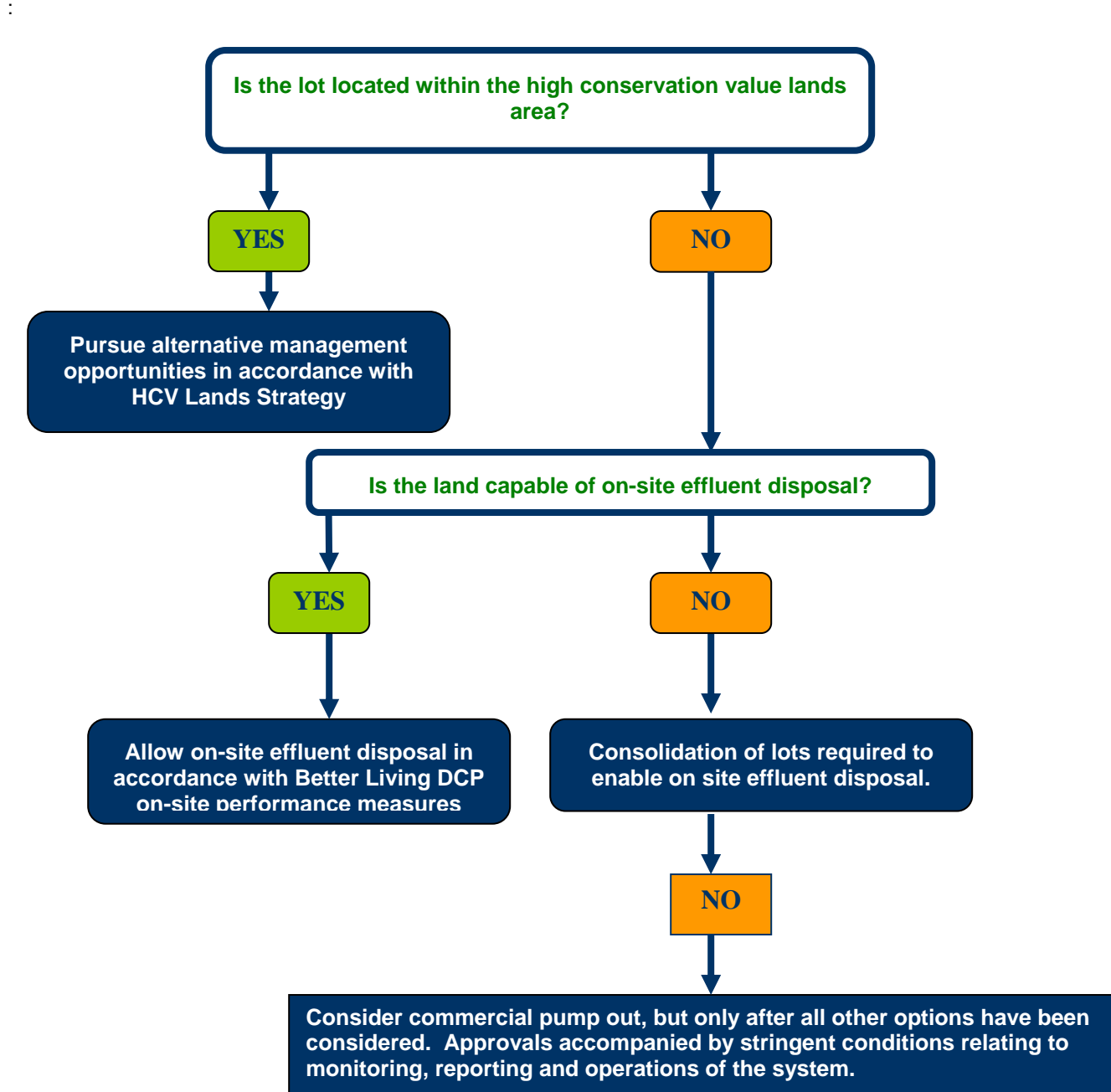
H.1 That the following text be inserted into part of Action 3.3.2:

“Investigate and amend the minimum area requirement provisions when preparing the principal LEP to be reflective of the outcomes of Action 3.3.”

H.2 That the principle to “Limit development relying on pump-out as a long-term method of wastewater disposal” as detailed in Section 5.1 (Principles that underpin the strategy) should further emphasis that

commercial pump out should be used only as an option of last resort, and only after all other options have been exhausted.

H.3 The decision support model should be simplified and a Scenario No 2 developed as outlined below:



Blue Mountains Sewage Strategy – Submission Report

I. Strategic Response

Decision Support Model

DESCRIPTION

The chapter titled “Strategic Response” sets the strategic framework to the challenges and opportunities raised in Chapter 4 of the Strategy. The strategic response is made up of 1) Principles that underpin the strategy; 2) Strategic Outcomes; 3) Decision Support Model; and 4) Action Plan. This section of the Submission Report focuses on comments received in relation 3) Decision Support Model (DSM).

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
3	
<i>Format:</i>	
Individual	0
Public Authority	2
Community Organisation	1

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	2
Support / No Refinements	0
Refinements Requested	0
Object / Refinements Requested	0
Object / No Refinements	1
Comment	1
Total Comments	4

COMMENTS RAISED – from consultation with Public Authorities

Support in Part – Refinements Requested

2 comments

- Sydney Catchment Authority notes that considering the focus of the strategy is on early connection to the existing or future network, two scenarios are suggested instead of the three proposed in the Decision Support Model:
 - Scenario 1 - for lots with existing or proposed access to reticulated sewer network
 - a. Does the development have access to connect to reticulated sewer network?
 - b. Is the development located within the current Priority Sewerage Program Area?
 - c. Does the lot have State Government commitment to a reticulated sewer under the proposed Blue Mountains II Priority Sewerage Program?
 - Scenario 2 - for lots without access to reticulated sewer network
 - a. Is the land available for development greater than 4,000sqm?
 - b. Is the land capable of on-site effluent disposal or is there an opportunity to consolidate the land?
 - c. Is the lot located within the high conservation value lands area?Note that the sub-sub-headings to the suggested scenarios would be as per the proposed Decision Support Model provided in the strategy.
- Sydney Water recommends modification to the decision support model to include a step relating to the availability of town water. Requests further discussions with Council on the matter. Understand that reticulated services can be provided without town water however concerned at the expectation the service will be provided not for charge whether town water is available or not.

Comment

1 comment

- Sydney Water comments that any such commitment to an extension to the Priority Sewerage Scheme is not likely to be delivered for a considerable time.
- Sydney Water also objects to the term “Blue Mountains II Priority Sewerage Program” (which is Council’s proposal to extend the current State Government’s commitment to expand the reticulated sewerage program ie the Priority Sewerage Program). Sydney Water believes the term implies State Government approval to an expanded program which is not correct. Sydney Water prefers the term

Blue Mountains Sewage Strategy – Submission Report

I. Strategic Response

Decision Support Model

Blue Mountains Backlog Sewerage Proposal for Council's proposal to expand sewerage services to unsewered areas not already serviced, or to be serviced under the State Governments Priority Sewerage Program.

COMMENTS RAISED – by community organisations and general public

Do not Support – No Refinements

1 comment

- The community organisation objects to the following aspect of Scenario 3 in the DSM:
"If it is the case that there is no opportunity for reticulated sewer, pump to sewer or on-site sewer or if the property is not located within a high conservation value area then consideration will be given to allowing a property to dispose of effluent via commercial contractor as a last resort."

DISCUSSION

The Decision Support Model as outlined in the draft Blue Mountains Sewage Strategy provides for three scenarios. Scenario 1 ensures that all development that has access to reticulated sewer and is able to connect to the sewer is required to connect as a condition of development consent. This scenario also caters for development on land greater than 4,000sq metres, the current policy requirement for on-site sewage disposal in the Blue Mountains.

Scenario 2 details the approach for lots that are less than 4,000sq metres and do not currently have access state government's current priority sewerage program. For these lots Scenario 2 proposes to advocate for the establishment of another priority sewerage program referred to as the Blue Mountains II Priority Sewerage Program. Once commitment is received from the State Government for such a program lots would potentially use pump-out services as a temporary measure until the reticulated infrastructure is required.

Scenario 3 proposes another three options for effluent disposal if the property isn't located in an area proposed for reticulated sewer. Option 1 is for on-site effluent disposal either through complying with the new performance based controls for on-site disposal or alternatively the consolidation of lots to enable an increase in land area for treatment to ensure performance based controls can be met. Option 2 determines if the property is located within a high conservation value land area. Option 3 allows consideration of commercial pump-out.

The comment suggesting that the Decision Support Model use two scenarios instead of three is noted. The two scenario proposal would group the disposal options into those lots with existing or proposed access to reticulated sewer and lots without access to reticulated sewer. Such a proposal would amend the Decision Support Model to show:

- Scenario 1 - for lots with existing or proposed access to reticulated sewer network
 - a. Does the development have access to existing reticulated sewer network or future sewer network under the current Priority Sewerage Program?
 - b. Is the lot included in the proposed Blue Mountains Backlog Sewerage Program (previously called Blue Mountains II Priority Sewerage Program) and has received State Government commitment to be connected to reticulated sewer in the future?
- Scenario 2 - for lots without access to the reticulated sewer network currently or in the future
 - d. Is the lot located within the high conservation value lands area?
 - e. Is the land capable for on site effluent disposal?
 - f. Is there an opportunity to consolidate the land to allow on-site effluent disposal?
 - g. Once all other options are exhausted, consider allowing commercial pump out with stringent conditions in relation to monitoring, reporting and operation of the system

Blue Mountains Sewage Strategy – Submission Report

I. Strategic Response

Decision Support Model

Such an approach, if adopted, would remove some of the complexity from the Model and streamline the approach. This revised model could also accommodate the issue of town water availability, as commented above, into scenario 1 as one of the issues to be considered in determining what lots would be included in the Blue Mountains II Priority Sewerage Program (Blue Mountains Backlog Sewerage Program).

The objection to the option of pump-out disposal as a last resort is noted. Refer to Section H of this Submission Report for more detailed discussion in relation to this issue.

The comment suggesting a change to the title of the Blue Mountains II Priority Sewerage Program is noted, and the term Blue Mountains Backlog Sewerage Program is recommended to be used instead. The Strategy makes clear that this is a Council proposal for future expansion, and has not yet received State Government endorsement. The Strategy outlines a process to develop the Blue Mountains Backlog Sewerage Program, and to get State Government endorsement.

RECOMMENDATION

- I.1 That the Decision Support Model be amended from 3 to 2 scenarios, with Scenario 2 as outlined above at H3.
- I.2 That the following text be inserted into Section 5.4 Decision Support Model in place of the 3 scenario description:

“The Decision Support Model provides for two scenarios:

Scenario 1 Lots which currently have access to the reticulated sewer, or have commitment to be connected to sewer under the current State Government Priority Sewerage Program, or will be included in the proposal to expand the current sewerage program (Blue Mountains Backlog Sewerage Program)

Scenario 1 ensures that all development that has access to reticulated sewer and is able to connect to the sewer network, connect as a condition of development consent. In addition this scenario allows for development to precede in current priority sewerage program areas (Upper Blue Mountains Sewerage Scheme, Yellow Rock and Hawkesbury Heights) through the subsidised effluent pump-out service. For other residential lots outside the current Priority Sewerage Program, Council will advocate through this Strategy for State Government commitment to the provision of reticulated sewer forming a new backlog area (Blue Mountains Backlog Sewerage Program). Once commitment is given it is anticipated that development would be able to proceed on the lots included in the Blue Mountains Backlog Sewerage Program through the use of a temporary subsidised effluent pump-out service. If no commitment is given to expand the current sewerage program, then Scenario 2 applies to these unsewered lots.

Scenario 2 Lots which are not currently connected to sewer and will not be in the future, either under existing or proposed sewerage expansion programs.

Scenario 2 responds to those lots that are not cost effective to sewer by Sydney Water. On-site disposal is the alternative option for disposal dependant on the sites capability of disposing effluent in accordance with Council's performance based development controls for on-site sewer. If the lot is located within a high conservation area then alternate management strategies will be pursued in line with Council's High Conservation Value Lands Strategy. Should the lot be located outside of a high conservation area and it's current size and other constraints prevent on-site disposal then a consolidation or minimum lot area provision is proposed to be placed on the land through the Council's Local Environmental Plan review. Once all other options are exhausted, consider allowing commercial pump out with stringent conditions in relation to monitoring, reporting and operation of the system. ”

Blue Mountains Sewage Strategy – Submission Report

J. Action Plan

DESCRIPTION

The chapter titled “Action Plan” sets clear actions, priorities and coordination and focuses on those outcomes that have significant benefits for the community and environment. The Action Plan includes a range of different approaches to be undertaken by Council and key government agencies as part of a whole of government approach to minimising the impacts of sewage on the Blue Mountains catchments and World Heritage area.

Summaries from public exhibition

SUBMISSIONS	
Number of Submissions on this matter	
4	
<i>Format:</i>	
Individual	0
Public Authority	2
Community Organisation	2

COMMENTS	
Position	Count of comments on this matter
Support / Refinements Requested	9
Support / No Refinements	4
Refinements Requested	0
Object / Refinements Requested	1
Object / No Refinements	4
Comment	1
Total Comments	19

COMMENTS RAISED – from consultation with Public Authorities

Support in Part – Refinements Requested

3 comments

- Recommends action 4.4.3 be removed or modified to reflect the requirements of DECC and the responsibilities column to include Sydney Water and DECC only. Suggested text is “Sydney Water to address aging reticulation infrastructure in accordance with DECC requirements”.
- Action 4.4.1 with regards to construction rehabilitation – Sydney Water will determine the appropriate duration for maintenance of rehabilitation to satisfy legislative requirements.
- In reference to Action Plan item 4.4.3 SCA proposes that the maintenance of sewerage infrastructure needs to be more highlighted and elaborated as the volume and impact of raw sewage discharged from a single sewer main break can undo in a few hours the good work associated with improved management of on-site wastewater systems over a long period of time. Failures of public sewerage infrastructure also have the potential to undermine public support for stricter management of private on-site systems.

Do not support - Refinements Requested

1 comment

- Action 2.1 and 2.2 Sydney Water expects that the number of properties on subsidised pump-out to decrease over time. Sydney Water does not see a role in extending the existing pump-out service nor acceptance of BM Priority II Sewerage Program. Requests Sydney Water to be removed from the responsibility column. Sydney Water will only commit to servicing lots only when they are included in the NSW Governments Priority Sewerage Program.

COMMENTS RAISED – by community organisations and general public

Comment – Refinements Requested

1 comment

- Community organisation has identified the Blue Mountains Tunnel as an infrastructure issue due to "15 litres per second of groundwater was seeping into the tunnel in the 18km stretch between Hazelbrook and Katoomba prior to its connection and hence diverting water away from aquifers and swamps (McKay, Sydney Water:1999)." The organisation notes there is no reason to believe that this situation has changed, therefore recommend that:
"Sealing the Blue Mountains Tunnel becomes an Action in the Sewage Strategy".

Support in Part – Refinement Requested

5 comments

- The community organisation would also like inspections to be given a higher priority in the Strategy; the Action plan addresses inspections and monitoring in 4.3 however the priority is medium-term. The organisation recommends that:
"Monitoring of on-site sewage systems be a short term priority and that the number of inspections be reported each year".
- Action 1.1.2. Community organisation believes that Council should have responsibility for this action. Effective operation of Outcome 3, Scenario 3 depends on this lot ranking task being done. If Council is to make the task contingent on State Government action, then the Council will hinder future acquisition of high conservation lands. Council should instead undertake the work funded by its environment levy but using environmental assessment criteria previously agreed by the State Government.
- Action 2.4.2: This proposed action should apply to existing residences only, not to support construction of new residential homes prior to the arrival of reticulated sewerage, including those undeveloped lots in existing urban areas.
- Action 4.4.1: The community organisation believes that further compliance monitoring of Sydney Water rehabilitation is necessary to ensure post construction rehabilitation is successful. Sydney Water should have responsibility for the rehabilitation for five years, not two. Rehabilitation can fail, and a period of five years is necessary to ensure that there is sufficient time for negotiations and to permit rehabilitation to be re-established. At times highly vulnerable bushland environments are disturbed by sewerage installations and these impacts require extensive revegetation and soil erosion works.
- Action 4.4 is strongly supported by the community organisation, however concerned that Action 4.4.1 does include adequate timeframe to achieve post construction rehabilitation of natural areas. Based on experience of previous failure to meet 2 year post construction remediation commitment and belief that this period is far from adequate to properly remediate bushland, the community organisation recommends that the post construction remediation period be extended to 5 years and this to be managed by BMCC.

Support in Part – No Refinements

4 comments

- Action 4.3.3: The community organisation believes that given the extent of the problem of non-compliance, Council's inspection costs should be recovered from fines imposed on illegal discharges.
- Actions 3.1.3 and 3.2: The community organisation supports the development of a DCP to facilitate Council's compliance monitoring of on-site wastewater systems as well as guidelines and performance standards. The organisation would not support a DCP that allows more unserved residential development.

Blue Mountains Sewage Strategy – Submission Report

J. Action Plan

- Action 1.4 The community organisation believes that alternative disposal options for new residential development should be limited to those options that enable connection to the sewer.
- The community organisation requests an additional Action to Outcome 3: The proposed DCP guidelines should facilitate compliance regarding basic maintenance. Non-compliance with guidelines specified by the proposed DCP should incur a fine. Council monitoring of properties with on-site wastewater systems is necessary to ensure adequate maintenance of the on-site sewage system by residents. The guidelines need to set clear rules to assist council officers with monitoring and compliance tasks.

Do not Support – No Refinements

4 comment

- Action 2: The community organisation does not support the application of any pump-out scheme to new residential development in the Blue Mountains.
- Action 3.1.1: This action for on-site systems reduces environmental protection by removing the 4000sqm lot minimum for approval of on-site systems, and in consequence would cause more on-site pollution and so is not supported by the community organisation.
- Action 3.2.3: The community organisation does not support non-subsidised pump-outs for new development. Approving non-subsidised pump-outs would result in major pollution due to regular unauthorised discharge from these facilities to save money at the environment's expense.
- Action 4.4.2: The community organisation does not support developers being cross-subsidised by Sydney Water rate-payers so that they may undertake urban expansion over land that would otherwise be too costly to service. Such land should not be developed. On-site wastewater systems are not appropriate for proposed urban expansion areas and if reticulated sewage services cannot be extended prior to sale of residential lots then development should not be permitted.

DISCUSSION

The comments both supporting and not supporting the action plan are noted. Each action is discussed in numerical order below.

Action 1.1.2 is to request the State Government to undertake an environmental assessment and priority ranking of lots for reticulated sewer. The community organisation requests that Council be the responsible agency for undertaking this environmental assessment with funding allocated through the Environment Levy. Council cannot undertake the environmental assessment. The environmental assessment process was established in 1999 between Sydney Water, the Department of Environment and Climate Change (formerly known then as the Environmental Protection Agency) and the NSW Department of Health.

The environmental assessment process was first used to establish the environmental or public health impacts associated with 53 unsewered areas within Sydney Waters's areas of operations that needed to be addressed through improved sewerage services. As a result of the assessment the unsewered areas were ranked according to the following categories:

- Priority A (high environmental ranking) – system upgrade is considered to result in significant environmental improvements and a significant reduction in human health impacts.
- Priority B (medium environmental ranking) – system upgrade could result in some environmental improvement and a reduction in human health risk.
- Priority C (low environmental ranking) – marginal improvements would derive from sewerage system upgrade.

Blue Mountains Sewage Strategy – Submission Report

J. Action Plan

In 2002 an environmental assessment was carried out by the Department of Environment and Climate Change and NSW Health of unsewered residential lots in the Blue Mountains. This assessment assigned an 'A' environmental ranking to all 1,234 lots assessed. Action 1.1.2 refers to the need to undertake a further environmental assessment of those lots identified by the sewer investigation analysis that have not previously been assessed. It is recommended that Action 1.1.2 remain as per the draft document.

Action 1.4: This action involves a partnership approach between Sydney Water and Council to explore the application of alternative sewage treatment options in areas in areas which are hard to sewer with conventional systems. The conventional system that this action refers to is the gravity type system that is currently installed throughout the Blue Mountains. As part of the Upper Blue Mountains Sewerage Scheme alternative systems such as pressure sewerage systems are being installed in parts of Blackheath and Medlow Bath. Pressure sewerage systems offer significant advantages where topography, local conditions and technical challenges make conventional gravity sewerage systems more difficult or expensive to construct. With the availability of new technology there is now the potential to investigate the servicing of properties that were once identified as too expensive or difficult to sewer with gravity reticulation systems. Sydney Water will only install pressure systems where they are cost effective to do so.

It is recommended that Action 1.4.2 be amended to "Work with Sydney Water to explore the application of pressure sewerage systems in areas which are hard to sewer with conventional gravity systems".

Action 2: This action pursues the extension of the existing subsidised pump-out service to those properties included in the Blue Mountains II Priority Sewerage Program if this program is given State Government commitment. The comment above does not support the extension of the pump-out scheme to new areas in the Blue Mountains. The Strategy proposes, through the decision support model, to request Sydney Water to provide a subsidy if properties have a state government commitment to reticulated sewer. This approach ensures that the pump out services is not only a temporary disposal method but is more cost effective to dispose of due to the subsidy provided by Sydney Water.

Further in relation to this Action 2, Sydney Water has advised that it expects the number of properties on the subsidised pump-out system to decline over time. Sydney Water has also requested to be removed from the responsibility column of Action 2.1 and 2.2 specifically. As mentioned above these actions specifically relate to the extension of the subsidised pump-out service and the retention of the service for those properties lots that have an existing service but are not located within a backlog area. It is accepted that the responsibility for these actions does not lie directly with Sydney Water nor does the decision to implement these actions. Rather the responsibility is with the State Government and IPART through the setting of Sydney Water's Operating Licence. It is recommended that Action 2.1.2 be amended to "Lobby the State Government to extend the subsidised pump-out service to all properties with sewer commitment" and further amend Action 2.2.1 to "Lobby State Government to retain subsidised pump-out service to lots with an existing service but no sewer commitment". As a result of this amendment the responsibility for both actions will become Blue Mountains City Council.

The request from Sydney Water to replace the term Blue Mountains II Priority Sewerage Program be replaced with the term "Blue Mountains Backlog Sewerage Proposal" is noted and accepted in order to avoid confusion with the governments current Priority Sewerage Program.

Action 3.1.1 refers to the preparation of draft performance controls for on-site sewage systems to allow for the flexibility of minimum land application areas to the extent where it can be demonstrated that all performance objectives are met. The comment above assumes that by removing the 4,000sqm minimum lot area for on-site systems and replacing this criteria with performance based controls will in fact increase the incidence of water/ environmental pollution. This assumption cannot be made without having firstly reviewed the performance controls for on-site systems. Actions 3.1.1, 3.1.2 and 3.1.3 combined detail the process for the development of permanence based controls incorporating a draft that will be publicly exhibited as a requirement of preparing Development Control Plans. At that stage the community organisation will be able to comment as to whether or

Blue Mountains Sewage Strategy – Submission Report

J. Action Plan

not the controls will allow for water/ environmental pollution. It is recommended that no amendments be made to this action.

In addition to Outcome Area 3, comments above suggests that the DCP amendments regarding on-site sewage disposal should also incorporate clear guidelines on the monitoring of properties with systems and set clear rules to assist council officers with monitoring and compliance tasks. Although the amendment is proposed to set clear guidelines to assess any new applications for on-site systems the DCP is not the correct document for setting regulatory frameworks. The regulatory frameworks for on-site system inspections are set out in the Local Orders Policy. This Policy indicates Council's intentions to improve the environmental and health performance of effluent disposal systems and criteria to be considered when requiring either connection to sewer or upgrading of on-site disposal and provides specific orders in relation to connecting to a reticulated sewer system.

Action 4.3.3 This action refers to the potential to fund an inspection program to monitor illegal discharges associated with pump-out from Council's Environment Levy program. The comment above requests that inspections be given a higher priority in the Strategy (that is medium term to short term) and also requested that the number of inspections be reported each year. Blue Mountains City Council has in place an inspection program and the number of inspections is reported in the State of the Environment Report. The program also includes an inspection program and targeted visits to properties with on-site systems or on subsidised pump-out systems that also have access to reticulated sewer. Given the higher incidence of illegal discharge from pump-out systems, they have been given a priority in the Council's inspection program. In essence this action only relates to the funding of additional inspections on top of the Council's existing program. The medium priority is allocated to coincide with the review of the environmental levy program which is required to be set and approved by the Department of Local Government for a five year timeframe.

Action 4.5.1 This action refers to the duration in which Sydney Water maintains responsibility for rehabilitation of natural areas. The action sets a two year timeframe for rehabilitation responsibility and maintenance. The comments above to extend the timeframes from two to five years for rehabilitation are noted. Sydney Water has however advised that they will determine the appropriate duration for maintenance of rehabilitation to satisfy legislative requirements. Therefore the most appropriate method of addressing this issue is through a case by case approach at the planning and approvals stage for infrastructure. For example, for rehabilitation of natural areas associated with the Upper Blue Mountains Sewerage Scheme the appropriate time to influence the rehabilitation timeframe would have been at the Review of Environmental Factors (REF) stage. Council certainly did incorporate these issues into their submission to Sydney Water on the REF. Therefore Action 4.5.1 should more appropriately reflect this approvals process by stating "All submissions to Sydney Water concerning works in the local government area request Sydney Water to maintain post construction rehabilitation of natural areas for a minimum of two years. This is to be the minimum timeframe and longer timeframes are to be advocated on a case by case basis. "

Action 4.5.3 This action relates to Sydney Water undertaking a strategy to address ageing reticulated systems as part of their Sewer Catchment Area Management Plans. Sydney Water have advised that this action should be changed to state "Sydney Water to address aging reticulation infrastructure in accordance with DECC requirements" and further amend the responsibility to Sydney Water and DECC only. It is recommended that these changes be made to Action 4.5.3.

Actions not listed in the action plan. A comment above recommending that the sealing of Blue Mountains Sewerage Tunnel becomes an action of the Strategy is noted. Blue Mountains City Council already supports the sealing of the tunnel and is undertaking a targeted program to address this issue. It is understood that this action falls outside of the purpose of the Blue Mountains Sewer Strategy and requires a separate targeted program to respond to the issue.

RECOMMENDATION

Blue Mountains Sewage Strategy – Submission Report

J. Action Plan

- J.1 That Action 1.4.2 be clarified to “Work with Sydney Water to explore the application of pressure sewerage systems in areas which are hard to sewer with conventional gravity systems”.
- J.2 That Action 2.1.2 be amended to “Lobby the State Government to extend the subsidised pump-out service to all properties with sewer commitment”.
- J.3 That Action 2.2.1 be amended to “Lobby State Government to retain subsidised pump-out service to lots with an existing subsidised pump-out service but no sewer commitment”.
- J.4 That Action 4.5.1 be amended to “All submissions to Sydney Water concerning works in the local government area request Sydney Water to maintain post construction rehabilitation of natural areas for a minimum of two years. This is to be the minimum timeframe and longer timeframes are to be advocated on a case by case basis. “
- J.5 That Action 4.5.3 be amended to “Sydney Water to address aging reticulation infrastructure in accordance with DECC requirements”.
- J.6 That the term “Blue Mountains II Priority Sewerage Program” be replaced throughout the Strategy with the term “Blue Mountains Backlog Sewerage Proposal”.