

# TOWARDS BETTER ONSITE WASTEWATER MANAGEMENT IN VICTORIA - COMMUNITY EDUCATION SERIES

## FACT SHEET 8: REGULATION OF ON-SITE WASTEWATER MANAGEMENT SYSTEMS

This fact sheet provides an overview to the regulatory processes that govern the design, installation and operation of septic tank and other on-site wastewater disposal management systems for domestic and small commercial properties. The information in this fact sheet may also assist anyone looking to build a house or set up a small commercial business in a non-sewered area, or modify or repair an existing on-site wastewater management system.

### 8.1 REGULATORY PROCESSES

The Victorian Environment Protection Authority (EPA) provides the regulatory direction for the management of domestic wastewater in Victoria through the Environment Protection Act 2017 and Environment Protection Regulations 2021, the Code of Practice On-site Wastewater Management and other policies and publications. There is the Victorian Building Authority (VBA) which is responsible for maintaining the effectiveness and efficiency of Victoria's plumbing regulatory system. However the majority of administrative requirements for onsite wastewater management systems are dealt with by local government and particularly Environmental Health Officers (EHOs).

### 8.2 ENVIRONMENTAL HEALTH OFFICERS INVOLVEMENT IN ON-SITE WASTEWATER MANAGEMENT

You will become involved with your local Council's EHOs when you make application to the Council to do work on your on-site wastewater management system. Application types include:

- A Permit to Install – you will need a Permit to install when you are putting in a new on-site wastewater management system and you must have this before any work can commence (refer to section 8.3.1 in this fact sheet);
- A Permit to Alter – you will need a Permit to Alter when undertaking any of the following:
  - Undertaking repairs (maintenance is allowed without permit) or altering an existing system;
  - Upgrading an existing system;
  - Adding or replacing plumbing fixtures that direct wastewater to an on-site wastewater management system.

### 8.3 LOCAL GOVERNMENT ACTIVITIES:

Your local government EHOs will process your wastewater management system applications and generally deal directly with the nominated applicant. This nominated applicant could be a number of people including you, a licensed plumbing practitioner, a builder, or a project manager. In some instances they may also be required to refer your application out to other departments and agencies for comment, advice and approval.

#### 8.3.1 PERMIT TO INSTALL:

An application for a Permit to Install needs to include:

- Details of the type of on-site wastewater management system, a matching appropriate disposal method and the details of locations for these (refer to Fact Sheet 1 for information on conventional septic tanks; Fact Sheet 2 for information on aerated wastewater treatment systems; Fact Sheet 6 Common Disposal Methods (Primary Treatment Systems); and Fact Sheet 7 Common Disposal Methods (Secondary Treatment Systems);
- Specific details of the licensed plumbing practitioner/s undertaking the household plumbing and on-site wastewater management system works (they may be different);
- The owner's written consent to undertake these works;
- Provide accurate plans depicting the location of the house, sheds, driveways, stormwater drains, dams and other features on the site; all plumbing fixtures and fittings within the house; fall of the land; the point of north; position of

the septic tank or aerated wastewater treatment plant and disposal field; and detailed floor plans of the house showing bedrooms and studies;

– Declaration of the capacity of any spas or baths to be installed in the house.

The EHO will conduct an inspection of the property prior to issuing the Permit to Install. This is to confirm all the details in the application are correct. Once these details are confirmed the permit can be issued.

No works can commence on the on-site wastewater management system without the 'Permit to Install' being issued. Your licensed plumbing practitioner should review the permit and read all the conditions. It is important that the licensed plumbing practitioner installs the on-site wastewater management system in accordance with the specific conditions in the 'Permit to Install'. This saves time and money by getting it right the first time.

### 8.3.1 PERMIT TO ALTER

An application to make alterations to an existing on-site wastewater management system requires a Permit to Alter, it is necessary to provide:

– A letter from the licensed plumbing practitioner undertaking the works that states:

- Details of the septic tank or on-site wastewater management system, and matching appropriate disposal method;
- Whether the existing septic tank or other on-site wastewater management system is functioning adequately;
- Any elements of the system that will be altered or require repair.

– Accurate plans depicting the location of the house, sheds, driveways, stormwater drains, dams and other features on the site; location of the existing system; location of the components of the system that are to be altered; fall of the land; the point of north; position of the septic tank or aerated wastewater treatment plant and disposal field; and detailed floor plans of the house showing bedrooms and studies;

No works can commence on the on-site wastewater management system without the 'Permit to Alter' being issued. Your licensed plumbing practitioner should review the permit and read all the conditions. It is important that the licensed plumbing practitioner alters the on-site wastewater management system in accordance with the specific conditions in the 'Permit to Alter'. This saves time and money by getting it right the first time.

### 8.3.3 PROGRESS INSPECTIONS:

Progress inspections are required by most Councils. The main progress inspection needs to be conducted before trenches or irrigation lines are back filled, but after the base and pipes have been laid. For this inspection to occur, your licensed plumbing practitioner needs to contact your local EHO.

### 8.3.4 APPROVAL TO USE

The EHO needs to come back to inspect all the works once it is finished. Once the EHO is satisfied that all of the conditions in the 'Permit to Install / Alter' have been met and the EHO has been given:

- A Plumbing Industry Commission Compliance Certificate for the plumbing works within the house and all the works on the on-site wastewater management system;
- A plan of the constructed on-site wastewater management system;
- Commissioning and Electrical Certificates for aerated wastewater treatment systems;

A Certificate to Use can then be issued. The Certificate to Use will be needed by your building surveyor to complete their paperwork and issue a Certificate of Occupancy where required (e.g. a new house or an extension).

## 8.4 PLUMBING INDUSTRY COMMISSION ACTIVITIES:

The Plumbing Industry Commission (PIC) is responsible for maintaining the effectiveness and efficiency of Victoria's plumbing regulatory system.

### 8.3.1 Compliance Certificate:

- PIC licensed plumbing practitioners self-certify their plumbing work by issuing Compliance Certificates;
- The Compliance Certificate certifies that the plumbing work complies with all relevant regulatory requirements and provides insurance coverage for the work for up to six years.

### 8.3.2 Audits and Inspections:

– The PIC also conduct audits and inspections of a percentage of work undertaken to ensure that it meets the high standard required to ensure consumer safety. The PIC can also follow up with any legal action and rehabilitation work as required.

## 8.5 GENERAL COMPLIANCE REQUIREMENTS:

**Please Note: This fact sheet is only a guide, and it is your responsibility to ensure that the work you are having done complies with the current regulations, standards, local and state government policies, and any other relevant statutory requirements.**

All plumbing work must be carried out in accordance with Section 12A of the Building Act 1993 and Plumbing Regulations 2008, the Environment Protection Act 2017 and Environment Protection Regulations 2021.

The septic tank or Aerated Wastewater Treatment System need to be installed a minimum of 2 metres from any dwelling, verandah or other structure (e.g. car port or pergola). Additionally all access openings on the top of septic tanks that are used for inspection and pumping out are required to be brought up to ground level. Depending on the depth that the septic tank is buried, a concrete saddle or brick pit may be required to reach ground level.

There are minimum setback distances that a disposal field must be from swimming pools, wading pools, underground tanks, any building structures (e.g. sheds), the property boundary, underground cables, stormwater drains, and water sources (e.g. lakes and creeks). These minimum setback distances must be met but can vary depending on circumstances so the details of these distances can be found in the Code of Practice for Onsite Wastewater Management (Publication Number 891) on the EPA Victoria website at <http://www.epa.vic.gov.au>

## 8.6 PENALTIES:

If you do not comply with the conditions within the Permit to Install/Alter, there are significant penalties that can be imposed under the Environment Protection Act 2017 and Environment Protection Regulations 2021.

### 8.7 Relevant Regulation and Guidelines:

There are a number of regulatory documents and guidelines that you will need to refer to when preparing plans and specifications, and undertaking any plumbing work associated with domestic wastewater. These are:

#### **Environment Protection Authority (EPA Vic) publications:**

- Environment Protection Act 2017 and Environment Protection Regulations 2021
- State Environment Protection Policy (Waters of Victoria) (2003);
- Code of Practice - Wastewater Management Publication No 891 (Current version as published on EPA website);
- Code of Practice for Small Wastewater Treatment Plants Publication No. 500 (1997);
- Certificate of Approval.

You can obtain further information and copies of the EPA Vic documents from the following website:

<http://www.epa.vic.gov.au/water/wastewater/onsite.asp> Australian New Zealand Publications:

- Australian New Zealand Standards 1547
- Australian New Zealand Standard 1546.1
- Australian New Zealand Standard 1546.2
- Australian New Zealand Standard 1546.3
- Australian New Zealand Standard 1546.4

Australian New Zealand publications can be purchased from Standards Australia.

## 8.8 WHO TO CONTACT:

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