

# POLICY NO

C5:11

POLICY TITLE      **LOCAL ORDERS POLICY - CONNECTION TO  
SEWER IN CLARENCE TOWN**

VERSION I:          Adopted 17 August 2010

Last Reviewed:     16 June 2010

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## BACKGROUND

Reticulated sewage is expected to become available to the village of Clarence Town in 2011. All properties within the village area currently use on-site waste water storage, treatment and disposal systems. This policy outlines the policy that will require connection to sewer in this area when it becomes available.

## OBJECTIVE

1. To ensure that premises in Clarence Town connect to main reticulated sewer where available.
2. To prevent the on-site storage, treatment and disposal of effluent within the sewered areas of Clarence Town by those other than the Water and Sewer Authority.
3. To improve and maintain public health in these areas
4. To improve and maintain the local environment, in particular water quality in the Williams River and local waterways.

## AREA WHERE THIS POLICY APPLIES

This policy applies to all land in the sewered areas of Clarence Town including those parcels zoned:

- 2a Residential
- 3a Commercial
- 5a Special Uses and
- 6a Recreation

## AT WHAT TIME WILL COUNCIL ISSUE ORDERS

### Existing Premises:

Once Council is advised by Hunter Water Corporation that sewer is available to a premises Council will allow 6 months for premises to be connected.

Council will consider and may issue orders for a premise to be connected within 6 months of sewer becoming available if the on-site sewage management system on the property poses a risk to public health or the environment.

After 6 months of sewer becoming available, Council will issue an order to all property owners (where this policy applies) still using on-site sewage management systems, requiring that the premises be connected to sewer.

The order will allow a further 6 months for properties to complete connection. This period may be reduced if the on-site sewage management system on the property poses a risk to public health or the environment.

### New Premises:

Once sewer is available all new premises within the areas defined by this policy will be required to connect to sewer in accordance with this policy.

### IN WHAT CIRCUMSTANCES WILL COUNCIL ISSUE ORDERS

All properties as identified in this policy will be required to connect to the reticulated mains Sewer if the premise is within 75 metres of this system under Sec 124 order 24 of the Local Government Act 1993 and relevant provisions of Local Government General Regulation 2005.

For the purpose of this policy:

premises is considered to be the property boundary

connected to sewer is when Council is advised that HWC have conducted a final inspection and approved the connection to sewer and associated drainage and when the septic system has been decommissioned in accordance with Councils guidelines or modified for approved stormwater use.

Other orders in Sec 124 of the LG Act may be used if more appropriate for the conditions on individual properties.

Section 124 includes but is not limited to:

|       | Column 1  | Column 2   | Column 3   |
|-------|---|--|--|
| Order | To do what?   | In what circumstances?   | To whom?   |
| 21    | To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition  | The land or premises are not in a safe or healthy condition  | Owner or occupier of land or premises  |
| 22    | To store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order, provided that it is not inconsistent with regulations made under the <i>Protection of the Environment Operations Act 1997</i> | Waste is present or generated on the land or premises and is not being dealt with satisfactorily, and is not regulated or controlled by, or subject to, a licence or notice granted or issued under the <i>Protection of the Environment Operations Act 1997</i> | Owner or occupier of land or premises, owner of or person responsible for the waste or for any receptacle or container in which the waste is contained |
| 22A   | To remove or dispose of waste that is on any residential premises or to refrain from keeping waste on those premises  | The waste is, in the opinion of an environmental health officer (within the meaning of the <i>Public Health Act 1991</i> ), causing or is likely to cause a threat to public health or the health of any individual  | Owner or occupier of the premises  |

|    |   |   |                                      |
|----|---|---|--------------------------------------|
| 24 | <b>To connect premises with a sewerage system by a specified date</b>                             | <b>The premises are situated within 75 metres of a sewer of the council</b> | <b>Owner or occupier of premises</b> |
| 25 | Not to use or permit the use of a human waste storage facility on premises after a specified date | It is necessary for the purpose of protecting public health                 | Owner or occupier of premises        |

| <b>Date Policy Adopted</b> | <b>Minute No</b> | <b>Authority</b>   |
|----------------------------|------------------|--------------------|
| 17 August 2010             | 35071            | Council Resolution |