



PUBLIC AND ENVIRONMENTAL HEALTH COUNCIL

11-13 Hindmarsh Square, Adelaide SA 5000
PO Box 6, Rundle Mall, SA 5000

Telephone (08) 8226 7100
Fax (08) 8226 0725

FAXED
19/11/95



DEPARTMENT OF HUMAN SERVICES

EHB:003/99/0026

EHB:02/01257

The Chief Executive Officer and Environmental Health Officers

Waste Control System Notification Circular No3 of 2002

Setback Distances From Coastal Waters

Following expressions of concern by several councils with coastal boundaries regarding the impact that the enforcement of the 100m setback from the mean high water mark to the septic tank effluent disposal system is having on development and the difficulty councils are experiencing in the enforcement of this provision the matter was referred to the Public and Environmental Health Council for review who advise as follows.

The information contained in the South Australian Health Commission Code "Waste Control Systems - Standard for the Construction of Septic Tank Systems in South Australia" including "Supplement A - Aerobic Sand Filters", and "Supplement B - Aerobic Waste Treatment Systems" with regard to the 100m setback from the mean high water mark is advisory in that the term **should** is used whereas the other setbacks are stated in terms of **must**. On the basis of the wording used the Public and Environmental Health Council considers that the word **should** allows the relevant authority to use its discretion in the grant of an approval to install waste control system with the effluent disposal system located at a lesser distance than 100m from the mean high water mark subject to conditions as indicated below.

1. The relevant authority can approve on-site waste control disposal systems on existing vacant (infill) allotments located less than 100m from the mean high water mark as detailed in the SAHC Septic Tank Codes issued from March 1995 onwards. The same provisions can also be used for redevelopment of existing premises, or for the replacement of defective waste control systems where located less than 100m from the mean high water mark.
2. The above provisions apply to existing land divisions with titles issued prior to 15 May 1995 but do not apply to allotments created under the State Government Crown Shack Site Free-holding Program introduced in 1994-5, or to new allotments created after 15 May 1995, where it is expected the council would ensure compliance with the 100m setback as set out under the Regional Coastal Areas Policies within the Council's Development Plan, or require offsite effluent disposal by a suitable communal waste control system e.g. STEDS.

3. In addition to the above the relevant authority needs to make its judgement on whether to grant approval for onsite effluent disposal systems located less than 100m from the mean high water mark based on appropriate geo-technical advice that the system as approved will not result in discharge from the installation site to the coastal environs or to the surrounding environment.

For further information on the above please contact Mehlika Kaayalp, telephone 82267156.



Dr Kevin Buckett
Deputy Presiding Member
Public and Environmental Health Council

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