



**Agenda Legatus Group CWMS Advisory Committee**

**3<sup>rd</sup> February 2023**

**10.30**

**via Zoom**

<https://us02web.zoom.us/j/83093242101>

Meeting ID: 830 9324 2101

Passcode: 897987

Contents

1	Welcome – appointment Chair	2
2	Attendance	2
3	Apologies	2
4	Conflict Of Interest	2
5	Minutes of Previous Meeting	2
6	Matters Arising	
	6.1 Annual CWMS Conference	3
	6.2 CWMS Subsidy Funding Scheme	3
	6.3 Online, on-demand training course	4
	6.4 UniSA and Yorke Peninsula CWMS expansion project	4
	6.5 CWMS Awareness Training for Elected Members	4
	6.6 Regulations CWMS Small Councils	4
7	Other Business	
	7.1 LGA CWMS Committee	5
	7.2 Introducing the New LGA CWMS Manager	6
	7.3 Brainstorming the Activities of the Legatus CWMS Advisory Committees	6
8	Close & Next Meeting	7

## **1. Welcome**

### **Appointment of Chairperson**

After the recent Council elections, the Legatus Group CWMS Advisory Committee was without a Chairperson and Simon Millcock acted in the role at the 2 December 2022 meeting. The Legatus Group 16 December 2022 meeting endorsed Mayor Leon Stephens as a member of the Legatus Group CWMS Advisory Committee.

**Recommendation: That \_\_\_\_\_ is appointed to chair the CWMS Advisory Committee.**

## **2. Attendance:**

Members: TBC

Non-Members: Simon Millcock, Paul Chapman and Tracey Rains (Legatus Group)

## **3. Apologies**

TBC

## **4. Conflict of Interest**

TBA

## **5. Minutes of previous meeting**

Draft Minutes from the previous meeting held on 2 December 2022 were distributed to all members and can be found at <https://legatus.sa.gov.au/wp-content/uploads/2022/12/Draft-Minutes-CWMS-Advisory-Committee-2.12.22-1.pdf>

The Legatus Group received these minutes as part of their 16 December 2022 meeting along with the CWMS Advisory Committee minutes from 16 September 2022. They noted the minutes and requested the Legatus Group CEO to invite the Minister to open the SA CWMS Conference.

Advice was received after the minutes were distributed that under item 7.3 of those minutes that Nathan Berry raised two issues concerning the regulation of CWMS.

1. Most CWMS are STEDS and as such they deal with effluent partially treated by septic tanks.
2. Smaller Councils have fewer resources to comply with CWMS regulation and some allowance or assistance could be provided by the regulators to help those Councils.

Action Paul Chapman to report back to the Advisory Committee.

**Recommendation: That the Legatus Group Community Wastewater Management Scheme Advisory Committee minutes of the 2 December 2022 include the items raised by Nathan Berry and be taken as read and confirmed.**

## **6. Matters Arising**

### **6.1 CWMS Annual Conference**

Author: Paul Chapman

The Conference which had been planned for 17 February 2023 has been postponed until a possible date is found in June 2023.

This has been in response to comments made by the LGA Secretariat through the CWMS Manager: that the River Murray floods might make it difficult for some Councils to attend and that LGA CEO, Clinton Jury, who was asked to be a key note speaker, was unavailable on the day previously scheduled. The CWMS Manager also had comments on the draft Conference Program which will be incorporated into the updated version and presented to the Advisory Committee in due course.

An invite has been forwarded to confirm a suitable date to the Minister for Local Government Hon Geoff Brock MP who was to have opened the 17 February 2023 Conference. Paul Chapman and Simon Millcock had arranged to brief the Minister and this has also been postponed.

The LGA CWMS Manager has invited Simon and Paul to the next LGA CMC to discuss the program.

**For noting.**

### **6.2 CWMS Subsidy Funding Scheme**

Author: Paul Chapman

The last meeting heard that the process for subsidising new schemes is slow and that the LGA's use of consultants for preparing proposals and the lack of engagement with Councils are causing concern. The meeting resolved to canvas Legatus Group member councils on current applications and an email was sent to all member councils.

The most recent annual report to the Minister from the CMC suggests that there are delays in the process and that all but high priority proposals have been put on hold. Further, of the six milestones for the CMC in 2021-22, only one is on target and two activities are yet to commence. In August 2021, the Auditor-General's Department tabled a report on the operation of the CMC and it also noted delays and deferrals of funding. Quote "At the time of our examination, the only CWMS scheme under construction was for a small community at Cowirra on the River Murray near Mannum. Other potential CWMS schemes with high priority have experienced delays and as a result the prioritisation and allocation of funding were deferred." (AGD, 2021, p 37)

No new scheme has been approved by the CMC since 2019. On behalf of the CMC the CWMS Manager is currently working with a design consultant to develop a standard concept and detailed design specification for CWMS and a Process Map intended to speed up the process.

Noted: that Barunga West received \$3 million for an upgrade to Port Broughton's wastewater plant to enable it to treat sewage and reuse wastewater from Fisherman Bay. The LGA in January 2023 approved the CWMS Management Committee's recommendation of \$155,020 of additional funding for variations to the construction of the Port Broughton Wastewater Treatment Plant. This will result in an increase to the existing subsidy funding agreement between Barunga West Council and the LGA from \$3 million to \$3.155 million.

Whilst they have noted that further information has been requested from Adelaide Plains Council on the urgency of defect rectification works and origins of the defect and design shortfalls and options the council has investigated to rectify these.

Paul Chapman received comments from five Legatus Group Councils.

Five Councils responded to the request for comments on their experience with the CMC including those that have applications for funding before the CMC.

The views expressed were mixed and included:

- Lack of communication and inordinate delays in advancing their applications.
- CMC engaged consultants for the proposals without recourse to the applying Council and that the resulting feasibility studies were now appropriately informed and out-of-date and had subsequently to be revised.
- Expressed their appreciation for the work of the past Manager and Acting Manager of the CMC.
- Supportive Councils had well-developed proposals before approaching the CMC and they found the process to be effective and were kept up to date.

**Recommendation: That the Advisory Committee notes this report and that David Eggers CWMS Manager at the LGA will discuss.**

### **6.3 On-line, on-demand CWMS training course**

Author Simon Millcock

At the time of the last meeting the content for this course was being reviewed by the State Government regulatory agencies. This matter has been raised on several occasions with the LGA Secretariat and the latest advice as of 19 Jan 2023 from David Eggers is that he has followed-up on this and that they are awaiting some regulator feedback and that he will follow this up to keep this moving.

**Recommendation: For noting.**

### **6.4 UniSA and Yorke Peninsula CWMS expansion project**

Author Paul Chapman

The last meeting heard that the next step in this project was to set up a test facility at Ardrossan and an application for funding through the LGA R&D Scheme had failed. The Advisory Committee supported the recommendation to make a further funding application to the LGA's CWMS Committee. That application has also failed with funding going to a project to determine the composition of wastewater collected at RV dump points.

An increase by \$3,000 from the original \$3,000 allocated in the Legatus Group has been recommended. Simon Millcock has submitted a request to LGA CWMS Committee for any funds left over in their budget to be allocated and further investigations are underway with UniSA to see if alternative funds can be found.

**Recommendation: For noting.**

## **6.5 CWMS Awareness Training for elected Council members**

The last meeting expressed support for preparing this course in conjunction with the LGA refer item 7.1.

## **6.6 Regulation of CWMS in Small Regional Councils**

At its meeting of 2<sup>nd</sup> December 2022, the issue of the regulatory burden of CWMS on small, regional Councils was raised with the Legatus Group CWMS Advisory Committee. Two points were made by Nathan Berry and Paul Chapman was asked to investigate the issues.

Firstly, is the point that effluent in a Septic Tank Effluent Drainage/Pump (STED/PS) system is not raw sewage but already partially treated wastewater. Most regional CWMS are STED/PS. If a risk management approach to regulation is applied by regulators, then spills from a STED should be treated more leniently than spills from a full sewer such as in Adelaide: the potential damage is much less if, say, a STED backs up and effluent overflows in a backyard in a regional area compared with raw sewage spilling onto a city street. Investigation of this issue has added that, from past surveys, we should expect that a considerable portion of the septic tanks are not working properly and the effluent might not be partially treated.

Secondly, that small, regional Councils lack the resources of others or of SA Water and compliance with regulations is a much heavier burden on them. Regulators have previously advised that they are wilfully blind to the identity of the licence holder and will treat them all exactly the same. It is implied that if a Council finds the regulatory burden excessive it should consider whether it is the appropriate body to hold the CWMS licence.

**Recommendation: That the Advisory Committee discusses these and any other regulatory issues and, if it is thought appropriate, invites comments on the issues raised from the appropriate regulator.**

## **7. Other Business**

### **7.1 LGA CWMS Committee / Role of Legatus Group**

Author Simon Millcock

#### **Background**

Since early 2018 when a 2 year Joint CWMS Service Arrangements by Legatus Group with the LGA CWMS Management Committee was entered into there have been 3 extensions with the current one to expire in June 2023.

Initially the agreement was based around supporting the Legatus Group Councils but this has expanded to include all councils within SAROC. This approach has been supported by other Regional LGAs.

Project Manager Dr Paul Chapman has been contracted on a part time bases since March 2019 by the Legatus Group to manage the areas identified in the Joint CWMS Service Arrangements.

There are regular reports provided to the LGA CWMS Management Committee, Regional LGA Executive Officer Forums and the Legatus Group CWMS Advisory Committee.

There have been surveys, 3 annual conferences, annual workshops with all Regional LGA CWMS Operators and a risk-based workshop with LG Mutual.

The State Government provides full sewage collection, treatment and disposal services for metropolitan Adelaide and major provincial cities, about 90% of the State's 'wastewater' population, while Local Government is responsible for effluent and some sewage collection, treatment and disposal services for other country towns.

Local Government currently operates 175 CWMS in 50 councils throughout the state. Most of the CWMS in SA are owned and operated by the Regional Council they are situated in.

In February 2021 Paul Chapman developed a discussion paper which was designed to provide an overview of the findings for discussion and be progressed as a report to SAROC on the possibility of establishing a LGA CWMS Committee that would look to support the sector.

A meeting was held in 2021 with the Regional LGA EOs Forum including the Chair of SAROC and LGA Secretariat representatives to discuss the discussion paper. There was not the appetite at the time by the LGA Secretariat to progress with this approach.

On 13 December 2022 a meeting was held at LGA House including Paul Chapman and Simon Millcock along with LGA Secretariat staff to further discuss the possible establishment of a LGA CWMS Committee.

A draft report was then provided by Simon Millcock and titled Subject: Key Topics CWMS – who could take the lead in supporting. This report was acknowledged on 4 January 2023 via an email of thanks for providing the document, and that it will be reviewed and feedback provided in the near future.

On 25 January 2023 the Legatus Group CEO received a response to the draft report which indicated possible discrepancies outlined by the LGA's response and the information they provide on their website. This is being investigated further by David Eggers the LGA CWMS Manager.

On the 9 January 2023 the Eyre Peninsula LGA wrote to the SA Regional Organisation of Council (SAROC) recommending: *“That SAROC propose that a CWMS unit be established by the LGA”*.

#### **Recommendation:**

- 1. That the Legatus Group CWMS Advisory Group recommends that the Legatus Group advocates via SAROC for the LGA to consider reviewing the terms of the Legatus Group CWMS Advisory Committee including consideration of expanding the role or creating a new committee in the areas of support sought by member councils for CWMS.**
- 2. That the Legatus Group CWMS Advisory Committee recommends that the Legatus Group continues to support a joint CWMS Service Arrangements for Regional Councils to be managed through the Legatus Group with the LGA.**

#### **7.2 Introducing the new LGA CWMS Manager David Eggers**

David will update the Advisory Committee on the role of the LGA and the LGA CWMS Management Committee and on the status of the new draft funding agreement with the South Australia Government.

#### **7.3 Brainstorming the activities of the Legatus CWMS Advisory Committee**

Note: It was agreed to keep this item at foot for all future meetings.

The last meeting considered the prospect of extracting methane as a renewable energy source from CWMS facilities. Contact has been made with a company with international experience in this regard and a presentation on the subject will be made at this year's CWMS Annual Conference.

**For noting and any further discussion**

**8. Close and next meeting.**