

Submission

No 31

INQUIRY INTO MANAGEMENT OF DOMESTIC WASTEWATER

Organisation: Peak Oyster Advisory Group (POAG)
Name: Mr Terrence Healey
Position: Chair
Date Received: 2/05/2012

PEAK OYSTER ADVISORY GROUP

(OUT11/22839)
Ref: LAC11/231

Mr Chris Patterson
Chair, Committee on Environment and Regulation
Parliament House
Macquarie St
Sydney NSW 2000

Dear Mr Patterson

The Peak Oyster Advisory Group (POAG) is the key oyster industry consultative body for issues relating to the management and future development of the NSW oyster industry. POAG's meeting schedule is such that its most recent meeting of the 27th March 2012 was the first opportunity for the group to consider the *Inquiry into the Regulation of Domestic Wastewater* despite the inquiry's advanced progress. In light of this, I respectfully request the committee to receive and consider POAG's submission.

The submission describes how poorly managed on-site sewerage systems are the most important process threatening the water quality needs of the industry. The submission then lists four key recommendations for improving the current OSMS arrangements.

Effects of domestic waste water on NSW oyster industry viability

The NSW Oyster Industry Sustainable Aquaculture Strategy (OISAS) was gazetted in December 2006 to identify those areas where oyster farming is a suitable and priority intended outcome, and to maintain and where possible improving the environmental conditions required for sustainable oyster production.

OISAS establishes water quality objectives for all oyster growing areas that are set at the direct harvest standard of the NSW Shellfish Program harvest areas. The vision of the strategy is that all harvest areas will be gradually improved to meet the direct harvest standard.

Of the 74 oyster industry harvest areas in NSW, 32 meet the direct harvest standard, 38 are classified as restricted, 2 are prohibited and 2 are unclassified.

Domestic wastewater from on-site sewage management systems is the main reason why sanitary water quality does not currently meet the direct harvest objective in all harvest areas.

While the incidence of human illness is low due to the effective operation of the NSW Shellfish Program, poor water quality has a direct commercial cost to the NSW oyster industry as it necessitates depuration (holding oysters in purified water for 36 hours)

and decreases harvest opportunity and flexibility because it lengthens the period of temporary closure (where oysters can not be sold) during rainfall events. These costs are borne by the oyster industry and they seriously affect industry sustainability and viability. The additional effects on tourism and local communities from waterways that may be unsafe for swimming needs to be noted.

Incidents of extended harvest area closures due to domestic wastewater contamination.

There are several oyster harvest areas in NSW that have experienced extended harvest closures due to contamination from domestic wastewater. The first is Tilligerry Creek harvest area 5A which was first closed in 1999 due to high faecal coliform levels associated with agricultural run-off and domestic wastewater contamination. In 2005 the adjacent harvest area 5B was also closed after the human pathogenic norovirus was detected in the area. The initial closure forced several oyster farming businesses to restructure their operations and the 2005 closure led to two large oyster businesses permanently closing. After works in the catchment to remediate failing on-site sewage management systems, half of harvest area 5B was re-opened in 2007. Today, harvest Area 5A and the upper part of harvest area 5B remain closed.

The second incident is the closure of the Kalang River harvest area following a norovirus illness in 2008. This closure has been in place now for three years and has seen several oyster businesses close or substantially cease production.

The key issue is that these contamination events have an immediate impact on the oyster industry and take extended periods to rectify.

Implementation and oversight of on-site sewerage management strategies

Recommendation 1: POAG recommends that there be a legislative requirement for Councils to prepare and implement an on-site sewerage management strategy in Coastal catchments that contain an oyster farming industry.

Further, the legislation must prescribe a standard code for implementation. The details of this code could easily be derived from the Council's that have effectively implemented on-site sewerage management strategies. For example Great Lakes Shire has an effective strategy that is properly implemented and, in part, this has resulted in all oyster harvest areas in Wallis Lake being classified for direct harvest. This standard code must include the requirement for the independent audit of Councils' on-site sewerage management systems.

The issue for management of the NSW oyster industry is that the poor implementation of an on-site sewerage management strategy can result in harvest area closures and losses to the businesses of oyster farmers and reduced flow on benefits from the oyster industry to the state and local areas.

Certification of design and installation of OSMS

Recommendation 2: POAG recommends the extending Sydney Catchment Management Authority approach of requiring certification of design and installation of on-site sewerage management systems to estuarine catchments that support oyster farming.

This requirement could be implemented through the on-site sewerage management strategy code discussed above.

Licensing of service agents

Recommendation 3: POAG recommends that the position of OSMS service technician is of such vital importance to the operation of the system that this occupation should be licensed by the NSW Department of Fair Trading. Further POAG recommends that a minimum education and training standard be established to gain certification as an agent.

OSMS Standards

Recommendation 3: POAG recommend the preparation and publication of a set of minimum standards for on-site sewerage management systems adjacent to oyster harvest zones. These standards are required to take into consideration the sensitive nature of oyster growing waters and the need to develop specific treatment systems and disposal area that do not pose a risk to the industry. These standards could be included in the revised Department of Local Government Environment and Health Protection Guidelines for on-site sewerage management.

Yours sincerely,

Terrence Healey
CHAIRPERSON